

Township of Lawrence
County of Mercer

Resolution 377-22

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE
TOWNSHIP OF LAWRENCE TO CONDUCT A PRELIMINARY INVESTIGATION AND HEARING,
AND TO MAKE A RECOMMENDATION, WHETHER THE PROPERTY DESIGNATED AS BLOCK 3801,
LOTS 2, 3, 6, 18 AND 19 ON THE TOWNSHIP'S OFFICIAL TAX MAP, COMMONLY
KNOWN AS 3131 PRINCETON PIKE, SHOULD BE DESIGNATED AS A
NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain property or areas in the State is, and serves, a public purpose and is in the public interest; and

WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws implementing Article VIII, Section III, including the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), which provides for the redevelopment or rehabilitation of underutilized, unused, fragmented, deteriorated and generally blighted property or properties and areas in the State; and

WHEREAS, the Redevelopment Law establishes a process for the governing body of a municipality to determine whether a certain parcel or parcels of land in the municipality constitute an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-4.a.(1) empowers the governing body of a municipality to initiate the process by authorizing and directing its Planning Board, by resolution, to conduct a preliminary investigation and hearing, and make a recommendation, whether any particular parcel or parcels of land in the municipality satisfy any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6.a., "[t]he 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 (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, Township Council believes that it is in the best interests of the residents of the Township that the Township Planning Board conduct, pursuant to N.J.S.A. 40A:12A-6, a preliminary investigation and hearing, and make a recommendation, whether the property designated as Block 3801, Lots 2, 3, 6, 18 and 19 on the Township's official tax map, commonly known as 3131 Princeton Pike (the "Study Area"), satisfies any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condemnation Redevelopment Area; and

WHEREAS, the Study Area consists of approximately 26.97 acres which are currently improved with six (6) office buildings constructed in the 1970's totaling approximately 273,966 square feet, and is currently zoned Office (O); and

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WHEREAS, the office space has a vacancy rate of over 50% and is deteriorating and doesn't appear to be in a condition suitable for any permitted use:

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence as follows:

- 1. The foregoing recitals are incorporated herein as if set forth at length.**
- 2. The Planning Board is hereby directed to conduct a preliminary investigation and hearing, and to make a recommendation, whether the Study Area satisfies any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condensation Redevelopment Area.**
- 3. In order to assist it in its preliminary investigation, the Planning Board shall utilize the services of its professional planner, Kyle + Associates, LLC, to conduct an inspection of the Study Area and prepare a written report evaluating whether and how the Study Area meets any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condensation Redevelopment Area.**
- 4. The Township's professional staff, insofar as other professional services are required to assist the Planning Board in its undertaking pursuant to this Resolution, are hereby authorized to render professional services to assist the Planning Board.**
- 5. Before proceeding to a public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels of property included therein, and there shall be appended to the map a statement setting forth the basis of the preliminary investigation.**
- 6. The Planning Board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a recommendation that the Study Area should be designated as a Non-Condensation Redevelopment Area.**
- 7. The hearing notice shall specifically state that the Study Area is being investigated for potential designation by Township Council as a Non-Condensation Redevelopment Area and that the Township shall not exercise the power of eminent domain to acquire any property should the Study Area be designated as a Non-Condensation Redevelopment Area, and shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Township Clerk.**
- 8. A copy of the hearing notice shall be published in a newspaper of general circulation in the Township once each week for two (2) consecutive weeks, provided that the last publication shall not be less than ten (10) days prior to the date set for the hearing.**
- 9. A copy of the hearing notice shall be mailed at least ten (10) days prior to the date set for the hearing to the last owner, if any, of each parcel of property within the Study Area according to the assessment records of the Township and also to all persons, at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in any such parcel.**
- 10. The hearing notice shall be published and mailed by the Township Clerk or by such clerk or official as the Planning Board shall otherwise designate.**

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11. At the hearing, which may be adjourned from time to time, the Planning Board shall hear all persons who are interested in or would be affected by a recommendation that the Study Area should be designated as a Non-Condensation Redevelopment Area, and all objections to such a recommendation and evidence in support of such objections, given orally or in writing, shall be received and considered and made a part of the public record.

12. After completing its hearing on the matter, the Planning Board shall submit to the Township Council, in the form of a Resolution with supporting documentation, its findings and conclusions whether the Study Area meets any one or more of the criteria set forth in N.J.S.A. 40A:12A-5, together with its recommendation whether the Study Area should be designated as a Non-Condensation Redevelopment Area.

13. In the event that the Planning Board finds that the Study Area satisfies any one or more of the criteria set forth in N.J.S.A. 40A:12A-5 and recommends that the Study Area be designated as a Non-Condensation Redevelopment Area, the Planning Board also may make recommendations concerning a potential redevelopment plan for the Study Area pursuant to N.J.S.A. 40A:12A-7.e, including but not limited to suggested permitted primary and ancillary uses and bulk requirements, in the event that Council should designate the Study Area as a Non-Condensation Redevelopment Area.

14. The Clerk shall cause a copy of this Resolution to be transmitted forthwith to the Planning Board.

15. This Resolution shall take effect immediately.

Adopted: December 6, 2022

RECORD OF VOTE

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bobbitt	✓						
Mr. Kownacki	✓						
Ms. Lewis	✓					✓	
Mr. Powers	✓						✓
Mayor Ryan	✓						