

*****ADOPTED DECEMBER 18, 2023*****

DELANCO TOWNSHIP

ORDINANCE 2023-17

**AUTHORIZING IMPOSITION AND FILING
OF DEED RESTRICTIONS ON TOWNSHIP-OWNED PROPERTIES
FOR PURPOSES OF OPEN SPACE PRESERVATION**

WHEREAS, the Township of Delanco owns the following properties (the “Properties”):

- (1) 200 Ash Street; Block 1405, Lot 6 (0.745 acre) (Canvas Shop);
- (2) 501 Burlington Avenue; Block 1404, Lot 1 (0.143 acre) (Vine Street Park);
- (3) 507 Burlington Avenue; Block 1404, Lot 2 (0.064 acre) (Annex to Vine Street Park);
- (4) 414 Rancocas Avenue; Block 1401, Lot 10.01 (0.17 acre) (Annex to Gateway Park);
- (5) 1 Hawk Island; Block 2300, Lot 1 (15 acres) (West end of Hawk Island);
- (6) 15 Hawk Island; Block 2300, Lot 4 (11 acres) (Portion of Hawk Island);
- (7) 109 Delaware Avenue; Block 2300, Lot 7 (0.094 acre) (Hawk Island access)

; and

WHEREAS, the Township acquired and holds the Properties for the purpose of open space preservation; and

WHEREAS, the Canvas Shop was acquired in 2020 to demolish the unsafe structure on the parcel and provide access to the Rancocas Creek. The Township Planner is providing a concept plan for the potential park development. In the interim, the structure was demolished and the lot is cleared for park development; and

WHEREAS, Vine Street Park is at the corner of Burlington Avenue and Vine Street and has been an established and improved pocket park with benches and landscaping improvements. The annex was received from the County after the County acquired the property and additional area which the County used to improve visibility on the curve on Burlington Avenue. The excess land was adjacent to the existing Vine Street Park, and the land is a grassed and cleared

area that has been added to and become a part of the Vine Street Park and is utilized by the public; and

WHEREAS, Gateway Park is at the corner of Burlington Avenue and Rancocas Park and serves as the gateway to the Township from the Riverside-Delanco Bridge. The Township acquired 414 Burlington Avenue in early 2020 for the purpose of expanding Gateway Park. The expansion area is grassed and fenced and is used by the Township in association with public activities and community events; and

WHEREAS, the Township already lists 5 Hawk Island on its ROSI. The additions of 1 and 5 Hawk Island, as well as 109 Delaware Avenue, are all intended to further the passive open space of Hawk Island, which is a peninsula at the confluence of the Delaware River and the Rancocas Creek. Some of the other portions of Hawk Island are owned by other entities or contain complex title issues, but the Township promotes clean-up days that have occurred regularly over the years. The Township's long-term goal is to establish Hawk Island as open space with trails and associated improvements, which will benefit the residents and drive out nuisance uses that result in police response; and

WHEREAS, the Township desires to file a deed restriction to ensure that the Properties remain restricted to open space uses. All uses permitted by Green Acres on open space as governed by Green Acres' regulations will be permitted on the Properties and no other uses will be permitted; and

WHEREAS, upon the next amendment and filing of an updated Recreation and Open Space Inventory ("ROSI"), the Township intends to include all of the above Properties on the ROSI; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., permits the filing of a deed restriction restricting the Properties for open space by way of ordinance, and this Ordinance is being adopted in accord with same.

NOW, WHEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Township hereby authorizes an open space preservation deed restriction to be filed with respect to all of the Properties.

BE IT FURTHER ORDAINED that the Township Attorney and Administration are authorized and directed to prepare the Deed(s) and any related documents to effectuate the filing(s) authorized by this Ordinance, and the Mayor and Clerk (as may be required) are authorized and directed to execute the Deed(s).