

RESOLUTION 2016-

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DIRECTING THE PLANNING BOARD TO INVESTIGATE WHETHER CERTAIN PROPERTIES SHOULD BE INCLUDED WITHIN THE SEAPORT VILLAGE REDEVELOPMENT AREA WITHOUT CONDEMNATION (NON-CONDEMNATION REDEVELOPMENT AREA)

WHEREAS, the Local Redevelopment and Housing Law authorizes municipalities to determine whether certain parcels of land in the municipality may constitute areas in need of redevelopment, either with or without the use of condemnation (power of Eminent Domain) to acquire private property for redevelopment purposes; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment, the Belmar Borough Council (“Borough Council”) must authorize the Belmar Planning Board (“Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

WHEREAS, on August 13, 2003, the Mayor and Borough Council adopted a Seaport Redevelopment Plan, inclusive of ordinances incorporating standards for development for the Seaport Village Redevelopment Area which have been amended by subsequent ordinances (the “Plan”); and

WHEREAS, the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) was amended in 2013 to provide for the designation of a Redevelopment Area either with or without the use of condemnation (Condemnation Redevelopment Area vs Non-Condemnation Redevelopment Area) and the Borough Council believes it is in the best interest of the Borough of Belmar (the “Borough”) to further investigate whether or not additional areas should be included within the Seaport Village Redevelopment Area as areas in need of redevelopment without condemnation (Non-Condemnation Redevelopment Area) and redeveloped in accordance with the Seaport Redevelopment Plan; and accordingly authorizes and directs the Planning Board to conduct an investigation to determine whether the area within the Borough south of Eighth Avenue between Main Street and Route 35 or Railroad Avenue extending south to Twelfth Avenue, specifically including Blocks 106, 116, 117, 67, 86, 86.01, 87, 96 and Belmar Plaza as shown on Tax Map Sheets 13, 17 and 21 meets the criteria set forth within N.J.S.A. 40A:12A-5 and should be designated as an area in need of redevelopment without condemnation and included within the Seaport Village Redevelopment Area;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council:

1. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the area south of Eighth Avenue between Main Street and Route 35 or Railroad Avenue extending south to Twelfth Avenue, specifically including Blocks 106, 116, 117, 67, 86, 86.01, 87, 96 and Belmar Plaza as shown on Tax Map Sheets 13, 17 and 21 satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment.
2. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed area to be included within the existing Seaport Village Redevelopment Area and the location of various parcels contained therein. Appended to the boundary map should be a statement setting forth the basis for the investigation.
3. The Planning Board shall conduct a public hearing after giving notice as required by NJSA 40A:12A-6b.
4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by the determination of the area delineated in the notice area is an area in need of redevelopment. All objections to a determination that the area south of Eighth Avenue between Main Street and Route 35 or Railroad Avenue extending south to Twelfth Avenue, specifically including Blocks 106, 116, 117, 67, 86, 86.01, 87, 96 and Belmar Plaza as shown on

Tax Map Sheets 13, 17 and 21 is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

5. After conducting its investigation, preparing a map of the area south of Eighth Avenue between Main Street and Route 35 or Railroad Avenue extending south to Twelfth Avenue, specifically including Blocks 106, 116, 117, 67, 86, 86.01, 87, 96 and Belmar Plaza as shown on Tax Map Sheets 13, 17 and 21 and conducting a public hearing, at which all objections to the designation are received and considered, the Planning Board shall make the recommendation to the Borough Council as to whether the Borough Council should designate all or some or none of the area south of Eighth Avenue between Main Street and Route 35 or Railroad Avenue extending south to Twelfth Avenue, specifically including Blocks 106, 116, 117, 67, 86, 86.01, 87, 96 and Belmar Plaza as shown on Tax Map Sheets 13, 17 and 21 should be designated as an area in need of redevelopment (Non-Condernation Redevelopment Area).

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted: