

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

**ORDINANCE
#1219 – 2025**

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN
HUNTERDON COUNTY, NEW JERSEY AUTHORIZING THE
ACQUISITION OF PROPERTY LOCATED AT 3 GRAYROCK
ROAD (BLOCK 74, LOT 19) FOR THE SUM OF \$575,000.00 IN
FURTHERANCE OF THE TOWNSHIP’S FOURTH ROUND
AFFORDABLE HOUSING PLAN**

WHEREAS, in accordance with the New Jersey Supreme Court’s “Mount Laurel I” decision (*South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975)), the Township has a constitutional obligation to provide for its “fair share” of affordable housing; and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, which established a new framework for determining and enforcing municipalities’ affordable housing obligations under the Mount Laurel doctrine and the Fair Housing Act (the “Amended FHA”); and

WHEREAS, pursuant the requirements of the Amended FHA and in furtherance of the Township’s Fourth Round Affordable Housing Plan, the Township on January 23, 2025 filed a Declaratory Judgment Action in the Superior Court of New Jersey, Law Division, captioned *In the Matter of the Application of Clinton Township*, Docket No. HNT-L-0049-25, and filed a resolution of participation before the Affordable Housing Dispute Resolution Program (the “Program”) on January 23, 2025, in accordance with the requirements of N.J.S.A. 52:27D-301, *et seq.* and the timeframes set forth in Administrative Directive #14- 24; and

WHEREAS, on June 30, 2025, the Clinton Township Planning Board adopted, the Township Mayor and Council endorsed, the 2025 Fourth Round Housing Plan Element and Fair Share Plan Element of the Township Master Plan (the “HE&FSP” or “Fourth Round HE&FSP”); and

WHEREAS, the HE&FSP includes among its compliance mechanisms the construction of a 25-unit 100% affordable multifamily development (the “Project”) by Ingerman Development Company (“Ingerman”) on property located at 3 Grayrock Road and designated as Block 74, Lot 19 on the Clinton Township tax maps (the “Property”); and

WHEREAS, the Property is located in an area that has been designated by the Mayor and Council as a non-condemnation area in need of redevelopment (the “Grayrock Road AINR”) under the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1 *et seq.* (see Resolution #163-2022 adopted on August 10, 2022 and Resolution #194-2022 adopted on October 26, 2022); and

WHEREAS, development of the Property is governed by a redevelopment plan that the Mayor and Council adopted on August 13, 2025 through the passage of Ordinance #1215-2025 (see that certain document prepared by Township Planner 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 “Plan”)); and

WHEREAS, the Plan establishes the zoning framework to accommodate a 25-unit 100% affordable multifamily development of the Site as prescribed in the Township’s Fourth Round HE&FSP; and

WHEREAS, the LRHL at N.J.S.A. 40A:12A-8b and N.J.S.A. 40A:12A-22i authorizes municipalities to acquire property in order to carry out and effectuate the purposes of the LRHL and the terms of the redevelopment plan; and

WHEREAS, on or about June 18, 2025, the Mayor entered into an option agreement with the owner of the Property, Zinn LLC (“Zinn”) for the potential acquisition of the Property, including all water and/or sewer capacity allocations and all other rights, privileges, easements and appurtenances associated therewith, as authorized by Resolution #2025-120 adopted on June 5, 2025; and

WHEREAS, Zinn has agreed to convey the Property to the Township, including all water and/or sewer capacity allocations and all other rights, privileges, easements and appurtenances associated therewith, for the sum of \$575,000.00, and subject further to the Township assuming any such obligations of the January 6, 2014 Addendum to the Contract between Zinn and Paul Lorcheim dated January 26, 2009 as remain applicable and/or enforceable; and

WHEREAS, the Mayor and Council wish to authorize the acquisition of the Property from Zinn for the above-referenced price and on the above-referenced terms, in order to facilitate the construction of the Project pursuant to the 3 Grayrock Road Redevelopment Plan and in furtherance of the Township’s Fourth Round HE&FSP; and

WHEREAS, the costs of the acquisition will be paid for out of the Township’s affordable housing trust fund, its general funds, and/or through bonding; and

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

SECTION 1. Preamble Incorporated. The statements and findings set forth in the preamble above are hereby incorporated as if fully restated herein.

SECTION 2. Acquisition of 3 Grayrock Road Authorized. Pursuant to N.J.S.A. 40A:12A-8b, N.J.S.A. 40A:12A-22i, and all other applicable laws, if any, the Township is hereby authorized to acquire that certain parcel located at 3 Grayrock Road and designated on the Township tax maps as Block 74, Lot 18 (the "Property"), including all water and/or sewer capacity allocations and all other rights, privileges, easements and appurtenances associated therewith, for the sum of \$575,000.00, and subject further to the Township assuming any such obligations of the January 6, 2014 Addendum to the Contract between Zinn and Paul Lorcheim dated January 26, 2009 as remain applicable and/or enforceable. The Township and Zinn shall enter into a purchase and sale agreement setting forth in detail the terms and conditions of the Township's acquisition of the Property, which shall include the provisions set forth in Paragraph 4 of the Option to Purchase Agreement entered into between the Township and Zinn on June 18, 2025, and which shall be subject to the prior review and approval of the Township Attorney.

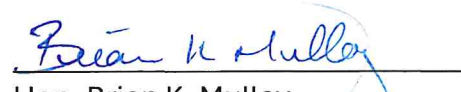
SECTION 3. Authority to Implement Terms of Ordinance. The Mayor, Administrator, Acting Clerk, Chief Financial Officer, Township Attorney, Affordable Housing Counsel, and other appropriate staff and officials are hereby authorized and directed to negotiate, prepare and execute any and all documents and undertake any and all acts as may be needed to effectuate the terms hereof and in accordance with the stipulations set forth herein.

SECTION 4. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 5. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding and shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 6. Effective Date. This ordinance shall take effect 20 days after final passage in accordance with N.J.S.A. 40:69A-181.


Lindsay Heller
Acting Township Clerk


Hon. Brian K. Mullay
Mayor

Introduced: October 8, 2025
Public hearing: October 22, 2025
Adopted: October 22, 2025

The foregoing ordinance was introduced on first reading at the October 8, 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 **October 22, 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 authorize the acquisition of property located at 3 Grayrock Road and designated on the Township's tax maps as Block 74, Lot 19 for the sum of \$575,000.00, including all water and/or sewer capacity allocations associated with the property. The purpose of the acquisition is to enable the construction of a 25-unit, 100% affordable multi-family housing development, consistent with the 2025 Fourth Round Housing Plan Element and Fair Share Plan Element of the Township Master Plan and in order to help the Township meet its constitutional obligation to provide for its "fair share" of the region's need for affordable housing. The costs of the acquisition are intended to be funded from the Township's affordable housing trust fund, its general funds, and/or via bonding.