

CRANBURY TOWNSHIP ORDINANCE 06-16-10

**AN ORDINANCE AUTHORIZING THE SALE
OF REMNANT PUBLIC PROPERTY LOCATED
AT BLOCK 19, LOT 1, FOR PUBLIC PURPOSES**

WHEREAS, on December 22, 2014, the Township Committee of the Township of Cranbury directed the Cranbury Township Planning Board to investigate whether the area consisting of Block 19, Lots 2, 3 and 4, and Block 20.16, Lots 7, 8, 9, 10 and 20 (referred to as “the Cheney/Hagerty/Kushner” site, or “the Study Area”) met the criteria set forth in the Local Redevelopment and Housing Law (*N.J.S.A. 40A:12A-1 et seq.*) for designation as an area in need of redevelopment; and

WHEREAS, on March 12, 2015, the Planning Board found that the Study Area qualified as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5a, -5b, -5c, and -5d*; and

WHEREAS, on March 23, 2015, the Township Committee designated the Study Area as an area in need of redevelopment (non-condemnation), pursuant to *N.J.S.A. 40A:12A-6*; and

WHEREAS, on April 10, 2015, the Acting Commissioner of the Department of Community Affairs approved the Township Committee’s designation of the Study Area as an area in need of redevelopment (non-condemnation); and

WHEREAS, on October 26, 2015, the Township Committee adopted Ordinance # 10-18-15, the “Redevelopment Plan for the Cheney/Hagerty/Kushner Tract in the Township of Cranbury, New Jersey” (“the Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan found that acquisition of a portion of the County right-of-way adjacent to the intersection of Old Trenton Road and South Main Street, would promote the goals of the Redevelopment Plan (Redevelopment Plan at 27); and

WHEREAS, on December 15, 2015, the Planning Board granted subdivision and site plan approval conditioned upon the redeveloper “acquir[ing] the County-owned property shown on the applicant’s plans at the corner of Old Trenton Road and South Main Street”; and the Planning Board stated that “the Board encourages the Township to assist the applicant in this endeavor as needed” (Resolution of Memorialization, Exhibit B, Condition 7, page 19); and

WHEREAS, the “County-owned property shown on the applicant’s plans at the corner of Old Trenton Road and South Main Street” is a remnant of Block 19, Lot 1; and

WHEREAS, the property-in-question is owned by Middlesex County; and

WHEREAS, the property-in-question is depicted on the survey entitled “Boundary Survey of Block 19, Remnant of Lot 1,” attached hereto as Exhibit A; and

WHEREAS, transfer of the property-in-question to the redeveloper effectuates a public purpose because transfer will facilitate the redevelopment of the parcel, the overall goals of which, as stated on page 8 of the adopted Redevelopment Plan, are as follows:

- To provide for appropriate land uses that will eliminate blight, promote economic development and growth opportunities, and serve the needs of the community.
- To provide for an increase in the economic base of the Redevelopment Area and the entire Township by redeveloping underutilized and non-productive properties.
- To minimize the negative impact of existing land uses in the Redevelopment Area on the surrounding neighborhood.
- To capitalize on the existing strengths of the Redevelopment Area, including its location at a gateway into the historic village of Cranbury and the significant amount of pass-by traffic from motorists traveling into and out of Cranbury along both Old Trenton Road and South Main Street.
- To promote new residential development in the Redevelopment Area in a manner that will benefit the community.
- To provide for affordable housing in satisfaction of the Township’s affordable housing obligation; and

WHEREAS, transfer of the property-in-question to the redeveloper further effectuates a public purpose because the parcel is located at the southwest corner of the intersection of Old Trenton Road and South Main Street and:

- The addition of the land to the corner will help to create better sight lines for both pedestrians crossing Old Trenton Road and South Main Street, and for vehicular traffic turning right from Old Trenton Road to South Main Street, and from South Main Street into the first driveway serving the project itself.
- The additional land allows for a public plaza to be created at the intersection for outdoor seating which will enhance the use and enjoyment of the redevelopment site by the public.
- The added land will allow for improvements which will enhance the aesthetics of this corner of the project site and create a more attractive gateway into historic Cranbury Village – particularly from the south and west.
- Additional open space will be provided for the use and enjoyment of the affordable housing residents, who will be residing on the second floor of the mixed use retail/apartment building which is directly adjacent to the property-in-question; and

WHEREAS, transfer of public land from the Township to a redeveloper under the aforesaid circumstances is authorized pursuant to the Local Lands and Buildings Law, *N.J.S.A.* 40A:12-13(c) and the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-8(g); and

WHEREAS, transfer of the property-in-question from Cranbury Township to the redeveloper will not occur unless and until the property-in-question is transferred from Middlesex County to Cranbury Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Cranbury, that the Mayor, Clerk, Township Administrator and Township Attorney are authorized to take all actions necessary and proper to acquire the property-in-question from Middlesex County and to transfer said property to the redeveloper of the “Cheney/Hagerty/Kushner” site.

This Ordinance shall take effect immediately upon its passage and publication, as required by law.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of an Ordinance introduced on First Reading on June 27, 2016 at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey. It will be further heard on Second Reading, after a public hearing thereon at the Township Committee Meeting on July 25, 2016 at 7:00 p.m. Copies are available at Town Hall, 23-A North Main Street or on the Township’s web site: www.cranburytownship.org (click on “Document Library”) at no charge.

Kathleen R. Cunningham, RMC
Municipal Clerk