



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 16-228

**RESOLUTION AUTHORIZING THE LAND USE BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 105.107, LOT 1.1 AND BLOCK 84, LOT 2.01, QUALIFY FOR DESIGNATION AS AREAS 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 as well as the real property located at Block 84, Lot 2.01, commonly referred to as Captains Cove Marina (the “Study Areas”), may be appropriate areas 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 Land Use Board conduct such an investigation for the properties located at Block 105.107, Lot. 1.1, commonly referred to as the Shadow Lawn Mobile Home Park site, as well as the real property located at Block 84, Lot 2.01, commonly referred to as Captains Cove Marina; and

**WHEREAS**, the governing body of the Borough of Highlands believes the subject parcels are 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 areas 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 Areas qualify as areas in need of redevelopment, the governing body must authorize the Land Use Board, by resolution, to undertake a preliminary investigation to determine whether the Study Areas meet the criteria for designation as areas 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 Land Use Board to undertake such preliminary investigation to determine whether the Study Areas meet the criteria for designation as areas 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Highlands hereby directs the Borough of Highlands Land Use Board to conduct the necessary investigation and to hold a public hearing to determine whether the Study areas defined hereinabove qualify for designation as areas 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.

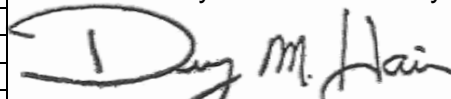
**BE IT FURTHER RESOLVED**, that the redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment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

**BE IT FURTHER RESOLVED**, that the Land Use 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, Borough Land Use Board and Land Use Board Secretary.

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

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 December 07, 2016. WITNESS my hand this 8th day of December 2016.



Dwayne M. Harris, RMC  
Municipal Clerk