

RESOLUTION R:303-2023

RESOLUTION OF THE TOWNSHIP OF MONROE TEMPORARILY WAIVING THE REQUIREMENT OF THE ORCHARD DRIVE REDEVELOPMENT PLAN THAT THE APPLICANT BRUCE PAPANONE, INC. MUST ENTER INTO A REDEVELOPMENT AGREEMENT WITH THE TOWNSHIP PRIOR TO PROCEEDING TO PRELIMINARY MAJOR SUBDIVISION/SITE PLAN REVIEW BEFORE THE PLANNING BOARD

WHEREAS, the Township Council of the Township of Monroe adopted the Orchard Road Redevelopment Plan dated May 29, 2022 (the “Redevelopment Plan”) by Ordinance O:16-2022 on July 28, 2022, pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”); and

WHEREAS, the Redevelopment Plan was prepared for portions of two areas within the Township previously designated as in need of rehabilitation—the Commercial Corridor Rehabilitation Area (*Resolution R:221-2019*) and the Orchard Drive Rehabilitation Area (*Resolution R:56-2022*); and

WHEREAS, the area in need of rehabilitation identified in the Redevelopment Plan is designated as Block 15301, Lots 1-16; Block 15303, Lots 31-36, 38 and 39; and Block 15402, Lots 9-13 on the Township tax map (the “Rehabilitation Area”); and

WHEREAS, Bruce Papanone, Inc. (“Applicant”) has filed an application for development with the Monroe Township Planning Board (“Planning Board”) pursuant to which the Applicant seeks preliminary major subdivision approval that would permit the Applicant to develop the Rehabilitation Area with (i) 349 residential building lots on which single family dwellings will be constructed and (ii) three lots on which commercial uses will be developed in the future; of the 349 residential building lots, at least 51% of the lots shall be age-restricted lots (at least one owner must be 55 years of age or older), and the remaining lots shall not be age-restricted; and

WHEREAS, the Redevelopment Plan requires the Mayor and Council to review all proposed redevelopment projects within the Rehabilitation Area to ensure that any such project is consistent with the Redevelopment Plan and a fully executed redevelopment agreement; the Redevelopment Plan further states:

Such review shall occur prior to the submission of the redevelopment project to the Planning Board for subdivision and/or site plan approval. . . . No development application shall proceed to the Planning Board for approval until after a Redevelopment Agreement is executed by Monroe Township in accordance with Section 9 of the Local Redevelopment and Housing Law. The Mayor and Council, acting as the Redevelopment Entity, may waive the requirement of a Redevelopment Agreement prior to site plan approval in circumstances that are in the public interest.

WHEREAS, in accordance with the foregoing, and as permitted by the LRHL and Redevelopment Plan, the Mayor and Township Council have determined it is in the public interest to temporarily waive the requirement for the Applicant to enter into a Redevelopment Agreement prior to proceeding to the Township Planning Board for major subdivision/site plan review; and

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WHEREAS, the Mayor and Township Council have further determined it is in the public interest to temporarily allow the Applicant to proceed to the Planning Board for major site plan/subdivision review prior to reviewing the Applicant's redevelopment project for consistency with the Redevelopment Plan.

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

1. As Redevelopment Entity and for the purpose of appearing before the Planning Board only, Council hereby temporarily waives the requirement of the Orchard Road Redevelopment Plan that the Applicant enter into a redevelopment agreement with the Township prior to proceeding to the Planning Board for land development application review, as permitted by the Redevelopment Plan and LRHL.
2. As Redevelopment Entity and for the purpose of appearing before the Planning Board only, Council hereby temporarily waives the requirement of the Orchard Road Redevelopment Plan that the Redevelopment Entity must review the Applicant's proposed redevelopment project for consistency with the Redevelopment Plan prior to proceeding to the Planning Board for land development application review, as permitted by the Redevelopment Plan and LRHL.
3. As a necessary condition of this Resolution, and any Planning Board approval of the development proposed by the Applicant, the Applicant shall, as soon as possible after Planning Board action on the Application:
 - a. appear before and demonstrate to the satisfaction of the Redevelopment Entity that the Applicant's redevelopment project is consistent with the Redevelopment Plan, in accordance with the procedures and requirements set forth on Page 21 of the Redevelopment Plan; and
 - b. enter into a Redevelopment Agreement with the Township as required by the LRHL and Redevelopment Plan.
4. The failure of the Applicant to enter into a redevelopment agreement with the Township and/or should the Redevelopment Entity determine the Applicant's proposed redevelopment project is not consistent with the Redevelopment Plan, this Resolution and the Applicant's approval (if any) from the Planning Board shall have no force and effect.
5. The Applicant shall not be entitled to final major subdivision/site plan approval unless and until the Applicant's redevelopment project has been determined to be consistent with the Redevelopment Plan by the Redevelopment Entity. The Applicant must also be designated a redeveloper by the Township and enter into a redevelopment agreement with the Township consistent with the LRHL and Redevelopment Plan. The Applicant must otherwise comply with and satisfy all conditions and standards imposed by the Planning Board, Redevelopment Entity, and/or law.

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- 6. Nothing herein shall be construed as waiving any right and/or obligation of the Township or Planning Board available under the Redevelopment Plan, LRHL, or other law to request additional information from the Applicant and to ensure that the Applicant applies for and obtains all required approvals under the Code of the Township of Monroe, MLUL, Redevelopment Plan, and LRHL.
- 7. This Resolution shall take effect immediately.

ADOPTED at a meeting of the Township Council of the Township of Monroe on December 11, 2023.

TOWNSHIP OF MONROE

CNCL. PRES. CAROLANN FOX

ATTEST:

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

CERTIFICATION OF CLERK

The foregoing Resolution was duly adopted at a meeting of the Township Council of the Township of Monroe, County of Gloucester, State of New Jersey, held on the 11th day of December 2023 in the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

ROLL CALL VOTE

| | AYES | NAYS | ABSTAIN | ABSENT |
|------------------------|-------------|-------------|----------------|---------------|
| Cncl. Adams | | | | |
| Cncl. Garbowski | | | | |
| Cncl. Heverly | | | | |
| Cncl. McKinney | | | | |
| Cncl. O'Reilly | | | | |
| Cncl. Valcourt | | | | |
| Cncl. Pres. Fox | | | | |
| Tally: | | | | |