

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 23-69

APPROVING THE APPLICATION FOR A LONG-TERM TAX EXEMPTION SUBMITTED BY BRISTOL PONDS, UPPER DEERFIELD COMMERCIAL 2 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 19, 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.

WHEREAS, Bristol Ponds, Upper Deerfield Commercial 2 Urban Renewal, LLC (the “**Redeveloper**”) is the contract purchaser of Block 1901, Lot 15.07 (the “**Redeveloper Parcel**”) in the Redevelopment Area; and

WHEREAS, Bristol Ponds, Upper Deerfield Commercial 2 Urban Renewal, LLC (the “**Entity**”) will undertake the financing, design, construction and completion of a proposed restaurant to be located on Block 1901, Lot 15.07 (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.

Roy J. Spoltore, Township Clerk

EXHIBIT A

Application for Long Term Tax Exemption

EXHIBIT B

Financial Agreement