

RESOLUTION # PB-2024-07
AMENDMENT AND SUPPLEMENT TO RESOLUTION OF THE
BOROUGH OF DEMAREST PLANNING BOARD
RECOMMENDING THAT PROPERTIES IDENTIFIED AS
BLOCK 23, LOTS 15, 16 AND 17.01 AND
BLOCK 49.01, LOTS 43.01, 43.02, 44, 45 AND 47.02;
ON THE TAX MAP OF THE BOROUGH OF DEMAREST
BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA
PURSUANT TO N.J.S.A. 40A:12A-5.

WHEREAS, pursuant to the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1, et seq., and Resolution No.: 055-24 of the Borough Council of the Borough of Demarest (hereinafter the "Council"), the Planning Board of the Borough of Demarest (hereinafter the "Board") authorized a preliminary investigation of Block 23, Lots 15, 16 and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45 and 47.02, on the Tax Map of the Borough of Demarest (hereinafter the "Study Area"), to determine whether the Study Area meets the criteria set forth in the LRHL, N.J.S.A. 40A:12A-5, and should be designated as an Area in Need of Redevelopment; and

WHEREAS, Resolution No.: 055-24 indicated that the properties in the Study Area may be deemed a Non-Condensation Redevelopment Area, in the event that the Board determines that the Study Area constitutes an Area in Need of Redevelopment under the LRHL, N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board received and reviewed the "Redevelopment Area without Condemnation: Determination of Need Study," prepared by Colliers Engineering & Design, dated June 24, 2024 (hereinafter the "Study"), relating to the Study Area; and

WHEREAS, on July 30, 2024, the Planning Board conducted a public hearing upon proper notice and found that the parcels identified as Block 23, Lots 15, 16 and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45 and 47.02 ; on the Tax Map of the Borough of Demarest in the Study Area be designated as a Non-Condensation Re-Development Area as defined in N.J.S.A. 40A:12A-5, because each of the identified lots meets the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board now wishes to supplement its prior Resolution and further memorialize its determination that Block 49.01, Lot 43.02 qualifies as an Area In Need of Re-development pursuant to Criteria "H" of the Local Re-development and Housing Law (N.J.S.A. 40A: 12A-1. et. seq., hereinafter "LRHL"); and

WHEREAS, the Planning Board did previously consider the qualification of Block 49.01, Lot 43.02 as an Area in Need of Re-development following public testimony on July 30, 2024, together with the testimony and Re-Development Study of Darlene A. Green, PP., AICP of Colliers Engineering and Design Inc., and the following were the findings with respect to the qualification of Block 49.01, Lot 43.02:

- **Block 49.01, Lot 43.02 – 126-132 Hardenburgh Avenue** qualifies under Criteria "H" of the LRHL where re-development of Lot 43.02 could advance the following smart growth characteristics including:
 - mixed land uses,
 - compact design
 - walkable neighborhoods,
 - a wide range of housing choices and opportunities,
 - distinctive and attractive communities offering a sense of place; and
 - development directed to existing communities using existing infrastructure.

Therefore, Block 49.01, Lot 43.02 is consistent with several of the characteristics of smart growth and Block 49.01, Lot 43.02 will qualify under Criteria "H" as an Area in Need of Re-Development, consistent with smart growth planning principles.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Borough of Demarest hereby supplements its findings and conclusions and recommendations to the Demarest Mayor and Borough Council, that, consistent with its prior Resolution No. PB-2024-06, which shall be supplemented by the findings set forth herein, Block 49.01 Lot 43.02 qualifies under Criteria "H" of the LRHL and further recommends that the Demarest Mayor and Borough Council designate the property as part of the Study Area to be designated as a Non-Condensation Development Area as defined in N.J.S.A. 40A-12A-1 et. seq. because this Lot meets the criteria set forth in in N.J.S.A. 40A-12A-1 et. seq.

The above referenced Area in Need of Redevelopment recommendation was approved by the Borough of Demarest Planning Board at a Special Meeting held on September 4, 2024, upon motion Vice Chair Tabacchi, and seconded by Mayor Bernstein upon roll call as follows:

	Alevrontas	Bernstein	Brenner	Fox	Mamdani	Paulison	Tabacchi	Yu	Hamilton	Hayden
Offered							√			
Seconded		√								
Aye	√	√	√			√	√	√	√	√
Nay										
Absent				√	√					
Recuse										
Eligible To Vote	√	√	√			√	√	√	√	√

This Resolution adopted this 24th day of October 2024 memorializes the action taken at a special meeting of the Borough of Demarest Planning Board on July 30, 2024, by a vote of five (5) ayes and zero (0) nays as set forth herein.

As Follows:

	Alevrontas	Bernstein	Brenner	Fox	Mamdani	Paulison	Tabacchi	Yu	Hamilton	Hayden
Offered							√			
Seconded		√								
Aye		√	√		√		√			√
Nay										
Absent	√			√		√		√	√	
Recuse										
Eligible To Vote										

Marian Hayden
 MARIAN HAYDEN, Chairwoman
 Demarest Planning Board

BE IT, FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Borough Clerk of the Borough of Demarest. I do certify that this is a true and correct copy of the Resolution as adopted by the Planning Board of the Borough of Demarest, County of Bergen, and State of New Jersey in the within Application.



MICHAEL GRECO, Board Secretary