

**RESOLUTION OF THE BOARD OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, NEW JERSEY RECOMMENDING THAT CERTAIN PROPERTY IN THE BOROUGH BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT**

**WHEREAS**, the 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 in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-6* of the Redevelopment Law, the Council of the Borough of Mount Arlington, in the County of Morris, New Jersey (the “**Borough Council**”) must authorize the Board of the Borough (the “**Board**”) to conduct an investigation of the area and make recommendations to the Borough Council; and

**WHEREAS**, the Borough Council, by Resolution #2022-130, adopted October 4, 2022 pursuant to the Redevelopment Law, authorized and directed the Board to undertake a preliminary investigation to determine if property designated as Block 30, Lot 3 (386 Howard Boulevard) on the Tax Map of the Borough of Mount Arlington, (the “**First Study Area**”) constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, the Borough Council, by Resolution #2022-137, adopted November 1, 2022 pursuant to the Redevelopment Law, authorized and directed the Board to undertake a preliminary investigation to determine if property designated as Block 30, Lot 1 (382 Howard Boulevard) on the Tax Map of the Borough of Mount Arlington, (together with the First Study Area, the “**Study Area**”) constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, the aforesaid resolutions authorized the Board to investigate the Study Area as a non-condemnation redevelopment area (as defined in *N.J.S.A. 40A:12A-6(a)* of the Redevelopment Law), within which the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, excluding the power of eminent domain, known as a non-condemnation redevelopment area; and

**WHEREAS**, the Board received and reviewed the preliminary investigation prepared for the Study Area entitled “Area in Need of Redevelopment Study, 382 & 386 Howard Boulevard, Block 30, Lots 1 & 3, Mount Arlington, Morris County, New Jersey”, prepared by J.Caldwell & Associates, LLC, dated October 6, 2023 (the “**Study**”)

**WHEREAS**, on October 25, 2023 the Board conducted a public hearing, reviewed the Study, and voted to approve the Study and recommend designation of the Study Area; and

**WHEREAS**, the Board caused to be published advance notice of said public meeting in the Daily Record on two occasions and served notice of said public meeting on all owners of property within the Study Area, said publication and service having been completed at least ten days in advance of the public hearing date; and

**WHEREAS**, at the public hearing, the Board heard the testimony of Jessica Caldwell Dykstra, P.P., A.I.C.P., a New Jersey Licensed Planner, J.Caldwell & Associates; and

**WHEREAS**, the Board, after due consideration of the Study, Mrs. Dykstra's testimony, and the comments from the public made part of the public record and after consulting appropriate municipal departments and counsel, concurs with the Study and makes the following findings:

1. Block 30, Lot 1 meets criteria d because the residential use is obsolescent, criteria h because it is located in the Borough's Village Center, and *N.J.S.A. 40A:12A-3* as Block 30, Lots 7, 15 and 16 were previously designated as a redevelopment area and the addition of the Study Area would complete the block and its inclusion would allow for the effective redevelopment of the Village Center.
2. Block 30, Lot 3 meets criteria a because of the deteriorated condition of the buildings and improvements, criteria d because the residential use is obsolescent, criteria h because it is located in the Borough's Village Center, and *N.J.S.A. 40A:12A-3* as Block 30, Lots 7, 15 and 16 were previously designated as a redevelopment area and the addition of the Study Area would complete the block and its inclusion would allow for the effective redevelopment of the Village Center.
3. After reviewing the Study, hearing the presentation by Mrs. Dykstra, and considering the comments of the public, the Board recommends to the Borough Council to designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED BY THE LAND USE BOARD FOR THE BOROUGH OF MOUNT ARLINGTON**, that on this 15 day of November, 2023, the Board makes the following findings with respect to the investigation of the Study Area:

1. The recitals set forth above are hereby incorporated as though set forth in full herein.
2. The Board hereby finds and concludes, and further recommends to the Mayor and Borough Council, that the Study Area be designated as a Non-condemnation Redevelopment Area, as defined in the Redevelopment Law, as each lot meets one or more of the criteria set forth in the Redevelopment Law as specifically described in the Study.
3. The Board Secretary is hereby directed to provide a copy of this Resolution to the Mayor and Borough Council upon adoption.

This Resolution adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2023 memorializes the action taken at a meeting of the Land Use Board of the Borough of Mount Arlington, in the County of Morris, at its meeting held on October 25, 2023.

---

Kathy Appleby, Land Use Board Secretary