

**BOROUGH OF PENNINGTON
RESOLUTION 2024-10.4**

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE
BOROUGH OF PENNINGTON TO UNDERTAKE A PRELIMINARY INVESTIGATION
TO DETERMINE WHETHER CERTAIN PROPERTIES WITHIN THE BOROUGH
QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6, the governing body of the Borough of Pennington ("Borough") is authorized to direct the Planning Board of the Borough of Pennington ("Planning Board") to undertake a preliminary investigation in order to determine whether certain properties within the Borough would qualify as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

WHEREAS, as a provision of the amendment to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-6, the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the powers of eminent domain ("Condensation Redevelopment Area"); and

WHEREAS, the Borough of Pennington does not intend to use all the powers provided by the Legislature for use in a redevelopment area, and specifically, the Borough of Pennington will not utilize the power of eminent domain; and

WHEREAS, the Borough Council desires the Planning Board to conduct such a preliminary investigation relative to certain properties located within the Borough, more specifically identified as Block 205, Lot 22, as shown on the Official Tax Map of the Borough of Pennington with a street address of 12 North Main Street (the "Property").

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Pennington, that:

1. The Planning Board of the Borough of Pennington is hereby directed to conduct a preliminary investigation to determine whether Block 205, Lot 22, or any portions thereof, constitute an area in need of redevelopment (non-condemnation) according to the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-5;
2. The Planning Board of the Borough of Pennington is hereby directed to conduct a preliminary investigation of the aforementioned Property, in accordance with the requirements set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-6, more specifically, to prepare a map showing the boundaries of the potential area in need of redevelopment and locations of the various parcels of property included therein, with a statement setting forth the basis for the investigation appended to the map; to specify a date for a public hearing for the purpose of hearing persons who are interested in, or would be affected by, the determination that the delineated area is an area in need of redevelopment; to give notice of said hearing pursuant to the requirements set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6(b)(3); to hear and receive into the record any objections or comments related to such a determination that the proposed property be designated an area in need of redevelopment; and

3. After completing its hearing on the matter, the Planning Board shall recommend by resolution whether Block 205, Lot 22, or any part thereof, should be determined, or should not be determined by Borough Council to be an area in need of redevelopment.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Marciante				
Chandler					Stern				
Gnatt					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on October 7, 2024.

Elizabeth Sterling, Borough Clerk