

ORDINANCE NO. 11-2024

**ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
ADOPTING THE “120 NJSH ROUTE 23”
REDEVELOPMENT PLAN PREPARED BY J. CALDWELL
ASSOCIATES DATED MARCH 22, 2024
(REVISED MAY 31, 2024)**

WHEREAS, the Governing Body of the Borough of Franklin (“Governing Body”) by Resolution 2016-19 authorized the Borough Land Use Board (“Board”) to undertake a preliminary investigation to determine whether the area commonly known as the “120 NJSH Route 23” is an “area in need of redevelopment” as defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“LRHL”); and

WHEREAS, at the conclusion of its investigation and following notice and a public hearing, the Board recommended that the area be designated by the Governing Body as an area in need of redevelopment (“120 NJSH Route 23 Redevelopment Area”); and

WHEREAS, the 120 NJSH Route 23 Redevelopment Area is defined as those properties known as Block 1601, Lot 5; and

WHEREAS, pursuant to the recommendations of the Board and, in accordance with the provisions of the LRHL, the Governing Body adopted Resolution 2024-35 designating the 120 NJSH Route 23 Redevelopment Area as an area in need of redevelopment; and

WHEREAS, in furtherance of redeveloping the 120 NJSH Route 23 Redevelopment Area, the Governing Body authorized and directed J. Caldwell & Associates to prepare a redevelopment plan for the 120 NJSH Route 23 Redevelopment Area; and

WHEREAS, in March of 2024, J. Caldwell & Associates completed its redevelopment plan entitled “120 NJSH Route 23 Redevelopment Plan” (“Redevelopment Plan”) and submitted it to the Governing Body for review and consideration; and

WHEREAS, if approved, the Redevelopment Plan will supersede the existing zoning and land development regulations for the “120 NJSH Route 23 Area”; and

WHEREAS, on in the March of 2024, the Governing Body submitted the Redevelopment Plan to the Board for review and recommendation concerning same in accordance with the provisions of N.J.S.A. 40A:12A-7; and

WHEREAS, on May 22, 2024 the Land Use Board transmitted to the Governing Body its report recommending that the Governing Body adopt the Redevelopment Plan, as submitted; and

WHEREAS, the Governing Body has reviewed the report of the Board and hereby determines that the Redevelopment Plan is necessary and appropriate; is in compliance with the

dictates of the LRHL; and will result in the successful redevelopment of the “120 NJSH Route 23 Site”, which has been declared to be an area in need of redevelopment.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey, as follows:

Section 1. Pursuant to N.J.S.A. 40A:12A-7, the Borough hereby adopts and approves the 120 NJSH Route 23 Redevelopment Plan dated March 22, 2024 (revised May 31, 2024) prepared by the J. Caldwell & Associates, a copy of which is attached hereto and hereby made a part of this Ordinance; and

Section 2. The Borough hereby directs that the 120 NJSH Route 23 Redevelopment Plan be filed with the Borough Clerk; and

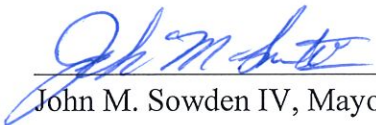
Section 3. Pursuant to N.J.S.A. 40A:12A-4(c), the Borough is, and hereby shall be, designated the redevelopment entity with all of the authority, rights, duties, and powers accorded to a redevelopment entity as set forth in N.J.S.A. 40A:12A-8; and

Section 4. The 120 NJSH Route 23 Redevelopment Plan shall supersede the existing zoning and land development regulations for Block 1601 Lot 5; and

Section 5. Pursuant to N.J.S.A. 40A:12A-7(c), the Borough’s Zoning Map is hereby amended to identify the 120 NJSH Route 23 Area and the properties described in Section 4 above, in the manner depicted in the 120 NJSH Route 23 Redevelopment Plan; and


Section 6. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof; and

Section 7. This Ordinance shall take effect upon the final passage and publication pursuant to Law.



John M. Sowden IV, Mayor

ATTEST:




Darlene J. Tremont, Borough Clerk

NOTICE


TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on May 28, 2024 and will be considered for final

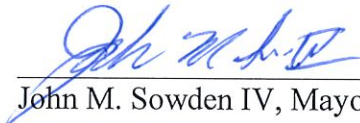
passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on June 11, 2024 at 7:00 p.m. in the Municipal Building, located at 46 Main Street, Franklin, New Jersey.


 Darlene J. Tremont, Borough Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 11th day of June, 2024.


 Darlene J. Tremont, Clerk
 Borough of Franklin


 John M. Sowden IV, Mayor

Introduced: May 28, 2024

Adopted: June 11, 2024

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					X
RACHEL HEATH COUNCIL PRESIDENT	X					
JOSEPH LIMON	X					
JOHN POSTAS				X		
STEPHEN SKELLENGER	X				X	
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X					
CONCETTO FORMICA	X				X	
RACHEL HEATH COUNCIL PRESIDENT	X					X
JOSEPH LIMON	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

**ORDINANCE NO. 11-2024
ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY
OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE
"120 NJSH ROUTE 23" REDEVELOPMENT PLAN PREPARED
BY J. CALDWELL ASSOCIATES DATED MARCH 22, 2024
(REVISED MAY 31, 2024)**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 28th day of May 2024, and the same came up for final passage at a meeting of the said Borough Council on the 11th day of June, 2024, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Darlene J. Tremont, Municipal Clerk