

# BLOCK 29 REDEVELOPMENT PLAN AMENDMENT (LOT 1.18 EXPANSION) ROUTE 130 SOUTH REDEVELOPMENT AREA ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY



Prepared by:



**AUGUST 11, 2023**

Adopted July 27, 2023 via Ordinance 2023-36  
ARH Project Number: 1500011.02

Prepared for:





**BLOCK 29 REDEVELOPMENT PLAN  
AMENDMENT (LOT 1.18 EXPANSION)  
ROUTE 130 SOUTH REDEVELOPMENT AREA  
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, N.J.**

**ROBBINSVILLE LAND USE BOARD**

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- Daniel Jackson, Vice Chair
- Ravi Patni, Mayor’s Representative
- Chris Ciaccio, Council Representative
- Danielle Spilatore, Township Official
- Bill Berdan
- Michael Brennan, Jr.
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- Vincent J. Calcagno
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**TOWNSHIP COUNCIL & ADMINISTRATION**

- Deborah Blakely, Council President
- Mike Todd, Council Vice President
- Christine Ciaccio
- Mike Cipriano
- Ron Witt
  
- David Fried, Mayor
- Joy Tozzi, Township Administrator
- Michele Seigfried, Municipal Clerk
- Bruce Darvas, Esq., Township Attorney
- Michael Herbert, Esq., Redevelopment Counsel

- Paul V. Renaud III, Esq., Director of Community Development
- Daniel J. Rafferty, Zoning Officer / Community Development Coordinator
- John Nunziato, P.E., P.P., Township / Board Engineer
- Jerry Dasti, Esq. & Michael Herbert, Esq., Board Solicitor
- Stuart B. Wiser, PP/AICP, Board Planner

The original of this document has been signed and sealed pursuant to N.J.S.A. 45:14A-12.

Respectfully Submitted:

**ARH ASSOCIATES**

By:

Stuart B. Wiser, P.P., AICP

NJ Professional Planners License # LI005598





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## CONVENTIONS FOR THIS AMENDMENT

- A. The term “Redevelopment Plan” or “RDP” used throughout this document shall refer to the duly adopted Block 29 *Redevelopment Plan for the Route 130 South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by **ARH ASSOCIATES** (adopted December 16, 2021)<sup>1</sup>.
  
- B. The term “This Amendment” used throughout this document shall refer generically to this instant document. The term “herein” shall refer to This Amendment.
  
- C. In order to effectuate the Redevelopment Project for the Block 29 Flex-Space Redevelopment Parcel<sup>2</sup>, This Amendment addresses the addition of Lot 1.18 to the Route 130 South Redevelopment Area and the creation of the approximately 2.98-acre Flex Space Redevelopment Parcel, which consists of:
  - The approximately 1.08-acre Block 29, Lot 1.18; and
  - The approximately 1.9-acre Block 29, Lot 1.19.

- D. *Section Numbering*  
Unless otherwise indicated, section numbering in This Amendment remains identical to the section numbering in the Redevelopment Plan.

Where a change to a particular section of the Redevelopment Plan is required, such change is made by This Amendment within the numbering system of the Redevelopment Plan. Such changes are limited to Lots 1.18 & 1.19. The original language of the Redevelopment Plan remains in place for the balance of the Block 29 Redevelopment Plan Area.

Where no changes to a particular section of the Redevelopment Plan are necessary, such section is ***excluded*** from This Amendment. Accordingly, section numbering in This Amendment is ***not necessarily sequential***.

Where new provisions are required, such language is inserted as a new section in as sequential an order to the Redevelopment

<sup>1</sup> On file with the Township Clerk and/or Land Use Board Secretary.

<sup>2</sup> §8.2.4 herein.





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Plan as is possible. Such new language is limited to the Lot 1.18 & 1.19 Parcel.

**E. Exhibits**

Where no change to a particular Redevelopment Plan Exhibit is necessary, such Exhibit, to the extent referenced herein, is excluded from This Amendment. Exhibits attendant to the original Exhibits of the Redevelopment Plan remain in place for the balance of the Redevelopment Area.

**F. Footnote Numbering**

Footnote numbering in This Amendment is sequential to This Amendment and bears no relationship to the footnote numbering in the Redevelopment Plan.

**G. Conflicts**

Should any conflict occur between the provisions of the Redevelopment Plan and This Amendment, the provisions of This Amendment shall govern.

# 1.0 INTRODUCTION

## 1.1 BACKGROUND

**1.1.5** On October 28, 2021, the Township Council of the Township of Robbinsville adopted a Redevelopment Plan for the Block 29 portion of the Route 130 South Redevelopment Area.<sup>3</sup>

**1.1.6** On March 9, 2023, Township Council adopted Resolution No. 2023-82<sup>4</sup>; thereby authorizing and directing the Robbinsville Land Use Board to conduct the necessary investigations and to undertake the necessary steps to determine whether a Study Area consisting of Block 29, Lot 1.18 and all bounding and internal right-of-way<sup>5</sup>, or any part or parts thereof, qualifies for designation as an Area in Need of Redevelopment under the criteria and pursuant to the public hearing process set forth in N.J.S.A 40A:12A-1, et seq.

**1.1.7** On March 28, 2023, the Land Use Board adopted Resolution No. LU2023-21<sup>4</sup>, accepting the directive of the Township Council and assigning **ARH ASSOCIATES**<sup>6</sup>, licensed Professional Planners in the State of New Jersey and the Board’s appointed Planner, to undertake the Investigation on the Board’s behalf.

**1.1.8** **ARH** conducted its analysis and submitted its findings in a Report detailing the conditions of the Study Area<sup>7</sup>.

**1.1.9** Pursuant to N.J.S.A. 40A:12A-6b (2) and (3), the Land Use Board held a duly noticed public hearing on this matter, at the end of which it adopted a Resolution<sup>8</sup> finding and recommending to the Township Council that Block 29, Lot

<sup>3</sup> *Block 29 Redevelopment Plan Route 130 South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by ARH Associates. Adopted via Ordinance 2021-30.

<sup>4</sup> On file with the Township Clerk and/or the Land Use Board Secretary.

<sup>5</sup> “Study Area:

<sup>6</sup> “**ARH**”

<sup>7</sup> Report of Findings: Non-Condemnation Preliminary Redevelopment Investigation, Route 130 South Redevelopment Area Expansion (Block 29, Lot 1.18) Robbinsville Township, Mercer County, New Jersey. Dated May 12, 2023 (“*Expansion Report of Findings*”) [§2.111 herein]

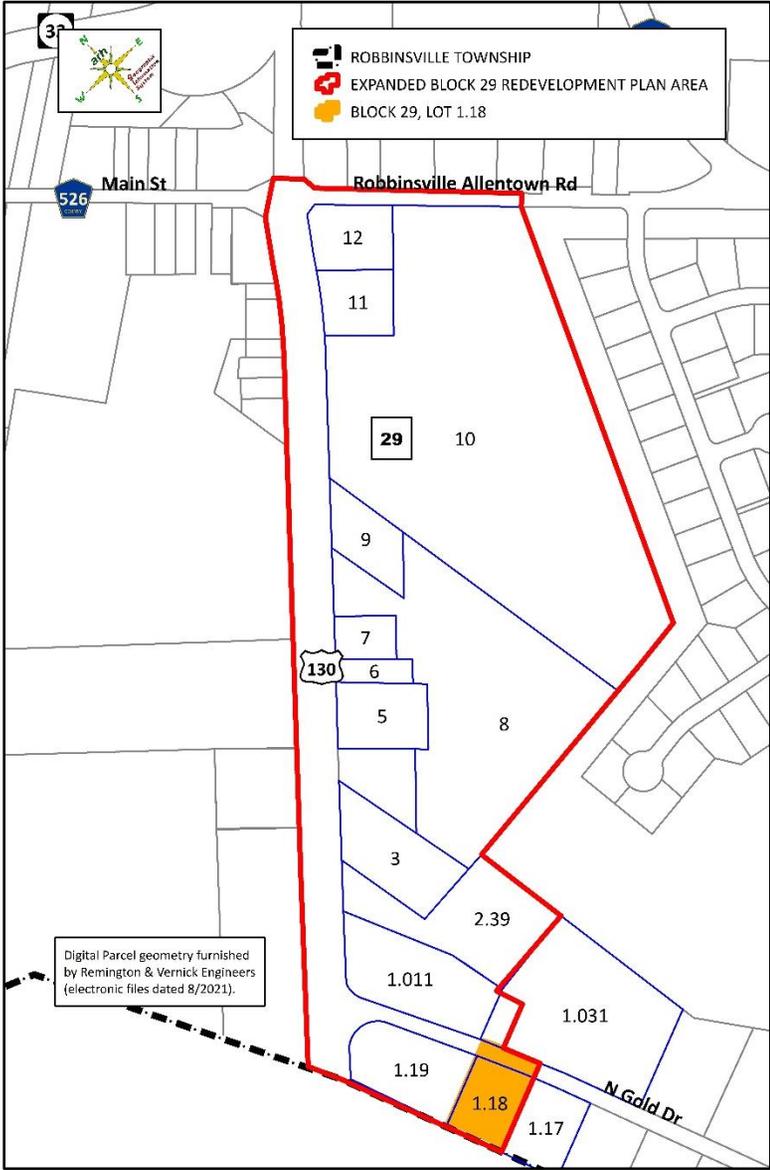
<sup>8</sup> Resolution No. LUB2023-27<sup>4</sup>, adopted June 27, 2023.

1.18 qualifies and should therefore be designated as a Non-Condemnation Area in Need of Redevelopment. Such Resolution further recommended that, upon such designation, Lot 1.18 be included in an expanded Route 130 South Redevelopment Area.

**1.1.10** The Township Council received the Resolution and recommendations of the Land Use Board, along with the *Expansion Report of Findings* and, after careful consideration, adopted Township Resolution No. 2023-175 on July 13, 2023<sup>4</sup>; thereby designating Block 29 Lot 1.18 to be an Area in Need of Redevelopment and amending the Route 130 South Redevelopment Area to include such Lot.

**1.1.11** The Redevelopment Law provides, in pertinent part<sup>9</sup>:

*Upon the adoption of a resolution [designating an area to be In Need of Redevelopment], the clerk of the municipality shall, forthwith, transmit a copy of the resolution to the Commissioner of Community Affairs for review. If the Area In Need of Redevelopment is not situated in an area in which development or redevelopment is to be encouraged pursuant to any State law*



<sup>9</sup> N.J.S.A. 40A:12A-6



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*or regulation promulgated pursuant thereto, the determination shall not take effect without first receiving the review and the approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within 30 calendar days of transmittal by the clerk, the determination shall be deemed to be approved. If the Area in Need of Redevelopment is situated in an area in which development or redevelopment is to be encouraged pursuant to any State law or regulation promulgated pursuant thereto, then the determination shall take effect after the clerk has transmitted a copy of the resolution to the Commissioner...*

Township Resolution No. 2023-175<sup>4</sup> was transmitted to the Commissioner of the New Jersey Department of Community Affairs on August 9, 2023.

As detailed in the Report of Findings<sup>10</sup>, Lot 1.18 is located within a PA~2 (Suburban) Planning Area, where **development and redevelopment is encouraged** under the State Development & Redevelopment Plan. Accordingly, the Redevelopment Area designation for Lot 1.18 took effect with the Township Clerk’s transmittal to the NJDCA Commissioner.

**1.2 AUTHORIZATION & PURPOSE**

**1.2.1** Having declared Block 29, Lot 1.18 to be In Need of Redevelopment, the next step in the Redevelopment Process is to prepare and adopt a Redevelopment Plan as a mechanism for the orderly (re)planning and (re)development of this property. Rather than a separate Redevelopment Plan, the Township elected to amend the existing Block 29 Redevelopment Plan to include Lot 1.18.

**1.2.2** This Amendment is not intended to replace the existing Redevelopment Plan, but to modify, enhance and supplement the provisions of the Block 29 Redevelopment Plan as applied to Lots 1.18 and 1.19. Accordingly:

- A. The Introduction (§1.0), Definitions (§2.0), Preexisting Conditions (§3.0), Redeveloper Solicitation, Selection & Designation (§5.0), Land Use Plan (§8.0), Provisions Necessary to Meet Statutory Requirements (§13.0), Effective Date, Duration of Provisions & Amendment Provisions (§14.0), Certificate of Completion &

<sup>10</sup> §4.5.2 herein.





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Compliance (§15.0) contained in the Redevelopment Plan are modified *to the extent addressed herein*.

- B. The Municipal Goals & Objectives (§4.0), Anticipated Redevelopment Actions (§6.0), Standards & Controls of General Applicability (§7.0), Circulation, Parking & Loading Plan (§9.0), Infrastructure Controls, (§10.0), Landscaping, Streetscaping & Open Space Provisions/Environmental Protection Measures (§11.0), Equal Opportunity (§12.0) provisions contained in the Redevelopment Plan remain unchanged and applicable.

The Redevelopment Plan satisfies all statutory requirements under the *Local Redevelopment & Housing Law*. Upon adoption by the Township Council, this Amendment shall work in conjunction with the Redevelopment Plan to jointly satisfy all statutory requirements for a Redevelopment Plan under N.J.S.A. 40A:12A-3 and 12A-7.

## 2.0 DEFINITIONS

Definitions in the Redevelopment Plan are sequentially numbered in alphabetical order. Where any of the following definitions amend an existing definition in the Redevelopment Plan, such new language retains its original definition number.

New definitions in This Amendment commence numbering after 2.110, which is the last definition in Redevelopment Plan.

**2.34A** “Land Use Board” shall mean the successor to the Robbinsville Township Planning Board, established pursuant to section 23 of the *Municipal Land Use Law* and operating pursuant to the various regulations of the Township Code and other relevant statutes, including the *Local Redevelopment & Housing Law*.<sup>11</sup>

**2.52** “Planning Board” see §2.34A.

**2.111** “Expansion Report of Findings” shall mean the document entitled *Report of Findings Non-Condensation Preliminary*

*Redevelopment Investigation Route 130 South Redevelopment Area Expansion (Block 29, Lot 1.18) Robbinsville Township, Mercer County, New Jersey prepared by ARH ASSOCIATES (dated May 12, 2023).*

**2.112** “Flex-Space” or Flex-Buildings” shall mean spaces or buildings with open or undefined floorplans that are capable of housing various (typically, but not exclusively, light industrial, warehouse, office, commercial) uses in unspecified percentages. This definition shall not include Distribution Warehouses / Fulfillment Centers.

**2.113** “Fulfillment Centers” shall mean facilities from which delivery of goods from third-party sellers are made to retail consumers from a substantial number of vans and other delivery vehicles. Such facilities include accessory parking and storage areas for vans and other delivery vehicles, and facilities for maintenance of such vehicles owned by the operator of the facility.

<sup>11</sup> The Planning Board was reconstituted as a Land Use Board as of January 2023.



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**2.114** “This Amendment” shall mean this instant document entitled *Block 29 Redevelopment Plan, Lot 1.18 Amendment, Route 130 South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by **ARH Associates** (date indicated on cover).

## 3.0 PREEXISTING CONDITIONS

### 3.1 DELINEATION

The Block 29 Redevelopment Area, as expanded to include Lot 1.18, encompasses the Lots as mapped.

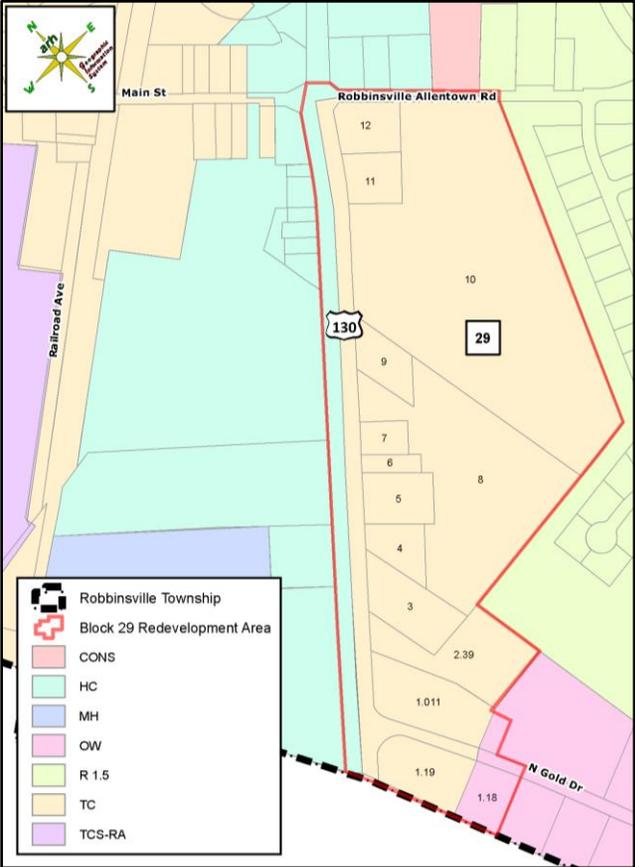
### 3.2 ZONING

Prior to the adoption of This Amendment, Block 29, Lot 1.19 was under the jurisdiction of the Redevelopment Plan and Lot 1.18 was located in the Township’s (OW) Office Warehouse Zone. Land Use and building regulations for Lot 1.19 was found in RDP §8.2.3, and similar regulations for Lot 1.18 were found in Chapter 142 of the Township Code.

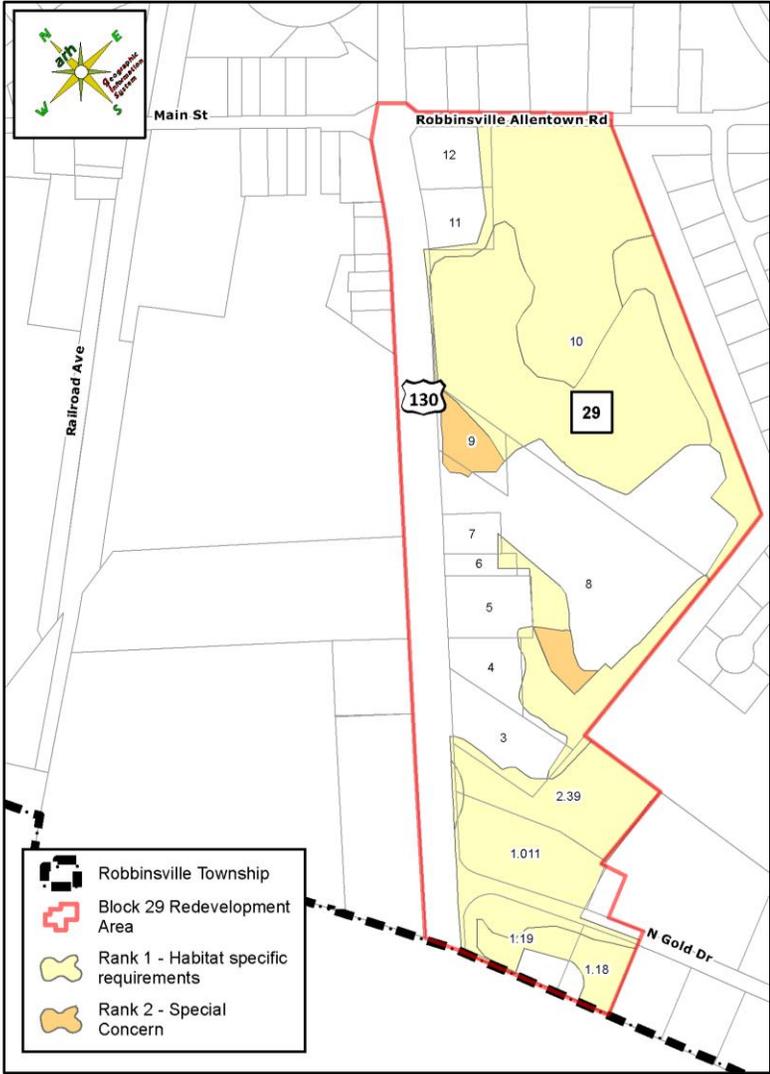
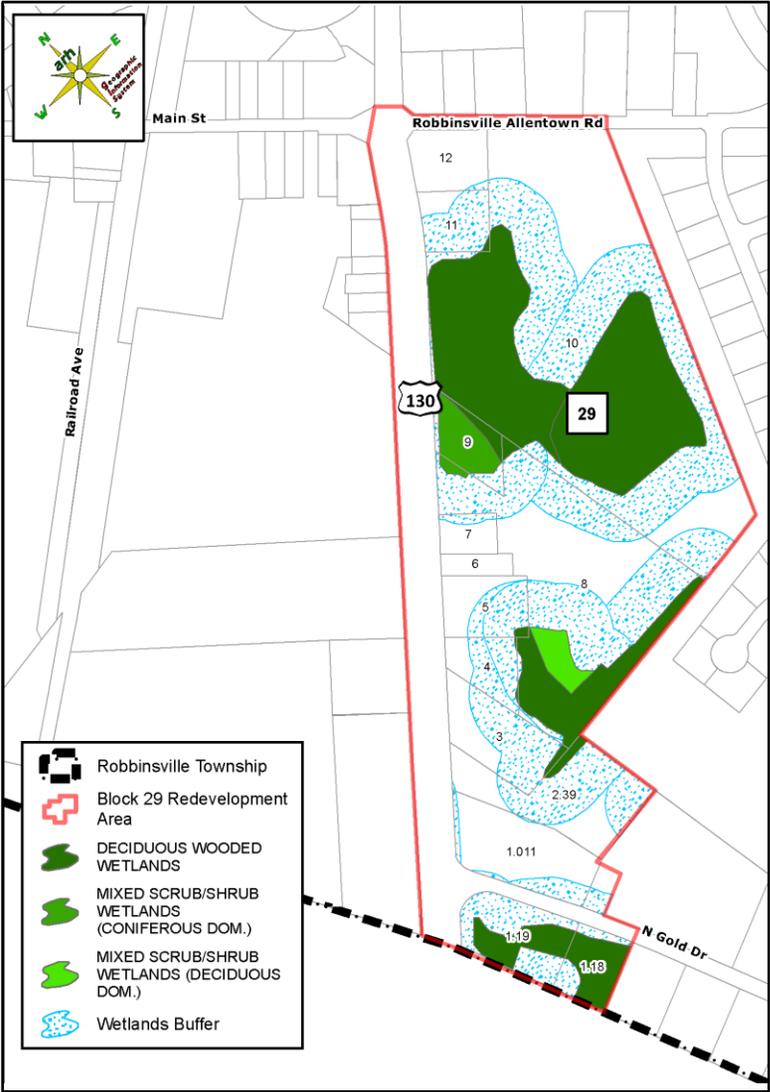
Upon adoption of this Amendment, the provisions detailed in §8.2.4 herein shall govern for both Lots.

### 3.3 ENVIRONMENTAL CONDITIONS & CONSTRAINTS

The presence of Wetlands and Wetland Buffers, as well as Habitat Rank related to threatened and endangered species, are shown for Lot 1.18 on the following maps.



Lot 1.18 is not listed on NJDEP’s inventory of Known Contaminated Sites.





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## **5.0 REDEVELOPER SOLICITATION, SELECTION & DESIGNATION**

**FOR THE FLEX-SPACE REDEVELOPMENT PARCEL<sup>12</sup>, THIS AMENDMENT REPLACES THE TEXT OF RDP §5.1 (EXPRESSIONS OF INTEREST) & §5.2 (REDEVELOPER CANDIDATE) AS FOLLOWS:**

### **5.1 REDEVELOPER**

#### **5.1.1 BACKGROUND**

Block 29, Lots 1.19 and 1.18 are owned by Hamilton Development LLC, of Lakewood New Jersey<sup>13</sup>.

Since approximately January 2022, Hamilton has explored a development concept for an (approximately) 6-tenant Flex-space facility on Lot 1.19. In conducting its preliminary design, it became apparent that developing the Project solely on Lot 1.19 presented challenges related to lot size, required setbacks, internal circulation and other related issues.

In order to address these issues, Hamilton came to the conclusion that a better planning solution would be to combine Lot 1.19 with contiguous Lot 1.18 in order to create a single parcel for development as a single Project.

In exploring this concept, it became apparent that the dual Redevelopment Plan (Lot 1.19) / (OW) Office Warehouse Zone<sup>14</sup> (Lot 1.18) regulatory regime as exists for these Lots would be inefficient and likely would lead to design and permitting compromises that could be addressed if both Lots were developed under a single set of regulations.

In or about December 2022, Hamilton submitted a Concept Plan to the Township wherein the Route 130 South Redevelopment Area would be expanded to include Lot 1.18 and the Block 29 Redevelopment Plan would be amended to address this combined (Lot 1.18 + Lot 1.19) parcel.

The Township has reviewed the Concept Plan and found it to be an appropriate solution to the issues described.

<sup>12</sup> §8.2.4 herein.

<sup>14</sup> §3.2 herein.

<sup>13</sup> "Hamilton"





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Owing to Hamilton’s ownership of Lots 1.18 and 1.19 and the Concept Plan submitted, This Amendment designates Hamilton Development LLC. as Redeveloper Candidate<sup>15</sup> for the Flex-Space Redevelopment Parcel.

**5.3.2 DESIGNATION**

Once the Township Council, acting as the Redevelopment Entity for the Redevelopment Plan and This Amendment, has all the information it requires to make an informed decision, it may, at its sole discretion, by Resolution, formally accept Hamilton’s Expression of Interest and authorize a specific period of time for the negotiations of a Redevelopment Agreement with this Redeveloper Candidate.

**THE PROVISIONS OF RDP §5.3 - §5.5 SHALL BE EXTENDED TO INCLUDE THIS AMENDMENT.**

<sup>15</sup> “Redeveloper” designation shall be conferred by the Township only upon execution of a Redevelopment Agreement.



## 8.0 LAND USE PLAN

### 8.1 PARCELIZATION PLAN

8.1.1 This Parcelization Plan establishes 4 Redevelopment Parcels of approximate sizes<sup>16</sup> as follows:

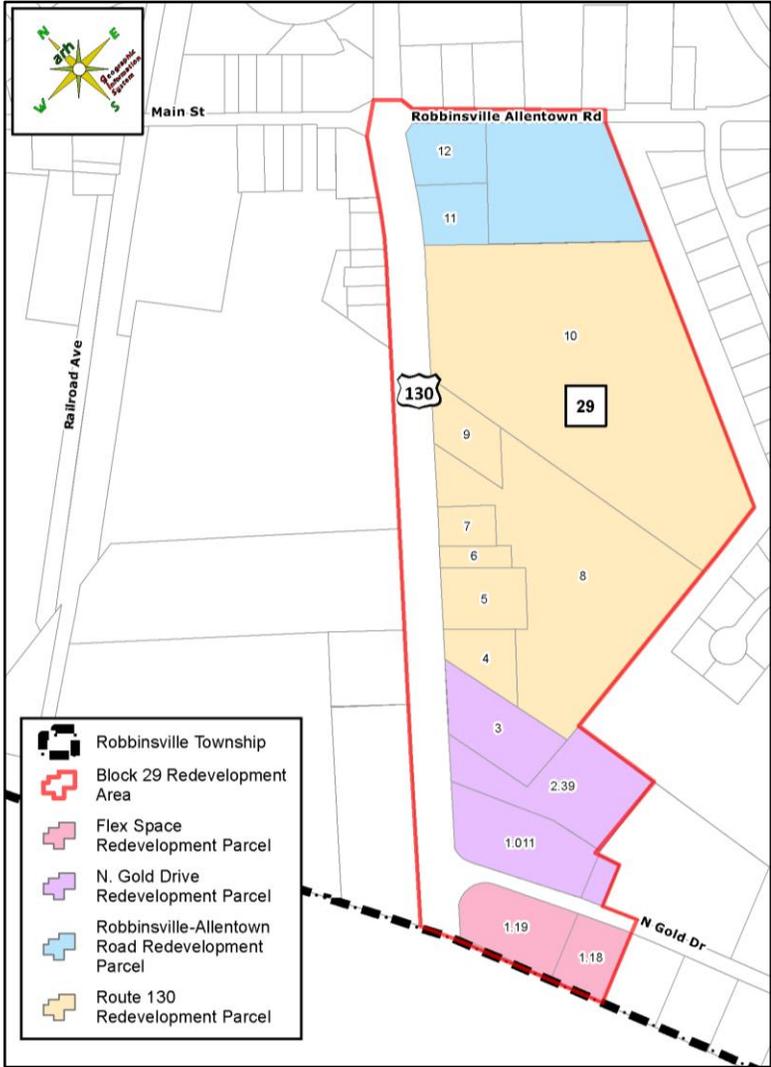
- Block 29: Robbinsville – Allentown Road Redevelopment Parcel: 21.86 acres;
- Block 29: Route 130 Redevelopment Parcel: 32.49 acres;
- Block 29: N. Gold Drive Redevelopment Parcel: 6.88 acres;
- Block 29: Flex Space Redevelopment Parcel: 3.18 acres.

#### 8.2.4 BLOCK 29: FLEX SPACE REDEVELOPMENT PARCEL

The intent of the Block 29: Flex Space Redevelopment Parcel is to complement the existing development on North Gold Drive in terms of intensity of use and the scale and style of architecture, while eliminating impediments to such development in this section of the Township.

<sup>16</sup> Acreage calculations are approximate. A Property Survey, performed by a licensed Land Surveyor, is required for precise measurements.

Acreage represents Tax Lots only.





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- A. Permitted Principal Uses  
Flex-Space facilities as defined in §2.112 herein.
  
- B. Permitted Ancillary Uses
  - 1. Such Ancillary Uses and Structures as are normally and customarily associated with a Permitted Principal Use.
  - 2. Zero Emission Vehicle Fueling and Charging Stations<sup>17</sup>, subject to the provisions of RDP §13.9.
  - 3. Subject to the provisions of the Circulation, Parking & Loading Plan<sup>18</sup>, surface parking lots to support uses within the Flex-Space Redevelopment Parcel.

C. Building Limit Controls  
Buildings shall be oriented toward North Gold Drive and shall consist of structural types compatible with the existing buildings on such Right-of-Way.

Buildings may vary in terms of footprint and architectural elevations. Site and building design shall employ mass,

scale, layout, materials and architectural and other distinguishing features in order to establish character and prominence.

Within the context of the foregoing, the following site and building controls shall be flexibly interpreted in order to achieve these design goals.

CATEGORY		REGULATION
Minimum Lot Size		<b>No Minimum Established</b> The Flex-Space Redevelopment Parcel shall be developed as a single Project site, with existing Geometry constituting Area, Width & Depth.
Minimum Lot Width		
Minimum Lot Depth		
<b>Principal Structures</b>		
Minimum Setback <sup>19</sup>	Route 130	100'
	Gold Drive	50'
	Side Yard	1.5 times the height of the structure, but not less than 50'.
Maximum Building Height		45'
Maximum Building Coverage		75%
Maximum Impervious Surface Coverage		80%

<sup>17</sup> Referenced in the RDP as "Electric Vehicle Charging Stations".

<sup>18</sup> RDP §9.0.

<sup>19</sup> In all cases, setbacks shall provide sufficient room to permit on-site parking for the entirety of the Project.





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CATEGORY		REGULATION
<b>Ancillary Structures</b>		
Maximum Number		1
Maximum Size		500 s.f.
Minimum Setbacks	Front Yard	Buildings Prohibited
	Side Yard	10'
	Rear Yard	10'
Maximum Building Height		15'
		1½ Stories
Minimum Distance between Buildings		As directed by the Fire Official

**8.2.5 CONSTRUCTION STAGING & SALES TRAILERS**

Renumbered from RDP §8.2.4.



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## **13.0 PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS**

### **13.1 REDEVELOPMENT AREA DESIGNATION**

The Robbinsville Township Council, via Resolution No. 2021-165 (adopted June 24, 2021)<sup>20</sup>, declared what was then termed the Route 130 South Study Area to be a "Non-Condemnation Area in Need of Redevelopment" pursuant to the *Local Redevelopment and Housing Law*. Redevelopment Area designation is a prerequisite for the promulgation of a Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

Township Council, via Resolution No. 2023-175 (adopted July 13, 2023)<sup>20</sup>, declared Block 29 Lot 1.18 to be an Area in Need of Redevelopment and amended the Route 130 South Redevelopment Area to include such Lot.

Upon adoption of this Amendment, the provisions detailed herein shall govern for both Lots.

### **13.10 RELATIONSHIP TO PERTINENT MUNICIPAL DEVELOPMENT REGULATIONS<sup>21</sup>**

**13.10.1** Prior to the adoption of This Amendment, Block 29, Lot 1.19 was subject to the provisions of the Redevelopment Plan and Lot 1.18 was located in the Township's (OW) Office Warehouse Zone.

<sup>20</sup> On file with the Township Clerk

<sup>21</sup> N.J.S.A. 40A:12A-7c.





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## **14.0 EFFECTIVE DATE, DURATION OF PROVISIONS & AMENDMENT PROVISIONS**

### **14.1 EFFECTIVE DATE**

The Effective Date of the Redevelopment Plan is December 16, 2021<sup>22</sup>. The Effective Date of This Amendment will be the date the Ordinance adopting This Amendment becomes effective.

### **14.2 DURATION OF PROVISIONS**

**14.2.1** Subject to the provisions of RDP §15.0, the Redevelopment Plan and This Amendment shall be in effect for a period of ten (10) years from the December 16, 2021.

**14.2.3** The remaining provisions of RDP §14.2 shall be extended to include This Amendment.

### **14.3 PROCEDURES FOR AMENDING THE REDEVELOPMENT PLAN & THIS AMENDMENT**

**14.3.3** The provisions of RDP §14.3 shall be extended to include This Amendment.

<sup>22</sup> the date the Ordinance adopting the Plan became effective.





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**15.0 CERTIFICATE OF COMPLETION & COMPLIANCE**

15.5 The provisions of RDP §15.0 shall be extended to include This Amendment.