



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 16-172

RESOLUTION AUTHORIZING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 105.107, LOT 1.1, QUALIFIES FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, the governing body of the Borough of Highlands desires to explore whether the real property located at Block 105.107, Lot 1.1, commonly referred to as the Shadow Lawn Mobile Home Park site (the “Study Area”), may be an appropriate area for consideration for the program of redevelopment; and

WHEREAS, the governing body of the Borough of Highlands considers it to be in the best interest of the Borough to have the Planning Board conduct such an investigation for the property located at Block 105.107, Lot. 1.1, commonly referred to as the Shadow Lawn Mobile Home Park site; and

WHEREAS, the governing body of the Borough of Highlands believes the subject parcel is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the Borough; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 49A:12A-6, prior to the governing body of the Borough of Highlands making a determination as to whether the Study Area qualifies as an area in need of redevelopment, the governing body must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria for designation as an area in need of redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the governing body of the Borough of Highlands wishes to direct the Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and in accordance with the investigation and hearing process set forth in N.J.S.A. 40A:12A-1 et. seq.; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Highlands hereby directs the Borough of Highlands Planning Board to conduct the necessary investigation and to hold a public hearing to determine whether the Study area defined hereinabove qualifies for designation as an area in need of redevelopment under the criteria and pursuant to the public hearing process set forth in N.J.S.A. 40A:12A-1, et. seq.; and

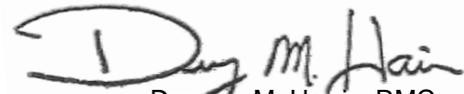
BE IT FURTHER RESOLVED, that the redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain (hereinafter referred to as a “Non-Condernation Redevelopment Area”).

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the governing body of the Borough of Highlands in the form of a Resolution with supportive documentation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Acting Borough Clerk, Chief Financial Officer and Borough Planning Board and Planning Board Secretary.

TABLED	INTRODUCED	SECONDED	AYE	NAY		ABSTAIN	ABSENT
BROULLON							
CARD		X					
D'ARRIGO	X						
WELLS							
NOLAN							
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO							

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held September 07, 2016. WITNESS my hand this 12th day of August 2016.


 Dwayne M. Harris, RMC
 Acting Municipal Clerk