

LEGAL NOTICE

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on July 25, 2017 introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on August 22, 2017 at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2017:18

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, APPROVING AND ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 200, LOT 1.2, AND LOCATED AT 1515 ROUTE 10 IN THE TOWNSHIP IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, the Township Council of the Township of Parsippany Troy-Hills (the "Council"), by Resolution dated April 21, 2015, directed the Parsippany Troy-Hills Planning Board (the "Board") to undertake a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as Block 200, Lot 1.2, as shown on the official Tax Map of the Township of Parsippany-Troy Hills, (the "Study Area") constitutes a non-condemnation area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, at its May 4, 2015 meeting, the Board authorized the undertaking of an investigation as to whether the Study Area, or any portion thereof, constitutes a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law, and authorized Burgis Associates Inc., the Township Planners (the "Planning Consultant") to prepare a preliminary investigation report of the Study Area; and

WHEREAS, the Planning Consultant prepared a preliminary investigation report identifying the area studied and placed it on file with the Township Clerk and the Planning Board Clerk at least ten (10) days in advance of the public hearing on this matter; and

WHEREAS, in addition to the foregoing, the Planning Consultant prepared a map showing the boundaries of the proposed redevelopment area and locations of the parcel of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, a public hearing was conducted by the Board on August 20, 2015, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, at the public hearing, the Board reviewed the Study Area and proposed non-condemnation redevelopment area, the map and Planning Consultant's Planning Report, in addition to hearing sworn testimony from the Planning Consultant, who opined that the Property satisfies two of the conditions set forth in the Redevelopment Law to qualify a property as being a non-condemnation area in need of redevelopment; and

WHEREAS, at the public hearing members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Property as an area in need of redevelopment; and

WHEREAS, the Board entertained, considered and made part of the public record any objections to a possible determination that the Property constitutes a non-condemnation area in need of redevelopment; and

WHEREAS, after completing its investigation and public hearing on the matter, the Board concluded that there was sufficient evidence to support findings that satisfy the criteria set forth in the Redevelopment Law for designating the Study Area as a non-condemnation redevelopment area and that said designation is necessary for the effective redevelopment of the area comprising such Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by way of a Resolution adopted on September 21, 2015, the Board recommended to the Council that the Study Area be considered as a non-condemnation area in need of redevelopment; and

WHEREAS, the Council considered the Board's recommendation at its regularly scheduled public meeting on September 22, 2015; and

WHEREAS, on September 22, 2015, the Council accepted the recommendation of the Planning Board of the Township of Parsippany Troy-Hills and adopted a Resolution declaring that Block 200, Lot 1.2 on the official tax map of the Township of Parsippany Troy-Hills be and are deemed to be a non-condemnation area in need of redevelopment as per the Redevelopment Law; and

WHEREAS, in furtherance of the redevelopment of the Study Area, Council directed the Planning Consultant to prepare a redevelopment plan for a portion of the Study Area, namely Block 200, Lot 1.2 (the "Redevelopment Area"), which redevelopment plan is attached hereto and made a part hereof (the "Redevelopment Plan"), and contains a detailed development program and design criteria for the Redevelopment Area, with the understanding that a redevelopment plan (or plans) for the remaining portions of the Study Area, namely Block 200, Lot 1.2, may be prepared and considered for adoption at a later date; and

WHEREAS, the Council desires to adopt this Ordinance and the Redevelopment Plan for the Redevelopment Area; and pursuant to N.J.S.A. 40A:12A-7(e), upon introduction of this Ordinance, the Redevelopment Plan shall be referred to the Board for review and issuance of a report containing its recommendations, if any, concerning the Redevelopment Plan within forty five (45) days of referral.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Parsippany Troy-Hills, County of Morris, State of New Jersey, being the governing body thereof, that pursuant to N.J.S.A. 40A:12A-7(e) the Council hereby accepts, approves and adopts the Redevelopment Plan for Block 200, Lot 1.2, a copy of which is attached hereto and made a part of this Ordinance; and

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, to the extent that any portion of the Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Township's development regulations, the Redevelopment Plan shall supersede or amend or modify, as applicable, such development regulations and the zoning district map included in the Township's zoning ordinance shall be deemed amended accordingly; and

BE IT FURTHER ORDAINED, this Ordinance shall take effect upon passage and publication in accordance with applicable law.