

*2013.00: Solicitor
File
4-19-13*

RESOLUTION
NO. 58 OF 2013

SUPPORTING STATE HOUSE COMMISSION PRE-APPLICATION TO NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM
FOR A MAJOR DIVERSION OF PARK LAND

WHEREAS, Lot 1 in Block 28 as shown on the tax map of the City of Ventnor was the location of the former Ventnor City Ice Skating Rink; and

WHEREAS, said property was encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection Green Acres Program; and

WHEREAS, the ice skating rink as identified above was demolished and removed in association with the construction of the Ventnor Branch of the Atlantic County Library system; and

WHEREAS, the demolition and removal of the structure which housed the ice rink and subsequent construction of the Library will require removal of Green Acres restrictions from a portion of the property; and

WHEREAS, the removal of Green Acres restrictions from park land requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the City of Ventnor wishes to apply for approval for a major disposal or diversion of park land under N.J.A.C. 7:36-26; and

WHEREAS, said major diversion has resulted from the loss of outdoor recreational space concerning a portion of Lot 1 in Block 28 as shown on the tax map of the City of Ventnor, the same being the loss of the Ventnor City ice skating rink which was approximately 13,220 square feet or approximately .30 acres; and

WHEREAS, pursuant to State regulations, the City of Ventnor is desirous of replacing such lost outdoor recreational space by providing outdoor recreational space in "Ventnor West" which may consist of all or a portion of property identified on the Ventnor City tax map as Lot 1 in Blocks 358,359,360,361 and 390; and

WHEREAS, as required by N.J.A.C. 7:36-26.8, the City of Ventnor held a scoping hearing on the 18th day of October, 2012 to solicit public comment on the diversion/disposal of the ice skating rink which was situated on a portion of Lot 1 in Block 28 as shown on the tax map of the City of Ventnor; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for the City of Ventnor to submit as part of the pre- application package a Resolution endorsing the application to divert or dispose of the above referenced park land.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY AS FOLLOWS:

1. The City of Ventnor endorses the filing of the pre- application for the disposal or diversion concerning the former structure of the Ventnor ice skating rink pursuant to N.J.A.C. 7:36-26.
2. The City of Ventnor hereby finds that the disposal or diversion concerning the Ventnor City ice skating rink would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by allowing for outdoor recreational activity to occur in Ventnor West which will yield a significant public benefit.
3. The City of Ventnor acknowledges that in order to obtain the approval of the Ventnor City ice skating rink disposal or diversion all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

BE IT SO RESOLVED.

Members of the Board of Commissioners
of the City of Ventnor City, NJ

Absent

Mayor John Michael Bagnell

Frank Sarno

Commissioner Frank Sarno

Theresa D. Kelly

Commissioner Theresa D. Kelly

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 18th day of April, 2013 and in witness whereof I hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Bagnell						✓
Kelly		✓	✓	✓		
Sarno	✓		✓			

Janice K. Callaghan

JANICE K. CALLAGHAN, RMC
CITY CLERK