

**TOWNSHIP OF CLINTON
HUNTERDON COUNTY, NEW JERSEY**

ORDINANCE NO. 1174-2022

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN
HUNTERDON COUNTY, NEW JERSEY AMENDING THE
“AMENDED FORMER MUNICIPAL BUILDING NON-
CONDEMNATION REDEVELOPMENT PLAN” FOR BLOCK
53, LOT 3, CLINTON TOWNSHIP, TO REDUCE THE
MINIMUM REQUIRED LOT AREA FOR THE MIXED-USE
LOT AND AUTHORIZE THE PLANNING BOARD TO GRANT
DEVIATIONS FROM THE REDEVELOPMENT PLAN
REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES**

WHEREAS, by Resolution No. 51-15 adopted on April 22, 2015, the Mayor and Council determined the old Municipal Building site, sometimes referred to as the “Fox Seals” site, located on West Street in the Village of Annandale, and being identified as Block 53, Lot 3 on the Clinton Township Tax Maps (the “Property”) to be a non-condemnation area in need of redevelopment (the “subject area in need”); and

WHEREAS, by Ordinance No. 1069-15 adopted on August 12, 2015, the Mayor and Council established the subject area in need as the Former Municipal Building (FMB) Redevelopment Area Zone (“FMB Zone”) and adopted a redevelopment plan for the subject area titled “Former Municipal Building Non-Condensation Redevelopment Plan,” prepared by Joseph Burgis, PP, AICP and dated May 7, 2015 (the “Redevelopment Plan”) to govern development in the FMB Zone; and

WHEREAS, by Ordinance No. 1100-17 adopted on May 10, 2017, the Mayor and Council adopted an amendment to the Redevelopment Plan titled “Amended Former Municipal Building Non-Condensation Redevelopment Plan,” prepared by Joseph Burgis, PP, AICP and Thomas Behrens, Jr., PP, AICP and dated March 10, 2017 (the “Amended Redevelopment Plan”), which became the redevelopment plan for the FMB Zone pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, the Amended Redevelopment Plan calls for “the redevelopment of the site including the rehabilitation of portions of the existing historic structure for mixed used development, a new multifamily building fronting Center Street and subdivision of the southerly area of the site for public parking” (see Amended Redevelopment Plan at p. 12); and

WHEREAS, the Amended Redevelopment Plan establishes minimum lot area and other bulk requirements for the “mixed use lot” and the “public parking lot;” and

WHEREAS, through the subsequent approval process, it has become apparent that in order to enable the mixed use lot and public parking lot to be subdivided and developed as contemplated in the Amended Redevelopment Plan, it is necessary to reduce the minimum lot area for the mixed use lot, as well as to give the Clinton Township Planning Board the authority, under appropriate circumstances, to grant relief from certain requirements set forth in the Amended Redevelopment Plan;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, in Hunterdon County, New Jersey as follows:

1. The plan entitled “Amended Former Municipal Building Non-Condemnation Redevelopment Plan” for Block 53, Lot 3, Clinton Township, dated March 10, 2017, and prepared by Joseph H. Burgis, PP, AICP and Thomas Behrens, Jr., PP, AICP, which plan was adopted by the Mayor and Council on May 10, 2017 as the redevelopment plan for the Former Municipal Building (FMB) Redevelopment Zone (“FMB Zone”) pursuant to N.J.S.A. 40A:12A-7, is hereby amended as follows:

- A. Table 2 in Section 5.5, “Area and Bulk Regulations” of the Amended Redevelopment Plan shall be revised to reduce the minimum lot area for the Mixed Use Lot from 30,000 square feet to 20,000 square feet.
- B. The following new provision shall be added to the Amended Redevelopment Plan to authorize the Clinton Township Planning Board to grant relief under appropriate circumstances from certain requirements set forth therein:

The Clinton Township Planning Board in reviewing a site plan application that is inconsistent with one or more of the bulk regulations contained in this Redevelopment Plan may grant deviations in accordance with N.J.S.A. 40:55D-70c. Any proposed deviation from the regulations of this Redevelopment Plan that would typically require

'd' use variance relief pursuant to N.J.S.A. 40:55D-70d shall require the Redeveloper to seek an amendment to the Redevelopment Plan by the Governing Body.

2. The Township's planner, Thomas Behrens, Jr., PP, AICP is hereby directed to update the redevelopment plan in accordance with the changes set forth in section 1 of this ordinance, which updated plan shall be the redevelopment plan for the FMB Zone.

3. Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7e, the Clerk shall cause a copy of this ordinance to be referred to the Clinton Township Planning Board for review prior to its adoption.

4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

5. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

6. This ordinance shall take effect twenty days from the date of its final passage and upon filing with the Hunterdon County Planning Board, in accordance with N.J.S.A. 40:69A-181 and N.J.S.A. 40:55D-16.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Introduced: July 19, 2022