

## **BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION**

NOTICE is hereby given that **Ordinance 15-2025** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE BOROUGH OF EATONTOWN WITHIN THE FORMER FORT MONMOUTH, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW”** was passed after a public hearing at the regular meeting of **September 25, 2025** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

### **ORDINANCE 15-2025**

#### **BOROUGH OF EATONTOWN**

#### **COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

#### **ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE BOROUGH OF EATONTOWN WITHIN THE FORMER FORT MONMOUTH, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (as amended and supplemented, the **“Redevelopment Law”**), provides a process for a municipality to determine whether certain parcels of land in the municipality constitute an “area in need of redevelopment”; and

**WHEREAS**, to make such a determination under the Redevelopment Law, the Borough Council (the **“Borough Council”**) of the Borough of Eatontown (the **“Borough”**) must first authorize the Borough Planning Board (the **“Planning Board”**) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

**WHEREAS**, by way of Resolutions 178-2017 and 173-2023, the Borough has designated certain property within its boundaries that previously fell under the jurisdiction and control of the Fort Monmouth Economic Revitalization Authority (**“FMERA”**), including Block 301, Lot 1, Block 501, Lots 1 and 1.01, Block 601, Lot 1 and Block 701, Lot 1, as a non-condemnation “area in need of redevelopment area” (the **“Original Redevelopment Area”**), according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, on October 25, 2023, the Borough adopted Ordinance 31-2023, approving and adopting the Fort Monmouth Reuse and Redevelopment Plan as the “redevelopment plan” for the Original Redevelopment Area in accordance with *N.J.S.A. 40A:12A-7* (the **“Original Redevelopment Plan”**); and

**WHEREAS**, on July 26, 2023, and August 17, 2023, respectively, the Borough and the Borough of Oceanport adopted Ordinance 19-2023 and Ordinance #1078, respectively, amending the municipal boundary between the Borough and the Borough of Oceanport on the property of the former Fort Monmouth, as reflected on a map prepared by FMERA dated April 21, 2023, attached to both pieces of legislation and made a part thereof, which amendment added an area of land consisting of approximately 47.5 acres (the **“Transferred Land”**) to the Borough that was formerly part of the Borough of Oceanport on the property of the former Fort Monmouth; and

**WHEREAS**, the Transferred Land is generally described as follows: a small triangular area north of the intersection of Wilson Avenue (County Road 537A) and Messenger Avenue; together with an area south of Avenue of Memories and bounded by Nicodemus Avenue and Oceanport Way to the east; with the existing Nurses Quarters and Acutecare developments forming the southern boundary of the Transferred Land; and with the western boundary line of the Transferred Land following the original municipal boundary line between Oceanport and the Borough; and

**WHEREAS**, on September 10, 2025, the Borough Council adopted Resolution 217-2025 designating the Transferred Land as a non-condemnation “area in need of redevelopment” (the **“Additional Redevelopment Area”** and, together with the Original Redevelopment Area, the **“Redevelopment Area”**) according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, on behalf of FMERA, Phillips Preiss Grygiel Leheny Hughes LLC prepared a redevelopment plan for the Redevelopment Area entitled, "Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan" dated February 2024 (the "**Redevelopment Plan**"); and

**WHEREAS**, as of the date of introduction of this Ordinance on first reading, the Borough Council hereby refers the Redevelopment Plan to the Planning Board for the Planning Board's review pursuant to *N.J.S.A. 40A:12A-7(e)*; and

**WHEREAS**, prior to public hearing and final adoption of this Ordinance, the Planning Board will have transmitted to the Borough Council a report containing the Planning Board's recommendation concerning the Redevelopment Plan, including an identification of any provisions in the Redevelopment Plan that are inconsistent with the Borough Master Plan, if any, and recommendations concerning those inconsistencies, if any, and any other matters the Planning Board deems appropriate; and

**WHEREAS**, subject to receipt of such Planning Board report, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interests of the Borough and the redevelopment of the Redevelopment Area.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Eatontown, in the County of Monmouth, New Jersey, as follows:

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

**Section 2.** Pursuant to *N.J.S.A. 40A:12A-7(e)*, upon passage of this ordinance on first reading, the Borough Council hereby refers the Redevelopment Plan to the Planning Board for the Planning Board's review. The Planning Board shall prepare a report containing the Planning Board's recommendation concerning the Redevelopment Plan, including an identification of any provisions in the Redevelopment Plan that are inconsistent with the Borough Master Plan, if any, and recommendations concerning those inconsistencies, if any, and any other matters the Planning Board deems appropriate, and submit same to the Borough Council within 45 days after referral, as required by the Redevelopment Law.

**Section 3.** The Redevelopment Plan is hereby approved and adopted pursuant to *N.J.S.A. 40A:12A-7*, subject to the consent of FMERA pursuant to *N.J.A.C. 19:31C-3.25(b)(1)*.

**Section 4.** The zoning district map and the zoning ordinances of the Borough are hereby amended to incorporate and reflect the Redevelopment Plan, and, to the extent provided in the Redevelopment Plan, are superseded thereby.

**Section 5.** In case any one or more of the provisions of this ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance or the Redevelopment Plan and this ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 6.** Pursuant to *N.J.A.C. 19:31C-3.25(b)(6)*, this ordinance shall not be effective unless and until FMERA has consented to adoption of this ordinance and the Redevelopment Plan. The Borough Council hereby directs the Mayor, in consultation with counsel to the Borough, to prepare and submit to FMERA the necessary application and/or any other documents in connection therewith in furtherance of such consent by FMERA.