

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH**

RESOLUTION NO. 24-114

RESOLUTION DESIGNATING THE PROPERTIES KNOWN AS

BLOCK 41, LOTS 1, 3, 4, 5, 6.01, 6.02, and 7

BLOCK 63, LOTS 5.01, 6, 7, and 7.01

BLOCK 75, LOTS 171 and 177

BLOCK 75.02, LOTS 169 and 170.01

BLOCK 75.05, LOT 16.01

BLOCK 75.06, LOTS 7 and 8.01

ON THE TAX MAP OF THE TAX MAP OF THE BOROUGH OF RED BANK

AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

AND REQUESTING THAT THE PLANNING BOARD DEVELOP A REDEVELOPMENT PLAN

WHEREAS, the N.J. Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “LRHL”) authorizes municipalities to determine whether parcels of land within the municipality constitute an “area in need of redevelopment” as described in Section 5 of the LRHL; and

WHEREAS, the Borough’s Mayor and Council, by way of Resolution No. NP23-140 dated December 14, 2023, authorized and directed the Borough’s Planning Board to conduct a preliminary investigation to determine whether the properties known as Block 41, Lots 1, 3, 4, 5, 6.01 , 6.02, 7 and 8; Block 63, Lots 5.01, 6, 7 and 7.01; Block 75, Lots 171 and 177; Block 75.02, Lots 169 and 170.01; Block 75.05, Lot 16.01; and Block 75.06, Lots 7 and 8.01 on the Borough’s official tax map (the “Study Area”) meet the criteria set forth in Section 5 of the LRHL and should be designated as an “area in need of redevelopment”; and

WHEREAS, the Planning Board authorized the undertaking of the preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an area in need of redevelopment in accordance with the LRHL; and

WHEREAS, the LRHL required the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as “an area in need of redevelopment”, at which hearing, all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area were able to be heard; and

WHEREAS, the LRHL required that the Planning Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Borough once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the LRHL further required that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Borough’s assessment records; and

WHEREAS, the Planning Board held a public hearing (the “Public Hearing”) to determine whether the Study Area is “an area in need of redevelopment” under the criteria set forth in Section 5 of the LRHL at a regular meeting of the Board on April 10, 2024; and

WHEREAS, notice of the Public Hearing was provided in the official newspaper of the Borough on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

WHEREAS, the Planning Board also provided notice to property owners in the Study Area, as well as property owners within 200 feet of the Study Area; and

WHEREAS, at the Public Hearing, Susan Favate, AICP, PP, the Planning Board's Planning Consultant, presented a report dated March 8, 2024 entitled "Non-Condemnation Area In Need of Redevelopment Study" (the "Report") concerning the determination of the Study Area as an "area in need of redevelopment"; and

WHEREAS, at the Public Hearing, the Planning Board reviewed the Report, heard the testimony of Ms. Favate as well as members of the public who were given an opportunity to testify and to ask questions of the Board and of Ms. Favate; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Planning Board, on April 10, 2024, adopted a Resolution (the "Resolution"), determining that the Study Area should be designated as an "area in need of redevelopment"; and

WHEREAS, the Resolution recommended to the Borough's Mayor and Council that the Study Area be designated as an "area in need of redevelopment"; and

WHEREAS, the Borough's Mayor and Council agree with the recommendation of the Planning Board that the Study Area be designated as an "area in need of redevelopment" pursuant to the LRHL; and

WHEREAS, the Borough's Mayor and Council now desire to authorize and direct the Planning Board to cause a redevelopment plan to be prepared for the Study Area and present same to the Mayor and Council pursuant to N.J.S.A. 40A:12A-7(f);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, as follows:

1. The Borough's Mayor and Council hereby designate the properties known as Block 41, Lots 1, 3, 4, 5, 6.01, 6.02, 7 and 8; Block 63, Lots 5.01, 6, 7 and 7.01; Block 75, Lots 171 and 177; Block 75.02, Lots 169 and 170.01; Block 75.05, Lot 16.01; and Block 75.06, Lots 7 and 8.01 on the Borough's official tax map as an "area in need of redevelopment" (the "Determination") pursuant to the LRHL.
2. The Determination shall authorize the Borough's Mayor and Council to use all of the powers provided by the Legislature for use in a redevelopment area except the use of eminent domain, thus designating it a "Non-Condemnation Redevelopment Area".
3. The Borough Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of Community Affairs (the "Commissioner") for review. The Determination of the Study Area as an "area in need of redevelopment" shall not take effect without first receiving the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.
4. Notice of the Determination (the "Notice") shall be served, within ten (10) days of the Determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.

5. A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilmember Bonatakis			X				
Councilmember Cassidy			X				
Councilmember Facey-Blackwood			X				
Councilmember Forest	X		X				
Councilmember Jannone		X	X				
Councilmember Triggiano			X				
Mayor Portman			X				
ON CONSENT AGENDA	Yes	x		No	_		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on April 25, 2024.


Laura Reinertsen, Borough Clerk