

TOWNSHIP OF CINNAMINSON

ORDINANCE 2021 – 11

AN ORDINANCE OF THE TOWNSHIP OF CINNAMINSON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 1403, LOTS 25, 26, 27 and 28 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CINNAMINSON IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, *et seq.*) (“LRHL”)

WHEREAS, the LRHL authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, by virtue of Resolutions 2013-33 and 2013-68, the Mayor and Township Committee of the Township of Cinnaminson authorized and directed the Cinnaminson Township Planning Board (“Planning Board”) to undertake the preliminary investigation of property located at Block 1403, Lots 25, 26, 27 and 28 (“P.I.Q.”) as a Condemnation Redevelopment Area; and

WHEREAS, in accordance with the Resolutions adopted by the Mayor and Township Committee, the Planning Board conducted an investigation to determine whether the P.I.Q. should be designated as an Area in Need of Redevelopment and considered an Area in Need of Redevelopment Study for Block 1403, Lots 25, 26, 27 and 28, dated July 2, 2013, prepared by Barbara Fegley, AICP, PP of Environmental Resolutions, Inc.; and

WHEREAS, the Planning Board conducted public hearings on April 23, 2013 and July 23, 2013 concerning the designation of the P.I.Q. as a Condemnation Redevelopment Area and the meeting was open to the public and all members of the public had an opportunity to address questions and comments to the Planning Board; and

WHEREAS, the Planning Board prepared a map showing the boundaries of the proposed redevelopment area and the locations of the various parcels and property included therein, including the P.I.Q. Appended to the map was a statement setting forth the basis for the

investigation; and

WHEREAS, at such public hearings, the Planning Board heard sworn testimony from its professional planner, Barbara Fegley, AICP, PP, who presented substantial credible evidence that the P.I.Q. qualified as an Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-5(c) and N.J.S.A. 40A:12A-5(d); and

WHEREAS, at the conclusion of the public hearings as described above, the Planning Board adopted Resolutions 2013-19 and 2013-29, recommending that the Mayor and Township Committee designate the P.I.Q. on the Official Tax Map of the Township of Cinnaminson as an Area in Need of Condemnation Redevelopment; and

WHEREAS, the Mayor and Township Committee agreed with the conclusions of the Planning Board that the P.I.Q. met the aforementioned criteria for Condemnation Redevelopment Area designation; and

WHEREAS, by virtue of Resolution 2013-129, adopted on August 19, 2013, the Mayor and Township Committee determined that the P.I.Q. qualified as an Area in Need of Condemnation Redevelopment; and

WHEREAS, a subsequent revised Area in Need of Redevelopment Plan dated August 4, 2021 was submitted by Edward Fox, AICP, PP of Environmental Resolutions, Inc. regarding minor alterations to the redeveloper's concept plan for minimum front and side yard setback and off-street parking dimensions attached as Exhibit "A"; and

WHEREAS, the Mayor and Township Committee have deemed it in the best interest of the public health, safety and welfare to adopt a Redevelopment Plan as set forth in Exhibit "A" attached hereto and made a part hereof for the P.I.Q. on the Official Tax Map of the Township of Cinnaminson.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, as follows:

Section 1: Adoption of Redevelopment Plan.

The Mayor and Township Committee of the Township of Cinnaminson, County of Burlington and State of New Jersey hereby adopt the Redevelopment Plan for Block 1403, Lots 25, 26, 27 and 28 on the Official Tax Map of the Township of Cinnaminson appended and attached hereto as Exhibit “A”.

Section 2: The Mayor and Township Committee of the Township of Cinnaminson hereby declare and determine that the said Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the redevelopment of the Township in the designated area and is otherwise in conformance with N.J.S.A. 40A:12A-1 et seq.

Section 3: Amendment of Zoning Map.

The Zoning Map of the Township of Cinnaminson shall be and is hereby supplemented and amended so as to provide for the Redevelopment Plan to encompass the P.I.Q. as an overlay zoning district. The Zoning Map shall include the P.I.Q. as a Redevelopment Area to which the Redevelopment Plan is applicable.

Section 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment

shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 6: Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board and other agencies as required by law.

Section 7: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Attest:

Township of Cinnaminson

LISA A. PASSIONE, RMC

MAYOR ALBERT D. SEGREST

CERTIFICATION

I, Lisa A. Passione, RMC, Clerk of the Township of Cinnaminson, County of Burlington, do hereby certify that the foregoing Ordinance was introduced at the meeting of the Township of Cinnaminson held on _____, 2021 and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on _____, 2021, at which time any person interested therein will be given an opportunity to be heard.

LISA A. PASSIONE, RMC
Township Clerk

EXHIBIT "A"

**REDEVELOPMENT PLAN FOR
299 – 307 US Route 130
(BLOCK 1403, LOTS 25-28)
CINNAMINSON, NJ
BURLINGTON COUNTY, NEW JERSEY**



Prepared By:
**Environmental Resolutions, Inc.
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(856) 235-7170**

Prepared For:
**Cinnaminson Township
1621 Riverton Road
Cinnaminson Township, NJ 08077**

**August 11, 2021
#86015-00**

**Edward Fox, AICP, PP
NJ Professional Planner #33LI00510400**

The original document was appropriately signed and sealed in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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APPENDICES

Appendix A

*Cinnaminson Township Committee Resolution 2013-129,
Designating Lots 25-28 of Block 1403 as
“A Condemnation Area in Need of Redevelopment”*

Appendix B

Fig.1: Location Map

Appendix C

Conceptual Site Plan

Appendix D

*Letter from the Commissioner of the NJ Department of Community Affairs
Dated March 3, 2020, Approving the Non-Condemnation Redevelopment Area Designation*

Appendix E

*Cinnaminson Township Committee Ordinance 21##-##,
Adopting a Redevelopment Plan for the
299-307 US Route 130 Condemnation Redevelopment Area
(Lots 25-28 of Block 1403)*

TO BE INCLUDED AFTER ADOPTION

ACKNOWLEDGMENTS

Cinnaminson Township Planning Board

William O'Connor, Chair

Cynthia Lamon, Vice Chair

Albert Segrest, Mayor

Stephanie Kravil, Deputy Mayor

Michael Minton, Community and Economic Development Director

Samuel Jones

Kevin McGill

Mariette O'Malley

Daniel Rau

Rory Maradonna, Alt #1

John Snyder, Alt #2

Patricia Rucci, Board Secretary

Douglas Heinhold, Esq., Board Attorney

Michael Angelastro, PhD, PE, PTOE, Board Engineer

Edward Fox, AICP PP, Board Planner

Cinnaminson Township Committee

Albert Segrest, Mayor

Stephanie Kravil, Deputy Mayor

Paul Conda

Ryan Horner

Ernest McGill

Cinnaminson Township Staff

Eric J. Schubiger, Township Administrator

Lisa Passione, Township Clerk/Registrar

Michael Minton, Community and Economic Development Director

A. Introduction

This Redevelopment Plan relates to the 299-307 US Route 130 Condemnation Redevelopment Area (Redevelopment Area), which is a roughly 2.453-acre tract listed as Lots 25-28 of Block 1403 on the Cinnaminson Township Tax Maps. It is within the condemnation redevelopment area designated by the Cinnaminson Township Committee (Committee) via **Resolution 2013-129**. (See Appendix A.)

The boundaries of the Redevelopment Area are shown on **Figure 1: Location Map**. (See Appendix B.)

In N.J.S.A. 40A:12A-7a., the LRHL requires all redevelopment plans to "include an outline for the planning, development, redevelopment, or rehabilitation of the project area...." The outline for this redevelopment plan is the Table of Contents page.

B. Definitions

The following definitions, which are set forth in N.J.S.A. 40A:12A-3 of the Local Redevelopment and Housing Law (LRHL), are pertinent to the redevelopment plan:

Redevelopment - means clearance, re-planning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

Redevelopment area or area in need of redevelopment - means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.

Redevelopment plan - means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.

Redevelopment project - means any work or undertaking pursuant to a redevelopment plan; such undertaking may include any buildings, land, including demolition, clearance or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping and administrative, community, health, recreational, educational, and welfare facilities.

Rehabilitation - means an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.

C. Property Description

The roughly 2.453-acre redevelopment area includes Lots 25-28 of Block 1403, which are located north-east and adjacent to the Shoppes at Cinnaminson Shopping Center on the southbound (western) side of US Route 130 in Cinnaminson. (See **Fig. 1: Location Map** in Appendix B.) The table below identifies the redevelopment area's four tax parcels, their acreage, current business occupant, property owner and owner address, according to the most recently-published online data from Burlington County. Although it was not reported in the property tax data, field analysis indicates that Lots 27 and 28 have residential apartments in addition to business offices.

Block	Lot	US 130 Address	Acres	Business	Owner Name	Owner Address
1403	25	307	0.646	Unoccupied	Lake Real Estate, LLC	725 Ridge Avenue Lakewood, NJ 08701
1403	26	305	0.585	Unoccupied	Lake Real Estate, LLC	725 Ridge Avenue Lakewood, NJ 08701
1403	27	301	0.447	Concrete Contractor & Res. Apt.	CRH Property Mgmt	299 Route 130 South Cinnaminson, NJ 08077
1403	28	299	0.775	Family Law Offices & Res. Apt.	CRH Property Mgmt	299 Route 130 South Cinnaminson, NJ 08077

D. Goal and Objectives

The overall goal of this redevelopment plan is to promote and maintain the sustainability of Cinnaminson's economic development by facilitating the redevelopment of blighted properties in the US Route 130 corridor. Its objectives will provide the framework for the redevelopment plan and will guide the implementation of the plan and the realization of the vision for revitalization of the above properties. The following redevelopment plan objectives are from the Township's 2009 Land Use Plan Element:

Land Use and Management

- To promote the redevelopment of vacant and underutilized commercial sites located along Route 130, and examine sites to determine whether they have the potential to be redeveloped for commercial uses or other alternate uses, i.e., comprehensively planned residential/commercial/service mixed use developments or office complexes.

Economic Development

- To encourage the continuation of a variety of types of commercial land use within the Township's existing commercial districts with a focus on the redevelopment of the Route 130 corridor.
- To promote the redesign of existing commercial sites to provide a more efficient land use pattern through such approaches as reduced curb cuts, interconnecting driveways, improved pedestrian and bicycle linkages and enhanced landscaping and aesthetics.
- To provide for the appropriate expansion of commercial uses in compact forms and within areas with utilities in order to concentrate businesses and provide a variety of services and to meet the needs of residents and visitors alike.
- To coordinate such items as architectural design, access, landscaping, adequate parking, lighting, signs and similar design features to produce visually and functionally compatible economic development.

Community Design

- To develop design standards that promote good civic design and high visual quality of site and building design for all land use categories.
- To ensure that new development is visually and functionally compatible with the natural and physical character of the Township.
- To promote physical design and community planning that assures that adjacent land uses function compatibly and harmoniously in terms of scale and location.
- To improve the appearance of developed areas with design standards for features such as but not limited to signs and buffering.

E. Relationship to Definite Local Objectives

N.J.S.A. 40A:12A-7a(1) requires the redevelopment plan to indicate:

Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

The following indicates the redevelopment plan's proposed uses and development standards to local objectives:

1. Land Use Objectives

Because the redevelopment plan's proposed uses and development standards are essentially the same as those in the uses in the Business Development (BD) zoning district, where the redevelopment area is situated, they will have no adverse impact on local land use objectives.

2. Population Density / Housing Objectives

With the possible exception of apartment units in Lots 27 and 28, the redevelopment area does not contain any residential development. Any residential uses in the redevelopment area are pre-existing, non-conforming uses in the Business Development (BD) zoning district. The redevelopment plan does not permit residential development. The redevelopment plan's proposed uses and development standards will have no impact on local population / housing objectives.

3. Traffic and Public Transportation Objectives

The redevelopment area is within the existing US Route 130 highway corridor, the maintenance and improvement of which is an NJ Department of Transportation (NJDOT) responsibility. There are no known NJDOT improvement projects identified within or immediately adjacent to the redevelopment area. The redevelopment plan's proposed uses and development standards will have no substantial impact on current local transportation facilities, services, or objectives.

4. Public Utilities / Infrastructure Objectives

The redevelopment area is within an existing public water and sewer service area. The redevelopment plan's proposed uses and development standards will have no substantial impact on current local public utility and infrastructure facilities, services, or objectives.

5. Recreational and Community Facilities Objectives

The redevelopment area does not contain any recreational or community facilities, nor has it been previously planned for them. The redevelopment plan's proposed uses and development standards will have no impact on current local recreational and community facilities, services, or objectives.

6. Other Public Improvement Objectives

Not applicable.

F. Proposed Land Uses and Building Requirements

N.J.S.A. 40A:12A-7a(2) requires the redevelopment plan to indicate:

Proposed land uses and building requirements in the project area.

This redevelopment plan incorporates all chapters of the Cinnaminson Township Code; except those sections identified below in the redevelopment area, which shall supersede them.

1. Permitted Principal Uses

Permitted principal uses shall include the following:

- a. Administrative and business support establishments.
- b. Banks, savings and loans, and credit unions, with and without drive through facilities, except for check cashing services.
- c. Finance, insurance, and real estate businesses.
- d. Health care uses, limited to: medical and diagnostic laboratories; outpatient care, except for methadone and suboxone treatment facilities; and vocational physical rehabilitation services.
- e. Liquor manufacturing (Class A) license businesses, including: limited breweries, cideries and meaderies, and craft distilleries.
- f. Personal and household services, such as: footwear and leather goods repair; hair, nail and skin care services; and tailoring and dressmaking.
- g. Professional, scientific, and technical service businesses, such as: computer systems and related services; design and related services; financial and related services; legal and related services; marketing, management, and technical consulting services; and physicians, dentists and other licensed health practitioners.
- h. Recreational uses, such as: art galleries; fitness, recreational, and sports centers; and instructional academies, including choral, dance, fine, language, martial, music, performing arts, etc.).
- i. Restaurants, including fast-food and drive-through restaurants, and catering establishments.
- j. Retail sales establishments, with and without drive through facilities, except: liquor stores and new and used motor vehicle sales, rentals, and leasing.
- k. Senior and child care uses, limited to: licensed adult day care and child care services; and pre-schools.

2. Permitted Accessory Uses / Structures

Permitted accessory uses shall include the following:

- a. Athletic and recreational structures for employees.
- b. Cafeteria and concierge services for employees.
- c. Drainage, flood control, and stormwater management facilities.
- d. Emergency generators and pumping equipment.
- e. Fences and walls.
- f. Flagpoles, mailboxes, monuments, and street furniture.
- g. Heating, ventilation, air conditioning, and refrigeration equipment (HVAC/R).
- h. Lighting equipment: free-standing and building-mounted.
- i. Maintenance, security, storage, and utility buildings.
- j. Off-street parking areas, garages, loading areas, and traffic control devices.
- k. Renewable energy facilities: building-mounted.
- l. Restaurant customer pick-up, delivery, drive-through, and outdoor seating facilities.
- m. Sales of products incidental or accessory to the principal permitted use.
- n. Signs (on-site business identification) per § 525-121.
- o. Telecommunications fixtures and equipment: roof-mounted.
- p. Temporary construction trailers and signs.
- q. Temporary storage containers in compliance with the standards in Chapter 443.
- r. Trash enclosures and pads for trash compactors and refuse and recyclable containers.
- s. Utility services: above- and underground).
- t. Utility substations

3. Prohibited Uses

Prohibited uses shall include all those uses listed in §525-65 C (1)(a) through (ff).

4. Area, Bulk, Yard, and Height Standards

Area, bulk, yard, and height requirements are the same as those in §525-66, except as follows:

- a. Minimum front yard setback for principal buildings: 48', where 50' applies outside the redevelopment area.
- b. Minimum side yard setback for restaurant drive-through facilities: 5', where 35' applies outside the redevelopment area.

5. Off-Street Parking, Loading, and Traffic Control Requirements

- a. Off-street parking, loading, and traffic control improvements shall be in accordance with §525-110B, as demonstrated as adequate by a qualified Professional Traffic Engineer, except as follows:
 - 1) Minimum parking stall size: 9'x18', where 10'x20' applies outside the redevelopment area.
 - 2) Minimum parking stall setback from right-of-way: 2.5', where 5' applies outside the redevelopment area.
 - 3) Minimum interior two-way drive aisles for perpendicular parking stalls: 24', where 25' applies outside the redevelopment area.
- b. Parking requirements for individual uses can be met through shared parking among the uses proposed in this redevelopment plan using methodologies established by the Urban Land Institute (ULI), Institute of Transportation Engineers (ITE), or other acceptable authority.

6. General Requirements

- a. The lot may contain more than one principal structure, more than one principal use, and more than one principal use per structure provided the total building coverage and the maximum impervious coverage limits are not exceeded and the building separation requirements are met. All buildings, signs, walkways and lighting fixtures are required to be compatibly designed on the lot, whether constructed all at one time or in stages over a period of time.
- b. The Planning Board may, at the time of site plan and/or subdivision review, and without formal amendment to this redevelopment plan, approve departures from sections 4 and 5 of the “Proposed Land Uses and Building Requirements” or Chapters 330, 411 or 525 of the Township Code, provided that such departures are, in the opinion of the Planning Board, properly justified and consistent with the intent of this Plan. Justification for such relief shall generally conform to the requirements for waivers, design exceptions, and variances under N.J.S.A 40:55D-51 and 40:55D-70(c). In reviewing such requests, the Planning Board shall seek to further the overall intent and purpose of this redevelopment plan.
- c. Neither the Planning Board nor the Zoning Board of Adjustment shall grant any use variances from this redevelopment plan.
- d. All redevelopment projects are subject to §330-100-101 and §525-66.1.
- e. Landscape plans shall comply with §330-230A through I.
- f. All project phasing requirements shall be part of a redevelopment agreement and not this redevelopment plan.

7. Conceptual Land Use Plan

The proposed land use and development standards above are designed to implement a proposed redevelopment project based on the conceptual land use plan for a drive-through, quick service (fast-food) restaurant and a second, roughly 6,600 SF retail building. (See Appendix C.)

G. Provisions for Relocation

N.J.S.A. 40A:12A-7a(3) requires the redevelopment plan to indicate:

Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

Any required temporary or permanent relocation of current residents within the redevelopment area will be undertaken consistent with the law.

H. Identification of Property to be Acquired

N.J.S.A. 40A:12A-7a(4) requires the redevelopment plan to indicate:

An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

Township Committee Resolution 2013-129 identified that the four parcels in this redevelopment area could

be acquired through eminent domain, if necessary. The Commissioner of the NJ Department of Community Affairs approved this designation by letter dated March 3, 2020. (See Appendix D.) Any future redevelopment project that may involve property acquisition will be undertaken consistent with the law.

I. Relationship to Other Plans

N.J.S.A. 40A:12A-7a(5) requires the redevelopment plan to indicate:

Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et seq.).

- 1. Contiguous Municipalities:** The redevelopment area is not adjacent or proximate to any other municipalities, and the scale of the redevelopment plan's proposed uses and development standards are not anticipated to have any adverse impact on them. Therefore, implementation of the redevelopment plan should not have any adverse impacts on nearby adjacent municipalities.
- 2. Burlington County:** Because Burlington County does not have a county master plan, this requirement is not applicable.
- 3. State Development and Redevelopment Plan:** The redevelopment area is within the US Route 130 Corridor, as identified by the *Burlington County Route 130 Corridor (River Route) Strategic Revitalization Plan*, which has been endorsed by the New Jersey State Planning Commission as being consistent with the New Jersey State Development and Redevelopment Plan (State Plan). The redevelopment plan's proposed uses and development standards are consistent with that endorsed plan.

J. Affordable Housing Impacts

N.J.S.A. 40A:12A-7a(6) requires the redevelopment plan to indicate:

As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

The Township Committee adopted Resolution 2013-129 finding 299-307 US Route 130, also known as Lots 25-28 of Block 1403, a condemnation redevelopment area. To the author's knowledge, there was no subsequent inventory of housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304) in this redevelopment area. This was because, at that time, there was no pending or active plan for those four parcels that would have required the removal of any affordable housing units, if there were any. Cinnaminson Township's August 2019 Housing Element and Fair Share Plan (HEFSP) did not identify any defined affordable housing units within the redevelopment area. If there were any housing units on these four parcels then, they would be market-rate units to which this redevelopment plan criterion does not apply. Any current housing units on the two occupied parcels, i.e., Lots 27 and 28, would also be considered market-rate housing.

K. Affordable Housing Replacement Provisions

N.J.S.A. 40A:12A-7a(7) requires the redevelopment plan to indicate:

A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last eighteen (18) months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

Any current housing units on the two occupied parcels, i.e., Lots 27 and 28, would also be considered market-rate housing and not qualified affordable housing for which this plan criterion applies. The redevelopment area is in a non-residential zoning district that does not permit residential development and the redevelopment plan does not permit future housing development. Therefore, this redevelopment plan requirement does not apply.

L. Public Electric Vehicle Charging Infrastructure

N.J.S.A. 40A:12A-7a(8) requires the redevelopment plan to indicate:

Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

The redevelopment plan shall not require the redeveloper to install public electric vehicle charging infrastructure within the redevelopment area; however, the redeveloper may install such as an accessory use.

M. Affordable Housing Provisions

N.J.S.A. 40A:12A-7b. indicates:

A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.

Redevelopment projects shall comply with Township ordinances and State laws and regulations pertaining to affordable housing obligations for non-residential development. The redeveloper(s) affordable housing obligation, if any, shall be that required by applicable law.

N. Relationship to Local Development Regulations

N.J.S.A. 40A:12A-7c. requires the redevelopment plan to indicate:

The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.).

This redevelopment plan incorporates all chapters of the Cinnaminson Township Code; except those

identified in **Section F. Proposed Land Uses and Building Requirements**, above, which shall supersede them.

O. Municipal Master Plan Consistency

N.J.S.A. 40A:12A-7d. requires that:

All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

This redevelopment plan is consistent with Cinnaminson Township's 1982 Master Plan and the recommendations in the subsequent reexamination reports in 1989, 1997, 2002, and 2019.

Appendix A

*Cinnaminson Township Committee Resolution 2013-129,
Designating Lots 25-28 of Block 1403 as
“A Condemnation Area in Need of Redevelopment”*

TOWNSHIP OF CINNAMINSON

RESOLUTION 2013-129

RESOLUTION ACCEPTING RECOMMENDATION OF TOWNSHIP PLANNING BOARD REGARDING BOUNDARIES OF A SPECIFIC PROPOSED AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq., AND DEFERRING FOR FURTHER DISCUSSION OTHER RECOMMENDATIONS REGARDING SAME

WHEREAS, by Resolutions 2013-33 and 2013-68, adopted January 7, 2013 and April 1, 2013, respectively, the Township Committee of the Township of Cinnaminson authorized and directed the Cinnaminson Township Planning Board to conduct a preliminary redevelopment investigation to determine whether certain properties within the municipality qualified under the statutory criteria as “Areas in Need of Redevelopment”, or alternatively, “Areas in Need of Rehabilitation” within the meaning and intendment of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Study Area”); and

WHEREAS, the properties in question, and comprising the Study Area, include the following properties:

Block 1004, Lots 13.01., 13.02, 13.03, 30, 31, 33, 34, 35 and

Block 1005, Lots 1, 2,

Block 1004, Lot 45

Block 1304, Lots 17, 18, 19, 20

Block 2301, Lot 1

Block 1403, Lots 25, 26, 27, 28; and

WHEREAS, the Cinnaminson Township Planning Board, pursuant to all notices required by law, conducted a public hearing on April 23, 2013, as the result of which hearing,

the Planning Board made recommendations to the Township Council regarding the properties within the Study Area, which recommendations were memorialized in Resolution # PB 2013-17, # PB 2013-18, # PB 2013-19, # PB 2013-20, all adopted by the Planning Board on May 14, 2013; and

WHEREAS, the Township Committee reviewed those Resolutions, as well as the Township Planner's reports entitled, "Preliminary Investigation for Determination of an Area in Need of Redevelopment or Rehabilitation...", for each of the four (4) areas falling within each of the respective Resolutions; and

WHEREAS, said reports recommended the designation of certain "Redevelopment Areas" identified by the Township Committee in its Referral Resolutions; and

WHEREAS, the areas recommended for determination as redevelopment or rehabilitation are more specifically described in said reports, and the boundaries of same are shown on the maps and exhibits included within said "Preliminary Investigations"; and

WHEREAS, the Township Committee reviewed said reports, and also considered recent case law issued by the Superior Court of New Jersey, Appellate Division, regarding the utilization of eminent domain as a tool for redevelopment purposes, and based upon same, expressed its belief that while one of the recommendations could be adopted and accepted, the others should be deferred for further consideration and discussion by the Township Committee; and

WHEREAS, as a result of said review and consideration, the Township Committee adopted Resolution 2013-91, accepting the Planning Board's recommendations set forth in Planning Board Resolution PB 2013-17, and accepting the designation of Block 1004, Lot 45 as "an area in need of redevelopment"; and

WHEREAS, following said review and consideration, the Township Committee also remanded, by Resolution 2013-105, to the Planning Board, for further consideration of whether the following properties could indeed be considered “blighted” and therefore, eligible for eminent domain if determined to be “areas in need of redevelopment”:

Block 1004, Lots 13.01, 13.02, 13.03, 30, 31, 33, 34, 35;

Block 1005, Lots 1, 2;

Block 1304, Lots 17, 18, 19, 20;

Block 2301, Lot 1;

Block 1403, Lots 25, 26, 27, 28; and

WHEREAS, following said remand, the Planning Board directed its Planner to supplement her previous “Preliminary Investigation for the Area” to specifically address the standards of blight for these properties, as a result of which, on or about July 2, 2013, the Planner issued her reports for said properties; and

WHEREAS, pursuant to all notices required by law, the Planning Board conducted a public hearing on July 23, 2013 on the Township Committee’s referral of the area to the Board for the issue of blight determinations for each of the properties so remanded; and

WHEREAS, following the conclusion of the public hearing on the issue, the Planning Board voted on each of the separate sets of properties, which votes resulted in the adoption of certain resolutions on August 13, 2013, by the Planning Board, said resolutions variously being numbered 2013-28, 2013-29, and 2013-30, all of which resolutions, and the planning reports incorporated therein, and the testimony and other evidence considered by the Planning Board, are incorporated and adopted herein and made a part hereof by reference; and

WHEREAS, the Planning Board has now recommended to the Township Committee that:

- a. Block 1304, Lots 17, 18, 19, and Block 1305, Lot 1;
- b. Block 1403, Lots 25, 26, 27, 28;
- c. Block 1005, Lots 1 and 2

be determined to be an area/areas in need of redevelopment and that said properties meet the definition of blight under the New Jersey Constitution and case law interpreting same;

- d. Block 1004, Lots 13.01, 13.02, 13.03, 30, 31, 33, 34, 35;
- e. Block 1304, Lot 20

are determined to be areas in need of redevelopment, but are not blighted under New Jersey Law; and

WHEREAS, the Township Committee has reviewed said resolutions and the reports incorporated therein, and has determined to accept the recommendations of the Planning Board regarding the Study Areas; and

WHEREAS, the Local Redevelopment and Housing Law provides for supplementary procedures to establish a Redevelopment Plan for the municipality, and the Township Committee has determined that it will embark upon the preparation of such a Redevelopment Plan;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, as follows:

- 1. The foregoing Recitals are incorporated herein and adopted hereby as the factual predicate, along with those set forth below, for the adoption of this resolution.

2. In accordance with the provisions of N.J.S.A. 40A:12A-6(b)(5), the Township Committee, as the governing body of this municipality, hereby accepts the factual findings set forth in the Planner's reports adopted variously by the Cinnaminson Township Planning Board, both before the remand, and thereafter, and last approved by the Cinnaminson Township Planning Board in its resolutions 2013-29, 2013-29 and 2013-30.
3. The Township Committee hereby accepts the recommendations of the Planning Board regarding the geographical boundaries which will define the proposed Redevelopment Areas, as well as the distinction between those which are eligible to be considered as "blighted", and those which cannot be considered "blighted."
4. The Township Committee hereby declares its desire to invite and encourage the participation and involvement of land owners, private investors, private developers and the general public in the process of advancing the interest of the municipality in redeveloping and rehabilitating the areas in question.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Cinnaminson Township Planning Board, to the Burlington County Office of Land Use Planning, to the Department of Community Affairs of the State of New Jersey; and that a copy be posted on the municipal bulletin board, and that a copy be published in the *Burlington County Times* within fourteen (14) days of the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that a true and correct copy of this resolution so designating any Areas in Need of Redevelopment be immediately forwarded to the

Commissioner of the New Jersey Department of Community Affairs, and that a copy of same also be forwarded to each the owner of the redevelopment properties which have been considered to be “blighted”, by certified mail, under cover letter setting forth the three prong designation notice requirements set forth in Harrison v. DeRose, et al, 398 N.J. Super. 361 (App. Div. 208), to fully inform owners that:

- a. The owner’s property has been designated for redevelopment;
- b. The redevelopment designation operates as a finding of the public purpose and authorizes the municipality to acquire the property against the owner’s will; and
- c. Informs the owner of the time limits within which the owner may take legal action to challenge the designation.

CINNAMINSON TOWNSHIP COMMITTEE

Certified to be a true copy of a resolution adopted by the Cinnaminson Township Committee on the _____ day of _____, 2013.

Pamela McCartney, RMC, CMR, Township Clerk

Appendix B
Fig. 1: Location Map



Fig. 1: Location Map

**299-307 US Route 130
 Condemnation Area Redevelopment Plan
 Lots 25-28 of Block 1403
 Cinnaminson Township, NJ**

SOURCE: NJDEP GIS DATA



**ENVIRONMENTAL
 RESOLUTIONS, INC.**

Engineers • Planners • Scientists • Surveyors
 815 EAST GATE DR. SUITE 103
 MOUNT LAUREL, NEW JERSEY 08054
 TEL. 856-235-7170 FAX 856-273-9239

Appendix C
Conceptual Site Plan

Appendix D

*Letter from the Commissioner of the NJ Department of Community Affairs
Dated March 3, 2020, Approving the Non-Condensation Redevelopment Area Designation*



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

RECEIVED
3/8/2021

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

March 3, 2020

The Honorable Albert Segrest
Mayor
Township of Cinnaminson
1621 Riverton Rd
Cinnaminson, New Jersey 08077

RE: Review of Resolution 2013-129 designating Block 1304, Lots 17-19; Block 1305, Lot 1; Block 1403, Lots 25-28; and Block 1005, Lots 1 and 2 as an Area in Need of Redevelopment (Condemnation) and designating Block 1004, Lots 13.01-13.02, 30, 31, 34, and 35; and Block 1304, Lot 20 as an Area in Need of Redevelopment (Non-Condemnation)

Dear Mayor Segrest:

The Department of Community Affairs (DCA) is in receipt of the above-referenced resolution. The determination areas are situated where development and redevelopment are encouraged pursuant to State law or regulation. Accordingly, pursuant to N.J.S.A. 40A:12A-6b (5)(c), the redevelopment area determination took effect after transmission to the Commissioner of DCA.

The municipality or redeveloper may find the New Jersey Business Action Center (BAC), located in the Department of State, helpful in identifying potential sources of state financing to facilitate the redevelopment of these properties. You may contact the BAC by calling (866) 534-7789.

This determination is a tribute to the work the Township of Cinnaminson has done. Please feel free to contact Keith Henderson at (609) 292-4523 if you need any further assistance.

Sincerely,

Lt. Governor Sheila Y. Oliver
Commissioner

cc: Municipal Clerk
Donna Rendeiro, New Jersey Business Action Center
Sean Thompson, Local Planning Services



Appendix E
Cinnaminson Township Committee Ordinance 21##-##,
Adopting a Redevelopment Plan for the
299-307 US Route 130 Condemnation Redevelopment Area
(Lots 25-28 of Block 1403)

TO BE INCLUDED AFTER ADOPTION