

TOWNSHIP OF FRANKLIN
R-50-20

RESOLUTION AUTHORIZING THE FRANKLIN TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPERTIES KNOWN AS LOTS 58, 63, 68.24, 69, 110, AND 115 OF BLOCK 1401, LOTS 24 AND 25 OF BLOCK 1402, AND LOT 1 OF BLOCK 1902 AS DEPICTED ON THE FRANKLIN TOWNSHIP TAX MAPS, QUALIFY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and **WHEREAS**, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, prior to the governing body making a determination as to whether a particular study area qualifies as an area in need of redevelopment, the governing body must authorize the Township Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the area meets the criteria of an area in need of redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the LHRL, including the procedural requirements of N.J.S.A. 40A:12A-5, and N.J.S.A. 40A:12A-6, and

WHEREAS, pursuant to P.L. 2013, Chapter 159, the resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (Non-Condemnation Redevelopment Area), or whether the redevelopment area determination shall authorize the municipality to utilize all of those powers including the use of eminent domain (Condemnation Redevelopment Area); and

WHEREAS, the Township of Franklin does not seek to use the power of eminent domain (Non-Condemnation Redevelopment); and

WHEREAS, the Township of Franklin wishes to direct the Planning Board to undertake a preliminary investigation to determine whether the proposed study area, which includes Lots 58, 63, 68.24, 69, 110, and 115 on Block 1401, Lots 24 and 25 of Block 1402, and Lot 1 on Block 1902 as shown on the Franklin Township Tax Maps, qualify as a Non-Condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin that the Franklin Township Planning Board is hereby directed to conduct the necessary preliminary investigation, including the holding of a public hearing, to determine whether the study area is or is not a Non-Condemnation area in need of redevelopment under the criteria set forth in N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Municipal Clerk

John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Franklin Township Committee held on February 11, 2020.

Barbara Freijomil, Municipal Clerk