

ORDINANCE #20-23

AN ORDINANCE ADOPTING PROPOSED MODIFICATIONS TO EXISTING WATERFRONT REDEVELOPMENT PLAN REGARDING PROPERTY LOCATED ON PARCELS D THROUGH K, INCLUDING BLOCK 333.02, LOTS 1, 2 AND 3 IN PARCEL J PURSUANT TO N.J.S.A. § 40A:12A-7(e) AND SUPPLEMENTING AND AMENDING THE GENERAL ORDINANCES AND ZONING MAP OF THE BOROUGH OF SAYREVILLE

WHEREAS, the Borough of Sayreville (the "Borough") adopted a redevelopment plan, entitled "Waterfront Redevelopment Plan" (the "Plan"), which Plan includes certain property located at Main Street (CR-670) and Garden State Parkway, Sayreville, New Jersey 08872 and identified as Block 333.02, Lots 1, 2 & 3 in Parcel J of the Plan (the "Property"); and

WHEREAS, InSite Development Partners LLC, a New Jersey Limited Liability Company, located at 19191 S Vermont Ave, Ste 680, Torrance, CA 90502, has proposed to construct on a self-storage facility on said Property pursuant to a site plan, entitled "Preliminary and Final Major Site Plan for Insite Development Partners, LLC, Proposed Self-Storage Facility, Block 333.02, Lots 1, 2 & 3; Tax Map Sheet #99, Latest Rev. Dated 02-1991, Main Street (CR-670) & Garden State Parkway, Borough of Sayreville, Middlesex County, New Jersey", dated 09/29/2022 and prepared by Dynamic Engineering ("Concept Plan"), which Concept Plan is on file with the Sayreville Economic and Redevelopment Agency ("Agency"); and

WHEREAS, on February 23, 2023, the Agency found said Concept Plan to be consistent with the goals of the Borough of Sayreville and designated InSite Development Partners LLC as the Conditional Redeveloper (the "Redeveloper") of the Property; and

WHEREAS, the Redeveloper has proposed certain modifications to the Waterfront Redevelopment Plan, which modifications are shown in underline and strikeout and attached hereto as Exhibit A, regarding property located on Parcels D through K, including Block 333.02, Lots 1, 2 and 3 in Parcel J; and

WHEREAS, the Agency Engineer has reviewed said proposed amendments, attached hereto as Exhibit A, and has found the same to be consistent with the Redeveloper's presentation to the Agency; and

WHEREAS, on May 25, 2023, the Agency adopted a Resolution recommending that the Borough Council refer the proposed amendments, attached hereto as Exhibit A, to the Borough Planning Board for review in accordance with the provisions of N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Borough Council has reviewed the proposed amendments, attached hereto as Exhibit A, to said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

WHEREAS, pursuant to N.J.S.A. § 40A:12A-7(e), prior to the adoption of the aforementioned modifications to a redevelopment plan, the Planning Board shall

transmit to the Governing Body, within 45 days after referral, a report containing its recommendation concerning the same; and

WHEREAS, pursuant to Resolution No. 2023-198 dated July 17, 2023, the proposed modifications to the Plan, attached hereto as Exhibit A, were referred to the Borough Planning Board for review in accordance with the provisions of N.J.S.A. § 40A:12A-7(e) and the Planning Board was directed to prepare a report of its recommendations to the proposed modifications to the Plan in accordance with the requirements set forth in the Redevelopment Law; and

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

Section 1. The Borough hereby approves the proposed modifications to the Plan, which are attached hereto as Exhibit A, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The Plan, as amended, shall supersede all provisions of the Zoning and General Ordinances of the Borough of Sayreville regulating development in the area addressed by the Plan, unless otherwise noted in the Plan, as amended.

Section 3. Final adoption of the Plan, as amended, by the Borough Council shall be considered an amendment of the Borough of Sayreville Zoning Map. The Zoning District Map in the Zoning Ordinances of the Borough shall be amended to include the boundaries described in the Plan, as amended, and the provisions therein.

Section 4. All of the provisions of the Plan, as amended, shall supersede the applicable development regulations of the Borough's Ordinances, as and where indicated, for the properties subject to said Plan. In the event of any inconsistencies between the provisions of the Plan, as amended, and any prior ordinance of the Borough of Sayreville, the provisions of the Plan, as amended, shall govern.

Section 5. Chapter XXIII entitled "Zoning" of *The Revised General Ordinances of the Borough of Sayreville*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in Plan, as amended, for lands known as Parcels D through K, including Block 333.02, Lots 1, 2 and 3 in Parcel J.

Section 6. A copy of this Ordinance shall be forwarded to the Planning Board in accordance with N.J.S.A 40A:12A-7e.

Section 7. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

Section 8. The within Ordinance shall take effect in the time and manner provided by law.

Exhibit A

INTRODUCED/APPROVED ON FIRST READING

DATED: July 17, 2023

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

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: August 21, 2023

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

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2023.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

SEAN KEAN, ESQ., Borough Attorney