

BOROUGH OF BERGENFIELD

ORDINANCE NO. 22-2603

AN ORDINANCE DESIGNATING THE FOLLOWING PROPERTIES AS AREAS IN NEED OF REDEVELOPMENT

AREA ALONG WOODBINE STREET FRONTAGE (AREA G)

AREA ALONG LEGION DRIVE FRONTAGE (AREA H)

PREPARED PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

N.J.S.A. 40A:12A-1 ET. SEQ.

BE IT ORDAINED, that the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey does hereby enact the above captioned ordinance; and

WHEREAS, the Mayor and Council of the Borough of Bergenfield requested that the Planning Board of the Borough of Bergenfield undertake a subsequent investigation in order to determine whether the Area along Woodbine Steet Frontage (Area G) and the Area along Legion Drive Frontage (Area H) on the tax map of the Borough of Bergenfield were areas in need of redevelopment; and

WHEREAS, on March 31, 2022, the Planning Board held a public hearing concerning the Areas of Investigation during which Gloria Oh, Esq. represented the Planning Board of the Borough; and

WHEREAS, on March 31, 2022, the Planning Board received the uncontested testimony of David Juzmeski, P.E., P.P. of Neglia Engineering Associates who observed the Areas of Investigation which confirmed the description of conditions found in the Investigation Report; and

WHEREAS, the Planning Board hearing was opened to the public on March 31, 2022 for the purposes of hearing all persons who are interested in or would be affected by a determination that the Areas of Investigation is a redevelopment area; and

WHEREAS, after completing its hearing and investigation of this matter on March 31, 2022 the Planning Board determined to recommend that the Mayor and Council designate the Areas of Investigation as a redevelopment area because the Investigation Report and testimony provided substantial evidence that the Areas of Investigation meets the criteria enumerated in the Investigation Report and that the Area of Investigation is having a decadent effect on surrounding property; and

WHEREAS, on March 31, 2022, the Planning Board adopted a resolution recommending the Governing Body designate the within referenced Areas G & H as areas in need of redevelopment without condemnation; and

WHEREAS the Mayor and Council of the Borough of Bergenfield pursuant to this ordinance, have determined that that the Area along Woodbine Street frontage (Area G) and the Area along Legion Drive Frontage (Area H) on the tax map of the Borough of Bergenfield are to be classified as areas of redevelopment pursuant to the Local Redevelopment and Housing Laws ("LRHL").

NOW, THEREFORE, Be it Ordained by the Mayor and Council of the Borough of Bergenfield as follows:

SECTION 1. REDEVELOPMENT AREA.

- a. The Area along Woodbine Street frontage (Area G) and the Area along Legion Drive Frontage (Area H) on the tax map of the Borough of Bergenfield are hereby classified as Areas of Redevelopment.

SECTION 2. REPEALER.

All ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

This Ordinance shall be part of the Borough of Bergenfield Land Use Ordinance as though codified and set forth fully herein.

The Borough of Bergenfield Zoning Map shall be amended to identify the Redevelopment Area.

SECTION 3. SEVERABILITY/TERMS OF THE ORDINANCE.

If any provision of this ordinance or the application of said provisions to any person or circumstances is declared invalid, such invalidity shall not affect the remainder of this ordinance and, to this end, the provisions of this act are declared to be severable.

If any provision of this ordinance is declared unconstitutional, same shall not affect the remainder.

All ordinances or part thereof inconsistent wherewith are hereby repealed to the extent of such inconsistency of this ordinance and to this end, the provision of this act are declared to be severable.

SECTION 4. Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 19th day of July, 2022 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Municipal Building in the Borough of Bergenfield, Bergen County, New Jersey, on the 16th day of August, 2022 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.

Marie Quinones

Borough Clerk