

## SECOND READING

D.

### ORDINANCE OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WOODBRIDGE, COUNTY OF MIDDLESEX, NEW JERSEY ADOPTING THE AMENDED "PENNVAL AND CUTTERS DOCK ROADS REDEVELOPMENT PLAN" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes a municipality to determine whether certain parcels of land in the municipality constitute "areas in need of redevelopment"; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Municipal Council of the Township of Woodbridge (the "Municipal Council") has designated the Woodbridge Redevelopment Agency (the "Agency") to act as its "redevelopment entity" (as such term is defined at *N.J.S.A. 40A:12A-3*) and authorized the Agency to exercise the powers contained in the Redevelopment Law to facilitate the development of redevelopment projects throughout the Township of Woodbridge (the "Township"); and

WHEREAS, on November 20, 2007, the Municipal Council adopted a resolution in accordance with *N.J.S.A. 40A:12A-6* authorizing and directing the Planning Board of the Township (the "Planning Board") to conduct an investigation to determine whether a certain area of the Township commonly known as Block 523, Lots 1 and 3; Block 524, Lot 1; Block 531, Lots 1 and 2; Block 531.01, Lot 1; Block 531.02, Lots 1.021, 1.03, and 100; Block 540.07, Lot 10; Block 541, Lots 8, 10.01, and 11; Block 730, Lot 1 on the tax maps of the Township (the "Original Pennval Study Area") satisfies the criteria to be designated as an "area in need of redevelopment"; and

WHEREAS, on March 19, 2008, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Susan Gruel and Fred Heyer of Heyer, Gruel, & Associates, entitled "Pennval Road Redevelopment Study" dated February 2008 (the "Redevelopment Study") which determined that the Original Pennval Study Area met the criteria for designation as an "area in need of redevelopment" under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Redevelopment Study and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Original Pennval Study Area be designated as an "area in need of redevelopment"; and

WHEREAS, on April 1, 2008, in accordance with the recommendation of the Planning Board, the Municipal Council designated the Original Pennval Study Area as an "area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-5* (the "Original Pennval Redevelopment Area"); and WHEREAS, in furtherance of the redevelopment of the Original Pennval Redevelopment Area, the Pennval Road Redevelopment Plan was prepared by Heyer, Gruel & Associates; and

WHEREAS, the Municipal Council adopted a Resolution on December 2, 2008, referring

the Pennval Road Redevelopment Plan to the Planning Board for its review and recommendation; and

WHEREAS, the Planning Board by Resolution, adopted January 7, 2009, recommended that the Township Council adopt the Pennval Road Redevelopment Plan; and

WHEREAS, the Municipal Council adopted an Ordinance on January 20, 2009, adopting the Pennval Road Redevelopment Plan; and

WHEREAS, the Municipal Council desired to add various adjacent parcels to the Pennval Road Redevelopment Area; and

WHEREAS, on October 6, 2009, the Municipal Council adopted a resolution in accordance with *N.J.S.A. 40A:12A-6* authorizing and directing the Planning Board of the Township to conduct an investigation to determine whether that certain area of the Township commonly known as Block 531.02, Lot 1.022; Block 541, Lots 9.01 and 12; Block 729, Lot 3; Block 729.01, Lot 1; and Block 731, Lot 1.02 on the tax maps of the Township (the "Second Pennval Study Area") satisfies the criteria to be designated as an "area in need of redevelopment"; and

WHEREAS, on December 2, 2009, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Marta Lefsky, Director of the Woodbridge Township Department of Planning & Development, entitled "PRELIMINARY ANALYSIS AND INVESTIGATION OF ADDITIONAL PARCELS TO THE PENNVAL ROAD REDEVELOPMENT AREA AS 'AN AREA IN NEED OF REDEVELOPMENT'" dated December 2009 (the Second "Redevelopment Study") which determined that the Second Pennval Study Area met the criteria for designation as an "area in need of redevelopment" under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Redevelopment Study and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Second Pennval Study Area be designated as an "area in need of redevelopment" in a resolution adopted on December 16, 2009; and

WHEREAS, on January 5, 2010, in accordance with the recommendation of the Planning Board, the Municipal Council designated the Second Pennval Study Area as an "area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-5* (the "Second Pennval Redevelopment Area"); and

WHEREAS, in furtherance of the redevelopment of the Original Pennval Redevelopment Area and the Second Pennval Redevelopment Area, the Woodbridge Department of Planning & Development prepared the Amended Pennval Road Redevelopment incorporating both redevelopment areas in one plan (the "Combined Pennval Road Redevelopment Area"); and

WHEREAS, the Municipal Council adopted an Ordinance on January 19, 2010, adopting the Amended Pennval Road Redevelopment Plan; and

WHEREAS, the Township Planner prepared a new redevelopment plan for a portion of the Combined Pennval Road Redevelopment Area, specifically Block 523, Lot, 1 and Block 531, Lots 1 and 2, entitled the "Cutters Dock Road Redevelopment Plan" dated August 2019 (the "Cutters Dock Road Redevelopment Plan"); and

WHEREAS, on August 20, 2019, the Municipal Council adopted a resolution referring the Cutters Dock Road Redevelopment Plan to the Planning Board for its review and recommendation, pursuant to *N.J.S.A. 40A:12A-7e*; and

WHEREAS, on August 21, 2019, the Planning Board reviewed the Cutters Dock Road Redevelopment Plan and adopted a resolution recommending its adoption; and

WHEREAS, the Municipal Council adopted an Ordinance on September 3, 2019, adopting the Cutters Dock Road Redevelopment Plan; and

WHEREAS, the Municipal Council desired to expand the Cutters Dock Road Redevelopment Area with additional parcels from the Combined Pennval Road Redevelopment; and

WHEREAS, the Township Planner prepared an amended Cutters Dock Road Redevelopment Plan, dated June 2020 which included Block 531.01, Lot 1; Block 531.02, Lot 1.021, and Block 531.02, Lot 1.022; and

WHEREAS, on June 9, 2020, the Municipal Council adopted a resolution referring the amended Cutters Dock Road Redevelopment Plan, dated June 2020 (the "CDR June 2020 Plan"), to the Planning Board for its review and recommendation, pursuant to *N.J.S.A. 40A:12A-7e*; and

WHEREAS, on June 10 2020, the Planning Board reviewed the CDR June 2020 Plan and adopted a resolution recommending its adoption; and

WHEREAS, the Municipal Council adopted an Ordinance on June 23, 2020, adopting the CDR June 2020 Plan; and

WHEREAS, the Municipal Council desired to further expand the Cutters Dock Road Redevelopment Area to include more parcels from the Combined Pennval Road Redevelopment Area; and

WHEREAS, certain parcels in the Combined Pennval Road Redevelopment Area have been restudied and re-designated in 2020; and

WHEREAS, on January 21, 2020, the Municipal Council adopted a resolution in accordance with *N.J.S.A. 40A:12A-6* authorizing and directing the Planning Board of the

Township to conduct an investigation to determine whether a certain area of the Township commonly known as Block 531.02, Lot 100; Block 540.07, Lot 10; Block 541, Lot 9.01; Block 541, Lot 11 on the tax maps of the Township ("2020 Study Area") satisfies the criteria to be designated as a "condemnation area in need of redevelopment"; and

WHEREAS, on February 19, 2020, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of reports prepared by the Woodbridge Department of Planning & Development, entitled "Preliminary Analysis and Investigation of Block: 540.07, Lot: 10 as 'An Area in Need of Redevelopment'" dated January 2020, "Preliminary Analysis and Investigation of Block: 541, Lot: 9.01 as 'An Area in Need of Redevelopment'" dated January 2020, and "Preliminary Analysis and Investigation of Block: 541, Lot: 11 as 'An Area in Need of Redevelopment'" dated January 2020, (the "Redevelopment Studies"), which determined that the Block 540.07, Lot 10; Block 541, Lot 9.01; and Block 541, Lot 11 met the criteria for designation as an "condemnation area in need of redevelopment" under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Redevelopment Studies and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-6*, that Block 540.07, Lot 10; Block 541, Lot 9.01; and Block 541, Lot 11 be designated as an "condemnation area in need of redevelopment"; and

WHEREAS, on March 3, 2020, in accordance with the recommendation of the Planning Board, the Municipal Council designated Block 540.07, Lot 10 and Block 541, Lot 9.01 as a "condemnation area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, on March 24, 2020, in accordance with the recommendation of the Planning Board, the Municipal Council designated Block 541, Lot 11 as a "condemnation area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Township Planner prepared an amended Cutters Dock Road Redevelopment Plan, dated July 2020 which included Block 541, Lot 8 (from the Combined Pennval Redevelopment Area); Block 540.07, Lot 10; Block 541, Lot 9.01; and Block 541, Lot 11 (the "CDR July 2020 Plan"); and

WHEREAS, on July 6, 2020, the Municipal Council adopted a resolution referring the CDR July 2020 Plan to the Planning Board for its review and recommendation, pursuant to *N.J.S.A. 40A:12A-7e*; and

WHEREAS, on July 15, 2020, the Planning Board reviewed the CDR July 2020 Plan and adopted a resolution recommending its adoption; and

WHEREAS, the Municipal Council adopted an Ordinance on July 21, 2020, adopting the CDR July 2020 Plan; and

WHEREAS, on June 9, 2020, the Municipal Council adopted a resolution in accordance

WHEREAS, the Township Planner has prepared an amended Pennval and Cutters Dock Roads Redevelopment Plan, entitled the "Pennval and Cutters Dock Roads Redevelopment Plan dated August 2020, amended March 2021 which includes new sections regarding property acquisition and relocation provisions (the "Amended Redevelopment Plan"), attached hereto as Exhibit A; and

WHEREAS, on March 2, 2021, the Municipal Council adopted a resolution referring the Amended Redevelopment Plan to the Planning Board for its review and recommendation, pursuant to *N.J.S.A. 40A:12A-7e*; and

WHEREAS, on March 3, 2021, the Planning Board reviewed the Amended Redevelopment Plan and adopted a resolution recommending its adoption; and

WHEREAS, upon review of the Planning Board's recommendation of the Amended Redevelopment Plan, the Municipal Council has determined to adopt the Amended Redevelopment Plan to ensure the success of redevelopment within the Pennval and Cutters Dock Roads Redevelopment Area in conformity with the Township's redevelopment objectives.

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Woodbridge, County of Middlesex, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Pennval and Cutters Dock Roads Redevelopment Plan dated August 2020, amended March 2021, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.
3. The zoning district map included in the zoning ordinance of the Township is hereby amended to include the Pennval and Cutters Dock Roads Redevelopment Area per the boundaries described in the Amended Redevelopment Plan. All of the provisions of the Pennval and Cutters Dock Roads Redevelopment Plan shall supersede the applicable development regulations of the Township's municipal code, as and where indicated.
4. A copy of this Ordinance and the Pennval and Cutters Dock Roads Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.
5. This Ordinance shall take effect in accordance with all applicable laws.

I, John M. Mitch, Township Clerk of the Township of Woodbridge, in the County of Middlesex and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the ordinance adopted by the Municipal Council of the Township of Woodbridge at a meeting held

WHEREAS, the Township Planner has prepared an amended Pennval and Cutters Dock Roads Redevelopment Plan, entitled the "Pennval and Cutters Dock Roads Redevelopment Plan dated August 2020, amended March 2021 which includes new sections regarding property acquisition and relocation provisions (the "Amended Redevelopment Plan"), attached hereto as Exhibit A; and

WHEREAS, on March 2, 2021, the Municipal Council adopted a resolution referring the Amended Redevelopment Plan to the Planning Board for its review and recommendation, pursuant to *N.J.S.A. 40A:12A-7e*; and

WHEREAS, on March 3, 2021, the Planning Board reviewed the Amended Redevelopment Plan and adopted a resolution recommending its adoption; and

WHEREAS, upon review of the Planning Board's recommendation of the Amended Redevelopment Plan, the Municipal Council has determined to adopt the Amended Redevelopment Plan to ensure the success of redevelopment within the Pennval and Cutters Dock Roads Redevelopment Area in conformity with the Township's redevelopment objectives.

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Woodbridge, County of Middlesex, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Pennval and Cutters Dock Roads Redevelopment Plan dated August 2020, amended March 2021, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.
3. The zoning district map included in the zoning ordinance of the Township is hereby amended to include the Pennval and Cutters Dock Roads Redevelopment Area per the boundaries described in the Amended Redevelopment Plan. All of the provisions of the Pennval and Cutters Dock Roads Redevelopment Plan shall supersede the applicable development regulations of the Township's municipal code, as and where indicated.
4. A copy of this Ordinance and the Pennval and Cutters Dock Roads Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.
5. This Ordinance shall take effect in accordance with all applicable laws.

I, John M. Mitch, Township Clerk of the Township of Woodbridge, in the County of Middlesex and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the ordinance adopted by the Municipal Council of the Township of Woodbridge at a meeting held

MAR 16 2021

on \_\_\_\_\_, 2021 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the Township of Woodbridge, this <sup>MAR 16 2021</sup> \_\_\_\_\_ day of \_\_\_\_\_, 2021.



JOHN M. MITCH, RMC, CMC, CMR  
Township Clerk