

RESOLUTION NO. 26-~~10~~

BOROUGH OF BERLIN

PLANNING BOARD

RE: RECOMMENDATION THAT CERTAIN PROPERTIES WITHIN THAT CERTAIN "STUDY AREA" KNOWN AS BLOCK 1800 LOT 9, BERLIN, NJ BE DETERMINED TO BE AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT

WHEREAS, by virtue of Borough of Berlin Resolution No. R2-56:2026 adopted pursuant to N.J.S.A. 40A:12A-6, the Mayor and Borough Council of the Borough of Berlin Planning Board directed and authorized the Borough of Berlin Planning Board (the "Board") to conduct a study and make recommendation(s) as to whether certain properties located in the Study Area identified therein, namely the properties designated as Block 1800, Lot 9 constitute an area in need of condemnation redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5, to wit:

1. Block 1800, Lot 9 – developed with a shopping center and off-street parking, including a large building previously used for a Kmart and Acme and several smaller retail buildings on the opposite side of the parking lot and a wooded area to the north;

WHEREAS, the Board caused to be prepared a map showing the boundaries of the proposed condemnation redevelopment area and the location of the parcel of property included therein; and

WHEREAS, the Board appointed Colliers Engineering & Design to conduct a study and prepare a report with findings and recommendations as to whether the properties in the Study Area should be designated as an area in need of condemnation redevelopment; and

WHEREAS, Colliers Engineering & Design conducted the study as directed and prepared a report thereon, said report dated March 26, 2026 (the “Colliers Report”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Planning Board specified April 27, 2026 as the date for a public hearing and caused notice of the hearing to be given for the purpose of hearing persons who were interested in or who would be affected by the determination that the delineated Study Area is in need of condemnation redevelopment; and

WHEREAS, the hearing notice set forth the general boundaries of the Study Area to be investigated and stated that a map had been prepared and could be inspected at the Borough of Berlin Planning Office; and

WHEREAS, a copy of the notice was published in a newspaper of general circulation once each week for two consecutive weeks, the last publication being not less than ten (10) days prior to the date of the hearing on April 27, 2026; and

WHEREAS, the Planning Board caused copies of the notice to be mailed to the last owner of the parcels of property within the Study Area according to the assessment records of the Borough of Berlin, and to all persons whose names are noted on the Tax Assessment records for all of the parcels listed in the study report, such notice being provided at least ten (10) days prior to the date set for the hearing; and

WHEREAS, at the time of the public hearing on April 27, 2026, the Planning Board Secretary gave sworn testimony regarding the publication and service of the public notice as set forth above; and

WHEREAS, at the time of the public hearing on April 27, 2026 Adam Warburton, PP, AICP testified under oath and summarized the Colliers Report, which report was marked as Exhibit “P-1” at the time of the hearing; and

WHEREAS, at the time of the said public hearing, no members of the public appeared to testify with regard to the proposed non-condemnation redevelopment area; and

WHEREAS, the Board, after reviewing the Report and hearing the testimony of Mr. Warburton, found that in the within designated Study Area, the following conditions currently exist:

1. With respect to Block 1800, Lot 9 of the Study Area, which includes the shopping center, off-street parking, and wooded area, the Board found that:

A. Consistent with the statutory criteria described in N.J.S.A. 40A:12A-5(a), the former Kmart and Acme building exhibits unsafe, unsanitary, and dilapidated conditions including collapsed ceiling tiles, mold, waterlogged drywall, and indications of criminal activity conducive to unwholesome living;

B. Consistent with the statutory criteria described in N.J.S.A. 40A:12A-5(b), the buildings previously used for the shopping center have not been used since 2014 been allowed to fall into an untenable state of disrepair;

C. Consistent with the statutory criteria described in N.J.S.A. 40A:12A-5(d), the drainage basin causes numerous hazards to the community due to the presence of standing water and an exposed broken stormwater inlet;

WHEREAS, based upon the above findings, the Board determined that Block 1800, Lot 9 is in need of condemnation redevelopment; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Berlin Planning Board that the Board does hereby adopt the Colliers Report dated March 26, 2026, and as a result thereof and of the public hearing conducted thereon on April 27, 2026, the Board hereby recommends to

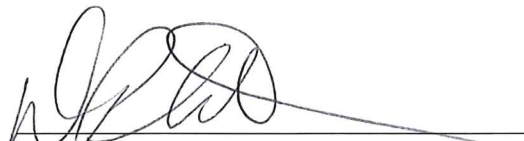
the Mayor and Borough Council of the Borough of Berlin that Block 1800, Lot 9, be determined to be in need of condemnation redevelopment and/or be designated as a Condemnation Redevelopment Area; and


BE IT FURTHER RESOLVED the Planning Board does hereby adopt the findings set forth in the above preambles as its factual findings supporting its recommendations to the Mayor and Borough Council of the Borough of Berlin.

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<i>RECORD OF VOTE ON RESOLUTION</i>						
BOARD	AYE	NAY	Abstain	Absent	Motion Made By	Second
Mayor Rick Miller	X				X	
Councilman Millard Wilkinson				X		
Chairman Michael McGowen	X					
Dan Pomponio	X					
Ken Ryker	X					
Wayne Hans	X					
Fran Ballak	X					X
John Cole	X					
Jeanine Schumacher				X		
Harry Earl				X		
Eric Hahn	X					

I, Donna Plute, Secretary to the Planning Board of the Borough of Berlin, County of Camden, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the action taken by said Board on the Resolution at a meeting held at the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey on the _____ day of _____, 2026.


 Donna Plute, Secretary


 Michael McGowan, Chairman