

ORDINANCE NO. 16-2022

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, ADOPTING AN AMENDED
REDEVELOPMENT PLAN FOR THE MULLICA WEST APARTMENTS, BLOCK 52, LOTS 8 AND
9

WHEREAS, pursuant to the authority and process outlined by the New Jersey Supreme Court in In the Adoption of N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015) ("Mount Laurel IV"), the Township of Harrison ("Township") initiated a declaratory judgment action in the Superior Court of New Jersey, entitled In the Matter of the Application of the Township of Harrison in Gloucester County, Docket No. GLO-L-908-15, seeking a declaration that its Housing Element and Fair Share Plan (the "Plan") presents a realistic opportunity for the production of affordable housing, that said plan satisfied the Township's Mount Laurel affordable housing obligations, and seeking entry of a Judgment of Compliance and Repose; and

WHEREAS, during the pendency of the proceedings, the Township was able to reach a settlement with Fair Share Housing Center ("FSHC" or "Fair Share"), dated November 14, 2019, regarding satisfaction of the Township's third round fair share obligation, which agreement was approved by the Court at a Fairness Hearing held on January 7, 2021, and with the Township's efforts towards compliance, resulted in the granting of a Conditional Judgment of Compliance and Repose entered on January 27, 2021; and

WHEREAS, due to changes in the status of one or more compliance mechanisms set forth in the Township's plan, the Township and FSHC successfully re-engaged in negotiations and were able to reach agreement on an amended Plan to ensure the Township's continued satisfaction of its Mount Laurel affordable housing obligations; and

WHEREAS, the terms of the amended settlement between the Township and FSHC are memorialized in an Amended Settlement Agreement entered into on December 20, 2021 (the "Amended Settlement Agreement"), which was reviewed and approved by the Court at a Fairness Hearing held on March 11, 2022; and

WHEREAS, pursuant to the terms of the Amended Settlement Agreement and in accordance with the March 11, 2022 Fairness Hearing, on March 17, 2022, the Harrison Township Joint Land Use Board adopted an amendment to the Plan entitled "Amendment to the 2016 Third Round Housing Element and Fair Share Plan, Township of Harrison, Gloucester County, New Jersey," dated March 4, 2022, incorporating the changes to the Plan; and

WHEREAS, the amended Plan provides for the creation of an age-restricted senior project to be constructed in the northern undeveloped portion of the "Mullica West Apartments" on lands designated as Lots 8 and 9 in Block 52 on the Harrison Township Tax Map; and

WHEREAS, the Township is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the "Redevelopment Law") to determine whether certain parcels of land within the Township constitute an area in need of redevelopment, and if so and upon designation as a redevelopment area, to adopt a redevelopment plan for such lands; and

WHEREAS, by Resolution No. 98-2014, adopted April 7, 2014, the Mayor and Committee designated Lots 8 and 9 in Block 52 as a Non-Condensation Redevelopment Area; and

WHEREAS, on April 21, 2014, by the adoption of Ordinance No. 11-2014, a Redevelopment Plan was adopted for the Redevelopment Area; and

WHEREAS, by Ordinance 07-2015, adopted May 18, 2015, an amendment to the Redevelopment Plan was adopted; and

WHEREAS, pursuant to its obligations under the Court approved settlement agreement, and in furtherance of the Amended Plan, the Township has proposed an Amended Redevelopment Plan prepared by Robert F. Melvin, AICP/PP of Pennoni Associates, Inc., titled the "Amended Redevelopment Plan for Block 52, Lots 8 and 9, Mullica West Apartments", dated April 4, 2022 (the "Amended Redevelopment Plan"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Amended Redevelopment Plan meets the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, this Ordinance, after introduction, shall be referred to the Harrison Township Joint Land Use Board for review, comments and consistency with the Harrison Township Master Plan, which Board's recommendation will be reviewed and considered by the Mayor and Committee prior to adoption in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, the Mayor and Committee desire to approve and adopt the proposed Redevelopment Plan report dated April 4, 2022, and direct that the Township's Zoning Map be amended and superseded to reflect the provisions of the Amended Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Harrison, County of Gloucester, and State of New Jersey, as follows:

Section 1. Amended Redevelopment Plan, Adopted.

1. The Amended Redevelopment Plan prepared by Robert F. Melvin, AICP/PP of Pennoni Associates, Inc., for Block 52, Lots 8 and 9, titled the "Amended Redevelopment Plan for Block 52, Lots 8 and 9, Mullica West Apartments," dated April 4, 2022, is hereby approved and adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.
2. The Amended Redevelopment Plan is hereby determined to be in substantial compliance with the Harrison Township Master Plan and to the extent there are any inconsistencies between this Ordinance and the Master Plan, they are included as being designed to effectuate the overall goals and objectives of the Master Plan.
3. The Harrison Township zoning map is hereby amended pursuant to N.J.S.A. 40A:12A-7(c) to include the aforementioned Block(s) and Lot(s) to be consistent with the boundaries described in the Amended Redevelopment Plan and the provisions therein.
4. 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.

5. The recitals of this ordinance shall be reproduced in the Minutes of the meeting where this Ordinance is finally adopted and shall serve as the reasoning of the Township Committee as set forth in N.J.S.A. 40A:12A-7(f).

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Harrison Township Code, or other ordinance or resolution or any part thereof, inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. Referral. After introduction, the Municipal Clerk is hereby directed to submit a copy of the within Ordinance to the Harrison Township Joint Land Use Board for its review and report in accordance with N.J.S.A. 40A:12A-7(e).

Section 5. Notice. The Municipal Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Gloucester County Planning Board and to all other persons entitled thereto pursuant to the Redevelopment Law.

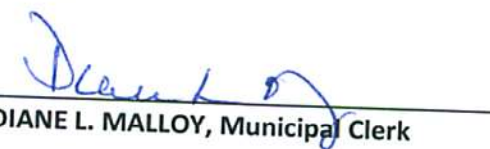
Section 6. Effective Date. This Ordinance shall take effect upon its passage and publication, filing with the Gloucester County Planning Board, and as otherwise provided for by law.

TOWNSHIP OF HARRISON

By:

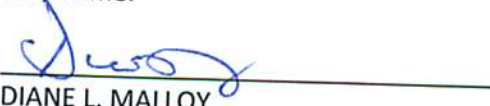

LOUIS F. MANZO, MAYOR

ATTEST:


DIANE L. MALLOY, Municipal Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on April 4, 2022. It will be further considered for final passage, after public hearing heron, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on April 18, 2022, at 7:30 p.m. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.


DIANE L. MALLOY
Municipal Clerk