

## TOWNSHIP OF UPPER DEERFIELD

### RESOLUTION 23-68

#### APPROVING THE APPLICATION FOR A LONG-TERM TAX EXEMPTION SUBMITTED BY BRISTOL PONDS, UPPER DEERFIELD COMMERCIAL 1 URBAN RENEWAL, LLC

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the “**Redevelopment Law**”), provides a process for municipalities, such as the Township of Upper Deerfield (“**Township**”), to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment and/or rehabilitation; and

**WHEREAS**, on May 7, 2015, the Township Committee directed the Township planning board (“**Planning Board**”) to investigate whether that certain area of the Township commonly known as Block 1901, Lots 15, 15.02, 15.03, and 16 on the tax maps of the Township (the “**Property**”) constitutes an “area in need of redevelopment” as defined in the Redevelopment Law; and

**WHEREAS**, on December 14, 2015, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Township and made a recommendation to the Township Committee to designate the Property as an area in need of redevelopment; and

**WHEREAS**, on June 7, 2018, the Township Committee adopted Resolution 18-121 to have the Planning Board update its Area in Need of Redevelopment analysis; and

**WHEREAS**, the Planning Board conducted an investigation to update the study as part of which an updated Redevelopment Study dated July 6, 2018 was prepared entitled “Bristol Ponds Redevelopment Plan” (the “**Bristol Ponds Redevelopment Plan**”) and referred to the Planning Board for its review and recommendation by the Municipal Council; and

**WHEREAS**, on September 10, 2018, in accordance with the Redevelopment Law, the Planning Board of the Township reviewed the Bristol Ponds Redevelopment Plan and recommended its adoption; and

**WHEREAS**, on January 17, 2019, based upon the recommendation of the Planning Board, the Township Committee adopted a resolution to designate the Property as an “area in need of redevelopment” in accordance with the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, on March 21, 2019, after reviewing the Planning Board’s recommendation, the Township Committee adopted the Bristol Ponds Redevelopment Plan by Ordinance No. 798; and

**WHEREAS**, pursuant to Section 4 of the Redevelopment Law, the Township designated the Township Committee as the “**Redevelopment Entity**,” as such term is defined at *N.J.S.A. 40A:12A-3*, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the development of the Redevelopment Area; and

**WHEREAS**, the Property shall mean Block 1901, Lots 15.05, 15.06, 15.07 and 15.08 once the lot consolidation and subdivisions contained in the Resolutions are perfected; and

**WHEREAS**, Bristol Ponds, Upper Deerfield Commercial 1 Urban Renewal, LLC (the “**Redeveloper**”) is the contract purchaser of Block 1901, Lot 15.06 (the “**Redeveloper Parcel**”) in the Redevelopment Area; and

**WHEREAS**, Bristol Ponds, Upper Deerfield Commercial 1 Urban Renewal, LLC (the “**Entity**”) will undertake the financing, design, construction and completion of a proposed retail store to be located on Block 1901, Lot 15.06 (the design, development, financing and construction at the Property being hereafter referred to as the “**Project**”); and

**WHEREAS**, the Project will conform to all applicable municipal zoning ordinances as amended by the Redevelopment Plan and will be in conformance with the master plan of the Township; and

**WHEREAS**, the Entity filed (1) the application attached hereto as Exhibit A (the “**Application**”) seeking a tax exemption and approval of an urban renewal project and (2) a form of Financial Agreement (the “**Financial Agreement**”), pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**LTTE Law**”); and

**WHEREAS**, pursuant to authorization provided by Township Committee resolution adopted on February 16, 2023, the Township Committee and the Entity entered the Redevelopment Agreement for the development of the Project; and

**WHEREAS**, the Mayor has submitted the Application to the Township Committee with his recommendation for approval (the “**Mayor’s Recommendation**”), a copy of which recommendation is on file with the Township Clerk; and

**WHEREAS**, the Township Committee has reviewed the Application and wishes to approve same.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER DEERFIELD THAT THE APPLICATION FILED BY THE REDEVELOPER IS APPROVED.**

Moved By: Thomas Speranza

Seconded By: Scott Smith

VOTING

James P. Crilley  
John L. Daddario  
Scott Smith  
Thomas Speranza  
Joseph Spoltore

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
			X
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held February 16, 2023.

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Roy J. Spoltore, Township Clerk

**EXHIBIT A**

**Application for Long Term Tax Exemption**

**EXHIBIT B**

**Financial Agreement**