

RESOLUTION NO. 23-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION CONCURRING WITH THE TOWNSHIP OF
MIDDLETOWN PLANNING BOARD'S REDEVELOPMENT
INVESTIGATION FINDINGS AND DESIGNATING A DELINEATED
AREA CONSISTING OF 87 LOTS WITHIN THE ROUTE 36 CORRIDOR
FROM PALMER AVENUE TO THE WEST AND LEONARDVILLE
ROAD TO THE EAST AS AN AREA IN NEED OF REDEVELOPMENT
FOR NON-CONDEMNATION PURPOSES**

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, by Resolution No. 19-169 adopted on June 3, 2019, the governing body of the Township of Middletown (the "**Township**"), acting as the Township's Redevelopment Agency, authorized and requested the Township's Planning Board ("**Planning Board**") to undertake a preliminary investigation ("**Investigation**") to determine whether the lots contained in **Exhibit A** (the "**Area of Investigation**") qualify as an "area in need of redevelopment" according to the criteria set forth under the Local Redevelopment and Housing Law ("**LRHL**"), specifically N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, on October 17, 2022, pursuant to Resolution No. 22-265, the Township added Block 225, Lot 12 and Block 534, Lot 7 to the Area of Investigation; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave public notice that on the dates of July 20, 2023, July 27, 2023 and August 3, 2023, hearings would be held for the purpose of considering comments from those who are interested in or would be affected by a determination that the properties in the Area of Investigation are an area in need of redevelopment as that term is defined under the LRHL for non-condemnation purposes; and

WHEREAS, Stan Slachetka, PP, FAICP of T&M Associates publicly presented a report entitled "Redevelopment Study & Preliminary Investigation Report Route 36 Corridor, Scattered Sites" dated May 26, 2023, covering the delineated Area of Investigation (the "**Investigation Report**"), which is attached hereto and made part hereof as **Exhibit B**; and

WHEREAS, the hearings were opened to all persons from the public who were generally interested in or would be affected by a finding that the properties within the Area of Investigation constitute an area in need of redevelopment

under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, on July 20, 2023, July 27, 2023 and August 3, 2023, the Planning Board received uncontested testimony from Mr. Slachetka, providing a first-hand account of the conditions that he observed during his exhaustive examination of the properties within the Area of Investigation, which confirmed the description of the conditions and findings contained in the Investigation Report; and

WHEREAS, on August 3, 2023, the Planning Board recommended that the Township designate the properties contained in **Exhibit A** as non-condemnation areas in need of redevelopment due to the substantial evidence that the Area of Investigation meets the criteria enumerated in the Investigation Report, pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby adopts the above recitals, findings of the Planning Board and the Investigation Report attached hereto as **Exhibit B** prepared by Stan Slachetka, PP, FAICP of T&M Associates dated May 26, 2023, as if set forth fully herein, therefore, determining and hereby declaring that the Area of Investigation consisting of the lots contained within **Exhibit A** are hereby determined to be an “area in need of redevelopment” according to the criteria set forth under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3 for non-condemnation purposes.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:12A-6(b)(5)(c), the Municipal Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Commissioner of the Department of Community Affairs for review.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:12A-6(b)(5)(d), the Municipal Clerk is hereby authorized and directed to transmit a certified copy of this Resolution upon all record owners of the properties located within the delineated Area of Investigation as those names are listed within the official Tax Assessor’s records within 10 days of the adoption hereof.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:12A-6(b)(5)(d), the Municipal Clerk is hereby authorized and directed to transmit a certified copy of this Resolution upon each person, if any, who filed a written objection and stated in such submission an address to which notice of this determination may be sent.

BE IT FURTHER RESOLVED that a certified copy of this Resolution and underlying documents shall be available for public inspection during regular

business hours at the office of the Municipal Clerk.