

**TOWNSHIP OF WOOLWICH  
ORDINANCE NO. 2021-25**

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**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH,  
COUNTY OF GLOUCESTER, NEW JERSEY  
AUTHORIZING AND APPROVING THE APPLICATION  
FOR A TAX EXEMPTION AND THE EXECUTION AND  
DELIVERY OF A FINANCIAL AGREEMENT BETWEEN  
THE TOWNSHIP OF WOOLWICH AND WH  
DEVELOPMENT URBAN RENEWAL, LLC, FOR A  
REDEVELOPMENT PROJECT LOCATED ON  
PROPERTIES CURRENTLY DESIGNATED AS BLOCK 59,  
LOTS 6, 6.01, 6.02, & 8 ON THE OFFICIAL TAX MAPS OF  
THE TOWNSHIP, PURSUANT TO THE LONG TERM TAX  
EXEMPTION LAW (N.J.S.A. 40A:20-1 et seq.) (B&D  
PROPERTY)**

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**WHEREAS**, the Township of Woolwich (“Township”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Gloucester; and

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“Redevelopment Law”), specifically including *N.J.S.A. 40A:12A-6(a)*, on August 5, 2019, the Township Committee of the Township of Woolwich (“Township Committee”) adopted Resolution No. R-2019-194 designating certain parcels of real property in the Township as an area in need of redevelopment pursuant to the Redevelopment Law (“Redevelopment Area”); and

**WHEREAS**, the Township Committee adopted Ordinance 2017-12 on July 17, 2017, an Ordinance which approved the “Kings Landing Redevelopment Plan,” a redevelopment plan that includes applicable development goals and standards for, among other things, the redevelopment of the Redevelopment Area (“Original Redevelopment Plan”); and

**WHEREAS**, the Township has heretofore designated the Township Committee as the Redevelopment Entity for the purpose of implementing the Redevelopment Plan; and

**WHEREAS**, the Township Committee adopted Ordinance No. 2019-25 on December 30, 2019, which amended the Original Redevelopment Plan (as amended, the “Redevelopment Plan”); and

**WHEREAS**, certain properties designated as Block 62, Lots 2 & 3, Block 59, Lots 6, 6.01, 6.02, 7 (part of), 8 & 10 on the Official Tax Map of the Township (“Property”) are located within the Redevelopment Area; and

**WHEREAS**, by resolution, the Township Committee appointed WH Development Urban Renewal, LLC (“Developer”), as the redeveloper of the Property; and

**WHEREAS**, pursuant to and in accordance with the Redevelopment Agreement, the Entity intends to undertake the construction of a warehouse project consisting of two (2) warehouse buildings ("Buildings B & D"), with an estimated combined total of 906,049 ± square feet of building area on certain real property in the Redevelopment Area consisting of Block 59, Lots 6, 6.01, 6.02, & 8 on the Official Tax Maps of the Township (collectively, the “B&D Property”), and a portion of two (2) warehouse buildings ("Buildings A & C"), with an estimated combined total of 307,092 ± square feet of building area collectively totaling ± 1,213,141 square feet of building area on certain real property in the Redevelopment Area consisting of Block 59, Lot 10 and Block 62, Lots 2 & 3 on the Official Tax Maps of the Township (collectively, the “A&C Property” and, together with the B&D Property, the "Full Property"), together with passenger vehicle parking spaces, trailer parking spaces, landscaping, stormwater management facilities and related site improvements (collectively, the redevelopment of all the Property is herein referred to as the "Full Project"). ; and

**WHEREAS**, the Developer is the contract purchaser of the Full Property and will construct, or cause to be constructed, the Full Project; and

**WHEREAS**, the Redeveloper may elect, in its discretion, to undertake construction of the Full Project in phases, with the construction of Buildings B and D on the B&D Property conceptually contemplated as being the initial two (2) phases of the Full Project, as depicted in the conceptual Phasing Plan attached to the Redevelopment Plan; and

**WHEREAS**, the New Jersey Long Term Tax Exemption Law, the *N.J.S.A. 40A:20-1 et seq.* (“Long Term Tax Exemption Law”) permits a municipality to enter into a financial agreement exempting real property from tax assessment and accepting payments of an Annual Service Charge, in lieu of taxes, where the property is qualified; and

**WHEREAS**, in accordance with the Long Term Tax Exemption Law, the Developer submitted a written application, as amended (“Application”), to the Township for approval of a tax exemption ("Tax Exemption") for the improvements to be constructed as part of the B&D Project (collectively, the “Improvements”); and

**WHEREAS**, the Township Committee has found that the B&D Project provides necessary commercial development, employment opportunities in construction and permanent positions, and a benefit to the Township by receiving payments in lieu of taxes; and

**WHEREAS**, the Township Committee has found that the Tax Exemption provides for better use of the B&D Property, completion of infrastructure improvements, and greater attraction for investors, lenders, and future occupants of the B&D Property; and

**WHEREAS**, the Township Committee has determined that these benefits to the Township outweigh the costs, and the redevelopment is in the best interest of the community; and

**WHEREAS**, as a result of the foregoing, the Township has agreed to enter into a financial agreement with the Entity, governing, among other things, payments made to the Township in lieu of real estate taxes on the Improvements constituting the B&D Project contemplated to be constructed on the B&D Property, pursuant to the Long Term Tax Exemption Law ("Financial Agreement"); and

**WHEREAS**, the Township Committee now deems it to be in the best interest of the Township to adopt this Ordinance authorizing the Township to approve the Application submitted by the Developer and to enter into the Financial Agreement with the Developer on the terms and conditions stated in the Financial Agreement on the B&D Property attached to this Ordinance as "Exhibit A," and as further set forth herein, including *inter alia* the granting of a tax exemption:

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey, that the Application submitted by the Developer is hereby approved, and that that the Township will enter into a Financial Agreement with the Developer on the B&D Property on the terms and conditions stated in the Financial Agreement attached to this Ordinance as "Exhibit A," and as further set forth herein:

1. The Township Committee makes such determinations and findings by virtue of, pursuant to, and in conformity with the Long Term Tax Exemption Law.
2. The development of the B&D Project is hereby approved for the grant of a tax exemption under the Long Term Tax Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Financial Agreement and all exhibits and schedules thereto are hereby authorized and approved.
4. The Improvements, when constructed and deemed substantially completed, shall be exempt from real property taxation and, in lieu of real property taxes, the Developer shall make payments of an Annual Service Charge to the Township during the term and under the provisions set forth in the Financial Agreement.
5. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the Department of Community Affairs, Director of the Division of Local Government Services; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon proper passage in accordance with the law; and

**BE IT FURTHER ORDAINED** that the Mayor of the Township of Woolwich, Township Business Administrator, and the Township Chief Financial Officer are hereby authorized to execute the Financial Agreement and any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

**TOWNSHIP OF WOOLWICH**

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Vernon Marino, Mayor

ATTEST:

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Jane DiBella, Township Administrator/Clerk

**CERTIFICATION**

The foregoing Ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a meeting held on the 6th day of December, 2021. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at which time any interested person(s) may be heard. Said meeting is to be conducted on the 20th day of December, 2021 at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:00 p.m.

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Jane DiBella, Township Administrator/Clerk

**CERTIFICATION OF ADOPTION**

The foregoing Ordinance was adopted upon second reading and subsequent to a public hearing at a meeting of the Woolwich Township Committee on the \_\_\_\_ day of \_\_\_\_\_, 2021.

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Jane DiBella, Township Administrator/Clerk

EXHIBIT "A"  
FINANCIAL AGREEMENT BETWEEN WH DEVELOPMENT URBAN RENEWAL, LLC  
AND THE TOWNSHIP OF WOOLWICH, NEW JERSEY

4894-1509-7093, v. 1