

ORDINANCE #03-26

AN ORDINANCE ADOPTING AN AMENDED HERCULES REDEVELOPMENT PLAN II FOR THE FORMER SUNSHINE BISCUIT SITE, SPECIFICALLY THE PROPERTIES IDENTIFIED AS BLOCK 53.02, LOT 8; BLOCK 54.01, LOTS 1.01, 1.02 AND 7; AND BLOCK 14, LOT 1 AS SHOWN ON THE TAX MAP OF THE BOROUGH OF SAYREVILLE, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7.

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute a “non-condemnation area in need of redevelopment,” and adopt redevelopment plans setting forth the terms and conditions of the development of such parcels; and

WHEREAS, the Borough previously designated the properties identified as Block 14, Lot 3; Block 25.01, Lot 1; Block 43, Lots 49, 250, 251; Block 44, Lots 249, 50; Block 45, Lot 51; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lots 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; and Block 57.01, Lot 1.01 on the Borough Tax Map, consisting of approximately 590 acres, as areas in need of redevelopment (the “Original Redevelopment Area”), and adopted the original Hercules Redevelopment Plan for same; and

WHEREAS, on September 23, 2024, the Borough Council of the Borough of Sayreville adopted Resolution No. 2024-229, authorizing the Borough of Sayreville Planning Board (hereinafter “Planning Board” or “Board”) to conduct a preliminary investigation of the former Sunshine Biscuit property to determine if the properties identified as Block 53.02, Lot 8; Block 54.01, Lots 1.01, 1.02, and 7; and Block 14, Lot 1 on the Borough Tax Map, which is adjacent to the Original Redevelopment area (the “Redevelopment Area”) meet the criteria set forth in Section 5 of the LRHL and should be designated as a “non-condemnation area in need of redevelopment;” and

WHEREAS, the Board authorized and directed Veena M. Sawant, AICP, PP, to conduct the preliminary investigation, as well as prepare a report with maps and exhibits showing the boundaries of the Redevelopment Area, which she prepared a Preliminary Investigation Report, dated May 21, 2025 (the “Report”); and

WHEREAS, the Board considered the Report and held a public hearing on same at its May 21, 2025 public meeting; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on May 21, 2025, determined that the Study Area met one or more criteria to designate the Study Area as an “area in need of redevelopment,” which was memorialized by way of Resolution adopted on May 21, 2025; and

WHEREAS, the Borough Council, on June 16, 2025, designated the Redevelopment Area an area in need of redevelopment by adopting Resolution No. 2025-170, which

designated the Sayreville Economic and Redevelopment Agency (“SERA”) to prepare a redevelopment plan for the Redevelopment Area; and

WHEREAS, SERA, working with Ms. Sawant, prepared the Hercules Redevelopment Plan II for the Redevelopment Area, dated January 26, 2026 (the “Redevelopment Plan”); and

WHEREAS, the Mayor and Borough Council reviewed the Redevelopment Plan and found same to be satisfactory; and now desires to adopt the Redevelopment Plan, a copy of which is annexed hereto as **Exhibit A** and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan attached hereto and made a part hereof as Exhibit A is hereby approved pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

SECTION 2. The Borough Zoning Map shall be amended to designate the entirety of the Redevelopment Area to be consistent with the Redevelopment Plan.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Sayreville, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Borough of Sayreville are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid in any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 5. The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Middlesex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

SECTION 6. After introduction, the Borough Clerk is hereby directed to submit a copy of this Ordinance to the Planning Board of the Borough of Sayreville for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance, which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 7. Within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d).

If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved

SECTION 8. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; (iii) approval of the Mayor pursuant to N.J.S.A. 40A:60-5(d); and (iv) filing of the final form of adopted Ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

INTRODUCED/APPROVED ON FIRST READING

DATED: January 29, 2026

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

(Planning and Zoning Committee)

ADOPTED ON SECOND READING

DATED: February 23, 2026

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

(Planning and Zoning Committee)

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2026.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney

Exhibit "A"