

# Non-Condemnation Area in Need of Redevelopment Study

Block 41, Lot 2

Block 63, Lot 5

Block 75, Lots 104, 104.01, 172, and 178

Borough of Red Bank, NJ

Prepared for

The Borough of Red Bank, NJ

January 28, 2025

**BFJ Planning**



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**Red Bank, NJ**

Area in Need of Redevelopment Study

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## **Red Bank, NJ**

### **Area in Need of Redevelopment Study**

## **INTRODUCTION**

On December 14, 2023, the Red Bank Borough Council (“Governing Body”) directed the Planning Board to conduct a preliminary investigation to determine if the following properties in the vicinity of the Red Bank train station constituted a “non-condemnation area in need of redevelopment” under the non-condemnation provisions of the New Jersey Local Redevelopment and Housing Law (LRHL) (see the resolution in the Appendix).

- 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
- Block 75.06, Lots 7 and 8.01

Upon completion of the designation study, the Planning Board recommended to the Governing Body that the above parcels, with the exception of Block 41, Lot 8, met the criteria for designation as an area in need of redevelopment. The Governing Body adopted a resolution on April 25, 2024, designating the recommended parcels, totaling about 13 acres, as an area in need of redevelopment and directing the Planning Board to prepare a redevelopment plan for the area (see the resolution in the Appendix).

While drafting the redevelopment plan, it was found that additional sites must be included into the designated area to comprehensively develop the substandard conditions around the train station and rail yard, as consistent with conceptual plans presented to the public. As a result, the Governing Body directed the Planning Board by a resolution adopted on January 23, 2025 (see Appendix), to conduct an investigation as to whether the following additional properties (“Study Area”) meet the LRHL criteria and should be added to the existing designated non-condemnation area in need of redevelopment:

- Block 41, Lot 2
- Block 63, Lot 5
- Block 75, Lots 104, 104.01, 172, and 178

These additional parcels are owned by NJ Transit and are directly related to infrastructure supporting either the train station or the rail yard. The parcels were contemplated as supporting a comprehensive redevelopment of the area but were inadvertently not included in the prior investigation study. NJ Transit provided email correspondence to the Borough that it “is agreeable to the inclusion of the parcels” for the proposed redevelopment area boundaries. The agency noted it “will reserve all applicable rights and restrictions needed to meet its current and future operational needs.”

The purpose of this report is to determine whether the Study Area qualifies as a “redevelopment area” pursuant to the applicable provisions of N.J.S.A. 40A:12A-5. This analysis concludes that, based upon an examination of existing conditions; site inspections; review of historic data and reports related to the site and building conditions; an assessment of the surrounding development pattern; Master Plan goals, objectives, policy statements, and land use recommendations; zoning provisions; and an evaluation of the statutory criteria, all of the Study Area satisfies the criteria for such a designation. The basis for this conclusion, as well as recommendations for next steps, are detailed in the body of this report.

## LEGAL AUTHORITY AND PROCESS

New Jersey's LRHL empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be revitalized in order to advance the public interest. In granting to municipalities the authorization to designate certain lands as "in need of redevelopment or rehabilitation," the LRHL recognizes that:

*"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."*

Once an area is designated "in need of redevelopment," in accordance with statutory criteria, municipalities may adopt redevelopment plans and employ various planning and financial tools to make redevelopment projects more feasible and remove deleterious conditions. A redevelopment designation may also qualify projects in the redevelopment area for financial subsidies or other incentive programs offered by the State of New Jersey.

### Redevelopment Procedure

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the statute. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires that the Governing Body and Planning Board coordinate to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

1. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5).
2. The resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether or not the redevelopment area in determination shall authorize the municipality to use all those powers for use in a redevelopment, including eminent domain (i.e., whether the area is to be a condemnation redevelopment area or a non-condemnation redevelopment area).
3. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included and investigated. A statement setting forth the basis of the investigation or the preliminary statement should accompany this map.
4. The Planning Board must conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to

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allow interested parties to give testimony. The Planning Board may then adopt a resolution recommending a course of action to the Governing Body.

5. The Governing Body may accept, reject, or modify this recommendation by adopting a resolution designating lands recommended by the Planning Board as an “Area in Need of Redevelopment.” The Governing Body must make the final determination as to the Non-Condemnation Redevelopment Area boundaries.
6. If the Governing Body resolution assigning the investigation to the Planning Board states that the redevelopment determination shall establish a Condemnation Redevelopment Area, then the notice of the final determination shall indicate that: (i) the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the redevelopment area, and (ii) legal action to challenge the final determination must be commenced within 45 days of receipt of notice and that failure to do so shall preclude an owner from later raising such a challenge.<sup>1</sup>
7. A Redevelopment Plan may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the “Area in Need of Redevelopment.”
8. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance.
9. Only after completion of this process is a municipality able to exercise the powers under the LRHL.

### **Study Process and Scope**

In satisfaction of #1 and #2 above, the Red Bank Borough Council, by a resolution dated January 23, 2025, directed the Planning Board to conduct a preliminary investigation to determine whether the identified parcels constitute a non-condemnation area in need of redevelopment according to the criteria set forth in the LRHL. The resolution is included in the appendix to this report.

In furtherance of #3 and #4 above, this Preliminary Investigation will determine whether the identified parcels meet the statutory requirements under N.J.S.A. 40A:12A-5 for designation as a non-condemnation “area in need of redevelopment.”

The scope of work for the investigation included the following: land use review; assessment of property and building conditions; occupancy and ownership status; review of tax data and aerial photos; and review of the Borough’s zoning ordinance, zoning map, and 2023 Master Plan.

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<sup>1</sup> Pursuant to Borough Council Resolution No. 25-26, the Red Bank Planning Board is only authorized to conduct an investigation to determine if the Study Area satisfies the criteria in the LRHL for designation as a “non-condemnation redevelopment area.” Eminent domain is not being considered for this Study Area.

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## EXISTING CONDITIONS

### Site Overview

The area being studied for potential designation as a redevelopment area is shown in blue in Figure 1, with the previously designated area shown in red. The Study Area incorporates the NJ Transit railroad track right-of-way between Monmouth Street at the north and Drs. James Parker Boulevard at the south, as well as portions of commuter Lot #4 and the Red Bank Rail Yard that were not previously designated.

The 13.01-acre Study Area is in the west-central portion of Red Bank, centered at the NJ Transit train station and adjacent to the Shrewsbury Avenue commercial corridor. The area is walkable to the Borough's Central Business District on Broad Street, as well as to businesses along Front Street. Monmouth Street, which forms the northern boundary of the Study Area, was identified in Red Bank's 2023 Master Plan as the primary linkage between Shrewsbury Avenue and the Central Business District, and thus appropriate for new development that furthers an active downtown environment.

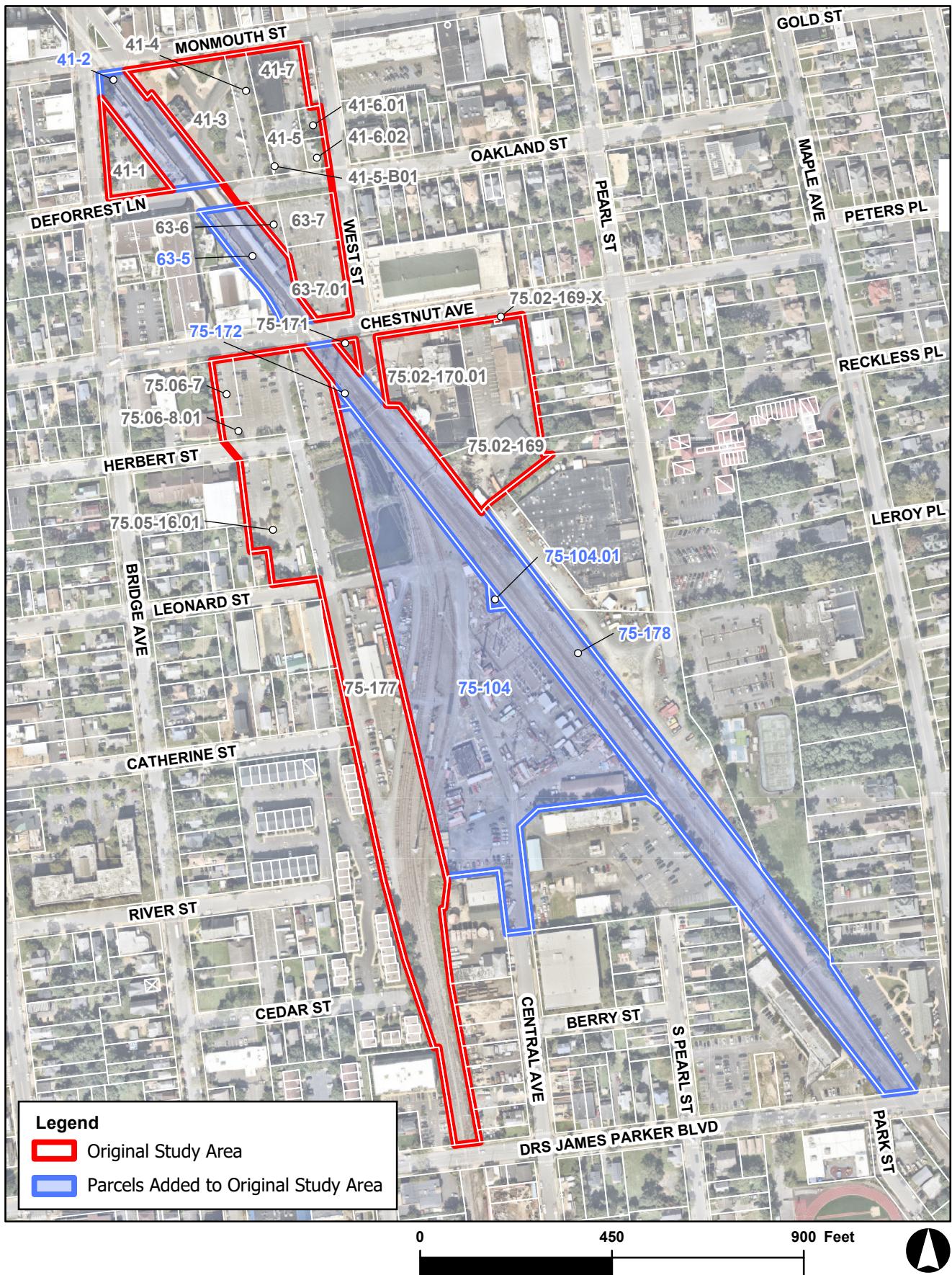
As shown in Figure 2, the primary land use in the Study Area is rail-related infrastructure, either for the passenger rail line or the Red Bank Rail Yard. Block 75, Lot 172 and a portion of Block 75, Lot 104 are part of NJ Transit's commuter Lot #4. Surrounding properties are a mix of surface parking; local businesses; single- and two-family homes; apartment buildings; and community uses such as the Red Bank Armory, Borough Department of Public Utilities complex, office/performance space for Count Basie Center for the Arts, and St. Anthony of Padua Catholic Church. Other public-oriented uses are walkable to the Study Area, including the Count Basie Center for the Arts, Two River Theater, the Borough's Senior Center, the Post Office, and Red Bank Charter School. The original Red Bank train station is listed on the National and State Registers of Historic Places. No other historic sites or districts are in or near the Study Area.

All of the properties in the Study Area are owned by NJ Transit or related entities (see Figure 3) and, as a result, are tax-exempt.

In addition to passenger rail, the Study Area is served by NJ Transit's bus system, with a bus stop providing service on the Route 832, 834, and 838 bus lines. The Study Area is also near the Borough's only designated bike lane, on Bridge Avenue between Chestnut Street and Drs. James Parker Boulevard. As shown in Figure 4, sidewalks are present throughout the area, but they vary in condition, and the at-grade railroad tracks disrupt the pedestrian environment, especially on Monmouth Street and Chestnut Street.

The Study Area is fairly flat, with no major change to topography. No natural environmental constraints, including regulated wetlands or floodplains, are present, reflecting the built-up nature and the substantial paved areas. However, because the Study Area is low-lying and flat, storm-related flooding is known to be an issue. Water, sewer, stormwater, and electrical infrastructure is in place throughout the Study Area. In addition, a high-tension electrical line runs north-south through part of the Study Area, crossing the railroad tracks at Chestnut Street just west of the DPW site.

According to the New Jersey Department of Environmental Protection (NJDEP), the Borough's Department of Public Utilities is designated at both an active contamination site and a brownfield, placing it under regular monitoring by the department. No other properties within the Study Area have known contamination issues.



**Figure 1: Map of Potential Redevelopment Area**

## Red Bank Train Station Redevelopment

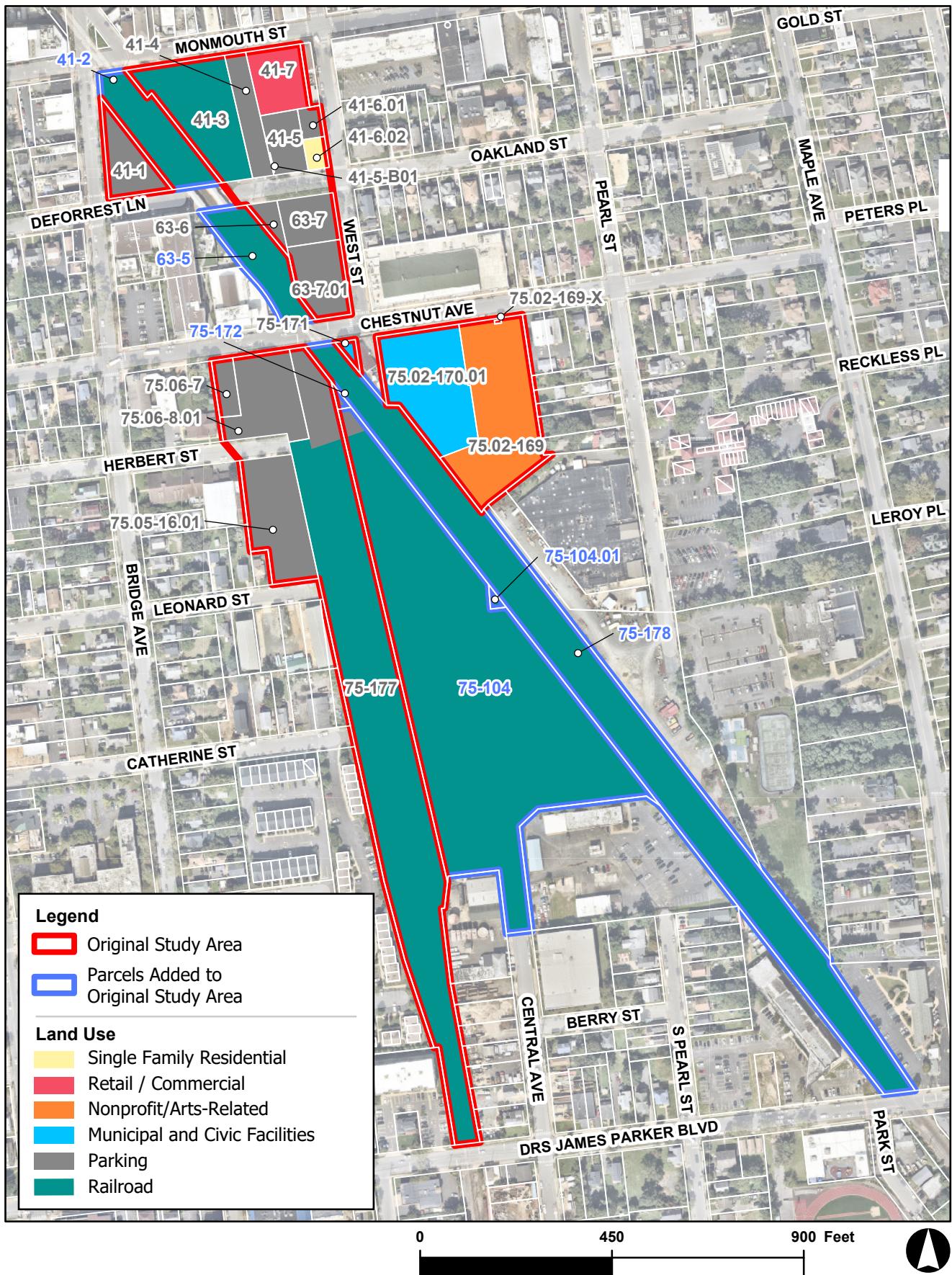


Figure 2: Land Use

## Red Bank Train Station Redevelopment

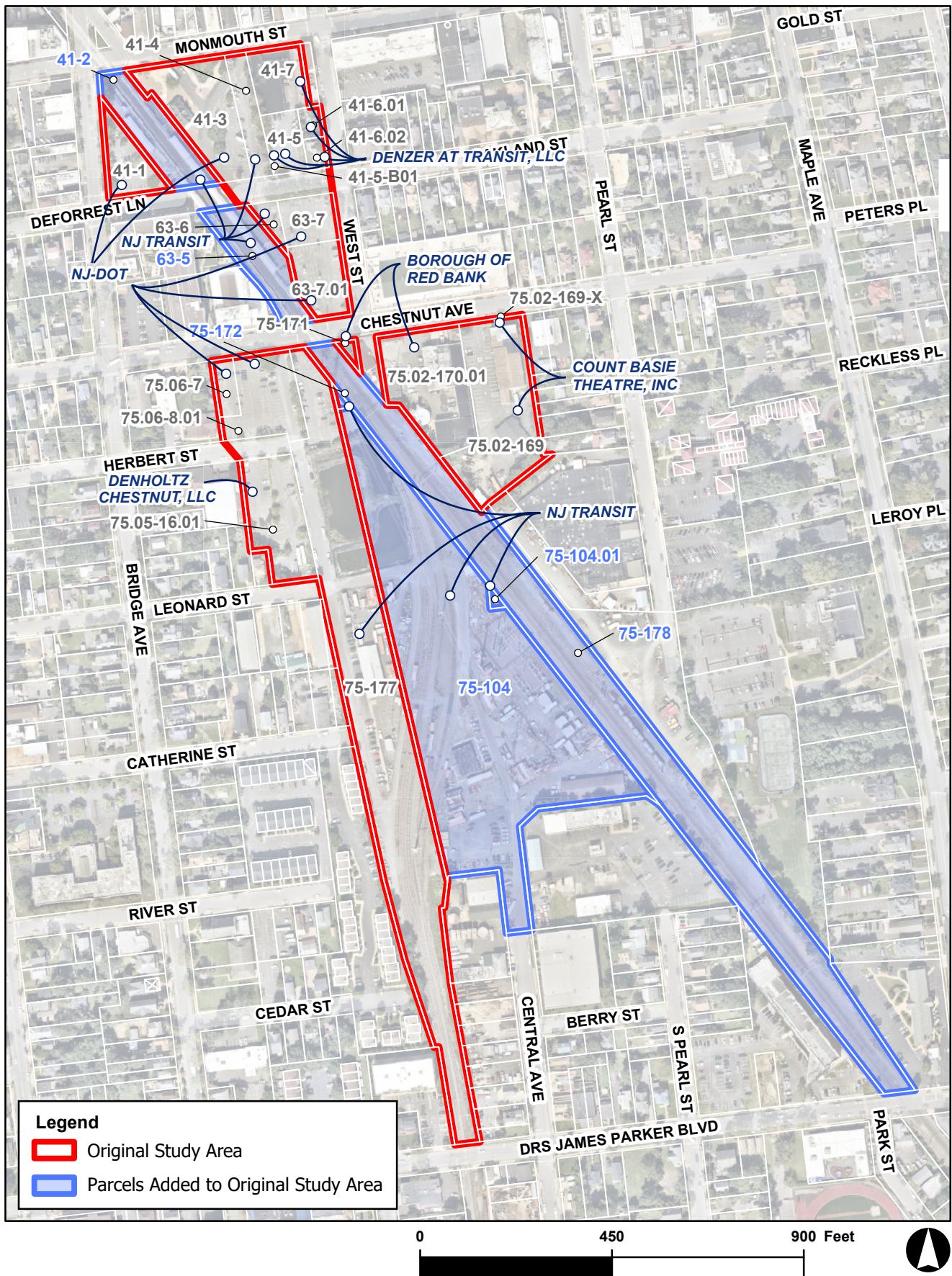


Figure 3: Property Ownership

## Red Bank Train Station Redevelopment

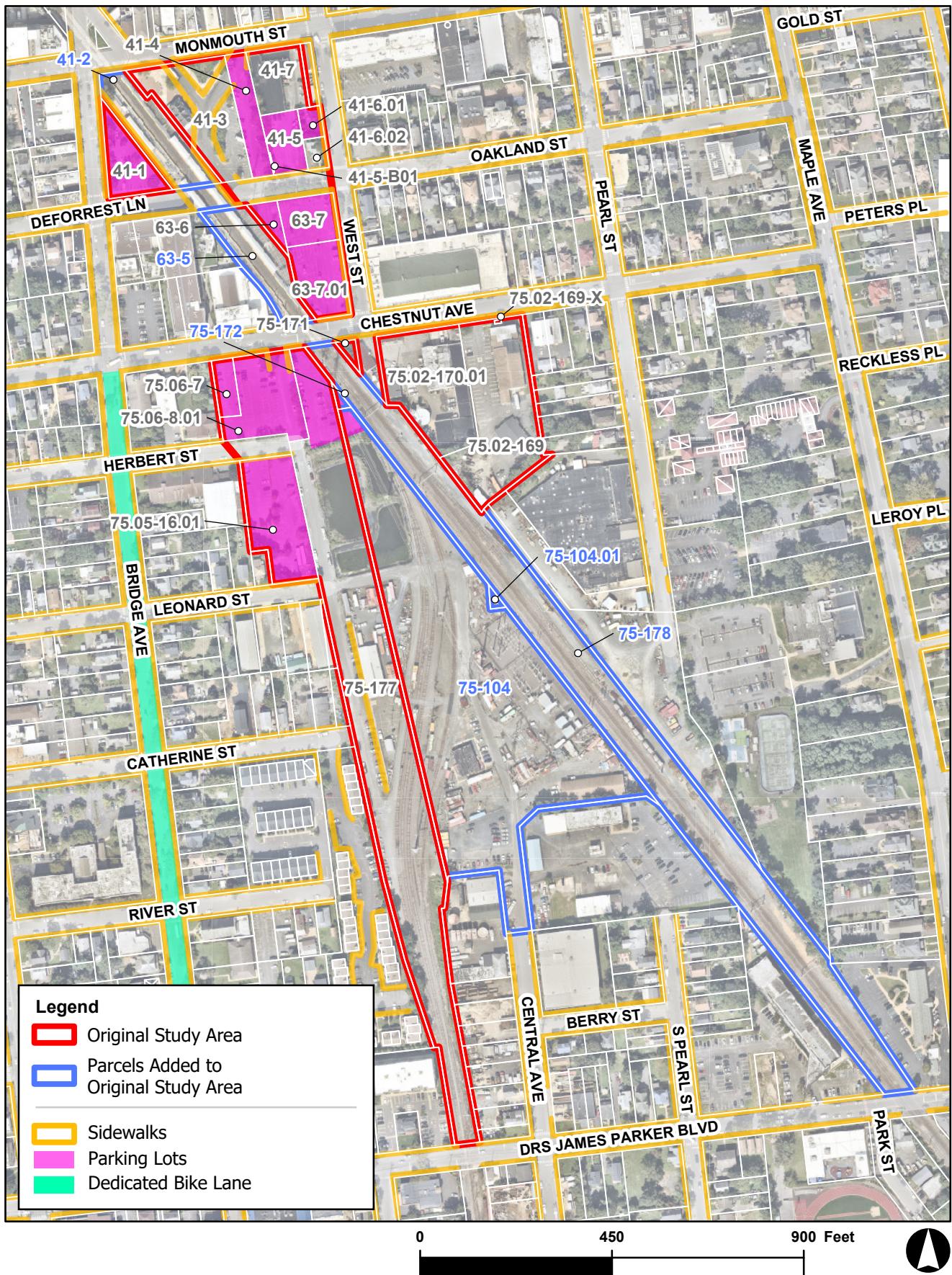


Figure 4: Sidewalks and Parking Lots

## Red Bank Train Station Redevelopment

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#### **Zoning**

As shown in Figure 5, several zoning districts are present within the Study Area. The parcels in Block 75 are zoned for I industrial use, while the railroad tracks in Block 41, Lot 2, and Block 63, Lot 5, are within the BR-1 and BR-2 business zones, respectively, which allow a range of residential, commercial, and mixed uses. Table 1, following the figure, summarizes the relevant area/bulk provisions of the zoning districts in the Study Area. Clearly, however, the railroad tracks themselves cannot be developed other than as their current use, while the rail yard also remains active and is unlikely to change.

The portion of the Study Area north of Chestnut Street is within the Train Station (TS) Overlay Zone, which supports mixed-use development with increased residential density on upper floors. Block 41 is also within the Borough's designated Rehabilitation Area, which covers most of the downtown area west of Broad Street. Although this designation was made in 2017, no redevelopment plan was ever prepared, and no development under the provisions of the LRHL appears to have occurred.

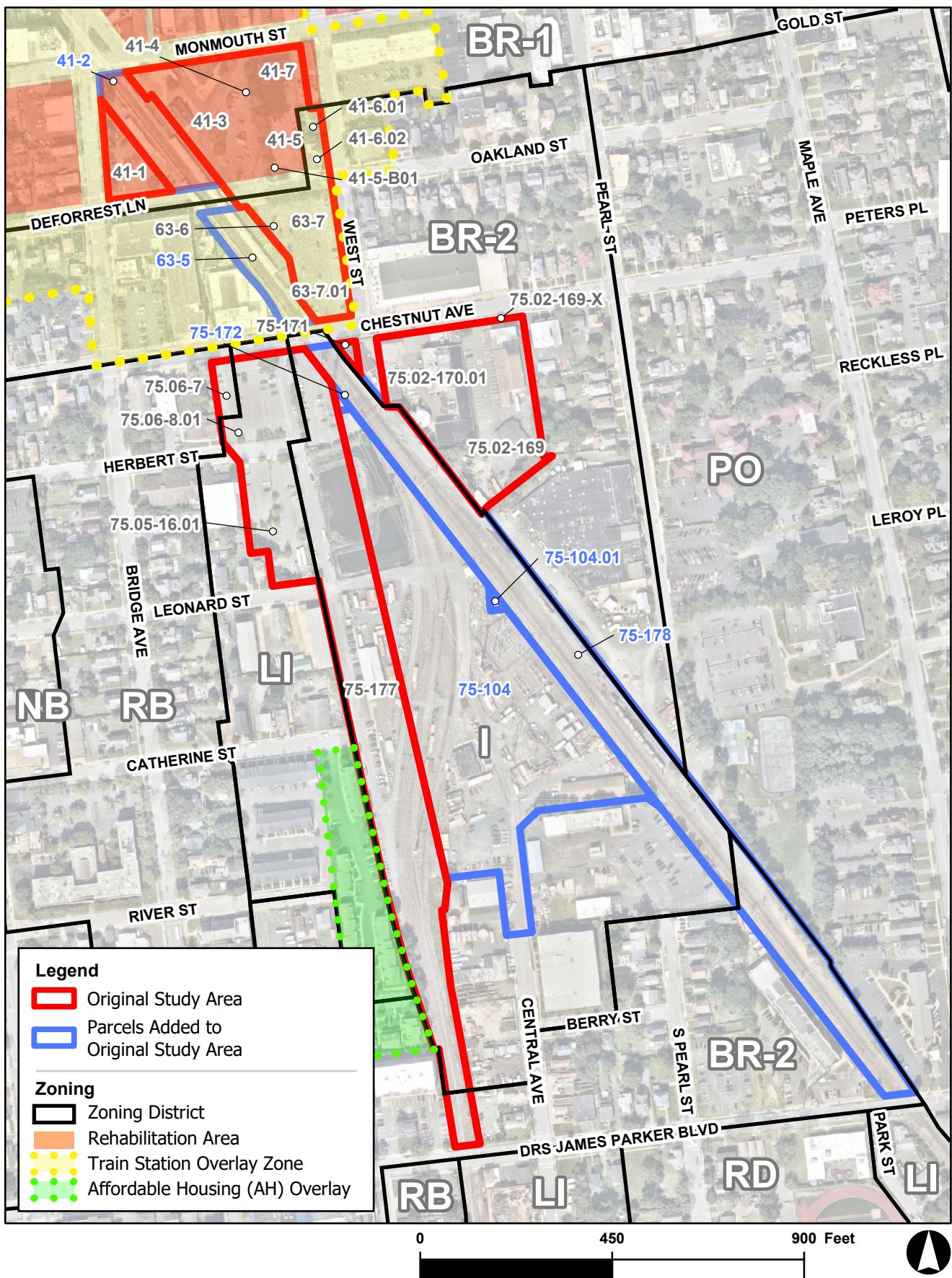
The Borough's Affordable Housing Overlay is also located next to the Study Area, just west of the rail yard between Catherine Street and Cedar Street. This zone is intended to facilitate low- and moderate-income housing in townhouse or multifamily format. It is developed with apartments that include affordable units, adding residential uses to an area that also includes the Brownstones at Red Bank townhouse complex and River Street Commons age-restricted housing development, both on River Street.

The 2023 Master Plan made several zoning-related recommendations affecting the Study Area. First, the Plan recommended that the Borough re-start the process of obtaining Transit Village designation by the New Jersey Department of Transportation (NJDOT). This work had begun in 2018, but initial guidance from the State indicated that the existing TS overlay district alone was not effective enough at encouraging an appropriate scale of transit-oriented development. Thus, the Master Plan recommended replacing the overlay with a new transit-oriented development (TOD) district for an area encompassing both sides of the railroad tracks between Monmouth Street and East Leonard Street. This district would permit comparable uses to the BR districts and allow slightly greater height and density and parking flexibility in exchange for benefits including public parking, affordable housing, and high-quality design.

The Master Plan noted that the redevelopment process would also be an appropriate tool to facilitate higher-density TOD that achieves community benefits and suggested working with a designated developer to implement a vision for revitalization around the train station. The Plan's intent was that a redevelopment planning process could also serve to achieve Transit Village status.

Lastly, the Master Plan recommended reducing the downtown rehabilitation area to a more targeted area, and preparing a redevelopment plan to guide its revitalization. As the Plan suggested consideration for either a TOD district or a redevelopment designation for an area generally consistent with the Study Area, it is assumed that the rehabilitation area designation would be removed from Block 41, in favor of such potential changes.

The Borough has started implementation of some of these TOD-related recommendations, including preparing a self-assessment report as part of the State Plan Endorsement Process. This will incorporate a petition for reinstatement of the previous Regional Center designation, which expired in 2022.



**Figure 5: Zoning**

## Red Bank Train Station Redevelopment

**Table 1: Summary of Zoning Requirements in the Study Area**

District	Minimum Lot Area	Required Yards (in feet)			Building Height	Maximum Lot Coverage of Principal and Accessory Structures	Minimum Gross Habitable Floor Area	
		Front	Side (one)	Rear			One-Story	Two-Story
BR-1	4,500 sf (Single-family and home professional offices) 45,000 sf (Garden apartments and apartment houses) 25,000 sf (Townhouses)	25	Varies from 10 – 15 depending on use	25	2 1/2 stories 35 ft (Single-family); Other Uses: 40 ft	Varies from 35 – 50% depending on use	Varies by use	Varies by use
BR-2	4,500 sf (Single-family and home professional offices) 45,000 sf (Garden apartments and apartment houses) 25,000 sf (Townhouses) 10,000 sf (Other Uses)	25	Varies from 10 – 15 depending on use	25	2 1/2 stories 35 ft (Single-family) Other Uses: 3 stories 40 ft	Varies from 35 – 50% depending on use	Varies by use	Varies by use
I	-	-	-	10	3 stories 50 ft	65%	-	-

*Source: Borough of Red Bank*

## Site Conditions

The following section describes, on a block-by-block basis, conditions of the Study Area parcels and is based on site visits conducted on July 19, 2022, (as part of the Borough's Master Plan process) and February 15, 2024. In addition, BFJ conducted a call on February 22, 2024, with representatives of NJ Transit, to discuss operations and conditions at the rail yard site. These representatives subsequently provided more detailed information on that site. Photos of the parcels follow the discussion.

### Block 41

Lot 2 within this block consists of the NJ Transit North Jersey Coast Line right-of-way, including covered platforms, surface vehicle parking, and bike racks. Because the rail line is actively used, it is maintained in good condition, although rust stains from metal railings are evident along the platforms and some of the bike racks. Reflecting its use as rail infrastructure, Lot 2 is entirely impervious. The 2023 Master Plan noted the area around the train station as a heat island, where the buildings and pavement magnify heat. The plan recommends reducing impervious coverage, through green infrastructure techniques, or – in the case of the station area – potentially through transit-oriented development that can reduce coverage.

### Block 63

As with Block 41, Lot 5 within this block consists of the NJ Transit rail line right-of-way, with platforms, parking, and bike racks. The conditions here are the same as in Block 41, Lot 2.

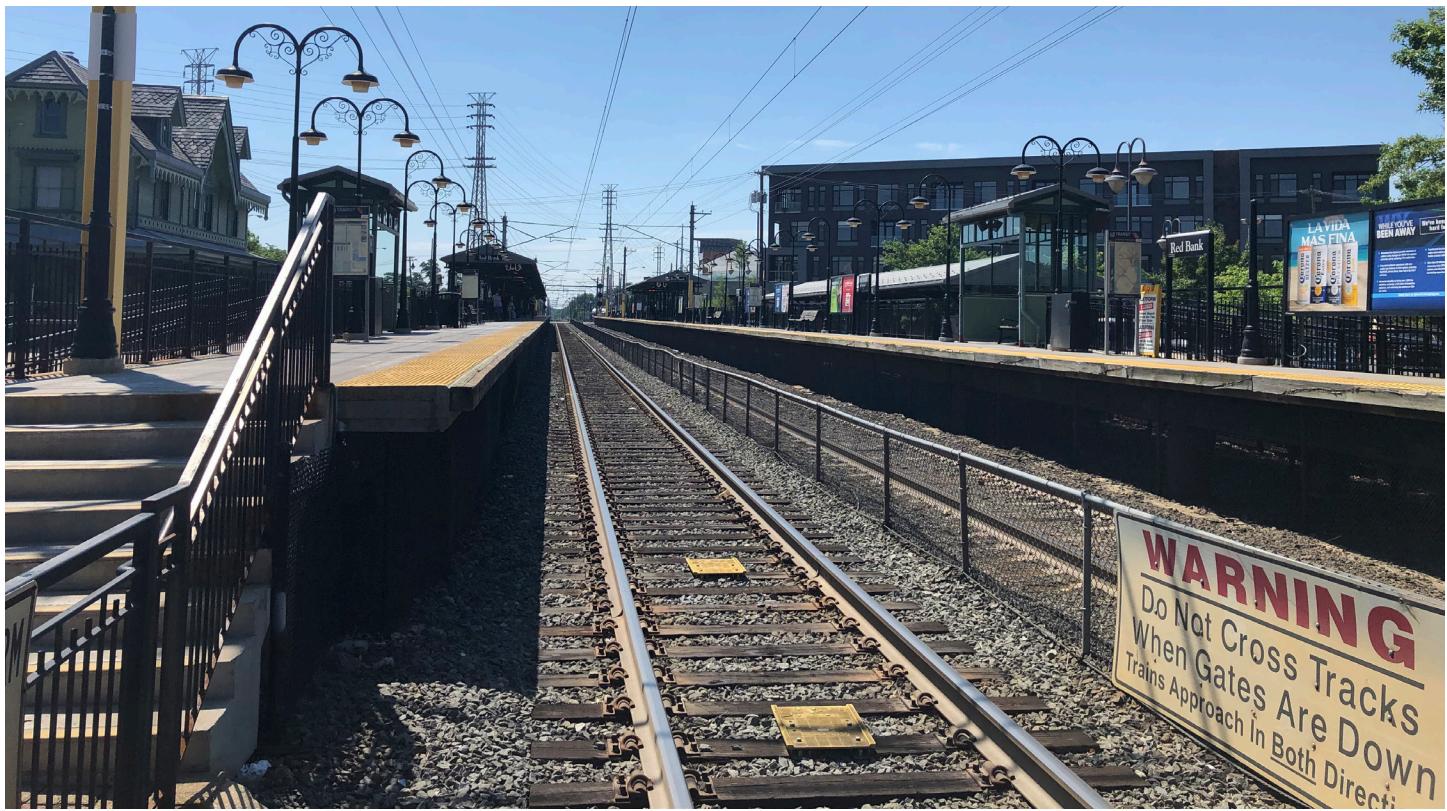
### Block 75

Two of the Study Area parcels within this block (Lot 104 and 104.01) consist of the Red Bank Rail Yard and related infrastructure (retention basin, rail siding, employee parking/vehicle storage, electrical utilities, and various outbuildings). The rail yard is used to house equipment and personnel responsible for maintaining the railroad, including the tracks and signal systems. About 105 NJ Transit employees work at the rail yard on an average week, and about 20 employees generally on weekends. The rail right-of-way is part of the Red Bank – South Lakewood Conrail Shared Assets Operations (CSAO) non-passenger line. Lot 75-177 (previously designated within the redevelopment area) is gated at the northern end, with access restricted to authorized NJ Transit personnel only. On Lot 75-104, NJ Transit plans to replace temporary trailers with a permanent crew quarters to provide office and administration space for about 30 personnel, together with additional parking. The cost of the new modular building and associated work has been estimated at \$7 million.

In terms of environmental issues, the Rail Yard property has no known NJDEP-designated issues. NJ Transit's development partner, Denholtz Properties, conducted a Phase 1 Environmental Site Assessment of the entire potential redevelopment area (the Study Area as well as previously designated properties). Additional soil samples have been taken around the properties, which found results consistent with the area's historic fill. A sampling plan for the retention basin is still being developed.

Lot 172 is a portion of NJ Transit's commuter Lot #4, which also extends onto a portion of Lots 104 and 177 within this block and Block 75.06, Lot 8.01.

Lot 178 is the continuation of the North Jersey Coast Line, extending from Chestnut Street at the north to Drs. James Parker Boulevard at the south.



**Block 41**



**Block 63**



**Block 75**

**Figure 6: Photos of Parcels Added to the Original Study Area**

**Red Bank Train Station Redevelopment**

## APPLICATION OF STATUTORY CRITERIA

### Introduction

The “Blighted Areas Clause” of the New Jersey Constitution empowers municipalities to undertake a range of actions to further development of blighted areas:

*“The clearance, replanning, development or redevelopment of blight areas shall be a public purpose and public use, for which private property may be taken or acquired. Municipal, public or private corporations may be authorized by law to undertake such clearance, replanning, development or redevelopment; and improvements made for these purposes and uses, or for any of them, may be exempted from taxation, in whole or in part, for a limited period of time during which the profits and dividends payable by any private corporation enjoying such tax exemption shall be limited by law. The conditions of use, ownership, management and control of such improvements shall be regulated by law.” NJ Constitution, Article VIII, Section 3, Paragraph 1.*

The LRHL provides that a delineated area may be determined to be in need of redevelopment if “after investigation, notice and hearing...the governing body of the municipality by resolution concludes that within the delineated area” any of the following conditions are found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenantable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency, or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation; obsolescence; overcrowding; faulty arrangement or design; lack of ventilation, light, and sanitary facilities; excessive land coverage; deleterious land use or obsolete layout; or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein, or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the

public health, safety, and welfare, which condition is presumed to have a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

- f. Areas in excess of five contiguous areas, whereon buildings or improvements have been destroyed, consumed by fire, demolished, or altered by the action of storm, fire, cyclone, tornado, earthquake, or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zone Act, the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment for the purpose of granting tax exemptions or the adoption of a tax abatement and exemption ordinance.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The statute defines redevelopment to include “clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement; the construction and provision for construction of residential, commercial, industrial, public, or other structures; and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

It should be noted that, under the definition of “redevelopment area” and “area in need of redevelopment” in the LRHL, individual properties, blocks, or lots that do not meet any of the statutory conditions above may still be included within an area in need of redevelopment, provided that within the area as a whole, one or more of the expressed conditions are prevalent. This provision is referred to as **Section 3** and is set forth under N.J.S.A. 40A-12A-3, which states that:

*“a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part.”*

## Redevelopment Case Law Background

There is an extensive case law history involving redevelopment in New Jersey, primarily concerning: 1) the evidentiary thresholds for supporting a redevelopment designation, and 2) the precise meaning of “blight” that meets both the statutory criteria in the LRHL and the State Constitution.

The most pertinent case is a 2007 New Jersey Supreme Court decision, *Gallenthin Realty v. Borough of Paulsboro* (“Gallenthin”), which established precedence regarding both the standard of proof for

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redevelopment designation and for the definition of blight. According to the case, a “municipality must establish a record that contains more than a bland recitation of the statutory criteria and declaration that those criteria are met.” Here, the Court noted that municipal redevelopment designations must be supported by substantial evidence on the record, based on a specific and thoughtful application of the statutory criteria to the existing conditions of properties being studied. In addressing the meaning of “blight, *Gallenthin* found that only parcels that are truly “blighted” should be designated as “in need of redevelopment,” and further noted that parcels designated using criterion “e” should be confirmed to be underutilized due to the condition of the title and diverse ownership of the real property. Previously municipalities often used criterion “e” as a “catch-all” to apply to property that was not put to optimum use and may have been more financially beneficial if redeveloped. The *Gallenthin* decision acted to constrain the scope of property that previously was considered to qualify as “in need of redevelopment,” and highlighted the need to exercise due diligence when the basis of the redevelopment designation is underutilization or obsolescence.

However, a later Supreme Court case, *62-64 Main Street LLC v. Mayor & Council of the City of Hackensack* (2015) clarified that a blight designation does not require a finding that the property in question “negatively affects surrounding properties.” This decision has been interpreted as generally making it easier for municipalities to designate properties as in need of redevelopment, although the Court again cautioned municipalities of their “obligation to rigorously comply with the statutory criteria for determining whether an area is in need of redevelopment.”

Lastly, a 2004 court case is particularly relevant to this Study Area, given the significant presence of surface parking. In *Concerned Citizens of Princeton Inc. v. Mayor & Council of the Borough of Princeton*, the Appellate Division found that the redevelopment designation of a surface parking lot in downtown Princeton was supported by substantial evidence of “obsolescence” detrimental to the welfare of the community. In this case, the court accepted the experts’ reasons that the surface parking was “not fully productive” and brought “no tax revenue to the Borough,” and that the lot “negatively affected [Princeton’s] economic vitality” because it impeded walkability for shoppers and visitors. As this case predates the *Gallenthin* decision, it must be interpreted in the context of the Supreme Court’s admonition to undertake a detailed application of the statutory criteria for “area in need of redevelopment” designation, and not rely on broad interpretations of underutilization.

The above case law has been carefully considered in the evaluation of the Study Area properties on whether they meet the criteria for redevelopment designation.

### **Evaluation of Study Area by Statutory Criteria**

The table below summarizes this report’s conclusions on the applicability of the statutory criteria in the LRHL to each parcel within the Study Area. Following the table is a discussion of how the criteria apply to each parcel. In summary, the results of the preliminary investigation indicate that all of the Study Area meets the criteria for designation as an “area in need of redevelopment” in accordance with N.J.S.A. 40:12A, as described below.

Table 2: Summary of Statutory Criteria

Block/Lot	Size (Acres)	Criteria								Section 3
		A	B	C	D	E	F	G	H	
41-2	0.73			x					x	x
63-5	0.65			x					x	x
75-104	7.01			x	x				x	x
75-104.01	0.02			x	x					x
75-172	0.03			x	x				x	x
75-178	4.57			x						x

#### Criterion A

*The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*

None of the parcels in the Study Area meet this criterion. While there are portions of the Red Bank Rail Yard that have deteriorated conditions (such as the retention basin) and contain buildings past their useful life, these conditions do not rise to a level that the property cannot function adequately. Specific building deficiencies or inadequacies are being addressed through planned improvements.

#### Criterion B

*The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenantable.*

None of the parcels in the Study Area meet this criterion.

#### Criterion C

*Land that is owned by the municipality, the county, a local housing authority, redevelopment agency, or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography or nature of the soil, is not likely to be developed through the instrumentality of private capital.*

All of the Study Area parcels meet this criterion due to their ownership by a public entity (NJ Transit) and the fact that their current and ongoing use as rail-related infrastructure makes them unlikely to redevelop for any other use, unless through the process of redevelopment designation and subdivision. In addition, Block 75, Lots 104.01 and 172, meet this criterion due to their small size, irregular shape, and lack of direct frontage to any street.

#### Criterion D

*Areas with buildings or improvements which, by reason of dilapidation; obsolescence; overcrowding; faulty arrangement or design; lack of ventilation, light, and sanitary facilities; excessive land coverage; deleterious land use or obsolete layout; or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.*

This criterion applies to the following parcels:

- **Block 75, Lots 104 and 172:** These contain a portion of commuter Lot #4, which, like the other commuter lots in the vicinity, represent an obsolete and inefficient solution to Red Bank's utilization of land, and are inappropriate within a dense, transit-oriented area. Large paved areas disrupt the otherwise walkable street grid, create a heat island effect, and exacerbate stormwater management issues.
- **Block 75, Lots 104, and 104.01:** These lots serve the rail yard maintenance operations. Although this function is critical and must remain in some form, the inefficient arrangement of these parcels means that a large amount of land area is devoted to employee parking, outdoor storage, and a detention basin that appears to serve no purpose and creates an eyesore.

#### Criterion E

*A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein, or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare, which condition is presumed to have a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.*

None of the parcels in the Study Area meet this criterion.

#### Criterion F

*Areas in excess of five contiguous areas, whereon buildings or improvements have been destroyed, consumed by fire, demolished, or altered by the action of storm, fire, cyclone, tornado, earthquake, or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.*

None of the parcels in the Study Area meet this criterion.

#### Criterion G

*In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zone Act, the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment for the purpose of granting tax exemptions or the adoption of a tax abatement and exemption ordinance.*

None of the parcels in the Study Area meet this criterion.

#### Criterion H

*The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.*

Most of the Study Area parcels meet this criterion, because their redevelopment would be consistent with smart growth planning principles, as consistent with the Master Plan's recommendation for creation of a new TOD zoning district and establishment of a Transit Village.<sup>2</sup> The parcels that do not meet Criterion H are Block 75, Lots 104.01 and 178. These are not designated in the Master Plan as targeted for TOD.

As noted in the *Complete Guide to Planning in New Jersey (Fourth Edition, 2018)*, published by the New Jersey Chapter of the American Planning Association, the standards for meeting criteria "h" have not been established since this criterion was added to the LRHL in 2003. Thus, according to the *Redevelopment Handbook: A Guide to Rebuilding New Jersey's Communities (Second Edition, 2011)*, "it would be prudent to consider its use to supplement one or more of the other criteria and not as the sole basis of a redevelopment designation."

However, the *Complete Guide to Planning in New Jersey* further notes that a number of State agencies have formulated rules and policies regarding smart growth that factor into allocating the State's investments and resources. As a result, "it can be argued that a site, considered to be located in a "smart growth area" according to a State agency's definition, should satisfy the 'h' criteria.

The New Jersey Department of Community Affairs has designated as "Smart Growth Areas" those areas of the state that are in metropolitan or suburban planning areas, designated centers, Meadowlands smart growth areas, Pinelands smart growth areas, and villages and towns. As noted above, Red Bank was previously designated as a Regional Center, which would thus fall within that designation. Although the designation expired in 2022, the Borough is seeking reinstatement as part of the State Plan Endorsement Process.

The Smart Growth principles established by the Smart Growth Network and cited by the U.S. Environmental Protection Agency include:

- Mix land uses.
- Take advantage of compact building design.
- Create a range of housing opportunities and choices.
- Create walkable neighborhoods.
- Foster distinctive, attractive communities with a strong sense of place.
- Preserve open space, farmland, natural beauty, and critical environmental areas.
- Strengthen and direct development towards existing communities.
- Provide a variety of transportation choices.
- Make development decisions predictable, fair, and cost effective.

### Section 3

*"...lands, buildings, or improvements which of themselves are not detrimental to public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part."*

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<sup>2</sup> See Red Bank Master Plan, Figure 43, p. 98.

Section 3 of the LRHL applies to all of the parcels in the Study Area. While the parcels are not, of themselves, detrimental to public health, safety, or welfare, their designation within a redevelopment area would help to effectuate stronger potential development designs, through the provision of additional land for future development. It is noted that the retention basin, which appears to serve no engineering or drainage purpose and could create significant redevelopment opportunity when combined with adjacent underused surface parking lots, is divided between two tax parcels. It cannot be redeveloped without including both Block 75, Lots 104 and 177.

In addition, inclusion of these additional parcels could help to achieve further public benefits as part of future redevelopment, such as transit-oriented amenities along the commuter rail line (Block 41, Lot 2, and Block 63, Lot 5), and a potential public pedestrian walkway outside the boundary of the rail yard, to connect Chestnut Street and Drs. James Parker Boulevard (this could potentially involve Block 175, Lots 104, 172, and 178).

## PLANNING CONCLUSION

This analysis reveals that the Study Area displays characteristics that justify its designation as a redevelopment area in accordance with the statutory criteria, with all of the parcels meeting either at least two of the criteria, and at least one of the criteria plus Section 3.

If a redevelopment designation is desired to be undertaken by the Borough, the following steps would be necessary:

1. Upon the Planning Board's hearing on the preliminary investigation to determine whether the proposed area is a redevelopment area, the Planning Board is required to forward its recommendation to the Governing Body as to whether or not the area should be designated as an area in need of redevelopment.
2. After receiving the recommendation of the Planning Board, the Governing Body may adopt a resolution designating the delineated site for redevelopment.
3. The Governing Body, after adopting a resolution to delineate the redevelopment area, may direct the Planning Board to prepare a redevelopment plan pursuant to the applicable redevelopment statute. The redevelopment plan would then be prepared by the Planning Board and subsequently forwarded to the Governing Body for adoption. The redevelopment plan is required to include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
  - a. The relationship to define local objectives as to appropriate land uses; population density; traffic, public transportation, utilities, recreation and community facilities, and other public improvements.
  - b. Proposed land uses and building requirements in the Study Area.

- c. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available in the existing local housing market.
- d. Identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan.
- e. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities, the County master Plan, and the State Development and Redevelopment Plan.

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. NP23-140**

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF CERTAIN PROPERTIES IDENTIFIED IN THE BOROUGH'S TAX RECORDS AS BLOCK 41, LOTS 1, 3, 4, 5, 6.01, 6.02, 7 & 8; BLOCK 63, LOTS 5.01, 6, 7 & 7.01; BLOCK 75, LOTS 171 & 177; BLOCK 75.02, LOTS 169 & 170.01; BLOCK 75.05, LOT 16.01; BLOCK 75.06, LOTS 7 & 8.01 ON THE BOROUGH TAX MAPS TO DETERMINE WHETHER THE PLANNING BOARD FINDS THAT THE PROPERTIES SATISFY THE LOCAL REDEVELOPMENT AND HOUSING LAW IN NEED CRITERIA TO BE DECLARED AN AREA IN NEED OF REDVELOPMENT, AND IF SO, COMMENCE WITH THE PREPARATION OF A REDEVELOPMENT PLAN**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. as amended and supplemented (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land within the municipality constitute an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the Governing Body of the Borough of Red Bank must first authorize the Red Bank Planning Board ("the Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Governing Body; and

WHEREAS, the Governing Body believes it is in the best interests of the Borough that an investigation occur with respect to the properties identified on the Borough tax maps as Block 41, Lots 1, 3, 4, 5, 6.01, 6.02, 7 & 8; Block 63, Lots 5.01, 6, 7 & 7.01; Block 75, Lots 171 & 177; Block 75.02, Lots 169 & 170.01; Block 75.05, Lot 16.01; Block 75.06, Lots 7 & 8.01 (the "Study Area") and to determine whether all or portion of the Study Area meet the criteria set forth in the Redevelopment Law to be designated as an area in need of redevelopment; and

WHEREAS, the Borough therefore authorizes and directs the Planning Board to conduct an investigation of the Study Area and to make recommendations to the Governing Body, all in accordance with the Redevelopment Law; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes the Governing Body to use all those powers provided by the Redevelopment Law for use in a redevelopment area except the power of eminent domain; (hereinafter referred to as a "Noncondemnation Redevelopment Area"; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Red Bank, New Jersey as follows:

1. The foregoing recital are incorporated herein as if set forth in full.
2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to the Redevelopment Law to determine if the Study Area satisfies the criteria

set forth in the Redevelopment Law and should be designated a "Noncondemnation Redevelopment Area."

3. As part of its investigation, the Planning Board shall prepare a map showing the boundary of the Study Area.
4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any person who are interested in or would be affected by a determination that the Study Area shall be a Noncondemnation Redevelopment Area.
5. At the public hearing, the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and shall be made part of the public record.
6. After conducting its investigation, preparing a map of the Study Area and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Governing Body as to whether the Governing Body should designate all or a portion of the Study Area as a Noncondemnation Redevelopment Area.
7. If the Planning Board recommends that all or a portion of the Study Area be designated as a Noncondemnation Redevelopment Area, the Planning Board shall commence with the preparation of the redevelopment plan without further action by the Governing Body.
8. If any part of this resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall be not affect the remaining parts of this Resolution.
9. A copy of this resolution shall be filed in the Office of the Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilmember Bonatakis						x	
Councilmember Cassidy			x				
Councilmember Facey-Blackwood			x				
Councilmember Forest	x		x				
Councilmember Jannone			x				
Councilmember Triggiano		x	x				
Mayor Portman			x				
ON CONSENT AGENDA			Yes <u>x</u>	No <u>  </u>			

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 December 14, 2023.

  
Laura Reinertsen, Borough Clerk



**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				
<b>ON CONSENT AGENDA</b>	Yes <u>x</u>		No <u>  </u>				

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

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH**

**RESOLUTION NO. 25-26**

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF CERTAIN PROPERTIES IDENTIFIED IN THE BOROUGH'S TAX RECORDS AS BLOCK 41, LOT 2; BLOCK 63, LOT 5; BLOCK 75, LOTS 104, 104.01, 172, & 178, ON THE BOROUGH TAX MAPS TO DETERMINE WHETHER THE PLANNING BOARD FINDS THAT THE PROPERTIES SATISFY THE LOCAL REDEVELOPMENT AND HOUSING LAW IN NEED CRITERIA TO BE DECLARED AN AREA IN NEED OF REDVELOPMENT, AND TO INCLUDE IN THE TRAIN STATION REDEVELOPMENT AREA.**

**WHEREAS**, on April 25, 2024 the Governing Body adopted a resolution pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 (the "Redevelopment Law"), designating certain parcels as a Non-Condemnation Area in Need of redevelopment as identified on the Borough tax maps as Block 41, Lots 1, 3, 4, 5, 6.01, 6.02, & 7; Block 63, Lots 5.01, 6, 7 & 7.01; Block 75, Lots 171 & 177; Block 75.02, Lots 169 & 170.01; Block 75.05, Lot 16.01; Block 75.06, Lots 7 & 8.01,

**WHEREAS** the Governing Body directed the Planning Board to commence the preparation of a Redevelopment Plan in Resolution No. NP23-140,

**WHEREAS**, while drafting the redevelopment plan and investigating the redevelopment area, it was found that additional sites must be included into area to comprehensively develop and improve the substandard conditions around the Red Bank Train Station and rail yard,

**WHEREAS**, the Governing Board under the Redevelopment Law, authorizes the Red Bank Planning Board (Planning Board) to conduct a preliminary investigation of certain parcels and make recommendations,

**WHEREAS**, Mayor and Council directs the investigation of the properties identified on the Borough tax maps as Block 41, Lot 2; Block 63, Lot 5; Block 75, Lots 104, 104.01, 172, & 178 to determine whether these parcels meet the criteria set forth in the Redevelopment Law to be added to the existing redevelopment area,

**WHEREAS**, the Borough therefore authorizes and directs the Planning Board to conduct an investigation of the Study Area and to make recommendations to the Governing Body, all in accordance with the Redevelopment Law; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes the Governing Body to use all those powers provided by the Redevelopment Law for use in a redevelopment area except the power of eminent domain; (hereinafter referred to as a "Non condemnation Redevelopment Area"; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Red Bank, New Jersey as follows:

1. The foregoing recital are incorporated herein as if set forth in full.
2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to the Redevelopment Law to determine if the Study Area satisfies the criteria set forth in the Redevelopment Law and should be designated a “Non-condemnation Redevelopment Area.”
3. As part of its investigation, the Planning Board shall prepare a map showing the boundary of the Study Area.
4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any person who is interested in or would be affected by a determination that the Study Area shall be a Non condemnation Redevelopment Area.
5. At the public hearing, the Planning Board shall hear all people who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and shall be made part of the public record.
6. After conducting its investigation, preparing a map of the Study Area and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Governing Body as to whether the Governing Body should designate all or a portion of the Study Area as a Non condemnation Redevelopment Area.
7. If the Planning Board recommends that all or a portion of the Study Area be designated as a Non condemnation Redevelopment Area, the Planning Board shall commence with the preparation of the redevelopment plan without further action by the Governing Body.
8. If any part of this resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affecting the remaining parts of this Resolution.
9. A copy of this resolution shall be filed in the Office of the Borough Clerk

Borough Council	Moved	Seconded	Ayes	Nays	Abstain	Absent
Councilmember Bonatakis			X			
Councilmember Cassidy			X			
Councilmember Facey-Blackwood		X	X			
Councilmember Jannone			X			
Deputy Mayor Triggiano	X		X			
Mayor Portman			X			
<b>ON CONSENT AGENDA</b>	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>	

I hereby certify the foregoing to be true copy of a Resolution adopted by the Borough Council of the Borough of Red Bank, in the County of Monmouth, New Jersey at their regular meeting held on January 23, 2025.

  
 Mary Moss, RMC  
 Municipal Clerk