

**FLORENCE TOWNSHIP  
ORDINANCE NO. 2012-35**

**ORDINANCE OF THE TOWNSHIP OF FLORENCE CONFIRMING  
THE DESIGNATION OF BLOCK 45, LOTS 8, 9, 10, 13, 14 and 15  
WITHIN THE TOWNSHIP AS AN AREA IN NEED OF  
REDEVELOPMENT UNDER THE NEW JERSEY LOCAL  
REDEVELOPMENT AND HOUSING ACT AND ADOPTING AN  
AMENDED REDEVELOPMENT PLAN FOR SUCH PARCELS**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, (the “*Act*”) allows municipalities to identify certain areas within their geographical boundaries as "Areas in Need of Redevelopment," or "Areas in Need of Rehabilitation," one of the purposes of which, among others, is to encourage private investment in certain properties through, e.g., the demolition, clearance, or removal of buildings, the construction and rehabilitation of existing buildings, the creation of new job opportunities and ratables within municipalities, etc.; and

**WHEREAS**, the Act empowers municipalities to authorize and direct their Municipal Planning Boards to cause preliminary investigations and investigations to be made to determine whether areas exist within the municipality that are "in need of redevelopment" or "in need of rehabilitation," N.J.S.A. 40A: 12A-6; and

**WHEREAS**, the Township of Florence, in the County of Burlington, New Jersey (the “*Township*”) formerly took over ownership of the entire Duffy School property from the Florence Township Board of Education for the primary purpose of developing the site for senior affordable housing in accordance with the requirements and regulations consistent with the New Jersey Council on Affordable Housing (COAH); and

**WHEREAS**, the Duffy School property is located on West Second Street and is designated as Block 45, Lot 8 (f/k/a lots 8, 13, 14 and 15) on the municipal tax maps (the “*Duffy School Property*”), and the privately owned site immediately connected to the Duffy School is identified as Block 45, 9 and 10 (the “*Privately Owned Site*” and together with the Duffy School Property, the “*Study Area*”), which Privately Owned Site is currently under contract to be sold to the Township; and

**WHEREAS**, on May 16, 2011 and at the request of the Mayor and Township Council of the Township (the “*Mayor and Council*”), the Florence Township Planning Board (the “*Planning Board*”), following a public hearing, found that the Study Area satisfied the criteria established under the Act as an “Area in Need of Redevelopment” and also recommended a redevelopment plan to assist in the beneficial reuse of the Study Area to promote the Township’s affordable housing goals; and

**WHEREAS**, on June 1, 2011 the Mayor and Council finally adopted and approved, as appropriate, Ordinance 2011-05 establishing the Study Area as a redevelopment area under the Act (the “*Duffy School Redevelopment Area*”) and approving a redevelopment plan (the

*“Duffy School Redevelopment Plan”*) prepared by Remington Vernick and Arango Engineers, Inc. dated April 2011; and

**WHEREAS**, the original investigation and the Declaration of the Duffy School Redevelopment Area (as hereinafter defined) each concluded that the Duffy School Redevelopment Area was classified as a “Suburban Planning Area” (“**PA2**”) within the Florence Roebling Town Center pursuant to the New Jersey State Development and Redevelopment Plan and reflects the characteristics set forth in such plan; and

**WHEREAS**, the Duffy School Redevelopment Plan proposed demolition of the school structure due to substantial deterioration and a conclusion that the building could not be restored; and

**WHEREAS**, the Township has been in discussions with several developers interested in undertaking an affordable housing project within the Duffy School Redevelopment Area and to expand potential funding sources for such a project, the Township and the development community have been exploring the possibility of using certain tax credit programs which are only available if the existing structure is rehabilitated and reused rather than demolished; and

**WHEREAS**, the Township would support the reuse of all or portions of the existing Duffy School structure as part of an affordable housing project if such reuse made the project more economically viable; and

**WHEREAS**, on June 11, 2012, the Mayor and Township Council adopted Resolution No. 2012-164, entitled “Resolution Authorizing and Directing the Florence Township Planning Board to Review and Comment on Whether a Previous Preliminary Investigation and Redevelopment Plan Prepared and Adopted pursuant to the New Jersey Local Development and Housing Law, Designating Certain Property Owned By Florence Township on West Second Street, and Commonly Identified as the former Duffy School and the Adjacent Connected Two Lots as an Area in Need of Redevelopment Should Be Amended in Accordance with the Meaning and Intendment of Said Statute and Approved by the Township of Florence” (i) authorized and requested the Planning Board to evaluate whether the Redevelopment Area continues to satisfy the criteria as an “Area in Need of Redevelopment” under the Act and propose an amended Redevelopment Plan pursuant to the Act; and

**WHEREAS**, on November 1, 2012, the Planning Board reviewed, endorsed and transmitted an report entitled “Amended Preliminary Investigation For Determination Of Area In Need Of Redevelopment And Redevelopment Plan [For The] Former Duffy School Area[;] Block 45, Lots 8, 9, 10, 13, 14, 15 [In] Florence Township Burlington County, New Jersey” prepared by Barbara Fegley, a licensed professional planner, of Environmental Resolutions, Inc., Mount Laurel, New Jersey and dated October 16, 2012 (the “*Amended Investigation Report and Proposed Amended Redevelopment Plan*”); and

**WHEREAS**, the Mayor and Council have had an opportunity to review the Amended Investigation Report and the Proposed Amended Redevelopment Plan and the public record compiled by the Planning Report in connection therewith (the “*Planning Board Record*”); and

**WHEREAS**, the Mayor and Council desires to approve the Amended Investigation Report and Proposed Amended Redevelopment Plan (the “*Declaration of the Duffy School Redevelopment Area*” as Part 1 of such report applies to the determination that Block 45, Lots 8, 9, 10, 13, 14 and 15 satisfy the Act’s criteria as an “Area in Need of Redevelopment” and the “*Amended Redevelopment Plan*” as part 2 of such report applies to the Duffy Street Redevelopment Area) in the form set forth in Exhibit A hereto, and direct that undertaking of certain action by Township Officials, including the Township’s Zoning Map be amended and superseded to reflect the provision of the Amended Redevelopment Plan;

**NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:**

Section 1. (a) The Declaration of the Duffy School Redevelopment Area is hereby approved.

(b) Pursuant to N.J.S.A. 40A:12A-6(b)(5), the Township Clerk is hereby directed to file a copy of this Ordinance, together with a Exhibit A hereto, with the Commissioner of the Department of Community Affairs on an immediate basis, together with a notification that the Township believes that as a PA2, the Duffy School Redevelopment Area designation is effective upon filing of the Ordinance.

(c) Within 10 days of the adoption of this Ordinance, the Township Clerk shall mail notice of the adoption of this ordinance and the Declaration of the Duffy School Redevelopment Area to any persons appearing in the Planning Board Record as opposed to the Declaration of the Duffy School Redevelopment Area at the address appearing in such record.

Section 2. The Amended Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit A is hereby approved.

Section 3. The zoning map of the Township of Florence is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Duffy School Redevelopment Area.

Section 4. The recitals of this ordinance shall be reproduced in the minutes of the meeting where this ordinance is finally adopted and shall serve as the reasoning of the Township Committee for purposes of N.J.S.A. 40A:12A-7(f).

Section 5. This ordinance shall take effect as provided in law.

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JERRY SANDUSKY  
President - Township Council

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JOY M. WEILER, RMC/MMC  
Township Clerk

**EXHIBIT A**

“Amended Preliminary Investigation For Determination Of Area In Need Of Redevelopment And Redevelopment Plan [For The] Former Duffy School Area[;] Block 45, Lots 8, 9, 10, 13, 14, 15 [In] Florence Township Burlington County, New Jersey” prepared by Barbara Fegley, a licensed professional planner, of Environmental Resolutions, Inc., Mount Laurel, New Jersey and dated October 16, 2012.

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NOTICE OF PENDING ORDINANCE AND SUMMARY

PUBLIC NOTICE IS HEREBY GIVEN that an ordinance, the summary terms of which are included herein, was duly introduced and passed upon first reading at a regular meeting of the Township Council of the Township of Florence, in the County of Burlington, New Jersey, held on November 7, 2012. It will be further considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Township Council to be held in the Municipal Building, 711 Broad Street, Florence, New Jersey on December 5, 2012 at 8:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be made available at no cost and during regular business hours, at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title: ORDINANCE OF THE TOWNSHIP OF FLORENCE CONFIRMING THE DESIGNATION OF BLOCK 45, LOTS 8, 9, 10, 13, 14 and 15 WITHIN THE TOWNSHIP AS AN AREA IN NEED OF REDEVELOPMENT UNDER THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING ACT AND ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR SUCH PARCELS

Summary: The Duffy School is a structure that was previously used as a school building by the Florence Board of Education. It is currently owned by the Township. It inhabits the majority of Block 45 within the Township. The other two parcels with Block 45 are a single family home and is under contract to be sold to the Township. In 2011, the Duffy School parcel and the single family home were declared as an area in need of redevelopment by the Township Council following a proper investigation by the Township Planning Board. A Redevelopment Plan (the "2011 Redevelopment Plan") was adopted to permit the demolition of the Duffy School structure and the use of the parcel to support an affordable housing project within the Township.

Following the adoption of the 2011 Redevelopment Plan, it was determined that the Duffy School structure could be rehabilitated and used for the purpose of affordable housing. In June 2012, the Township Council requested the Township Planning Board to evaluate whether the structure could and should be saved and whether the 2011 Redevelopment Plan should be amended to permit for the rehabilitation of the structure. On November 1, 2012, the Township Planning Board approved an amended Declaration that Block 45, Lots 8, 9, 10, 13, 14 and 15 is an Area in Need of Redevelopment and an Amended Redevelopment Plan allowing for the reuse of the Duffy School structure to promote an affordable housing project within the Township. This ordinance would confirm the earlier determination that the enumerated parcels are an Area in Need of Redevelopment and adopt the Amended Redevelopment Plan.

Copies of the Designation and Amended Redevelopment Plan are available for public inspection in the Office of the Florence Township Clerk.

JOY M. WEILER, RMC/MMC  
Township Clerk