

BOROUGH COUNCIL
BOROUGH OF MANVILLE
COUNTY OF SOMERSET
STATE OF NEW JERSEY

Ordinance 2005-1000

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE AREA COMMONLY KNOWN AS 'RUSTIC MALL' IN THE BOROUGH OF MANVILLE, NEW JERSEY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

Whereas, N.J.S.A. 40A:12A-7a provides that “No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of need of redevelopment...according to criteria set forth in [N.J.S.A. 40A:12A-5];” and,

WHEREAS, the Borough Council of the Borough of Manville, County of Somerset, State of New Jersey, at it's regular meeting held on February 9, 2004, did by way of resolution 04-41 determine that the area of land commonly known as “Rustic Mall”, and comprised of the following parcels:

BLOCK	LOT
310.01	2.01
310.01	2.02
310	2.03
315	1-9

is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5.;" and,

WHEREAS, N.J.S.A. 40A:12A-7f provides that “The governing body of a municipality may direct the planning board to prepare a redevelopment plan...for a designated redevelopment area. After completing the redevelopment plan, the planning board shall transmit the proposed plan to the governing body for its adoption;” and,

WHEREAS, the Borough Council of the Borough of Manville, County of Somerset, State of New Jersey, at it's regular meeting held on May 25, 2004, did by way of resolution 2004-110 direct the Planning Board of the Borough of Manville to prepare a redevelopment plan for the designated area; and,

WHEREAS, on July 6, 2004, the Planning Board did by way of resolution recommend a redevelopment plan prepared by the Board's consulting planner to the Borough Council; and,

WHEREAS, the Borough council has reviewed this plan and finds it to comply with the requirements of N.J.S.A. 40A:12A-7 ; and,

WHEREAS, the Borough council has, by way of separate resolution, made revision and amendments to the recommended plan;

WHEREAS, the Borough council in accordance with law has recorded in the minutes of the meeting wherein said resolution was adopted the reasons for each and any revisions or amendments made to the recommended plan.

THEREFORE BE IT ORDAINED, that the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, hereby adopt the redevelopment plan transmitted by the Borough Planning

Board and amended or revised by the Borough Council pursuant to N.J.S.A. 40A:12A-7 as the redevelopment plan for the parcels of land identified above.

BE IT FURTHER ORDAINED, that the Redevelopment Plan shall supersede all provisions of the Land Use Ordinance of Borough of Manville specifically addressed herein. In all situations where zoning issues are not specifically addressed herein, the Land Use Ordinance of the Borough of Manville, however, shall remain in full force and effect.

BE IT FURTHER ORDAINED, that in light of preceding passage and pursuant to N.J.S.A. 40A:12A-7c, the Manville Zoning Map is hereby amended to identify the redevelopment area in the manner depicted in Figure 2 of the attached redevelopment plan.

BE IT FURTHER ORDAINED, that should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

BE IT FURTHER ORDAINED, that in the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

BE IT FURTHER ORDAINED, that this ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law and upon filing with the Somerset County Planning Board.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

ORDINANCE #2005-1000

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	√	ALLAN	√			
		ASHER	√			
		OTRIMSKI				√
		PETROCK	√			
		PETRONE	√			
√		WEISS	√			
		MAYOR CORRADINO				

PASSED this 24th day of January, 2005.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	√	ALLAN	√			
		ASHER	√			
√		OTRIMSKI	√			
		PETROCK	√			
		PETRONE	√			
		WEISS	√			
		MAYOR CORRADINO				

PASSED this 15th day of February, 2005.

Attest:

Philip E. Petrone, Borough Clerk