

TOWNSHIP OF CHESTERFIELD

RESOLUTION 2020-5-6

RESOLUTION ACCEPTING RECOMMENDATION OF TOWNSHIP PLANNING BOARD REGARDING BOUNDARIES OF PROPOSED AREA IN NEED OF REHABILITATION PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *et seq.*

WHEREAS, by Resolution 2020-2-6, the Chesterfield Township Committee authorized and directed the Chesterfield Township Planning Board to conduct a preliminary redevelopment investigation to determine whether a certain property within the municipality qualified under the statutory criteria as an “area 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 property in question, and comprising the “Study Area”, is known and identified as Block 701, Lot 2.01, familiarly known as “Old York Country Club”; and

WHEREAS, the Chesterfield Township Planning Board conducted a public hearing on the matter on May 19, 2020, as a result of which hearing, the Planning Board has made recommendations to the Township Committee regarding the Study Area, which recommendations were memorialized in a Memorandum dated May 20, 2020 from Planning Board Attorney, Douglas L. Heinold, Esquire, to Township Attorney, John C. Gillespie, Esquire, which is attached hereto and made a part of this Resolution; and

WHEREAS, contemporaneous with said Memorandum, the Planning Board transmitted to the Township Committee the Study Report dated May 2020 prepared by CME Associates; and

WHEREAS, said Report recommended designation of Block 701, Lot 2.01 as a rehabilitation area; and

WHEREAS, the area to be recommended for determination as a rehabilitation area is more specifically described in said Report, and the boundaries of same are shown on the map attached to same, which map is incorporated herein by reference; and

WHEREAS, the Township Committee has reviewed said Report and the Planning Board Attorney's Memorandum dated May 20, 2020.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chesterfield, 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-14, the Township Committee, as the governing body of this municipality, hereby accepts the factual findings set forth in the aforementioned Report prepared by CME Associates, dated May 2020.

3. The Township Committee hereby accepts the recommendations of the Planning Board regarding the geographical boundaries which will define the proposed Rehabilitation Area, and therefore determines that Block 701, Lot 2.01, be and is hereby designated as an Area In Need Of Rehabilitation under N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chesterfield Township Planning Board, to the Burlington County Office of Land Use Planning, to the Commissioner of the Department of Community Affairs; that a copy be

**CHESTERFIELD TOWNSHIP
MEMORANDUM**

To: John Gillespie, Esquire, Township Attorney
From: Doug Heinold, Esquire, Board Attorney
Re: Old York Country Club – Rehabilitation Designation
Date: May 20, 2020

This memorandum is provided with regard to the referral of the Old York Country Club properties to the Chesterfield Township Planning Board for determination as to whether the properties qualify for a Rehabilitation designation as set forth under N.J.S.A. 40A:12A-14. I will be preparing a Resolution for the Board to adopt, but this memo will convey the determination so that the Committee can move forward with the designation consideration.

The Board reviewed and held discussion with regard to the Area in Need of Rehabilitation Preliminary Investigation Study – Old York Country Club, Block 701, Lot 2.01, 228 Old York Road, prepared by Chris Dochney, AICP, PP, dated May 2020. Mr. Dochney gave an overview of the Report, and noted his conclusions that the site qualified in his opinion pursuant to criterion 1 (a significant portion of the structures therein are in a deteriorated or substandard condition) and criterion 5 (environmental contamination).

The Board recommended that the Property be designated for Rehabilitation. In doing so, it agreed with criterion 5. With regard to criterion 1, there was some question as to whether accessory structures on the site that are substandard is a sufficient basis when the principal structures are not in significant disrepair. It was agreed that this question/ concern would be best relayed to the Committee, as the Committee ultimately makes the determination and can further discuss and examine the application of that criterion.

In short, the Board felt that the significant and most reliable criterion impeding rehabilitation was the condition of the waste treatment systems, the impact of their failure on groundwater, and the now prohibitive costs of repair that would be difficult to meet. The Board was satisfied that if criterion 5 were only criterion, it would support the rehabilitation determination.

As a secondary element to the primary determination of making a recommendation, the Board wanted to underscore for the Township Committee that were the governing body to designate this property as an area in need of rehabilitation and if that were to result in a change in zoning removing this property from an AG zone, the Committee should consider the implications under the Master Plan if development credits are lost. This consideration should include whether there are adequate additional credits to permit the receiving area to fully develop, and how the loss of these credits might affect the position of the Township in future COAH rounds.

If you need anything further with regard to the above, please let me know. Upon adoption of the Resolution, we will provide a copy to you and the Committee in the normal course.