AMENDED
REDEVELOPMENT PLAN

BLOCK 1304, LOTS 18, 19, 20 AND BLOCK 1305, LOT 1
CINNAMINSONTOWNSHIP
BURLINGTONCOUNTY, NEW JERSEY

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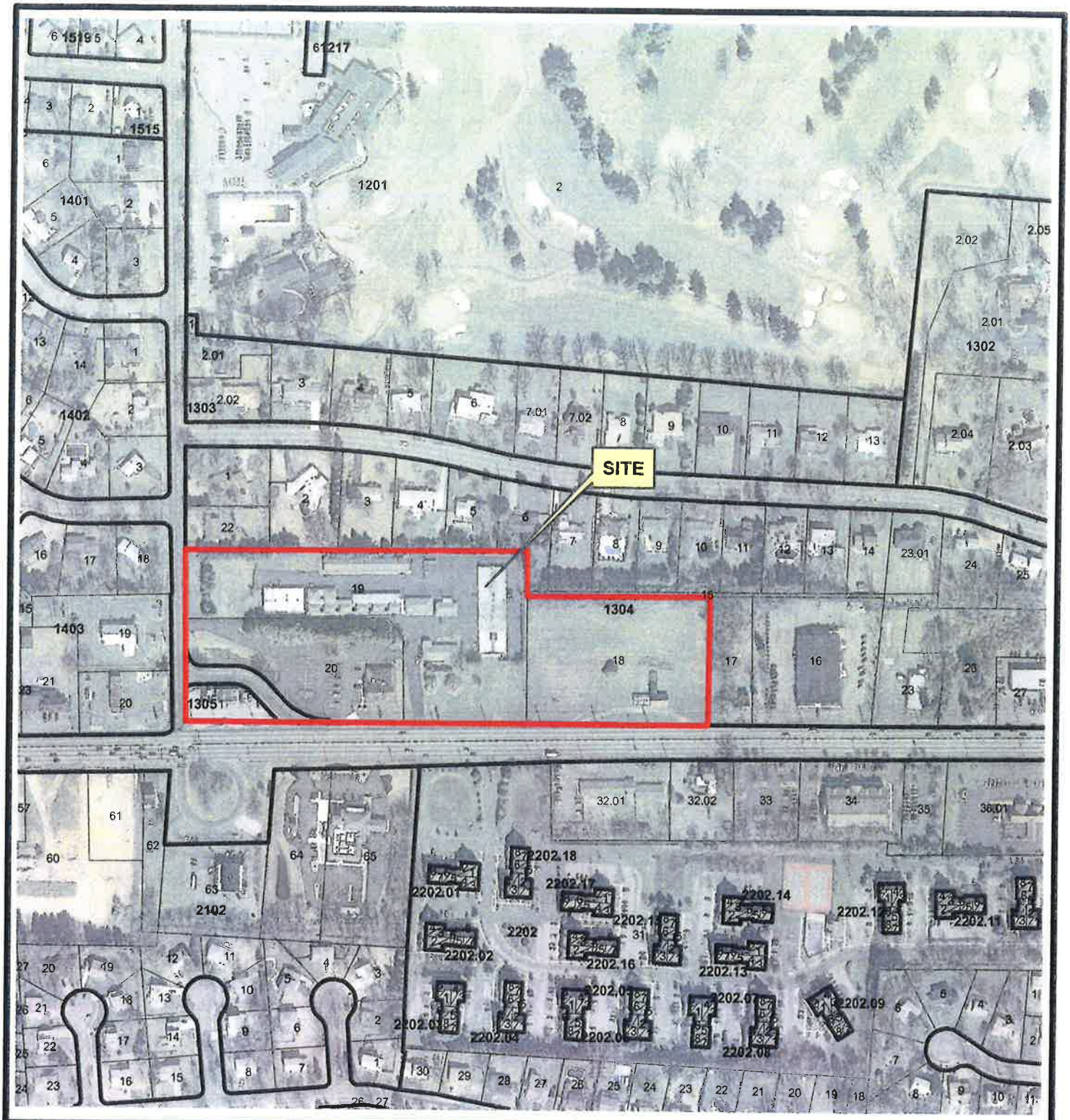
I. Introduction and Purpose of Study

This Amended Redevelopment Plan is prepared for Block 1304, Lots 18, 19 and 20 and Block 1305, Lot 1 located on U. S. Route 130 South Bound at Highland Avenue (the "Property") in Cinnaminson Township, New Jersey. The boundary of the Property is shown on Figure 1. Redevelopment Area, which shows a 2007 Aerial Photograph with Tax Map overlay. Block 1304, Lot 18 contains 2.99 acres; Block 1304, Lot 19 contains 4.99 acres; and Block 1304, Lot 20 contains 1.85 acres of land. Block 1305, Lot 1 is an irregularly shaped parcel that contains 0.244 acres of land and is bound by U. S. Route 130 on the south, Highland Avenueon the west and an exit ramp from U.S. Route 130 to the north. The Property contains the former Azalea Farm (Block 1304, Lot 18), the former Garden State Inn (Block 1304, Lot 19), Friendly's Restaurant (Block 1304, Lot 20) and a former gas station that has been demolished (Block 1305, Lot 1). The Property is situated in the BD - Business Development District. The Property is also situated in a Redevelopment Area.

II. Background

A Preliminary Investigation for the Determination of an Area in Need of Redevelopment or Rehabilitation was prepared for the Property located on Block 1304, Lots 18, 19 and 20 (605 and 601 U.S. Route 130) and Block 1305, Lot 1 (503 U.S. Route 130) in the Township of Cinnaminson, pursuant to adoption on January 7, 2013 of Committee Resolution 2013-33 (Appendix A). Block 1304, Lot 17 (701 U.S. Route 130) was also included in that Preliminary Determination but it is not part of this Amended Redevelopment Plan. Resolution 2013-33 authorized the Planning Board to conduct a study and hold public hearings to determine whether Block 1304 Lots 17, 18, 19, 20 and Block 1305 Lot 1 along with other properties along U. S. Route 130 qualify and meet the criteria to be declared in need of redevelopment or rehabilitation under the Local Redevelopment and Housing law NJSA 40A:12A-1 et seq.

A Public Hearing was held for the Property on April 23, 2013. After the Planning Board Public Hearing, the Planning Board adopted Resolution 2013-18, Memorialized on May 14, 2013 (Appendix B), which stated the Board concluded that the lots and blocks in the area qualified as an area in need of redevelopment. The Township Committee considered the Board's findings and on June 17, 2013, Committee adopted Resolution 2013-105 (Appendix C) remanding Block 1304 Lots 17, 18, 19 and 20 and Block 1305 Lot 1 back to the Planning Board to consider whether the area satisfied the constitutional meaning of the term "blight," i.e., "deterioration or stagnation that negatively affects surrounding areas" and whether the conditions noted in the Board's previous resolutions and reports rise to that condition. The Preliminary Investigation was revised on July 2, 2013 to include information on whether the parcels meet the definition of blight. The Planning Board held a Public Hearing on the matter on July 23, 2013 and adopted Resolution 2013-28, Memorialized on August 13, 2013 (Appendix D) recommending that Block 1304, Lots 18 and 19 and Block 1305, Lot 1 be determined to be an area in need of redevelopment and that said properties met the definition of blight under the New Jersey Constitution and case law interpreting same. Block 1304, Lot 20 was determined to be in need of redevelopment but not blighted under New Jersey Law. On August 19, 2013, Township Committee adopted Resolution 2013-129 (Appendix E) accepting the Planning Board's findings.



SOURCE:

NJDEP GIS SHAPEFILES
2007 ORTHO BASE

SCALE: 1"= 400'

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Figure 1.
REDEVELOPMENT PLAN
Block 1304, Lots 18, 19, 20
Block 1305, Lot 1
Cinnaminson Township
Burlington County, New Jersey

On October 1, 2018, by way of Resolution 2018-125 (Appendix F), the Township Committee authorized the preparation of a redevelopment plan in order to facilitate redevelopment of the Redevelopment Area. A Redevelopment Plan dated November 16, 2018 was prepared and on December 11, 2018, the Planning Board reviewed the plan and Ordinance 2018-19 for consistency with the Master Plan. By way of Resolution No. 2018-23 (Appendix G), the Planning Board found that there were no provisions of the Ordinance that were inconsistent with the Master Plan. Resolution No. 2018-23 was considered to be the report of the Planning Board to the Township Committee as required by N.J.S.A. 40A:12A-7(e).

On December 17, 2018, Ordinance No. 2018-19 (Appendix H), An Ordinance of the Township Committee of the Township of Cinnaminson Authorizing the Adoption of a Redevelopment Plan for Block 1304, Lots 18, 19 20 and Block 1305, Lot 1 Pursuant to N.J.S.A. 40:12A-7 was adopted by Township Committee.

On September 21, 2020, Resolution 2020-99 (Appendix I), the Township Committee authorized the preparation of this Amended Redevelopment Plan to facilitate an amended plan for the Redevelopment Area.

The 2018 Redevelopment Plan that this Redevelopment Plan Amends included a proposed Lidl grocery store, an existing Friendly's Restaurant with revised parking and stormwater management facilities, and two proposed pad sites on Block 1304, Lots 18, 19 and 20. This Amended Redevelopment Plan eliminates the two pad sites on the northern end (Azalea Farm side) of the Property and proposes a Senior Living Community that includes Independent Living, Personal Care, and Memory Care. A Senior Living Community means age-restricted housing units for independent living where use and occupancy of such units are limited to a majority of individuals 55 years of age or older. Per applicable federal law, the senior living community must meet either of the following conditions:

- At least 80 percent of the occupied units include one resident age 55 or older, and the community shows an intent to provide housing for those 55 and up, or,
- All the residents are age 62 or older.

Amenities within a senior living community may include, but are not limited to: a theater, diner, commercial kitchen, pub/restaurant, game room, post office, salon, general store, dining room, private dining, fitness center and health suite.

This amended Redevelopment Plan is intended to define applicable zoning requirements, architectural design standards, signage standards, and site layout design parameters specific to Lot 18 associated with a Senior Living Community. The zoning requirements and design criteria previously defined in earlier versions of the adopted Redevelopment Plan are to remain for the balance of the subject Redevelopment Area.

Planning Board and Committee approval of this Amended Redevelopment Plan will supersede the Cinnaminson Township Land Use Procedures in Chapter 330, the Redevelopment Procedures in Chapter 411, and the Zoning procedures in Chapter 525 if otherwise specified herein.

This Redevelopment Plan is prepared to guide the redevelopment of the Property in accordance with Section 40A: 12A-7 of the Local Redevelopment and Housing Law (LRHL) that provides that, "No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both," according to criteria set forth in section 5 or section 14 of P.L. 1992, c.79 (C.40: 12A-5 or 40A: 12-14), as appropriate.

Appendix J contains a color rendered plan of the Property which includes Friendly's, Lidl, and the Senior Living Community.

III. Definitions

The following definitions, which are set forth in N.J.S.A., 40A:12A-3 of the RHL, are pertinent to this Redevelopment Plan:

> *"Redevelopment -- means 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.*
>
> *Redevelopment area or area in need of redevelopment -- means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6)... a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.*
>
> *Redevelopment Plan -- means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.*
>
> *Redevelopment Project -- means any work or undertaking pursuant to a redevelopment plan; such undertaking may include any buildings, land, including*

demolition, clearance or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping and administrative, community, health, recreational, educational, welfare facilities.

Rehabilitation -- means an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need or rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area."

III. Contents of a Redevelopment Plan

A Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate the following, in accordance with 40A:12A-7.

A. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and transportation, public utilities, recreational and community facilities and other public improvements.

B. Proposed land uses and building requirements in the project 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 to them in the existing local housing market.

D. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

E. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al).

The Redevelopment Plan shall also describe its relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.).

The following sections of this report address the statutory requirements of a Redevelopment Plan.

A. Relationship to Local Objectives

The most current Master Plan Reexamination Report is dated December 10, 2019. This Master Plan Reexamination provides a Reexamination from the 2005 Master Plan Reexamination. The Master Plan Reexamination status of various objectives relevant to the Property and the U.S. Route 130 Corridor as well as new objectives are discussed in this section.

A goal of the 2005 Master Plan Reexamination was to preserve the Township's existing residential character while providing for an expanded range of housing types. One of the objectives to reach this goal was to continue to provide opportunities for the development of senior citizen housing in appropriateareas. Siena on U.S. Route 130 South and the Cinnaminson Home on Riverton Road are examples of the Township facilitating construction of this type of housing. The proposed Senior Living Community that includes Independent Living, Personal Care, and Memory Care and other amenities provides additional senior housing in close proximity to retail and service businesses that can be utilized by the nearby residents. This goal and objective was maintained in the 2019 Reexamination Report.

Another goal that remains valid is to offer opportunities for varied commercial activities and services in appropriate areas while maintaining the Township's quality of life and present character. The objective of the goal was to encourage the continuation of a variety of types of commercial land use within the Township's existing commercial districts with a focus on the redevelopment of the U.S. Route 130 corridor. While the proposed Senior Living Community may appear to be a residential use, it becomes a commercial use with personal care, memory care and the variety of services and amenities provided such as "Main Street" living, upscale dining options, activities director, medical services, free shuttle to local appointments and events, therapeutic life stations, theater, Diner, Pub, Game Room, Post Office, Salon, General Store, Fitness Center and Health Suite.

Another objective of the goal to offer opportunities for varied commercial activities and services is to enhance the Township's economy and employment opportunities through encouraging quality commercial uses in commercial districts and other areas where appropriate access for such uses are available. A Senior Living Community of the size and with the amenities proposed is certain to offer opportunities for commercial activities and employment.

The proposed Senior Living Community's exterior architectural design is aligned with the Township's objective of maintaining the Township's visual quality by controlling commercial land use patterns and adoption of improved design and performance standards for land use in commercial areas. The proposed building design meets or exceeds nearly all of the Performance and Design Standards in Chapter 411. Minor variations are proposed to provide an even higher standard to achieve building functionality and design.

Finally, the proposed Senior Living Community fulfills the objective to encourage the redevelopment of vacant and underutilized commercial sites located along U.S. Route 130. Such sites should be examined to determine whether they have the potential to be redeveloped for commercial uses or other alternate uses, i.e., comprehensively planned residential/commercial/service mixed use developments or office complexes. The Azalea

Farm has been vacant except for a small building in the center of the parcel for years. Various uses were proposed but none came to fruition. The proposed use provides forward-thinking suburban revitalization in a mixed use style that is oriented to transit amenities along the U.S. Route 130 Corridor.

A significant change to the underlying basis of the Master Plan and Development Regulations in the 2019 Reexamination Report was identified as the Township's ownership of the 9.8 acres of property from Highland Avenue to the Azalea Farm. The Garden State Inn was demolished, and a Lidl and other retail stores are planned for the site adjacent to the existing Friendly's restaurant. An RFQ/P was issued for the remaining parcel and a developer has proposed an assisted living community for the eastern portion of theproperty.

The 2019 Master Plan Reexamination contained a list of unimplemented recommendations from the 2005 Master Plan concerning specific changes to the Master Plan and Development Regulations. The only one specifically relevant to the Property and/or the U.S. Route 130 Corridor is:

- Continue to encourage the redevelopment of vacant and underutilized commercial sites located along Route130.

The Cinnaminson Economic Development Committee provided the following recommendations to the Planning Board to be included within the 2019 Reexamination Report:

- Encourage a uniformed streetscape along the U.S. Route 130 Business Corridor at appropriate locations.
- Develop enforcement standards for banners and temporarysigns.
- Review Township policy on electronicsignage.

The 2019 Master Plan Reexamination listed the Property (Block 1304, Lots 18-20 and Block 1305, Lot 1) as one of two current redevelopment plans.

B. Proposed Land Uses and Building Requirements

1. Permitted Principal Uses

The Property is located in the BD - Business Development District and in a redevelopment zone. The following Principal Uses are permitted:

a. Senior Living Community.
b. Retail establishments including Grocery Stores for the sale of goods and services of certain types and descriptions that are not prohibited.
c. Medical facilities, physical rehabilitation facilities.
d. Tailor shop, dressmaker, bakery or confectionary shop and retail.
e. Health club/fitness center.
f. Drive-through restaurants.
g. Convenience stores.

2. Permitted Accessory Uses

Permitted Accessory Uses include the following:

a. Restaurant or cafeteria for supplying meals only to employees and guests of the principal use; newsstand, post office, automated banking facility and similar conveniences serving primarily employees and guests of the principal use, provided that there shall be no external evidence of such use.
b. Assembly room for meetings incidental to the business of the principal use.
c. Maintenance, utility and storage facilities incidental to the principal use, not to exceed 30% of the gross floor area of the individual use.
d. Off-street parking.
e. Fences.
f. Landscaped walls and earth retaining walls.
g. Emergency generators.
h. Temporary construction and marketing trailers and temporarymultiple signs, not exceeding an overall area of 500 square feet, advertising the prime contractor, subcontractor(s), architect, financial institution and similar data for the period of construction, beginning with the issuance of a building permit and concluding with the issuance of an occupancy permit or one year, whichever is less, provided that said trailer(s) and signs are on the site where the construction is taking place.
i. Roof mounted solar panels only to service the facility on the parcels containing principal buildings.
j. Outdoor patio areas.

3. Prohibited Uses

This Redevelopment Plan prohibits the following Principal Uses:

- All other uses currently not identified in the above list of Permitted Principal Uses.

Nothing contained herein shall be construed to now permit uses not expressly listed in B.1. above. Instead, all other uses not specifically permitted shall continue to be prohibited, notwithstanding their omission from the list of Permitted Principal Uses.

4. Project Phasing

The project may be constructed in phases with the construction of the Lidl grocery store, revised Friendly's Restaurant parking lot and stormwater management basin in the first phase. If the Senior Living Community has plans prepared and approved and development is ready to proceed, they may be constructed at the same time in the first phase. Otherwise, development of the Senior Living Community will follow phase one. Phasing will be part of Redeveloper's Agreements and not this Redevelopment Plan.

5. Bulk Requirements and Design Standards

This Redevelopment Plan refines and supersedes the following elements of the Cinnaminson Code required in the prevailing BD Business Development Zoning District. The standards of the Business District (BD), not the Planned Business District (PBD) shall apply unless modified herein:

Table One. Bulk Requirements
Table Two. Parking, Loading, Side Yard Separation, Drive Aisle Width, and Buffer of Paved Surfaces to Residential Uses or Districts
Table Three. Signage (Senior Living Community)
Table Four. Architectural Design Standards

Table One. Bulk Requirements

Item	Code Reference	Permitted	Proposed Lot 18 (Township Retained)
Minimum Lot Size	Redevelopment Plan and §525-66A	40,000 Square Feet	213,737 Square Feet
Minimum Lot Width	Redevelopment Plan and §525-66B	200 Feet	628.3 Feet
Minimum Yard Setbacks for Principal Buildings			
Front Yard	Redevelopment Plan and §525-66C(1)	50 Feet	20 Feet
Side Yard	Redevelopment Plan §525-66C(2)	35 Feet	60 Feet
Rear Yard	Redevelopment Plan and §525-66C(3)	35 Feet	25 Feet
Maximum Building Height/Stories	Redevelopment Plan and §525-66D and E	3 Stories / 45 Feet	3 Stories / 45 Feet
Minimum Setback to Residential Use/Zone	§525-67A	40 Feet	35 Feet
Minimum Setback to Paved Surface from Residential Use/Zone	§525-67A	40 Feet	15 Feet
Maximum Building Coverage	Redevelopment Plan and §525-66F	50%	35%
Maximum Impervious Coverage	NA	NA	65%

Table Two. Parking, Loading, Side Yard Separation, Drive Aisle Width

Parking Stall Size	9' X 18'
Loading Areas	One (1) Loading Area for the Senior Living Community
Minimum Side Yard Separation	0' between driveways and parking areas on the Lidl, Friendly's, and Westrum lots.
Maximum Permitted 2-Way Drive Aisle Width	The maximum permitted drive access aisle width is 30' for proposed truck circulation.
Parking Requirements	Parking requirements for the Senior Living Community must be satisfied through providing parking spaces on Lot 18 only. No shared parking provisions will be permitted with adjacent users.

Table Three. Signage Standards (Senior Living Community)

Monument Sign (U.S. Route 130)	One (1) monument sign is permitted on Lot 18 along the U.S. Route 130 frontage. Maximum sign height shall be ten (10') measured from the ground to the top of the overall structure. Sign area to not exceed twenty-five (25) square feet. The location of the monument sign is permitted to be within three (3) feet of the U.S. Route 130 right-of-way, as long as said location is outside associated sight triangles at ingress/egress points of the development.
Internal Site Monument Sign	One (1) internal monument sign is permitted for the Senior Living Community. Monument sign not to exceed six (6) feet in height with a total maximum sign area of ten (10) square feet. Internal monument sign may provide directional information to facility parking areas, maintenance entries, and delivery areas.
Monument Sign (Highland Avenue)	One (1) monument sign or directional sign is permitted for the shared Highland Avenue access on the grocery store lot. The sign is to be located no closer than fifteen (15) feet to the right-of-way. Sign area not to exceed fifteen (15) square feet. Sign height not to exceed ten (10) feet measured from the ground to the top of the overall structure.

Table Four. Architectural Design Standards

Ordinance Standard	Deviation Permitted
§411-12B(1)(c) and (g) Building Wall Offsets and Spacing	Exceeding of the 75' maximum spacing between offsets is permitted at no more than two (2) locations. The minimum projection or depth of any individual offset is permitted to be two (2) feet in no more than six (6) locations.
§411-12B(3)(m) Facades and Exterior Walls	Porches and balconies are proposed additional architectural elements that meet the intent of this requirement.
§411-12B(4) Roof	The main roof pitch is permitted to be 5:12. All the gables and accent roofs shall have a slope of 8:12. The building is over 30' in height and is permitted to have a flat roof. The flat roof in the rear of the building may have a parapet. Dormers and a masonry chimney are permitted.
§411-12B(8) Physical Plant	The rear of the building may have an evergreen planted screen to hide the HVAC systems. The second floor dining room may have an HVAC system that is not screened.
§411-12B(11)(a) through (f) Lighting	All parking lot and pedestrian scale lighting is to be shielded from producing off-site glare. Architectural accent uplights for the building facade is permitted on all facades except the northern elevation abutting residential properties.
§411-12B(13)(b) Awning Projection	The awing projections over the patios are permitted to exceed 5'.
§411-12C(1) Buffering	Loading, outdoor storage, and trash collection areas shall be screened to minimize the impacts of noise, loading and unloading activities, lighting and glare, and views of loading/unloading activities by a minimum of a 10' wide area that is adequately planted with evergreen trees with a minimum of six (6) feet in height at time of planting. Alternatively, a chain link fence, CMU block, or other screening mechanism may be utilized for the trash enclosure. Screening elements must be installed on all three (3) sides excluding the gate/access opening.

6. General Requirements

a. A lot may contain more than one principal structure, use and/or organization, provided that each principal structure is located and the site is designed in a manner which will allow the possibility of subdividing the lot in a manner such that each structure and resulting lot would conform to the bulk standards of the redevelopment regulations set forth herein to the maximum extent feasible. Where conformance with such standards is not feasible, deed restrictions, cross-easements and/or other approval conditions shall be

provided to protect public safety and assure continued maintenance and efficient operation of site improvements, and so long as the proposed lot(s) will continue to be used for a permitted use under the development regulations herein.

b. The Planning Board may, at the time of site plan and/or subdivision review, and without formal amendment to this Redevelopment Plan, approve departures from "Proposed Land Uses and Building Requirements" or Chapters 330, 411 or 525 of the Township Code, provided that such departures are, in the opinion of the Planning Board, properly justified and consistent with the intent of this Plan. Justification for such relief shall generally conform with the requirements for waivers, design exceptions and variances under N.J.S.A 40:55 D-1 et. seq. In reviewing such requests, the Planning Board shall seek to further the overall intent and purpose of this Redevelopment Plan.

c. Setbacks from parking areas to adjacent roadways shall be provided. Perpendicular access driveways, drainage structures, signs, utilities and other similar structures are permitted within the restricted setback area.

d. Recognizing that structures to be constructed within the redevelopment plan, whether constructed all at one time or in stages over a period of time, will be designed to meet unique characteristics to satisfy the owners and/or tenants individualized branding and corporate identity, the redeveloper will be permitted latitude in recommending the architectural elements associated with the development.

e. The overall aesthetic improvements and various new exterior elements throughout the redevelopment area shall be architecturally attractive, and physically and visually uncluttered, clean and landscaped environment which can be achieved with generally recognized high quality performance and design standards similar to newly constructed similar buildings within the county and region.

f. All building walls fronting on any street shall be suitably finished for aesthetic purposes, which shall not include unpainted or painted concrete block walls.

g. All development or redevelopment shall provide due consideration to the physical, visual and spatial characteristics of the streetscape, neighborhood and district in which such is located and the Township.

h. The development or redevelopment shall minimizes adverse impacts of vehicular traffic, pedestrian movement, parking, lighting and glare, noise, odor, disposal of solid waste, litter, ventilation, crime and vandalism and inappropriate visual design and development.

i. Performance and design standards that promote the creation of functional and attractive development and redevelopment that shall promote the health, safety, general welfare, morals, order, efficiency, economy, maintenance of property

values and character of the Township and is not inconsistent with the Master Plan, Zoning Plan and Redevelopment Plan of the Township.

j. The performance and design standards described in this article shall be used as the Township's presumptive minimum requirements for site plan development and as criteria for evaluating the plan and design of such development or redevelopment plans. However, the guidelines and standards are not intended to restrict creativity, and an applicant may request that the performance and design standards be modified or waived.

k. The Township Committee, as the governing body of the Township of Cinnaminson, shall be the Redevelopment Entity as defined in the LRHL and shall have and be entitled to, and is hereby vested with, all powers and authority available to it in furtherance of the goals and purposes of said Redevelopment Plan. Waivers sought from any of the Architectural Design Standards set forth may be granted by the governing body.

l. All portions of the property disturbed in preparation for development that are not utilized by buildings or paved surfaces shall be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours, existing foliage and planting of conifers and/or deciduous trees native to the area in order to either maintain or reestablish the tone of the vegetation in the area and lessen the visual impact of the structures and paved areas. The established grades on any site shall be planned for both aesthetic and drainage purposes. The grading plan, drainage facilities and landscaping shall be coordinated to prevent erosion and silting, as well as assuring that the capacity of any natural or man-made drainage system is sufficient to handle the water generated and anticipated, both from the site and contributing upstream areas.

7. Off- Street Parking

a) Off-street parking for the Senior Living Community shall be provided a minimum parking ratio of 0.5 spaces per unit. The minimum parking ratio must be satisfied on Lot 18 only, with no shared parking provision permitted with the adjacent users on the surrounding sites.

b) Off-street parking requirements for other uses shall be determined by requirements outlined in prior adopted amendments to the Redevelopment Plan, unless superseded herein.

c) In any event, each use shall provide a sufficient number of spaces in appropriate locations so that no driveway, aisle, fire lane or street right-of-way is used at any time for parking.

8. Off- Street Loading

a) Each activity shall provide for off-street loading and unloading, with adequate ingress and egress from streets, and maybe visible from the street. Each space shall be a minimum of 11 feet by 40 feet. The number of berths provided shall be dictated by the use. There shall be no loading or unloading from the street.

b) There shall be at least one trash and garbage pickup location provided by each building unless provided internally within the building.

c) Trash and garbage containers, including dumpsters, shall not be stored in loading areas or other designated areas unless shown on the Site Plan.

d) All off-street loading areas shall be lighted.

9. Signs

The provisions of Signs and §525-116 to 118 and §525-120 to 122 are supplemented and modified as follows:

a) Monument Signs shall be permitted as defined in Table Three.

(1) Site plan review. Site plan review shall be required for all monument signs.

(2) Double-sided monument signs shall be measured on one side, provided that the message on both sides is identical and only one side is visible at one time.

b) Directional Signs. Directional signs are permitted. Such directional signs are permitted to contain the tenant logo as long as the logo is a minor element of the sign and does not interfere or confuse the primary purpose of the sign which is to provide directions for on-site circulation and information. Directional signs may be provided at site driveway locations and at key internal intersections to provide further wayfinding information for guest/visitor parking areas, employee parking, deliveries, main entrance locations, and/or other key defined elements of the use.

c) Leasing Signs. Temporary leasing signs may be permitted for the primary use, the Senior Living Community prior to, during, or post construction of the development and up to one year after the issuance of a certificate of occupancy.

d) Signage shall be consistent throughout the entire redevelopment area.

C. Provisions for Relocation

There shall be no need for relocations.

D. Identification of Property to be Acquired

Cinnaminson Township owns Block 1304, Lots 18 and 19 and Block 1305, Lot 1. Block 1304, Lot 20 is owned by Friendly's and it is not intended to be acquired. Redeveloper Agreement(s) will be part of the land transfer(s) from the Township to private developers.

E. Relationship to Other Plans

1. Master Plan of Contiguous Communities

Not applicable as surrounding or contiguous areas to this redevelopment area are within Cinnaminson Township.

2. Burlington County Plan - Burlington County Route 130/Delaware River CorridorStrategic Plan

In 1995 the County undertook a collaborative planning process with twelve (12) communities along the Delaware River and Route 130 including the Township to develop a strategic plan. Initiated in 1995, the second part of the Plan (the Recommendations) was not completed until 1998. The major focus of the Plan was to create a vision for the Corridor communities, translate it into physical forms of development and redevelopment that are desirable and necessary to assure revitalization within the corridor and recommend policies, actions and strategies, which would be implemented by the twelve communities, the County, the State and the Federal government in terms of short, mid and long-range timeframes.

In applying the vision of the corridor to Cinnaminson, the Township's commercial area along U.S. Route 130 was identified as a commercial/services redevelopment node with Delran Township.

The Township has completed a considerable number of the recommendations in the Plan, including those related to municipal economic development, transportation and circulation, and housing and open space.

The Township is engaged in a number of redevelopment projects along U.S. Route 130 and on other properties. Four preliminary investigations for the determination of area in need of redevelopment or rehabilitation were prepared and adopted in 2013. Three of them were for several parcels along U.S. Route 130 and the fourth was for the Cinnaminson Home on Riverton Road. A Redevelopment Plan for the subject parcel was first prepared in 2018 and redevelopment has been underway.

3. State Development and Redevelopment Plan

On April 28, 1999, the New Jersey State Planning Commission (NJSPC) endorsed the U.S. Route 130/Delaware River Corridor Strategic Plan (Plan), which was prepared by the Burlington County Office of Land Use Planning for twelve municipalities along the U.S. Route 130 Corridor, including Cinnaminson Township.

In 2009, the NJSPC extended the center designations to June 30, 2019. Subsequently, the NJSPC amended N.J.A.C.5:85-7.21 to extend the expiration dates of certain plan endorsements, including the above- mentioned plan, to June 30, 2020. Effective April 15, 2020, pursuant to Executive Order No. 103, in response to the COVID-19 pandemic, Plan Endorsement was extended to a date not greater than 180 days following termination of Executive Order 103. The Burlington County Bridge Commission was working with the New Jersey Office of Planning Advocacy (NJOPA) on an update to the plan, which, once endorsed, will extend the center designation for another ten years. The plan endorsement process will include community input and coordination with State agencies and other municipalities within the Corridor. Consistency with local planning initiative is a critical part of theprocess. The NJOPA website lists numerous items that were submitted in 2019 for plan endorsement.

Plan Endorsement is a voluntary review process that is designed to assist government agencies at all levels to develop and implement plans that will achieve the goals, policies and strategies of the State Plan. The plan endorsement process establishes a method by which government agencies at all levels may develop capital investment and planning decision-making mechanisms that are consistent with the State Plan and are coordinated. The end-product is intended to provide sufficient information so that the State Planning Commission, acknowledging the local context, can make a final determination as to the level of State Plan consistency achieved by the petitioner, and the petitioner's commitment to the implementation of the State Plan.

The purpose of the Plan Endorsement process is to increase consistency among municipal, county, regional and State agency plans with each other and with the State Plan, and to facilitate the implementation of these plans.

The State Development and Redevelopment Plan contains overall goals that were derived from the State Planning Act. These include:

- Revitalize the State's Cities and Towns
- Conserve the State's Natural Resources and Systems
- Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey
- Protect the Environment, Prevent and Clean Up Pollution
- Provide Adequate Public Facilities and Services at a Reasonable Cost
- Provide Adequate Housing at a Reasonable Cost
- Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space and Recreational Value
- Ensure Sound and Integrated Planning and Implementation Statewide

The entire redevelopment area is located in a Metropolitan Planning Area (PA1) as designated by the New Jersey State Development and Redevelopment Plan (SDRP). This planning area is intended to provide for much of the state's future redevelopment. This includes revitalizing cities and towns, promoting growth in compact forms, stabilizing older suburbs, redesigning areas of sprawl and protecting the character of existing stable communities. The goals of the PA1 include promotion of redevelopment and development which is consistent with this project.

The Plan states the following goals that are necessary to deliver the plan's Vision and Mission.

Goal 1: Targeted Economic Growth: Enhance opportunities for attraction and growth of industries of statewide and regional importance.

Goal 2: Effective Planning for Vibrant Regions: Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region.

Goal 3: Preservation and Enhancement of Critical State Resources: Ensure that strategies for growth include preservation of our State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing the role they plan in sustaining and improving the quality of life for New Jersey residents and attracting economic growth.

Goal 4: Tactical Alignment of Government: Enable effective resource allocation, coordination, cooperation and communication among those who plan a role in meeting the mission of this Plan.

This Redevelopment Plan is consistent with all four of the State's Goals as set forth in the New Jersey State Development and Redevelopment Plan. Cinnaminson Township, Burlington County, and the State have recognized the desirability of enhancing economic opportunities and effectively planning development in areas of existing development and growth where utilities and services are available. In order to effectuate such development, there is a clear partnership between government (Cinnaminson Township, Burlington County and New Jersey) and the private sector. As a result, the state's critical resources identified in Goal 3 can be preserved.

An indication as to the extent of the encouragement of redevelopment for PA1 areas is evidenced by the fact that resolutions declaring areas in need of redevelopment are subject to review and approval by the New Jersey Department of Community Affairs (NJDCA). However, Resolutions relating to PA1 areas are considered by the state to be an automatic approval upon submittal.

3. Relationship to Municipal Land Use Law

This Redevelopment Plan is consistent with the following purposes of the Municipal Land Use Law:

(a) To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;

(c) To provide adequate light, air and open space;

(d) To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;

(e) To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;

(g) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to the respective environmental requirements in order to meet the needs of all New Jersey citizens;

(h) To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;

(i) To promote a desirable visual environment through creative development techniques and good civic design and arrangement;

(j) To promote conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;

(l) To encourage senior citizen community housing construction;

(m)To encourage coordination of various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

This Redevelopment Plan is in compliance with the Municipal Land Use Law and the purposes of the Act as defined at C.40:55D-2.

IV. Affordable Housing Provision

The Redeveloper(s) shall be compliant with the Township ordinances, and State laws and regulations pertaining to non-residential developers' affordable housing obligations, which are applicable to the subject development. Future legislation, executive branch actions and judicial decisions may have an effect upon the affordable housing obligation imposed upon the

development that is the subject of this approval. The Redeveloper(s) affordable housing obligation, if any, shall be that required by applicable law.

APPENDIX A

COMMITTEE RESOLUTION 2013-33

TOWNSHIP OF CINNAMINSON

RESOLUTION 2013-33

RESOLUTION AUTHORIZING AND DIRECTING THE CINNAMINSON TOWNSHIP PLANNING BOARD TO CAUSE A PRELIMINARY INVESTIGATION TO BE MADE PURSUANT TO THE NEW JERSEY LOCAL DEVELOPMENT AND HOUSING LAW, AS TO WHETHER CERTAIN AREAS ALONG THE ROUTE 130 CORRIDOR AND WITHIN THE TOWNSHIP INDUSTRIAL AND LIGHT INDUSTRIAL ZONES, ALONG WITH OTHER AREAS WITHIN THE TOWNSHIP OF CINNAMINSON, ARE "AREAS IN NEED OF REDEVELOPMENT OR REHABILITATION" WITHIN THE MEANING AND INTENDMENT OF SAID STATUTE

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, ("the Act") allows municipalities to identify certain areas within their geographical boundaries as "Areas in Need of Redevelopment", or "Areas in Need of Rehabilitation", one of the purposes of which, among others, is to encourage private investment in certain properties through, e.g., the demolition, clearance, or removal of buildings, the construction and rehabilitation of existing buildings, the creation of new job opportunities and ratables within municipalities, etc.; and

WHEREAS, the Act empowers municipalities to authorize and direct their Municipal Planning Boards to cause preliminary investigations to be made to determine whether areas exist within the municipality that are "in need of redevelopment" or "in need of rehabilitation", N.J.S.A. 40A:12A-6; and

WHEREAS, the Township of Cinnaminson has enjoyed significant success in the past with commercial initiatives along Route 130 beginning at the municipal boundary near Pennsauken Township, but there are areas of opportunity north of that area along Route 130, as well as in other sections of the Township, and particularly the Township's Industrial zones along Union Landing Road, Taylor Lane and both sides of River Road, which would benefit from the tools available to the municipalities under the New Jersey Housing and Redevelopment Law; there is a need for increased employment opportunities, tax ratables, and other benefits which communities generally derive from the redevelopment of commercial corridors within these areas; and

WHEREAS, the Township Committee of the Township of Cinnaminson has determined that it is in the best interest of the Township of Cinnaminson, in order to compete

with neighboring municipalities for new commercial and other opportunities which will result in increased employment opportunities, and tax ratables for the municipality, to further study the Route 130 Corridor and Union Landing Road, Taylor Lane and River Road, and other areas of the Township, to determine if the Corridor, or portions of same, are "in need of redevelopment or in need of rehabilitation", so that this municipality can undertake various initiatives to incentivize commercial and other developers to locate their businesses with this municipality; and

WHEREAS, the New Jersey Redevelopment and Housing Law empowers municipalities to authorize and direct their Municipal Planning Boards to undertake such studies and investigations.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cinnaminson, that the Cinnaminson Township Planning Board be and is hereby authorized and directed to cause a preliminary investigation to be made pursuant to the New Jersey Redevelopment and Housing Law as to whether portions of the Route 130 Corridor, north of the existing Redevelopment Area to Stout and Caldwell Engineering, and from Wynnewood Drive south to Riverton Road on the southbound side of Route 130, as well as the Industrial Zone from Union Landing Road to Delran Twp., including the properties on River Road from Union Landing Road to Delran Twp. within the Township of Cinnaminson, are in need of redevelopment or rehabilitation within the meaning and intendment of the statute.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Chairperson and Secretary of the Cinnaminson Township Planning Board, and with the Burlington County Office of Land Use Planning, within ten (10) days of adoption, and that the Planning Board be urged to complete its preliminary investigation and file its written report within the Township Committee upon completion of same.

CINNAMINSON TOWNSHIP COMMITTEE

Certified to be a true copy of a resolution adopted by the Cinnaminson Township Committee on the 7th day of January, 2013.

Pamela McCartney

Pamela McCartney, RMC, CMR, Township Clerk

APPENDIX B

PLANNING BOARD RESOLUTION 2013-18

CINNAMINSON TOWNSHIP
PLANNING BOARD

RESOLUTION NO. 2013-18

**RESOLUTION RECOMMENDING
AREA IN NEED OF REDEVELOPMENT
AND/ OR REHABILITATION
TO THE TOWNSHIP COMMITTEE**

**AZALEA FARM AREA
ROUTE 130
Block 1304, Lots 17, 18, 19, 20
Block 1305, Lot 1**

WHEREAS, the Cinnaminson Township Committee ("Committee") passed Resolution 2013-33 on or about January 7, 2013, titled "Resolution Authorizing and Directing the Cinnaminson Township Planning Board to Cause a Preliminary Investigation to be Made Pursuant to the New Jersey Local Redevelopment and Housing Law, as to Whether Certain Areas Along the Route 130 Corridor and Within the Township Industrial and Light Industrial Zones, Along with Other Areas Within the Township of Cinnaminson, Are 'Areas In Need of Redevelopment or Rehabilitation' Within the Meaning and Intendment of Said Statute"; and

WHEREAS, the Township Committee further adopted Resolution 2013-68, on or about April 1, 2013, titled "Resolution Amending Resolution 2013-33 and Authorizing the Cinnaminson Township Planning Board to Cause a Preliminary Investigation of an Additional Parcel to Determine if it is Suitable for Designation as an 'Area in Need of Redevelopment' Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12-1 *et seq.*)"; and

WHEREAS, these referral Resolutions directed the Cinnaminson Township Planning Board (the "Board") to investigate an area along Route 130, generally referred to as the "Azalea Farm Area", at Block 1304, Lots 17, 18, 19 & 20 and Block 1305, Lot 1 on the Cinnaminson Township Tax Map (hereinafter the "Area"); and

WHEREAS, the Board directed its Professional Planner, Barbara Fegley, AICP, P.P., Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054, (hereinafter the "Planner") to prepare a Preliminary Investigation for the Area; and

WHEREAS, the Board established a Subcommittee of its members to review the referral of this Area and other similarly referred Areas, which Subcommittee met intermittently to review the progress of the redevelopment analysis and communication with the Board Planner and Board Solicitor on same; and

WHERERAS, on or about April 4, 2013, the Planner issued a Report titled "Preliminary Investigation for the Determination of an Area in Need of Redevelopment or Rehabilitation, Block 1304, Lots 17, 18, 19 & 20 and Block 1305, Lot 1, Cinnaminson Township, Burlington County, New Jersey", which Report was kept on file with the Board Secretary; and

WHEREAS, the Board provided notice to the impacted property owners within the Area, to all properties within 200' of same, and twice to the newspaper in accord with the requirements of the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*; and

WHEREAS, on April 23, 2013, the Board conducted a public hearing on the referral of the Area from the Committee and consideration of the Preliminary Investigation Report issued by the Planner; and

WHEREAS, the meeting was opened by the Chair and the full membership of the Board was present; and

WHEREAS, the Chairman opened the hearing with regard to this Area and requested the Planner provide a presentation of her Preliminary Investigation Report; and

WHEREAS, the Planner was previously sworn as a professional serving the Board at the commencement of her 2013 term of service; and

WHEREAS, the Planner referenced her April 4, 2013 Preliminary Investigation Report, which was made part of the record; and

WHEREAS, the Planner provided a general overview of the redevelopment process and rehabilitation process and the criteria for each under the law; and

WHEREAS, the Planner testified as follows:

1. The properties are zoned BD Business District and lie along Route 130;

2. Lot 17 is a vacant and boarded up house, last used to house restaurant employees. It is an undersized lot with less than required frontage;

3. Lot 18 is the Azalea Farm, a larger tract that has remained underdeveloped;

4. Lot 19 is the Garden State Inn, which has presented numerous public safety issues and enforcement issues, including significant police activity;

5. Lot 20 is a Friendly's Restaurant, which on its own does not exhibit deleterious conditions;

6. Lot 1 used to contain a structure for Barone's Service Center, which structure has been demolished and the site sits vacant. The lot is undersized, as the minimimum lot size is 40,000 SF;

7. Route 130 goals under the Master Plan call for redevelopment;

8. The County Route 130 and Delaware River Corridor Strategic Plan calls for redevelopment of this area, and there are too many curb cuts and traffic conflicts created by the current layout. The facilities and properties are outdated and underutilized, and the Strategic Plan calls for removal of dilapidated or obsolete buildings. The Plan further calls for the removal of incompatible uses, including single family dwellings. The goal of the Plan is to see assemblage of small lots for larger development;

9. The area falls with the PA-1 planning area of the State Plan, which calls for development and redevelopment;

10. Based upon the above, the properties within the study Area meet the following criteria:

    Criteria "a" as to all lots, particularly as to Lots 17 and 18;

    Criteria "d' as to Lot 17 (boarded up, single family house), Lot 18 (boarded up farm stand on Azalea Farm) and Lot 19 (Garden State Inn);

    Critiera "e" as to Lot 17 (limited potential use, undersized lot creating problem for traffic circulation on its own, and in an unmaintained condition. As to Lot 18 (Azalea Farm) which is three (3) acres yet lies dormant and undeveloped. As to Lot 1, a vacant and stagnant site. Certain sites also exhibit a less than 1:1 improvement to land value ratio, including Lots 17, 18, 20 and 1. There is also a history of tax liens on a number of properties within the Area;

    Criteria "h" as to all of the Area pursuant to smart growth;

11. The Area also qualifies as an area in need of Rehabilitation, for the above reasons and because all but the Friendly's site has utilities that are aged over fifty (50) years;

12. Based upon the above, all of the properties qualify to determine the Area an area in need of redevelopment and/or rehabilitation, and the Friendly's site qualifies based upon an area-wide determination due to the generality of conditions; and

WHEREAS, the Chairman invited questions or comments from the Board; and

WHEREAS, the Chairman opened the hearing to public comment, wherein the following comments and questions were received:

1. A resident expressed that she is more concerned with the industrial zone area for redevelopment;

2. A question was asked about the Township's purchase of the Barone's property and its future use, with a general response that the site is too small for redevelopment on its own and it would need to be included in the aggregate;

3. A resident asked why Friendly's would be included if assessed at $900,000, and the response from the Planner was due to the generality of conditions on an area-wide basis determination;

4. A question was raised regarding late tax payments as an indicia of the need for redevelopment, and also indicated that the single family house is in need of code enforcement and should be boarded up;

5. A resident backing to the Azalea Farm property was concerned that the designation may lead to more liquor licenses;

6. Another resident asked about the Barone's lot and the Board advised that the property was in foreclosure and the Township was concerned about what might happen with it if not purchased, and the purchase allows the Township to have more control in the future of the site. The Board also commented that NJDOT improvements may eventually re-align that intersection and the parcel would be necessary for that. The tanks have been removed from the property;

7. A business owner outside of the Area but within Cinnaminson asked whther a redeveloper could seek to alter uses beyond those permitted in the zone currently;

8. Another resident backing to the Azalea Farm and Garden State Motel properties indicated her support for redevelopment of the motel site and complained of the conditions associated with that site and the negative impacts on her and the community; and

WHEREAS, after hearing all comments offered from the public and considering same, the Chairman closed the meeting to the public; and

WHEREAS, the Board thereafter discussed the testimony of the Planner, the Report and the comments from the public, as well as their own comments; and

WHEREAS, the Board was satisfied that the Area was sufficiently qualified to recommend same for an area in need of redevelopment and/or rehabilitation to the Committee.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Cinnaminson, following close of the public hearing on the 23rd day of April, 2013 and memorialized by this Resolution on the 14th day of May, 2013, that upon completion of its preliminary investigation as directed by the Committee and in accord with the Planner's preliminary investigation report and the public comment, the Board finds that the "Azalea Farm Area", Block 1304, Lots 17, 18, 19 & 20, and Block 1305, Lot 1 along Route 130 (cumulatively the "Area") qualifies as an area in need of redevelopment in accord with the New Jersey Local Redevelopment and Housing Law and by adoption of this Resolution, formally makes this recommendation to the Township Committee for its consideration; and

BE IT FURTHER RESOLVED that the Area also qualifies as an area in need of rehabilitation and the Board hereby recommends that the area qualifies for such designation to the Township Committee.

MOTION BY: Turek

SECONDED BY: O'Malley

ROLL CALL VOTE

Those In Favor: 7

Those Opposed: 0

Those Abstaining: 2 (Mayor Young and Committee Member Fitzpatrick)

BE IT FURTHER RESOLVED that a certified copy of memorialization be provided to the Township Committee within three (3) days of the date of adoption, and a copy of this Resolution shall be filed with the Township Clerk, Tax Assessor, Construction Official, and Zoning Officer. A brief notice of this decision shall be published in the official newspaper of the Township.

BE IT FURTHER RESOLVED that a copy of this Resolution shall serve as notice of the determination and it shall be served, within 10 days after adoption of this Resolution of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

CERTIFICATION

I hereby certify that this foregoing Resolution is a true resolution, as adopted by the Planning Board of the Township of Cinnaminson in accordance with its decision at its regular meeting on April 23, 2013.

Attest: **CINNAMINSON PLANNING BOARD**

Patricia Rucci
PATRICIA RUCCI, Secretary

By: Edward J. Bednarek
EDWARD J. BEDNAREK, Chairman

Dated: May 14, 2013

Date of Approval: April 23, 2013

Date of Memorialization: May 14, 2013

APPENDIX C

PLANNING BOARD RESOLUTION 2013-105

TOWNSHIP OF CINNAMINSON

RESOLUTION 2013-105

RESOLUTION REMANDING TO TOWNSHIP PLANNING BOARD FOR FURTHER CONSIDERATION REGARDING BOUNDARIES OF PROPOSED AREAS IN NEED OF REDEVELOPMENT AND REHABILITATION PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40:12A-1

WHEREAS, by Resolutions 2013-33 and 2013-68, adopted January 7, 2013 and April 1, 2013, respectively, the Township Committee of the Township of Cinnaminson authorized and directed the Cinnaminson Township Planning Board to conduct a preliminary redevelopment investigation to determine whether certain properties within the municipality qualified under the statutory criteria as "Areas in Need of Redevelopment", or alternatively, "Areas in Need of Rehabilitation" within the meaning and intendment of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Study Area"); and

WHEREAS, the properties in question, and comprising the Study Area, include the following properties:

Block 1004, Lots 13,01., 13.02, 13.03, 30, 31, 33, 34, 35 and
Block 1005, Lots 1, 2,
Block 1004, Lot 45
Block 1304, Lots 17, 18, 19, 20
Block 2301, Lot 1
Block 1403, Lots 25, 26, 27, 28; and

WHEREAS, the Cinnaminson Township Planning Board, pursuant to all notices required by law, conducted a public hearing on April 23, 2013, as the result of which hearing, the Planning Board has made recommendations to the Township Council regarding the properties within the Study Area, which recommendations were memorialized in Resolution # PB 2013-17, # PB 2013-18, # PB 2013-19, # PB 2013-20, all adopted by the Planning Board on May 14, 2013; and

WHEREAS, the Township Committee has reviewed those Resolutions, as well as the Township Planner's reports entitled, "Preliminary Investigation for Determination of an Area

in Need of Redevelopment or Rehabilitation...", for each of the four (4) areas falling within each of the respective Resolutions; and

WHEREAS, said reports recommend the designation of certain "Redevelopment Areas" identified by the Township Committee in its Referral Resolutions; and

WHEREAS, the areas recommended for determination as redevelopment or rehabilitation are more specifically described in said reports, and the boundaries of same are shown on the maps and exhibits included within said "Preliminary Investigations"; and

WHEREAS, the Township Committee has reviewed said reports, and has also reviewed recent case law issued by the Superior Court of New Jersey, Appellate Division, regarding the utilization of eminent domain as a tool for redevelopment purposes, and based upon same, the Township Committee seeks further investigation by the Planning Board as to whether any of the areas designated "In Need of Redevelopment" satisfy the constitutional meaning of the term "blight", i.e., "deterioration or stagnation that negatively affects surrounding areas", and whether the conditions noted in the Board's previous resolutions and reports rise to that condition; and

WHEREAS, the Township Committee therefore desires to remand the matter back to the Planning Board for further investigation into this limited issue, and to develop a record regarding same, for all of those components of the Study Area, except Block 1004, Lot 45.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, that the preliminary redevelopment investigations referred to the Planning Board by Resolutions 2013-33 and 2013-68, be remanded to the Planning Board for further investigation as to whether or not the areas which the Board recommends to be designated as "Areas in Need of Redevelopment", except for Block 1004, Lot 45, satisfy the constitutional meaning of "blight" as discussed in the Supreme Court's decision in Gallenthin Realty Development, Inc. v. Borough of Paulsboro, 191 N.J. 344 (2007), the Appellate Division's decision in Hoagland v. City of Long Branch, 428 N.J. Super. 321, 324 (App. Div. 2002), cert. denied _____ N.J. _____ (2013), and as further articulated recently by the Appellate Division in 62-64 Main Street, LLC, et al v. Mayor and Council of the City of Hackensack, et al, Appellate Division Docket No. A-3257-11T4 (App. Div. May 3, 2013).

BE IT FURTHER RESOLVED that the following properties are hereby specifically

remanded for reconsideration by the Board:

Block 1004, Lots 13,01., 13.02, 13.03, 30, 31, 33, 34, 35 and

Block 1005, Lots 1, 2

Block 1304, Lots 17, 18, 19, 20

Block ~~2301~~ 1305, Lot 1

Block 1403, Lots 25, 26, 27, 28.

BE IT FURTHER RESOLVED that the Planning Board shall be free to undertake such examinations as it deems appropriate in order to address specific issue of whether or not the recommended areas in need of development constitute "blight" within the meaning of the New Jersey Constitution and case law interpreting same, said hearing to be conducted pursuant to all notices required by law.

CINNAMINSON TOWNSHIP COMMITTEE

Certified to be a true copy of a resolution adopted by the Cinnaminson Township Committee on the 17 day of June, 2013.

Pamela McCartney

Pamela McCartney, RMC, CMR, Township Clerk

APPENDIX D

PLANNING BOARD RESOLUTION 2013-28

CINNAMINSON TOWNSHIP
PLANNING BOARD

RESOLUTION NO. 2013-28

RESOLUTION SUPPLEMENTING
PRIOR REDEVELOPMENT RECOMMENDATION
WITH BLIGHT DETERMINATIONS TO BE
REFERRED BACK TO THE TOWNSHIP COMMITTEE

AZALEA FARM AREA
ROUTE 130
Block 1304, Lots 17, 18, 19, 20
Block 1305, Lot 1

WHEREAS, the Cinnaminson Township Planning Board (the "Board") previously adopted Resolution 2013-18 on May 14, 2013, wherein the Board recommended to the Township Committee that an area qualify for designation as both an area in need of redevelopment and an area in need of rehabilitation; and

WHEREAS, the area in question was an area along Route 130, generally referred to as the "Azalea Farm Area", at Block 1304, Lots 17, 18, 19 & 20 and Block 1305, Lot 1 on the Cinnaminson Township Tax Map (hereinafter the "Area"); and

WHEREAS, the Cinnaminson Township Committee (hereinafter "Committee"), upon consideration of new case law governing requirements for a determination of "blight" in accord with the New Jersey Constitution, referred the Area back to the Board by Resolution 2013-105, dated June 17, 2013 instructing the Board to review and hold a public hearing in accord with the New Jersey Local Redevelopment and Housing Law and case law to make a "blight" determination with regard to the properties in the Area; and

WHEREAS, the Board directed its Professional Planner, Barbara Fegley, AICP, P.P., Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054, (hereinafter the "Planner") to supplement her prior Preliminary Investigation for the Area to specifically address the standard of "blight"; and

WHEREAS, on or about July 2, 2013, the Planner issued a revised Report titled "Preliminary Investigation for the Determination of an Area in Need of Redevelopment or Rehabilitation, Block 1304, Lots 17, 18, 19 & 20 and Block 1305, Lot 1, Cinnaminson

Township, Burlington County, New Jersey", which Report was kept on file with the Board Secretary; and

WHEREAS, the Board provided notice to the impacted property owners within the Area, to all properties within 200' of same, and twice to the newspaper in accord with the requirements of the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*; and

WHEREAS, on July 23, 2013, the Board conducted a public hearing on the Committee's referral of the Area back to the Board on the issue of blight determinations for each property; and

WHEREAS, the meeting was opened by the Chair and the full membership of the Board was present; and

WHEREAS, the Chairman opened the hearing with regard to this Area, and the Board Attorney gave a brief procedural overview of the referral and the blight issue; and

WHEREAS, at the request of the Chairman, the Planner provided a presentation of her revised Preliminary Investigation Report focusing on the issue of blight determinations; and

WHEREAS, the Planner was previously sworn as a professional serving the Board at the commencement of her 2013 term of service; and

WHEREAS, the Planner referenced her revised July 2, 2013 Preliminary Investigation Report, which was made part of the record; and

WHEREAS, the Planner provided the definition of "blight" from the case law and spoke of the factors associated with blight; and

WHEREAS, the Planner testified as follows:

1. The prior analysis and redevelopment issues previously addressed at the Board's public hearing in April would not be re-addressed, rather she would focus on the issue of blight as applied to each property within the Area;

2. Lots 17, 18 and Block 1305, Lot 1 are vacant, deteriorated and negatively impacting the surrounding area;

3. With regard to the vacant house at Lot 1, neighboring residents at prior hearings indicated that the property presented a negative feature to the neighborhood and they were concerned about the ability of trespassers to access the deteriorated structure;

4. Lot 19 (the Garden State Inn property) has negative conditions, including police activity, that have detrimental impact on the surrounding area. She also noted that in the prior hearing residents had spoken of the negative impact this use has on their adjacent residential property;

5. Lot 20 (the Friendly's Restaurant property) was, in her professional opinion, not blighted; and

WHEREAS, the Board Attorney read a July 16, 2013 memo from Dennis DeKlerk, Township Tax Assessor, speaking to the issue of negative impact of the commercial properties, and particularly the Garden State Inn property, on neighboring residential properties; and

WHEREAS, the Chairman invited questions or comments from the Board; and

WHEREAS, the Board discussed all properties and generally agreed with the Planner's determinations on all properties, except that there was extended discussion on whether the Garden State Inn was "blighted"; and

WHEREAS, the Chairman opened the hearing to public comment, wherein the following comments and questions were received:

1. A resident expressed concern over the intent of designating these areas in need of redevelopment and asserted that the Board was just doing whatever the governing body directed;

2. The Board responded with regard to the concerns raised;

3. A resident expressed her belief that the Garden State Inn may not be blighted and questioned whether it could be held out of a blight determination; and

WHEREAS, after hearing all comments offered from the public and considering same, the Chairman closed the meeting to the public; and

WHEREAS, the Board thereafter discussed the testimony of the Planner, the Report and the comments from the public, as well as their own comments; and

WHEREAS, the Board took an initial vote to indicate that Block 1304, Lots 17 and 18 and Block 1305, Lot 1 are blighted, that Block 1304, Lot 20 (Friendly's) is not blighted, which motion was approved 7-0-2 (both governing body members abstaining); and

WHEREAS, the Board further voted on the blight determination that Block 1304, Lot 19 (Garden State Inn) was blighted, which motion was approved 4-3-2 (both governing body members abstaining); and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Cinnaminson, following close of the public hearing on the 23rd day of July, 2013 and memorialized by this Resolution on the 13th day of August, 2013, that upon completion of its further investigation on the issue of a "blight" determination as directed by the Committee and in

accord with the Planner's revised report, the public comment and the Board's discussion, the Board finds that the following properties in the Area meet the definition of "blight": Block 1304, Lots 17 and 18 and Block 1305, Lot 1, and that the following property in the Area does not meet the definition of "blight": Block 1304, Lot 20, and that as such, the Board refers these properties back to the Committee in accord with the New Jersey Local Redevelopment and Housing Law and by adoption of this Resolution, formally makes this recommendation to the Township Committee for its consideration; and

MOTION BY: O'Malley

SECONDED BY: Turek

ROLL CALL VOTE

Those In Favor: 7

Those Opposed: 0

Those Abstaining: 2 (Mayor Young and Committee Member Fitzpatrick)

BE IT FURTHER RESOLVED by the Planning Board of the Township of Cinnaminson, following close of the public hearing on the 23rd day of July, 2013 and memorialized by this Resolution on the 13th day of August, 2013, that upon completion of its further investigation on the issue of a "blight" determination as directed by the Committee and in accord with the Planner's revised report, the public comment and the Board's discussion, the Board finds that the following property in the Area meets the definition of "blight": Block 1304, Lots 19, and that as such, the Board refers these properties back to the Committee in accord with the New Jersey Local Redevelopment and Housing Law and by adoption of this Resolution, formally makes this recommendation to the Township Committee for its consideration; and

MOTION BY: Turek

SECONDED BY: Lamon

ROLL CALL VOTE

Those In Favor: 4

Those Opposed: 3

Those Abstaining: 2 (Mayor Young and Committee Member Fitzpatrick)

BE IT FURTHER RESOLVED that a certified copy of memorialization be provided to the Township Committee within three (3) days of the date of adoption, and a copy of this Resolution shall be filed with the Township Clerk, Tax Assessor, Construction Official, and Zoning Officer. A brief notice of this decision shall be published in the official newspaper of the Township.

BE IT FURTHER RESOLVED that a copy of this Resolution shall serve as notice of the determination and it shall be served, within 10 days after adoption of this Resolution of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

CERTIFICATION

I hereby certify that this foregoing Resolution is a true resolution, as adopted by the Planning Board of the Township of Cinnaminson in accordance with its decision at its regular meeting on July 23, 2013.

Attest: **CINNAMINSON PLANNING BOARD**

Patricia Rucci

PATRICIA RUCCI, Secretary

By: Edward J. Bednarek

EDWARD J. BEDNAREK, Chairman

Dated: August 13, 2013

Date of Approval: July 23, 2013

Date of Memorialization: August 13, 2013

APPENDIX E

COMMITTEE RESOLUTION 2013-129

TOWNSHIP OF CINNAMINSON

RESOLUTION 2013-129

RESOLUTION ACCEPTING RECOMMENDATION OF TOWNSHIP PLANNING BOARD REGARDING BOUNDARIES OF A SPECIFIC PROPOSED AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *et seq.*, AND DEFERRING FOR FURTHER DISCUSSION OTHER RECOMMENDATIONS REGARDING SAME

WHEREAS, by Resolutions 2013-33 and 2013-68, adopted January 7, 2013 and April 1, 2013, respectively, the Township Committee of the Township of Cinnaminson authorized and directed the Cinnaminson Township Planning Board to conduct a preliminary redevelopment investigation to determine whether certain properties within the municipality qualified under the statutory criteria as "Areas in Need of Redevelopment", or alternatively, "Areas in Need of Rehabilitation" within the meaning and intendment of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Study Area"); and

WHEREAS, the properties in question, and comprising the Study Area, include the following properties:

Block 1004, Lots 13,01., 13.02, 13.03, 30, 31, 33, 34, 35 and

Block 1005, Lots 1, 2,

Block 1004, Lot 45

Block 1304, Lots 17, 18, 19, 20

Block 2301, Lot 1

Block 1403, Lots 25, 26, 27, 28; and

WHEREAS, the Cinnaminson Township Planning Board, pursuant to all notices required by law, conducted a public hearing on April 23, 2013, as the result of which hearing,

the Planning Board made recommendations to the Township Council regarding the properties within the Study Area, which recommendations were memorialized in Resolution # PB 2013-17, # PB 2013-18, # PB 2013-19, # PB 2013-20, all adopted by the Planning Board on May 14, 2013; and

WHEREAS, the Township Committee reviewed those Resolutions, as well as the Township Planner's reports entitled, "Preliminary Investigation for Determination of an Area in Need of Redevelopment or Rehabilitation...", for each of the four (4) areas falling within each of the respective Resolutions; and

WHEREAS, said reports recommended the designation of certain "Redevelopment Areas" identified by the Township Committee in its Referral Resolutions; and

WHEREAS, the areas recommended for determination as redevelopment or rehabilitation are more specifically described in said reports, and the boundaries of same are shown on the maps and exhibits included within said "Preliminary Investigations"; and

WHEREAS, the Township Committee reviewed said reports, and also considered recent case law issued by the Superior Court of New Jersey, Appellate Division, regarding the utilization of eminent domain as a tool for redevelopment purposes, and based upon same, expressed it belief that while one of the recommendations could be adopted and accepted, the others should be deferred for further consideration and discussion by the Township Committee; and

WHEREAS, as a result of said review and consideration, the Township Committee adopted Resolution 2013-91, accepting the Planning Board's recommendations set forth in Planning Board Resolution PB 2013-17, and accepting the designation of Block 1004, Lot 45 as "an area in need of redevelopment"; and

WHEREAS, following said review and consideration, the Township Committee also remanded, by Resolution 2013-105, to the Planning Board, for further consideration of whether the following properties could indeed be considered "blighted" and therefore, eligible for eminent domain if determined to be "areas in need of redevelopment":

Block 1004, Lots 13.01, 13.02, 13.03, 30, 31, 33, 34, 35;

Block 1005, Lots 1, 2;

Block 1304, Lots 17, 18, 19, 20;

Block 2301, Lot 1;

Block 1403, Lots 25, 26, 27, 28; and

WHEREAS, following said remand, the Planning Board directed its Planner to supplement her previous "Preliminary Investigation for the Area" to specifically address the standards of blight for these properties, as a result of which, on or about July 2, 2013, the Planner issued her reports for said properties; and

WHEREAS, pursuant to all notices required by law, the Planning Board conducted a public hearing on July 23, 2013 on the Township Committee's referral of the area to the Board for the issue of blight determinations for each of the properties so remanded; and

WHEREAS, following the conclusion of the public hearing on the issue, the Planning Board voted on each of the separate sets of properties, which votes resulted in the adoption of certain resolutions on August 13, 2013, by the Planning Board, said resolutions variously being numbered 2013-28, 2013-29, and 2013-30, all of which resolutions, and the planning reports incorporated therein, and the testimony and other evidence considered by the Planning Board, are incorporated and adopted herein and made a part hereof by reference; and

WHEREAS, the Planning Board has now recommended to the Township Committee that:

a. Block 1304, Lots 17, 18, 19, and Block 1305, Lot 1;

b. Block 1403, Lots 25, 26, 27, 28;

c. Block 1005, Lots 1 and 2

be determined to be an area/areas in need of redevelopment and that said properties meet the definition of blight under the New Jersey Constitution and case law interpreting same;

d. Block 1004, Lots 13.01, 13.02, 13.03, 30, 31, 33, 34, 35;

e. Block 1304, Lot 20

are determined to be areas in need of redevelopment, but are not blighted under New Jersey Law; and

WHEREAS, the Township Committee has reviewed said resolutions and the reports incorporated therein, and has determined to accept the recommendations of the Planning Board regarding the Study Areas; and

WHEREAS, the Local Redevelopment and Housing Law provides for supplementary procedures to establish a Redevelopment Plan for the municipality, and the Township Committee has determined that it will embark upon the preparation of such a Redevelopment Plan;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, as follows:

1. The foregoing Recitals are incorporated herein and adopted hereby as the factual predicate, along with those set forth below, for the adoption of this resolution.

2. In accordance with the provisions of N.J.S.A. 40A:12A-6(b)(5), the Township Committee, as the governing body of this municipality, hereby accepts the factual findings set forth in the Planner's reports adopted variously by the Cinnaminson Township Planning Board, both before the remand, and thereafter, and last approved by the Cinnaminson Township Planning Board in its resolutions 2013-29, 2013-29 and 2013-30.
3. The Township Committee hereby accepts the recommendations of the Planning Board regarding the geographical boundaries which will define the proposed Redevelopment Areas, as well as the distinction between those which are eligible to be considered as "blighted", and those which cannot be considered "blighted."
4. The Township Committee hereby declares its desire to invite and encourage the participation and involvement of land owners, private investors, private developers and the general public in the process of advancing the interest of the municipality in redeveloping and rehabilitating the areas in question.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Cinnaminson Township Planning Board, to the Burlington County Office of Land Use Planning, to the Department of Community Affairs of the State of New Jersey; and that a copy be posted on the municipal bulletin board, and that a copy be published in the *Burlington County Times* within fourteen (14) days of the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that a true and correct copy of this resolution so designating any Areas in Need of Redevelopment be immediately forwarded to the

Commissioner of the New Jersey Department of Community Affairs, and that a copy of same also be forwarded to each the owner of the redevelopment properties which have been considered to be "blighted", by certified mail, under cover letter setting forth the three prong designation notice requirements set forth in Harrison v. DeRose, et al, 398 N.J. Super. 361 (App. Div. 208), to fully inform owners that:

a. The owner's property has been designated for redevelopment;

b. The redevelopment designation operates as a finding of the public purpose and authorizes the municipality to acquire the property against the owner's will; and

c. Informs the owner of the time limits within which the owner may take legal action to challenge the designation.

CINNAMINSON TOWNSHIP COMMITTEE

Certified to be a true copy of a resolution adopted by the Cinnaminson Township Committee on the 19 day of Aug., 2013.

Pamela McCartney

Pamela McCartney, RMC, CMR, Township Clerk

APPENDIX F

COMMITTEE RESOLUTION 2018-125

TOWNSHIP OF CINNAMINSON

RESOLUTION NO 2018 - 125

RESOLUTION AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR PROPERTY DESIGNATED AS BLOCK 1304, LOT 19 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CINNAMINSON

WHEREAS, on August 19, 2013, by way of Resolution No 2013 – 129, the Township Committee of the Township of Cinnaminson (the "Township") designated Block 1304, Lot 18, as shown on the official Tax Map of the Township (the "Property"), as an "Area in Need of Redevelopment" in accordance with the State of New Jersey's Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq.; and

WHEREAS, the Redeveloper of the Property, Lidl US Operation LLC. (the "Redeveloper") has expressed an interest in redeveloping the Property pursuant to its redevelopment designation;

NOW, THEREFORE, BE IT RESOLVED, in accordance with the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-7, the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, hereby authorizes the Township, with the assistance of its professionals, to prepare a redevelopment plan for the Property, which is designated as Block 1304, Lot 19 on the official Tax Map of the Township, and to cause such redevelopment plan to be reviewed by the Township Planning Board pursuant to N.J.S.A. 40A:12A-7(e), at which point the Planning Board may so choose to refer the redevelopment plan back to the Township Committee for its review and adoption of same, which is to be effectuated by way of ordinance, thereby facilitating the designation of a redeveloper and the negotiation and execution of a redeveloper's agreement in order to implement the redevelopment plan.

Certified to be a true copy of a Resolution adopted by the Cinnaminson Township Committee on the 1st day of October, 2018.

S

Lisa A. Passione, RMC
Municipal Clerk

APPENDIX G

PLANNING BOARD RESOLUTION 2018-23

CINNAMINSON TOWNSHIP
PLANNING BOARD

RESOLUTION NO. 2018-23

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CINNAMINSON MEMORIALIZING MASTER PLAN CONSISTENCY REVIEW DETERMINATION ON TOWNSHIP ORDINANCE 2018-19

WHEREAS, the Cinnaminson Township Committee ("Committee" referred Ordinance 2018-19 to the Cinnaminson Township Planning Board ("Board") for the purposes of Master Plan consistency review in accord with N.J.S.A. 40:55D-26.a.; and

WHEREAS, Ordinance 2018-19 is titled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CINNAMINSON AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR BLOCK 1304, LOTS 18, 19, 20 AND BLOCK 1305, LOT 1 PURSUANT TO N.J.S.A. 40A:12A-7"; and

WHEREAS, the Board reviewed the matter at its December 11, 2018 meeting finding that there were no provisions of the Ordinance that were inconsistent with the Master Plan; and

WHEREAS, as the Committee is anticipated to act on second reading on December 17, 2018, the Board took action to memorialize its findings on this same date by this Resolution; and

WHEREAS, supplemental comments unrelated to the Master Plan consistency determination, if any, will be provided by memorandum from the Board prior to December 17, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Cinnaminson that Ordinance 2018-19 is not inconsistent with the Master Plan, and the Master Plan consistency determination pursuant to N.J.S.A. 40:55D-62a is satisfied.

CERTIFICATION

I hereby certify that this foregoing Resolution is a true resolution, as adopted by the Planning Board of the Township of Cinnaminson on December 11, 2018.

Attest: Patricia Rucci

PATRICIA RUCCI, Secretary

By:

CINNAMINSON PLANNING BOARD

Edward J. Bednarek

EDWARD J. BEDNAREK, Chairman

Dated: December 11, 2018

Date of Determination: December 11, 2018
Date of Memorialization: December 11, 2018

APPENDIX H

ORDINANCE 2018-19

TOWNSHIP OF CINNAMINSON

ORDINANCE NO. 2018 - 19

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CINNAMINSON AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR BLOCK 1304, LOTS 18, 19, 20 AND BLOCK 1305, LOT 1 PURSUANT TO N.J.S.A. 40A:12A-7

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a redevelopment project shall only be undertaken or carried out in accordance with a redevelopment plan adopted by ordinance of the municipal governing body upon its finding that the specifically delineated project area is located in an area in need of redevelopment based on the criteria set forth at N.J.S.A. 40A:12A-5; and

WHEREAS, on January 7, 2013, by way of Resolution 2013 -33, the Township Committee of the Township of Cinnaminson (the "Township") designated Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1, as so designated on the official Tax Map of the Township, as an "Area in Need of Redevelopment" in accordance with N.J.S.A. 40A:12A-5; and

WHEREAS, on January 2, 2018, by way of Resolution 2018 – 19, the Township Committee authorized the preparation of a redevelopment plan in order to facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, in accordance with the authority granted it by Resolution No. 2018 – 19 the Township has caused to be prepared by Barbara J. Fegley, AICP, PP, of Environmental Resolutions, Inc., the "Redevelopment Plan: Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1" dated November 16, 2018 (the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, the Redevelopment Plan, which is annexed hereto as **Exhibit A**, provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township's Master Plan; and

WHEREAS, the Township Committee has determined that the Redevelopment Plan meets all applicable requirements of N.J.S.A. 40A:12A-1, et seq., and is consistent with and designed to effectuate the Township's Master Plan; and

WHEREAS, the Township Committee has further determined that it is in the best interests of the Township to adopt the Redevelopment Plan in order to facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Township Committee referred the Redevelopment Plan to the township Planning Board for review and approval following introduction and first reading of the within Ordinance; and

WHEREAS, the Planning Board recommended adoption of the Redevelopment Plan by the Township Committee by way of Resolution No.2018-23, dated December 11, 2018, which shall be considered the report of the Planning Board to the Township Committee as required by N.J.S.A. 40A:12A-7(e).

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cinnaminson as follows:

SECTION 1. The Township Committee hereby adopts the "Redevelopment Plan: Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1" dated November 16, 2018.

SECTION 2. The Township Committee declares and determines that the Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the development, redevelopment and rehabilitation of the Redevelopment Area, and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

SECTION 3. The Township Committee expressly incorporates within this Ordinance the findings of the Planning Board as set forth in Resolution No. 2018 - 23, dated December 11, 2018.

SECTION 4. The Township Committee shall have, be entitled to, and is hereby vested with all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

SECTION 5. The Redevelopment Plan shall supersede any and all other local development regulations to the extent set forth in the Redevelopment Plan and the Township Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan.

SECTION 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. In the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

SECTION 8. This Ordinance shall take effect after final adoption and publication according to law.

Motion to adopt Ordinance 2018-19 made by Mr. Segrest, seconded by Mr. Horner.

Ayes – Mr. Horner, Mrs. Kravil, Mr. McGill, Mr. Segrest, Mayor Brauckmann

Certified to be a true copy of an Ordinance that was adopted by the Cinnaminson Township Committee on the 17th day of December, 2018.

Lisa A. Passione

Lisa A. Passione, RMC
Municipal Clerk

APPENDIX I

COMMITTEE RESOLUTION 2020-99

TOWNSHIP OF CINNAMINSON

RESOLUTION NO 2020 – 99

RESOLUTION AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR PROPERTY DESIGNATED AS BLOCK 1304, LOTS 18, 19, 20 AND BLOCK 1305, LOT 1 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CINNAMINSON

WHEREAS, on August 19, 2013, by way of Resolution No 2013 – 129, the Township Committee of the Township of Cinnaminson (the "Township") designated Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1 as shown on the official Tax Map of the Township (the "Property"), as an "Area in Need of Redevelopment" in accordance with the State of New Jersey's Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq.; and

WHEREAS, the Redeveloper of the Property, Commerce Pursuit Capital, LP. (the "Redeveloper") has expressed an interest in redeveloping the Property pursuant to its redevelopment designation;

NOW, THEREFORE, BE IT RESOLVED, in accordance with the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-7, the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, hereby authorizes the Township, with the assistance of its professionals, to prepare a redevelopment plan for the Property, which is designated as Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1 on the official Tax Map of the Township, and to cause such redevelopment plan to be reviewed by the Township Planning Board pursuant to N.J.S.A. 40A:12A-7(e), at which point the Planning Board may so choose to refer the redevelopment plan back to the Township Committee for its review and adoption of same, which is to be effectuated by way of ordinance, thereby facilitating the designation of a redeveloper and the negotiation and execution of a redeveloper's agreement in order to implement the redevelopment plan.

Certified to be a true copy of a Resolution adopted by the Cinnaminson Township Committee on the 21st day of September, 2020.

Lisa A. Passione

Lisa A. Passione, RMC
Municipal Clerk

APPENDIX J

CINNAMINSON TOWNSHIP REDEVELOPMENT PLAN
RENDERED PLAN

CINNAMINSON TOWNSHIP · BURLINGTON COUNTY, NJ

CINNAMINSON TOWNSHIP REDEVELOPMENT PLAN
JUNE 15, 2020
CINNAMINSON, BURLINGTON COUNTY, NEW JERSEY

BOHLER