

**TOWNSHIP OF HARDYSTON
ORDINANCE NO. 2022-12**

**ORDINANCE OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX, NEW JERSEY ADOPTING THE
2022 HARDYSTON VACANT LAND AND LANDFILL
REDEVELOPMENT PLAN, AND AMENDING THE
ZONING MAP TO ADD BLOCK 63, LOT 1.01 TO THE
OPEN SPACE AND GOVERNMENT USE ZONE**

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 in the municipality constitute “areas in need of redevelopment,” as such term is defined in the Redevelopment Law; and

WHEREAS, pursuant to the Redevelopment Law, on September 22, 2022, the Township Council (“Township Council”) of the Township of Hardyston, in the County of Sussex, New Jersey (the “Township”), duly adopted two resolutions-Resolution Number 82-22 designating the property identified on the tax maps of the Township as Block 63, Lot 1.01 as a “non-condemnation area in need of redevelopment” and Resolution Number 83-22 further designating the property identified on the tax maps of the Township as Block 75, Lot 55 as a “non-condemnation area in need of redevelopment (the “**Redevelopment Area**”) this Redevelopment Area; and

WHEREAS, in order to effectuate the redevelopment of the Redevelopment Area, and pursuant to the authority granted under the Redevelopment Law, the Township caused Benecke Economics to prepare a redevelopment plan for the Redevelopment Area entitled, “The 2022 Hardyston Vacant Land and Landfill Redevelopment Plan” dated November 7, 2022 (the “**Redevelopment Plan**”); and

WHEREAS, the Township Council hereby refers the proposed Redevelopment Plan to the Township of Hardyston Planning Board (the “Planning Board”) for its review, report and recommendation in accordance with *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Planning Board shall have 45 days to make a report containing its recommendation concerning the Redevelopment Plan. This report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the master plan, if any, and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate.

WHEREAS, after reviewing any Planning Board Recommendations and consulting with Township professionals, the Township Council may determine to revise the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED BY A MAJORITY OF THE FULL GOVERNING BODY OF THE TOWNSHIP OF HARDYSTON, IN THE COUNTY OF SUSSEX, AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth here at length.

Section 2. The Redevelopment Plan, as filed in the office of the Township Clerk and attached hereto as Exhibit A, is hereby approved and adopted pursuant to the terms of the Redevelopment Law.

Section 3. The Township Zoning Ordinance at § 185-4 Definitions is amended to clarify that the definition of Public Utility shall include “solar electricity installations” by the Redevelopment Plan, therefore, making this Redevelopment Plan consistent with the Township’s Zoning Ordinance. Further, the Township’s Zoning Map at § 185-7 of the Zoning Ordinance, is hereby amended to include the property at Block 63, Lot 1.01 in the Open Space and Government Zone.

Section 4. Pursuant to the Redevelopment Plan the Township Manager is authorized to solicit sealed proposals for the repurposing and redevelopment of the Redevelopment Area (or a portion thereto) to effectuate the Redevelopment Plan and consistent with the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-8 g.

Section 5. The Redevelopment Plan, in addition to being modified based on Planning Board recommendations may be amended by the Township Governing Body pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 6. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 7. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 8. This Ordinance shall take effect as provided by law.

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on November 9, 2022. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on December 14, 2022, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, Clerk