

**CHESTERFIELD TOWNSHIP
PLANNING BOARD**

RESOLUTION NO. 2020-07

**RESOLUTION RECOMMENDING
AREA IN NEED OF REHABILITATION DESIGNATION
TO THE TOWNSHIP COMMITTEE**

OLD YORK COUNTRY CLUB AREA

Block 700, Lot 2.01

WHEREAS, the Chesterfield Township Committee (“Committee”) passed Resolution 2020-2-6 on February 27, 2020, to direct the Township Planning Board to conduct a Preliminary Investigation in accord with the New Jersey Local Redevelopment and Housing Law, to determine whether the Old York Country Club Area qualifies as Areas In Need of Rehabilitation within the meaning of the Statute; and

WHEREAS, the Old York Country Club Area consists of Block 700, Lot 2.01, at 228 Old York Road, consists of an existing private golf course with restaurant, events venue and related amenities on approximately 159 acres; and

WHEREAS, the Board directed its Professional Planner, Christopher Dochney, PP, AICP, CME Associates, (hereinafter the “Planner”) to prepare a Preliminary Investigation for the Area; and

WHEREAS, on or about May 15, 2020, the Planner issued a Report titled “Area in Need of Rehabilitation Preliminary Investigation Report – Old York Country Club”, which Report was kept on file with the Board Secretary; and

WHEREAS, on May 19, 2020, the Board conducted a regular public meeting via “GoToMeeting” platform in accord with the MLUL and DCA directives in light of the COVID-

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19 pandemic, at which meeting the Board considered the referral of the Investigation Area from the Committee and the Preliminary Investigation Report issued by the Board Planner; and

WHEREAS, the meeting was opened by the Chair and nine members of the Board were present; and

WHEREAS, the Board Planner gave an overview of his Preliminary Investigation Report and offered the conclusion that the first and fifth criteria could be found to be met by the Board as (1) the buildings on the site are in poor or substandard condition, and (2) the environmental contamination caused by the failing wastewater treatment system is leading to a lack of proper utilization of the site; and

WHEREAS, the Chairman invited questions or comments from the Board; and

WHEREAS, the Chairman opened the hearing to public comment, and there was no public comment appearing or received; and

WHEREAS, the Chairman closed the meeting to the public; and

WHEREAS, the Board thereafter discussed the testimony of the Planner and the substance of the Report, as well as their own comments; and

WHEREAS, the Board was satisfied that the Area was sufficiently qualified to recommend same for an area in need of rehabilitation to the Committee.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Chesterfield, following close of the public hearing on the 19th day of May, 2020 and memorialized by this Resolution on the 16th day of June, 2020, that upon completion of its preliminary investigation as directed by the Committee and in accord with the Planner's preliminary investigation report and the public comment, the Board finds that the property within the Old York Country Club Area, Block 701, Lot 2.011 (the "Investigation Area") qualifies as an

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area in need of rehabilitation in accord with the New Jersey Local Redevelopment and Housing Law and by adoption of this Resolution, formally makes this recommendation to the Township Committee for its consideration; and

BE IT FURTHER RESOLVED that the memo provided to the Township Attorney immediately following the May 19th meeting is further attached hereto and incorporated herein.

ROLL CALL VOTE

Those in Favor: 9

Those Opposed: 0

BE IT FURTHER RESOLVED that a certified copy of memorialization be provided to the Township Committee within three (3) days of the date of adoption, and a copy of this Resolution shall be filed with the Township Clerk, Tax Assessor, Construction Official, and Zoning Officer. A brief notice of this decision shall be published in the official newspaper of the Township.

BE IT FURTHER RESOLVED that a copy of this Resolution shall serve as notice of the determination and it shall be served, within 10 days after adoption of this Resolution of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

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CERTIFICATION

I hereby certify that this foregoing Resolution is a true resolution, as adopted by the Planning Board of the Township of Chesterfield on June 16, 2020 in accordance with its decision at its regular meeting on May 19, 2020.

Attest:

CHESTERFIELD PLANNING BOARD

Aggie Napoleon
AGGIE NAPOLEON, Secretary

By: Brian Kelly
BRIAN KELLY, Chairman

Dated: 6/16/20

Date of Recommendation: May 19, 2020

Date of Memorialization: June 16, 2020

**CHESTERFIELD TOWNSHIP
MEMORANDUM**

To: John Gillespie, Esquire, Township Attorney
From: Doug Heinold, Esquire, Board Attorney
Re: Old York Country Club – Rehabilitation Designation
Date: May 20, 2020

This memorandum is provided with regard to the referral of the Old York Country Club properties to the Chesterfield Township Planning Board for determination as to whether the properties qualify for a Rehabilitation designation as set forth under N.J.S.A. 40A:12A-14. I will be preparing a Resolution for the Board to adopt, but this memo will convey the determination so that the Committee can move forward with the designation consideration.

The Board reviewed and held discussion with regard to the Area in Need of Rehabilitation Preliminary Investigation Study – Old York Country Club, Block 701, Lot 2.01, 228 Old York Road, prepared by Chris Dochney, AICP, PP, dated May 2020. Mr. Dochney gave an overview of the Report, and noted his conclusions that the site qualified in his opinion pursuant to criterion 1 (a significant portion of the structures therein are in a deteriorated or substandard condition) and criterion 5 (environmental contamination).

The Board recommended that the Property be designated for Rehabilitation. In doing so, it agreed with criterion 5. With regard to criterion 1, there was some question as to whether accessory structures on the site that are substandard is a sufficient basis when the principal structures are not in significant disrepair. It was agreed that this question/ concern would be best relayed to the Committee, as the Committee ultimately makes the determination and can further discuss and examine the application of that criterion.

In short, the Board felt that the significant and most reliable criterion impeding rehabilitation was the condition of the waste treatment systems, the impact of their failure on groundwater, and the now prohibitive costs of repair that would be difficult to meet. The Board was satisfied that if criterion 5 were only criterion, it would support the rehabilitation determination.

As a secondary element to the primary determination of making a recommendation, the Board wanted to underscore for the Township Committee that were the governing body to designate this property as an area in need of rehabilitation and if that were to result in a change in zoning removing this property from an AG zone, the Committee should consider the implications under the Master Plan if development credits are lost. This consideration should include whether there are adequate additional credits to permit the receiving area to fully develop, and how the loss of these credits might affect the position of the Township in future COAH rounds.

If you need anything further with regard to the above, please let me know. Upon adoption of the Resolution, we will provide a copy to you and the Committee in the normal course.