

BOROUGH OF EDGEWATER

ORDINANCE NO. 1349-2006

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 99, LOTS 1, 3, 4 AND 5 IN THE BOROUGH OF EDGEWATER, BERGEN COUNTY, NEW JERSEY IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW.

BE IT ORDAINED by the Mayor and Council of the Borough of Edgewater, County of Bergen, and State of New Jersey, as follows:

Section 1. Findings.

A. Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (hereinafter "the statute"), the Mayor and Council, by resolution dated May 16, 2005, directed the Edgewater Planning Board to undertake a preliminary investigation to determine whether certain property known as Block 99, Lots 1, 3, 4 and 5 located at 45 River Road (hereinafter "the property") qualifies as a redevelopment area as set forth in N.J.S.A. 40A:12A-5.

B. In accordance with such authorization, the Planning Board undertook a preliminary investigation and conducted a hearing to determine whether the property is a redevelopment area, with the said public hearing occurring on August 9, 2005. By resolution dated August 22, 2005, the Planning Board determined that the property qualified as an area in need of redevelopment

pursuant to N.J.S.A. 40A:12A-5 and 6. More particularly, the Planning Board recommended that the Governing Body adopt a resolution designating the property as a redevelopment area and that the Planning Board prepare a redevelopment plan pursuant to the statute.

C. On September 19, 2005, the Mayor and Council adopted a resolution which approved the determination of the Planning Board that the property qualified as an area in need of redevelopment. Pursuant to N.J.S.A. 40A:12A-7(f), the Mayor and Council directed the Planning Board to prepare a redevelopment plan for the property.

D. On August 21, 2006, the Planning Board reviewed and approved a redevelopment plan for the property prepared on behalf of the Planning Board by Burgis Associates, Inc., which plan is entitled, "Redevelopment Plan, Unilever Redevelopment Area, Block 99, Lots 1, 3, 4, & 5, Borough of Edgewater, Bergen County, New Jersey" (hereinafter "the Redevelopment Plan") dated August 9, 2006. The Planning Board further determined that the Redevelopment Plan "is substantially consistent with and is designed to effectuate the Borough's Master Plan".

#### Section 2. Adoption of Plan.

The Mayor and Council accepts the recommendation of the

Planning Board in connection with the Redevelopment Plan for the property, which is attached hereto and made a part of this Ordinance. The Governing Body further finds that the property is located in an area in need of redevelopment in accordance with the statute. The Mayor and Council further notes that the Redevelopment Plan provides that a portion of the property be designated and set aside for use as a municipal facility. The Mayor and Council hereby adopts the Redevelopment Plan.

**Section 3. Amendment of Zoning Map.**

The Zoning Map of the Borough of Edgewater, referred to in §249-92 of the Land Use and Development Ordinance, be and is hereby amended so as to provide for a Southern Waterfront Redevelopment (SWR) Zone, which Zone shall encompass the property. The Zoning Map shall include the property as the redevelopment area to which the Redevelopment Plan is applicable.

**Section 4. Severability.**

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which


such judgment shall be rendered.


Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

  
NANCY MERSE, Mayor

  
BARBARA RAE, RMC, Borough Clerk

Introduced: August 21, 2006  
Adopted: SEPTEMBER 18, 2006  
Approved: SEPTEMBER 18, 2006