

**TOWNSHIP OF CLINTON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**ORDINANCE
1215 – 2025**

AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7 FOR A PORTION OF THE GRAYROCK ROAD NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1 *et seq.*, authorizes municipalities to determine whether certain parcels of land located within their boundaries constitute areas in need of redevelopment, pursuant to enumerated criteria set forth in said statute at N.J.S.A. 40A:12A-5; and

WHEREAS, the LRHL provides that before making such a designation, the governing body of the municipality must direct the municipal planning board to conduct an investigation into whether the parcels in question meet one or more of the criteria set forth in the LRHL for designation as an area in need of redevelopment (“AINR” or “area in need”), and further requires the governing body to specify whether the area being investigated will be a condemnation area in need of redevelopment or a non-condemnation area in need of redevelopment; and

WHEREAS, by Resolution #107-2021 adopted July 14, 2021, the Mayor and Council directed the Clinton Township Planning Board (“Board” or “Planning Board”) to investigate a subject area comprising the properties located at 2, 10 and 12 Grayrock Road and designated on the Township tax maps as Block 77.01, Lots 2, 3 & 4 respectively (the “initial subject area”) and make a recommendation to the Mayor and Council as to whether all or a portion of the initial subject area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, by Resolution #25-2022 adopted January 12, 2022, the Mayor and Council directed the Planning Board to expand its preliminary investigation of the initial subject area to an expanded subject area (the “expanded subject area”) to include property designated on the Township tax map as Block 74 Lots 16, 17.01 and 19, and which lots are located at 42 Fairview Avenue, 173 Center Street and 3 Grayrock Road, to determine whether that expanded subject area should be designated as a non-condemnation AINR; and

WHEREAS, the Planning Board completed its investigation of the expanded subject area, received and reviewed a report from its planning expert Thomas Behrens, Jr., PP, AICP dated May 17, 2022 titled “Grayrock Road Non-Condensation Area in Need of Redevelopment Study, Block 74 Lots 16, 17.01 and 19, Block 77.01, Lots 2, 3 and 4, Clinton Township, Hunterdon County, New Jersey” (the “Report”), and, following a duly noticed public hearing

on June 6, 2022 acted to recommend that the expanded subject area be declared a non-condemnation area in need of redevelopment, said action being memorialized by Resolution CTPB-2022-0B adopted on July 18, 2022; and

WHEREAS, by Resolution #163-2022 adopted on August 10, 2022, the Mayor and Council accepted the Planning Board’s findings and the Report, and determined the Property to be a non-condemnation area in need of redevelopment; and

WHEREAS, by letter dated August 15, 2022, the Township Clerk transmitted a certified copy of the resolution to the Commissioner of the New Jersey Department of Community Affairs (“DCA”) for review, in accordance with the requirements of the LRHL set forth at N.J.S.A. 40A:12A-6b(5)(c); and

WHEREAS, the DCA Commissioner issued a letter on September 6, 2022 stating that the designated area in need was “situated in a sewer service area and a Highlands Existing Community Capability Zone where development and redevelopment are encouraged pursuant to State law or regulation” and that “[a]ccordingly, pursuant to N.J.S.A. 40A:12A-6b(5)(c), the redevelopment area determination took effect after transmission to the Commissioner of DCA”; and

WHEREAS, it was subsequently learned that the owner of one of the properties included in the expanded subject area did not receive notice of the Planning Board’s June 6, 2022 public hearing; and

WHEREAS, as a result, the Planning Board scheduled a new public hearing on the amended study and provided a new notice of said public hearing in accordance with all applicable requirements, which hearing was held on October 17, 2022, following which the Planning Board acted to again recommend to the Mayor and Council that it should designate the expanded subject area, as a non-condemnation area in need of redevelopment, said action being memorialized by Resolution CTPB-2022-0D adopted on October 17, 2022; and

WHEREAS, by Resolution #194-2022 adopted on October 26, 2022, the Mayor and Council accepted the renewed recommendation of the Planning Board set forth in Resolution CTPB-2022-0D and re-designated the following properties as a non-condemnation area in need of redevelopment (the “Grayrock Road AINR”):

- Block 74, Lot 16 (42 Fairview Avenue)
- Block 74, Lot 17.01 (173 Center Street)
- Block 74, Lot 19 (3 Grayrock Road)
- Block 77.01, Lot 2 (2 Grayrock Road)
- Block 77.01, Lot 3 (10 Grayrock Road)
- Block 77.01, Lot 4 (12 Grayrock Road)

and

WHEREAS, by letter dated November 9, 2022, the Township Clerk transmitted a certified copy of the resolution to the Commissioner of the New Jersey Department of Community Affairs (“DCA”) for review, in accordance with the requirements of the LRHL set forth at N.J.S.A. 40A:12A-6b(5)(c); and

WHEREAS, in accordance with the DCA Commissioner’s September 6, 2022 letter, the re-designation took effect upon transmittal; and

WHEREAS, the LRHL at N.J.S.A. 40A:12A-7a. states that “[n]o redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment”; and

WHEREAS, the LRHL at N.J.S.A. 40A:12A-7c states that “[t]he redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area”; and

WHEREAS, Township Planner Thomas Behrens, Jr., PP, AICP, has prepared a redevelopment plan for a portion of the Grayrock Road AINR—specifically, Block 74, Lot 19 located at 3 Grayrock Road (“the Property”)—, which plan is dated July 21, 2025 and titled “3 Grayrock Road Non-Condemnation Area in Need of Redevelopment Plan, Block 74, Lot 19, Township of Clinton, Hunterdon County, New Jersey” (the “3 Grayrock Road Redevelopment Plan”); and

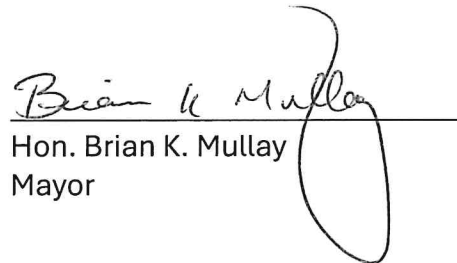
WHEREAS, the Mayor and Council have reviewed the 3 Grayrock Road Redevelopment Plan and find it to be in the best interests of the Township to adopt said plan, which in accordance with N.J.S.A. 40A:12A-7c shall replace and supersede the development regulations currently applicable to the Property;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey as follows:

1. **Findings.** The findings set forth in the preamble to this ordinance are hereby adopted as if fully restated herein.
2. **Adoption of Redevelopment Plan.** The plan prepared by Thomas Behrens, Jr., PP, AICP dated July 21, 2025 and titled “3 Grayrock Road Non-Condemnation Area in Need of Redevelopment Plan, Block 74, Lot 19, Township of Clinton, Hunterdon County, New Jersey” (the “3 Grayrock Road Redevelopment Plan”) is hereby adopted pursuant to N.J.S.A. 40A:12A-7 as the redevelopment plan for Block 74, Lot 19 (the “Property”), which plan shall replace and supersede the development regulations currently applicable to the Property.

3. **Zoning Map Amendment.** In accordance with the requirements of N.J.S.A. 40A:12A-7c, the Clinton Township zoning map shall be amended to indicate the redevelopment area to which the 3 Grayrock Redevelopment Plan applies.
4. **Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.
5. **Severability.** If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.
6. **Referral to Planning Board.** In accordance with the requirements of the LRHL set forth at N.J.S.A. 40A:12A-7e, the Township's Acting Clerk shall promptly transit a copy of this ordinance and the 3 Grayrock Road Redevelopment Plan to the Clinton Township Planning Board for the Board to issue a report prior to the ordinance's adoption identifying the specific provisions of said plan (if any) that are inconsistent with the Clinton Township Master Plan and containing its recommendations regarding said inconsistencies (if any) and any other matters the Board might deem appropriate.
7. **Filing with the Hunterdon County Planning Board.** The Township's Acting Clerk shall promptly cause a copy of this ordinance and the 3 Grayrock Road Redevelopment Plan to be filed with the Hunterdon County Planning Board.
8. **Effective Date.** This ordinance shall take effect immediately upon its passage and publication and the filing of same with the Hunterdon County Planning Board, all in accordance with law.


 Lindsay Heller
 Acting Township Clerk


 Hon. Brian K. Mulla
 Mayor

Introduction: July 23, 2025
 Public Hearing: August 13, 2025
 Adopted: August 13, 2025

The foregoing ordinance was introduced on first reading at the July 23, 2025 meeting of the Mayor and Council of the Township of Clinton. It will be further considered for final passage following a public hearing thereon to be held on **August 13, 2025, at 7:00 p.m.**, on the third floor of the Clinton Township Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801, at which time and place anyone from the public

wishing to be heard will be permitted to ask questions or offer comments regarding the ordinance. During the week prior to and up to and including the date of such meeting and public hearing, copies of the full ordinance will be available at no cost during regular business hours in the Office of the Township Clerk for members of the public who shall request a copy of same. The ordinance will also be available on the Township's website at <https://clintontwpnj.gov>.

The purpose of the ordinance is to adopt a redevelopment plan for a portion of the "Grayrock Non-Condensation Area in Need of Redevelopment, specifically, the parcel located at 3 Grayrock Road and designated as Block 74, Lot 19 on the Clinton Township tax maps. If the ordinance is adopted, the provisions of the redevelopment plan will replace and supersede the current zoning of the parcel and will govern any future development of the site.