

RESOLUTION 2019-09

A RESOLUTION OF THE DELANCO TOWNSHIP JOINT LAND USE BOARD REPORTING ITS FINDINGS AND RECOMMENDATIONS TO THE TOWNSHIP COMMITTEE ON THE REDEVELOPMENT STUDY FOR THE AREA DEFINED AS BLOCK 1405, LOTS 1 AND 6, AND BLOCK 1411, LOTS 1, 1.01, AND 2, MORE COMMONLY KNOWN AS THE "ASH STREET" PROPERTIES.

WHEREAS, pursuant to New Jersey's Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) a matter involving land use, including Redevelopment, must be referred to the Joint Land Use Board (the "Board") to conduct a public hearing consistent with the requirements of the Local Redevelopment and Housing Law, ("LRHL") N.J.S.A. 40A:12A-1; and

WHEREAS, on April 1, 2019, by Resolution #2019-59, the Township Committee referred a Preliminary Investigation Study prepared by the Taylor Design Group, Inc., to the Joint Land Use Board to conduct a preliminary investigation and public hearing as to the Area identified in the Preliminary Investigation to be designated as an Area in Need of Redevelopment (Non-Condensation) or in Need of Rehabilitation, with respect to the properties identified as Block 1405, Lots 1 and 6, and Block 1411, Lots 1, 1.01, and 2, more commonly known as the "Ash Street" Properties. The study area is bordered by Rancocas Creek to the South, Rancocas Avenue to the North, Poplar Street to the East, and Buttonwood Street to the West; and

WHEREAS, in advance of the hearing, the Joint Land Use Board provided notice of the hearing to members of the public and to affected landowners by publication and written notice in accordance with the New Jersey LRHL, N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, in accordance with the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Delanco Township Joint Land Use Board conducted a Public Hearing on June 5, 2019 for the purpose of investigating and determining whether certain properties within the Township qualify as a non-condemnation "area in need of redevelopment" and/or "area in need of rehabilitation" pursuant to the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A-12A-14, and as memorialized by Township Resolution 2019-59. The Township is not considering the use of eminent domain and/or condemnation powers within the study area; and

WHEREAS, at its Regular Meeting of the Delanco Township Joint Land Use Board ("Board") on June 5, 2019, the Board reviewed the Study and the testimony of its Professional Planner, Michelle Taylor, PP, AICP of the Taylor Design Group, Inc. Ms. Taylor provided testimony as to the criteria under the statute for the designation of an Area as one in Need of Redevelopment and for the designation of an Area as an Area in Need of Rehabilitation and the differing standards for each designation; and

WHEREAS, Ms. Taylor responded to questions from the Board and from the public; and

WHEREAS, during the hearing on the Study, Ms. Taylor provided her professional opinion that based upon her review of the statutory standard, the current condition of one parcel and its recent history of under-utilization, at least one parcel within the Area, known as the Canvas Shop site, which was identified in the Study as Block 1405, Lot 6, could be found to satisfy more than one of the statutory requirements to be designated as an Area in Need of Redevelopment. It was suggested that given the absence of an active Redevelopment partner for the site, that the parcel be reviewed again at a future date for further study and/or review as to whether the parcel should be designated an Area in need of Redevelopment; and

WHEREAS, the Delanco Township Joint Land Use Board heard the comments from the Public and from its professionals relating to the criteria for the designation of the entire Area as one which is in Need of Rehabilitation and discussed the requirements of such, the benefits of such designation to the Township and the property owners in terms of the ability to apply for tax relief, grants, or other benefits based upon certain types of capital improvements made to the structures on the properties within the Area; and

WHEREAS, based upon the comments of the Board, the testimony of Ms. Taylor and the Board's findings based upon its review of the Study and knowledge of the property in question, the Board made certain findings of fact as to the Study and the designation of the area as an Area in Need of Rehabilitation.

NOW THEREFORE BE IT RESOLVED, by the Delanco Township Joint Land Use Board assembled in public session the 5th day of June, 2019, as follows:

1. The Joint Land Use Board has reviewed the Preliminary Investigation Study of the Area identified as Block 1405, Lots 1 and 6, and Block 1411, Lots 1, 1.01, and 2, (which are more commonly known as the "Ash Street" Properties), which area is bordered by Rancocas Creek to the South, Rancocas Avenue to the North, Poplar Street to the East, and Buttonwood Street to the West and has determined based upon the record established that the area meets the statutory standard for being an Area in Need of Rehabilitation (which by definition, does not include powers of condemnation) in conformance with the LRHL.

2. Based upon the testimony of its Professional Planner and comments at the hearing, Joint Land Use Board supports the Study and recommends that the Township Committee approve the Study and designate the Area as an Area in Need of Rehabilitation but also suggests that the Township Committee consider future review and/or re-evaluation of at least one parcel within the area, which is known as the Canvas Shop, identified as Block 1405, Lot 6, as this parcel could be found to meet the statutory requirements for being designated as an Area in Need of Redevelopment, but does not have an active Redevelopment partner or viable Redevelopment prospect at this time.

ROLL CALL ON THE MOTION: June 5, 2019:

<u>Board Member</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>
Fynan	X		
Lohr	X		
Ouellette	X		
Mader	1		
Matulewicz	X		
Moore	2		
Lord	X		
Chair van Genderen	X		

NOW, THEREFORE, BE IT RESOLVED by the Joint Land Use Board of the Township of Delanco on the 25th day of June, 2019, that this Resolution memorializes the Board's action taken on the Application heard on June 5, 2019.

[MEMORIALIZATION & SIGNATURE ON FOLLOWING PAGE]

ROLL CALL ON MEMORIALIZATION: June 25, 2019:

<u>Board Member</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>
Fynan	X		
Lohr			
Ouellette	X		
Mader	2		
Matulewicz			
Moore	1		
Lord	X		
Chair van Genderen	X		

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing Resolution, as adopted by the Joint Land Use Board of the Township of Delanco in accordance with its decision at its Regular Public Meeting on June 5, 2019.

Attest:

Katherine T. Martin, RMC
Katherine T. Martin, RMC, Secretary

THE JOINT LAND USE BOARD OF THE
TOWNSHIP OF DELANCO

Laurie E. van Genderen
Laurie E. van Genderen, Chair

Dated: June 25, 2019

Date of Approval: June 5, 2019

Date of Memorialization: June 25, 2019