

RESOLUTION OF THE
TOWNSHIP OF MOUNT OLIVE AUTHORIZING SUBMISSION OF A PETITION TO THE
HIGHLANDS COUNCIL FOR DESIGNATION OF HIGHLANDS REDEVELOPMENT
AREA FOR BLOCK 8300, LOTS 5, 5.02, 6, 7, 8, 9, 11 & 11.01; BLOCK 8100, LOT 38; AND
BLOCK 8400, LOT 1

WHEREAS, the Township of Mount Olive is located in the Highlands Region with lands lying within both the Preservation and Planning Area, as defined by the Highlands Water Protection and Planning Act (Highlands Act) (N.J.S.A. 13:20-1 et seq.); and

WHEREAS, the Highlands Act, at N.J.S.A. 13:20-10.b.(7) and N.J.S.A. 13:20-10.c.(8), establishes as a goal of the Highlands Regional Master Plan (RMP), the promotion of brownfield remediation and redevelopment in both the Highlands Preservation and Planning Area; and

WHEREAS, the Highlands Act, at N.J.S.A. 13:20-9.b. and N.J.S.A. 13:20-11.a.(6)(h), specifies that in preparing the Highlands Regional Master Plan (RMP), the Highlands Water Protection and Planning Council (Highlands Council) may, in conjunction with municipalities in the Preservation Area, identify areas in which redevelopment shall be encouraged and shall identify areas appropriate for redevelopment in order to promote the economic well-being of the municipality, provided that the redevelopment conforms with the goals of the Preservation Area and the Highlands Act, with the rules and regulations adopted by the Department of Environmental Protection (NJDEP), and any area so identified for possible redevelopment shall be either a brownfield site designated by the NJDEP or a site at which at least 70% of the area thereof is covered with impervious surface; and

WHEREAS, the Highlands Act, N.J.S.A. 13:20-33.b.(2), authorized NJDEP to grant a waiver of any provision of a Highlands permitting review on a case-by-case basis for redevelopment in certain previously developed areas in the Preservation Areas identified by the Highlands Council pursuant to Section 9.b. or Section 11.a.(6)(h); and

WHEREAS, the NJDEP had adopted rules at N.J.A.C. 7:38-1.1 et seq. (Highlands Rules) governing the NJDEP's review of projects in the Preservation Area of the Highlands Region; and

WHEREAS, the Highlands Rules, at N.J.A.C. 7:38-6.4, specify that as provided in Highlands Act, the NJDEP may waive any provision of the rules for redevelopment in certain previously developed areas in the Preservation Area identified by the Highlands Council pursuant to the Highlands Act; and

WHEREAS, the Highlands Act has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, the Highlands Council prepared and adopted Procedures for Highlands Redevelopment Areas Designation (Procedures); and

WHEREAS, the Township of Mount Olive Township Council has examined the Procedures, understands the purposes and goals of the Highlands Act and the RMP with respect to Highlands Redevelopment Area designations, has considered such designation for a specific area of the municipality as outlined below, and has determined that Highlands Redevelopment Area designation of this portion of the municipality would be consistent with both the Highlands Act and the RMP; and

WHEREAS, the Township of Mount Olive Planning Board will, as a part of the process of Highlands Redevelopment Area designation, be charged with evaluating a proposed amendment to the municipal master plan to establish the designated area, which amendment will be adopted by the Board only if it first determines that such amendment is consistent with and furthers the goals of the municipal master plan, advances the purposes of local zoning, and is of no detriment to the public good; and

WHEREAS, the Township of Mount Olive thus intends to submit an application to the Highlands Council seeking designation of a Highlands Redevelopment Area, said Area to include specifically the parcel(s) designated by the municipal Tax Map as: Block 8300, lots 5, 5.02, 6, 7, 8, 9, 11 and 11.01; Block 8100, Lot 38; and Block 8400, Lot 1, together forming a contiguous area along the northerly side of Sand Shore Road between Stephens Park Road and the westerly terminus of Sand Shore Road combined with the Johnson automotive dealership and the Mt. Olive Parkade retail shopping center located on the southerly side of Route 46 as depicted in the attached Exhibit entitled Highlands Redevelopment Plan; and

WHEREAS, the designation of the Highlands Redevelopment Area could affect the development potential of the properties located within its designated boundary, some potentially being restricted from future expansion of developed impervious surface area; and

WHEREAS, all the owners of all properties located wholly or partially within this proposed Highlands Redevelopment Area have been provided notice from the Township of Mount Olive that the Mount Olive Township Council proposes to adopt this resolution authorizing submission of a Petition for Highlands Redevelopment Area designation to the Highlands Council; and

WHEREAS, any such designation of a Highlands Redevelopment Area will be conducted at a duly notice public hearing of the Highlands Council.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mount Olive hereby authorizes Mayor Greenbaum to prepare, execute and submit to the Highlands Council, all documents as required to constitute a complete Petition seeking designation of a Highlands Redevelopment Area for the specific portion of the municipality as described herein (above) and illustrated in the exhibit attached and made herewith an integral part of this resolution.

This Resolution shall take effect immediately.

TOWNSHIP OF MOUNT OLIVE

JOE NICASTRO
Mount Olive Township Council President

I hereby certify the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on November 21, 2023.

MICHELLE MASSER
Mount Olive Township Municipal Clerk