

**PLANNING BOARD OF THE CITY OF HACKENSACK**

**RESOLUTION**

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**IN THE MATTER OF:**

**THE PRELIMINARY INVESTIGATION FOR DETERMINATION OF WHETHER BLOCK 405, LOT 3, THE FORMER SEARS SITE (“THE AREA OF INVESTIGATION”) CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT WITH CONDEMNATION PURSUANT TO N.J.S.A. 40A:12A-5.**

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**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6 and by Resolution No. 92-24 adopted on March 5, 2024, the governing body authorized and requested the Planning Board to undertake a preliminary investigation (“the Investigation”) to determine whether **Block 405, Lot 3** (“the Area of Investigation”) constitutes an area in need of redevelopment **with condemnation** according to the criteria set forth under the Local Redevelopment and Housing Law (“LRHL”), specifically N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to the said Resolution previously adopted by the governing body of the City of Hackensack on March 5, 2024, the governing body also authorized its pre-qualified planning consultant, DMR Architects, to assist the City’s Planning Board in conducting the Investigation of the delineated Area of Investigation presented to the Board; and

**WHEREAS**, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on **February 12, 2025** a public hearing would be held for the purpose of hearing persons who are interested in or would be affected by a determination that the properties in the Area of Investigation are an area in need of redevelopment as that term is defined under the LRHL, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, Francis Reiner, LLA, PP of DMR Architects has prepared a “Preliminary Investigation for Determination of an Area in Need of Redevelopment” **with condemnation** for

the designated Area of Investigation, dated February 2025 (“the Investigation Report”) which is attached hereto and made part hereof as Exhibit A; and

**WHEREAS**, the Investigation Report opines that **Block 405, Lot 3**, which is the property consisting of the former Sears building and surface parking lot, meets the statutory criteria that qualify it as an “area in need of redevelopment” because it satisfies the “b” criteria of the LRHL under N.J.S.A. 40A:12A-5 which permits the designation of properties for redevelopment where the property contains buildings formerly used for retail/commercial purposes which have been vacant for a period greater than two years; and

**WHEREAS**, the Investigation Report recommends that the Area of Investigation be designated as an area in need of redevelopment with condemnation, according to N.J.S.A. 40A:12A-5 and 6; and

**WHEREAS**, as part of the Investigation, the Planning Board reviewed the recommendations set forth in the Investigation Report prepared by Francis Reiner, LLA, PP of DMR Architects annexed hereto as Exhibit A; and

**WHEREAS**, on **February 12, 2025**, the Planning Board held a properly noticed hearing pursuant to the requirements of N.J.S.A. 40A:12A-6 concerning the Area of Investigation, and Joseph L. Mecca, Esq., representing the Planning Board being present; and

**WHEREAS**, on **February 12, 2025**, the Planning Board received testimony from Francis Reiner, LLA, PP of DMR Architects, providing a first-hand account of the conditions that he observed during his exhaustive examination of the property within the Area of Investigation, which confirmed the description of the conditions and his findings contained in the Investigation Report; and

**WHEREAS**, the hearing was opened to all persons from the public who are generally interested in or would be affected by a finding that the properties within the Area of Investigation constitute an area in need of redevelopment under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

**WHEREAS**, the Board finds that the Investigation Report and testimony of Francis Reiner, LLA, PP of DMR Architects provides substantial evidence that **Block 405, Lot 3**, which is the property consisting of the former Sears building and surface parking lot, meets the statutory criteria that qualify it as an “area in need of redevelopment” because it satisfies the “b” criteria of the LRHL under N.J.S.A. 40A:12A-5 which permits the designation of properties for redevelopment where the property contains buildings formerly used for retail/commercial purposes which have been vacant for a period greater than two years; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Hackensack in the County of Bergen, State of New Jersey that:

1. The aforementioned recitals and Exhibit A are hereby incorporated by reference as if fully set forth herein.
2. **For the aforementioned reasons, the Planning Board recommends that the Governing Body of the City of Hackensack designate Block 405, Lot 3, which is the property consisting of the former Sears building and surface parking lot as an area in need of redevelopment, with condemnation.**
3. This Resolution shall take effect immediately and heretofore be transmitted to the governing body with a copy of the Investigation Report attached hereto as Exhibit A.

Motion made by: J. Mantua

Motion seconded by: J. Chiusolo

| BOARD MEMBERS              | YES | NO | ABSTAIN | ABSENT |
|----------------------------|-----|----|---------|--------|
| John Labrosse, Jr.         | X   |    |         |        |
| Kathleen Canestrino        | X   |    |         |        |
| Joseph Martucci            | X   |    |         |        |
| Kimberly Solomon           |     |    |         | X      |
| Ralph Contini              | X   |    |         |        |
| Albert Dib                 | X   |    |         |        |
| John Chiusolo              | X   |    |         |        |
| Fernando Garip, Jr.        | X   |    |         |        |
| Michael Allegretta         |     |    | X       |        |
| Isidor Prifti, Alternate#1 |     |    |         | X      |

**I certify that the foregoing is a true copy of a resolution adopted by the Planning Board of the City of Hackensack at the meeting of February 12, 2025.**

  
 \_\_\_\_\_, Planning Board Secretary