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**RESOLUTION 21-156**

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**Resolution Determining that the Properties Generally known as Block 7401, Lots 1.01, 1.01 CO1, 1.02, 2 and 3 and Block 7307, Lots 1, 2 and 3 as Shown on the Official Tax Map of the Municipality of Princeton Qualify and are Determined as an Area in Need of Redevelopment, Specifically a Non-Condensation Redevelopment Area, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.**

**WHEREAS**, the Mayor and Council of the Municipality of Princeton (“Princeton”) identified certain Properties, known as Block 7401, Lots 1.01, 1.01 C01, 1.02, 2 and 3 and Block 7307, Lots 1, 2 and 3 as delineated on the official tax map of Princeton (the “Properties”), to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the municipal planning board to undertake a preliminary study to determine whether the Properties meet the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

**WHEREAS**, on December 21, 2020, Princeton adopted Resolution 20-402 authorizing and directing the Princeton Planning Board (the “Planning Board”) to examine whether the Properties can be determined to be an area in need of redevelopment, specifically a non-condemnation redevelopment area such that Princeton will not have the right to exercise the power or use of eminent domain; and

**WHEREAS**, proper notice of the public hearing by the Planning Board was provided in advance pursuant to the requirements of Redevelopment Law, including notice to all persons interested or who would be affected by a determination that the Properties, if designated, would be a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Planning Board conducted a public hearing on April 22, 2021 to determine whether or not the Properties may be designated as a Non-Condensation Redevelopment Area, pursuant to the criteria set forth in the Redevelopment Law and the public was provided the opportunity to appear, provide testimony and comments; and

**WHEREAS**, a map showing the boundaries and the location of the Properties, as well as a report entitled Preliminary Investigation - Area in Need of Redevelopment Non-Eminent Domain for the Properties prepared by Carlos Rodrigues, FAICP, PP, dated March 10, 2021 (the “Preliminary Investigation Report”) was considered by the Planning Board at the hearings and the Preliminary Investigation Report and findings therein were incorporated into the record, which record is incorporated in this resolution by reference; and

**WHEREAS**, on April 22, 2021, the Planning Board recommended that the Properties be determined as a Non-Condemnation Redevelopment Area pursuant to the Redevelopment Law, including meeting criteria (a), (b), (d), (e) and (h), as well as Subsection 3, based on the preliminary investigation and the factual findings made by the Planning Board, including the Preliminary Investigation Report and the testimony presented at the hearing by Carlos Rodrigues, FAICP, PP, a licensed professional planner, who signed and authored the Preliminary Investigation Report, as well as other testimony presented at the hearing; and

**WHEREAS**, more specifically, the Planning Board found and determined that:

- Block 7401, Lots 1.01 and 1.01 C01, located at 301 North Harrison Street and commonly known as “Princeton Shopping Center”, based upon its vacancy rate, “obsolete layout”, “faulty arrangement and design”, aged infrastructure, and significant excess impervious surface coverage, meets criteria (b), (d) and (h) of the Redevelopment Law; and
- Block 7401, Lot 1.02, located at 389 North Harrison Street (a/k/a 351 Terhune Road), is a vacant site that is encumbered by multiple right-of-way easements that directly compromise the development ability on the site, and therefore meets criteria (e) and (h) of the Redevelopment Law; and
- Block 7401, Lots 2 and 3, commonly known and improved as “Grover Park,” is located in a State Planning Commission designated Regional Center and including it in the redevelopment area will create opportunities to plan comprehensively for the entire area and potentially remedy certain underlying conditions that originate off-site and make the park less usable to the public, and therefore meets criteria (h) and Section 3 of the Redevelopment Law; and
- Block 7307, Lot 1, located at the corner of North Harrison Street and Clearview Avenue and commonly known as the “Former PFARS Building” is “dilapidated”, “functionally obsolete”, “lacking in light” and “conducive to unwholesome working conditions” and the feasibility of an adaptive reuse of such a specialized building is questionable, and therefore, the property meets criteria (a), (d) and (h) of the Redevelopment Law; and
- Block 7307, Lots 2 and 3, located at 8 and 14 Clearview Avenues, meets criteria (h) and Section 3 of the Redevelopment Law as the two residential parcels are located in a State Planning Commission designated Regional Center, and in conjunction with the redevelopment of other properties in the Study Area, the properties may create opportunities to benefit the environ, enhance the public health and welfare, and facilitate pedestrian and bicycle connections; and

**WHEREAS**, the Mayor and Council have reviewed the Preliminary Investigation Report and the Planning Board's recommendations and based upon same, accepts the findings that the Properties meet the criteria for designation as a Non-Condensation Redevelopment Area; and

**WHEREAS**, as such, the Mayor and Council express their belief and determination that the designation of the Properties as a Non-Condensation Redevelopment Area and creation of a program for redevelopment may prevent further deterioration and will promote the overall development of the Properties.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Municipality of Princeton, on this 27<sup>th</sup> day of April, 2021, as follows:

1. The preamble to this resolution is hereby incorporated as if fully restated herein.
2. The Mayor and Council accepts the factual findings and recommendations of the Planning Board as reflected in the record of the public hearing held by the Planning Board on April 22, 2021 as supported by the Preliminary Investigation Report and the testimony of Carlos Rodrigues, FAICP, PP, a licensed professional planner, as well as other testimony presented at the hearing, and all are incorporated herein by reference.
3. The Mayor and Council determines that the Properties, known as Block 7401, Lots 1.01, 1.01 C01, 1.02, 2 and 3 and Block 7307, Lots 1, 2 and 3, meet the criteria and qualify as an "area in need of redevelopment" and shall be a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law, and specifically that:
  - a. Block 7401, Lots 1.01 and 1.01 C01 meet criteria (b), (d) and (h) of the Redevelopment Law; and
  - b. Block 7401, Lot 1.02 meets criteria (e) and (h) of the Redevelopment Law; and
  - c. Block 7401, Lots 2 and 3 meet criteria (h) and Section 3 of the Redevelopment Law; and
  - d. Block 7307, Lot 1 meets criteria (a), (d) and (h) of the Redevelopment Law; and
  - e. Block 7307, Lots 2 and 3 meet criteria (h) and Section 3 of the Redevelopment Law.
4. The Mayor and Council states that the redevelopment area determination as set forth herein shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area").

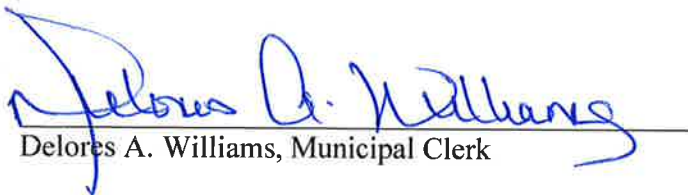
5. That within ten (10) days of the adoption of this Resolution, the Municipal Clerk shall serve a notice of the determination, including a copy of this Resolution, upon the last owner of the Properties according to the assessment records of the Princeton and upon each person who filed a written objection and stated, in or upon the written submission, an address to which notice of determination may be sent, which notice shall be in accordance with the requirements set forth in the Redevelopment Law.

6. That upon the adoption of this resolution, the Municipal Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey pursuant to N.J.S.A. 40A:12A-6.b.(5).

7. That this resolution shall take effect immediately.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Fraga		X			X			
Ms. Niedergang		X			X			
Ms. Pirone Lambros		X		X	X			
Ms. Sacks		X			X			
Mr. Williamson		X			X			
Mayor Freda		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held April 27, 2021.

  
 Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Area in Need of Redevelopment Memo (PDF)
- N Harrison Pl - Final (PDF)