

**ORDINANCE OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH,
NEW JERSEY APPROVING AND ADOPTING THE AMENDMENT TO THE
GLASSWORKS MIXED-USE REDEVELOPMENT PLAN – PHASE 2**

WHEREAS, the Township of Aberdeen, in the County of Monmouth, New Jersey (the “**Township**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**LRHL**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on December 21, 2004, pursuant to the LRHL, specifically N.J.S.A. 40A:12A-6(a), the Aberdeen Township Council (the “**Council**”) adopted Resolution No. 04-141 which authorized the Aberdeen Township Planning Board (the “**Planning Board**”) to undertake a preliminary investigation to determine whether or not certain land, including land formerly occupied by the Anchor Glass Manufacturing Facility (a.k.a. Midland Glass) should be designated as an “area in need of redevelopment” in accordance with the LRHL; and

WHEREAS, the subject land area considered by the Council to be the subject of the preliminary investigation by the Planning Board included that real certain property consisting of approximately 50.5 acres commonly known as 145 Cliffwood Avenue and designated as Lot 1 in Block 155 on the Township’s tax map (the “**Glassworks Redevelopment Area**”); and

WHEREAS, the Council, by the adoption of Resolution on February 21, 2006, established that the Glassworks Redevelopment Area met the requirements of an “area in need of redevelopment” in accordance with the LRHL; and

WHEREAS, the Council, by the adoption of Resolution 2006-40 on February 21, 2006, designated Somerset Anchor, LLC as redeveloper of the Glassworks Redevelopment Area; and

WHEREAS, pursuant to the LRHL, Somerset Anchor, LLC, now known as Inspired by Somerset (the “**Master Redeveloper**”) and the Township entered into that certain Redevelopment Agreement dated August 2006, as amended by the First Amendment to Redevelopment Agreement, dated April 2016, as further amended by the Second Amendment to the Redevelopment Agreement, dated August 2016, as further amended by the Third Amendment to Redevelopment Agreement, dated October 19, 2020, as further amended by the Fourth Amendment to Redevelopment Agreement, dated September 9, 2021, as further amended by the Fifth Amendment to Redevelopment Agreement, dated on or about May 19, 2022 (collectively, the “**Redevelopment Agreement**”), under which the Master Redeveloper agreed to redevelop the Glassworks Redevelopment Area pursuant to the Glassworks Mixed Use Redevelopment Plan (the “**Redevelopment Plan**”); and

WHEREAS, the Council, in accordance with the LRHL, by Ordinance 14-20 adopted the Glassworks Mixed-Use Redevelopment Plan dated May 17, 2010 (the “**Glassworks Redevelopment Plan**”) prepared by for the Glassworks Redevelopment Area; and

WHEREAS, the Township and the Master Redeveloper acknowledge that the redevelopment of the portion of the Glassworks Redevelopment Area identified as Phase 2 in the Redevelopment Agreement, the boundaries of which are identified in The Glassworks Master Condominium Plan prepared by Langan Engineering and the area of which is designated as Block 155, Lot 1 – C002 on the Township’s tax map (the “**Glassworks Phase 2 Redevelopment Area**”), as is presently permitted by the Glassworks Redevelopment Plan and as may have been approved by prior action of the Planning Board consistent with the Glassworks Redevelopment Plan, is no longer financially feasible in the current economic environment, nor is it now desired by the Township as part of the redevelopment of the Glassworks Phase 2 Redevelopment Area; and

WHEREAS, specifically, the Township and the Master Redeveloper have agreed to changes to the redevelopment of the Glassworks Phase 2 Redevelopment Area , which changes to redevelopment permitted within the Glassworks Phase 2 Redevelopment Area include, among other things, the elimination of the previously provided for commercial development and replacing the same with multi-family residential; and

WHEREAS, the Council, by Resolution 2022-137 adopted December 7, 2022, approved the terms and conditions of a Memorandum of Understanding (the “**MOU**”) to be entered into by and between the Township and the Master Redeveloper memorializing their agreed upon intentions regarding the changes to the redevelopment permitted within the Glassworks Phase 2 Redevelopment Area and authorized the Mayor and Municipal Clerk to execute the MOU on behalf of the Township, a copy of which fully executed MOU is attached hereto as Exhibit A and made part of this Ordinance; and

WHEREAS the Township and the Master Redeveloper acknowledge that any changes to redevelopment permitted within the Glassworks Phase 2 Redevelopment Area as is set forth within the MOU will require amendments to the Glassworks Redevelopment Plan, amendments to the Redevelopment Agreement and granting of amendments to and/or new land use approvals by the Planning Board; and

WHEREAS, Graviano & Gillis Architects and Planners, LLC has prepared a redevelopment plan entitled “Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2” (the “**Amended Phase 2 Redevelopment Plan**”) which contains a detailed development program and design criteria for redevelopment within the Glassworks Phase 2 Redevelopment Area, including all amendments to the Glassworks Redevelopment Plan for redevelopment within the Glassworks Phase 2 Redevelopment Area as are set forth and contained within the MOU; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(d)-(e), upon introduction of this Ordinance, the Amended Phase 2 Redevelopment Plan shall be referred to the Planning Board for review and issuance of a report containing its recommendations, if any, concerning the Amended Phase 2 Redevelopment Plan and its consistency with the Township’s Master Plan within forty-five (45) days of referral; and

WHEREAS, it is in the best interests of the Township that the Glassworks Redevelopment Area continue to be redeveloped.

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Aberdeen, New Jersey, being the Governing Body thereof, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Pursuant to N.J.S.A. 40A:12A-7 the Municipal Council hereby accepts and approves the Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2 dated June 16, 2023 prepared by Graviano & Gillis Architects and Planners, LLC and reviewed and revised by the Township’s redevelopment professionals and hereby adopts said Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2.

Section 3. 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 adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 5. To the extent that any portion of the Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2 conflicts with or amends or modifies any provision of any other of the Township’s development regulations, the Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2 shall supersede or amend or modify, as applicable, such development regulations and the zoning district map included in the Township’s zoning ordinance shall be deemed amended accordingly.

Section 6. A copy of this Ordinance and the Amendment to the Glassworks Mixed-Use Redevelopment Plan – Phase 2 shall be available for public inspection at the office of the Municipal Clerk during regular business hours.

Section 7. This Ordinance shall take effect upon passage and publication in accordance with all applicable laws.

Introduced: February 1, 2024

Adopted:

ATTEST:

Melissa Pfeifer, Municipal Clerk

Fred Tagliarini, Mayor

CERTIFICATION

I, Melissa Pfeifer, Municipal Clerk of the Township of Aberdeen, County of Monmouth, State of New Jersey, hereby certify that the foregoing Ordinance is a true, complete and accurate copy of Ordinance adopted by the Municipal Council of the Township of Aberdeen at a regular meeting held on _____, 2024.

Melissa Pfeifer, Municipal Clerk
Township of Aberdeen