

RESOLUTION 2020-12-14

RESOLUTION AUTHORIZING THIRD AMENDMENT TO DEVELOPER'S AGREEMENT WITH TRADITIONS AT CHESTERFIELD, LLC AND CHESTERFIELD LLC

WHEREAS, by Developer's Agreement, entered into on or about May 23, 2013, the Township of Chesterfield reached certain agreements with both Traditions at Chesterfield, LLC and Chesterfield, LLC, regarding the development of property known as Block 202, Lots 24.01, 25.01, and 25.02 comprised of single-family residential dwelling units, duplex/triplex units, apartments, and commercial square footage located within Old York Village; and

WHEREAS, said Developer's Agreement was subsequently amended by a "First Amendment to Developer's Agreement", entered into on or about September 27, 2015, and then again by a "Second Amendment to Developer's Agreement" entered into on or about February 14, 2019; and

WHEREAS, in consideration of the negative economic impacts created by the COVID-19 pandemic, and the desire to promote the completion of construction, and the occupancy of the last mixed-use building within Old York Village, Chesterfield, LLC has proposed a "Work/Live Unit concept", whereby the predominant storefront portion of a suite is dedicated to commercial use, and a subordinate rear portion is a connected living space for the lessee/operator of the suite; and

WHEREAS, the work/live arrangement is intended to foster a supportive environment that encourages artisans to live and present their creative work in the Township of Chesterfield; and

WHEREAS, the work/live arrangement helps promote sound economic development and increase employment opportunities for the Township's residents by responding to changing economic conditions; and

WHEREAS, the proposed work/live units will allow for the architecturally appropriate incorporation of residential uses into existing non-residential structures to ensure that any modifications are compatible with the surrounding commercial area's design and character; and

WHEREAS, by Resolution 2019-12-7, the Township Committee declared the property giving rise to this new “work/live” arrangement, “an area in need of rehabilitation”, in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A-12A-1, *et seq.*; and

WHEREAS, among the purposes of such a designation, is to provide tools for the further development, and economic viability, of the property, and the Township Committee has determined that the ability to provide this type of a use advances those goals; and

WHEREAS, to facilitate the “work/live” arrangement, and in furtherance of the declaration of the area as “in need of rehabilitation”, the Township Committee deems it appropriate to execute this “Third Amendment to Developer’s Agreement”, which is attached hereto and made a part of this Resolution, based upon the factual predicates set forth above, which are incorporated herein as if set forth at length, being the same is hereby approved;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the attached “Third Amendment to Developer’s Agreement”, be and the same as hereby approved, and the Deputy Mayor and Township Clerk are hereby authorized and directed to execute same.

CHESTERFIELD TOWNSHIP COMMITTEE

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on \_\_\_\_\_, 2020 at which a quorum was present.

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Caryn Hoyer, RMC  
Township Clerk