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**Preliminary Investigation**  
*for*  
**Determination**  
*of*  
**An Area in Need of Redevelopment**

**Block 62, Lot 8**  
**Redevelopment Study Area**

**Township of Harrison**  
**County of Gloucester**  
**State of New Jersey**



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The original of this document was signed and sealed in accordance with N.J.A.C. 13:41-1.3(b).

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# Preliminary Investigation

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## I. INTRODUCTION

As part of an initiative to remediate the physical deterioration and promote a fully productive condition of certain lands along Main Street, the Mayor and Township Council of the Township of Harrison through adoption of Resolution 126-2007, authorized the township's planning board to conduct a preliminary redevelopment investigation to determine whether the area of the township designated as the study area, as described herein, qualifies under the statutory criteria to be declared an area in need of redevelopment. The planning board commissioned Remington and Vernick Engineers, licensed professional planners in the State of New Jersey, to undertake the preliminary redevelopment investigation on its behalf.

The study was conducted in accordance with the Local Redevelopment and Housing Law (LRHL). Enacted in 1992, the *Local Redevelopment and Housing Law* P.L. 1992, c.79 (C40A:12A-1 et seq.) provides municipalities with a means to address conditions of deterioration and lack of proper land use for lands and/or buildings which are abandoned, decayed, undeveloped/under-developed, non-productive/under-productive or improperly developed, and to actively redevelop such areas into productive assets for the community.

Additionally, the redevelopment statute gives municipalities the power to acquire private property for the purposes of redevelopment (through negotiation or condemnation); to clear and reprogram said lands; to install infrastructure and/or other site improvements; and to negotiate and enter into partnerships with public and private entities in order to accomplish a municipality's redevelopment goals and objectives.

An area may be deemed in need of redevelopment given the applicability of certain criteria and undertaking of appropriate procedures outlined in the Local Redevelopment and Housing Law. If the study area is deemed an area in need of redevelopment, this would then permit the preparation and execution of a redevelopment plan, the acquisition of buildings and land through condemnation, the leasing or selling of property without public bidding, and allow the area to qualify for financial incentives.

## II. REDEVELOPMENT PROCESS

The redevelopment statute requires a multi-step process that must be adhered to in order for the municipal governing body and planning board to exercise those powers lawfully. This process is outlined below.

- (1) The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of P.L.1992, c.79 (C.40A:12A-5).
- (2) The planning board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein. The map must also include a statement setting forth the basis for the investigation.
- (3) The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution for formal action.
- (4) Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
- (5) Upon designation, the planning board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
- (6) The redevelopment plan, after review by the planning board, is referred to the governing body.
- (7) Upon receipt of the redevelopment plan from the planning board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the Redevelopment Statute.

### III. OVERVIEW

The Township of Harrison is 19.84 square miles in area<sup>1</sup>, and is located in the central portion of Gloucester County in southern New Jersey. The town is bounded on the north by East Greenwich and Mantua Townships, to the east by the Borough of Glassboro, to the south by South Harrison and Elk Townships, and to the west by Woolwich Township. The surrounding region is easily accessible by car from the township through the nearby New Jersey Turnpike and various regional highways running through the municipality.

The population of the Township of Harrison rose significantly in the 1990s, increasing by 86%, from 4,715 in 1990 to 8,788 in 2000<sup>2</sup>. According to forecasts published by the Delaware Valley Regional Planning Commission (DVRPC), both the township's population and employment have been increasing steadily since 2000, and will continue to increase at a significant rate through 2030. Between 2000 and 2030, the population is expected to increase by 99% (8,697) and the number of jobs is expected to increase by 126% (2,882).

The 'New Jersey State Development and Redevelopment Plan' (SDRP) categorizes the municipality as being predominantly within the Fringe Planning Area (PA3), with a portion of the eastern area of the township in the Suburban Planning Area (PA2), a portion of the western side of the township in the Rural Planning Area (PA4), and a narrow strip of land along the township's southeastern edge in the Environmentally Sensitive Planning Area (PA5).

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<sup>1</sup> <http://www.harrisontwp.us/overview.html>

<sup>2</sup> U.S. Decennial Census

## **IV. STUDY AREA & BASIS FOR INVESTIGATION**

### **Study Area Delineation**

The area under examination is comprised of Block 62, Lot 8. The boundaries of the study area were determined by the township given a manifestation of physical deterioration and a less-than-fully productive utilization of land; in aggregate, conditions considered to be detrimental to the welfare of the township. Additionally, the township recognized that these conditions have existed for some time, and that absent proactive township intervention in the form of redevelopment planning, said conditions are not likely to be remediated solely through private sector initiatives.

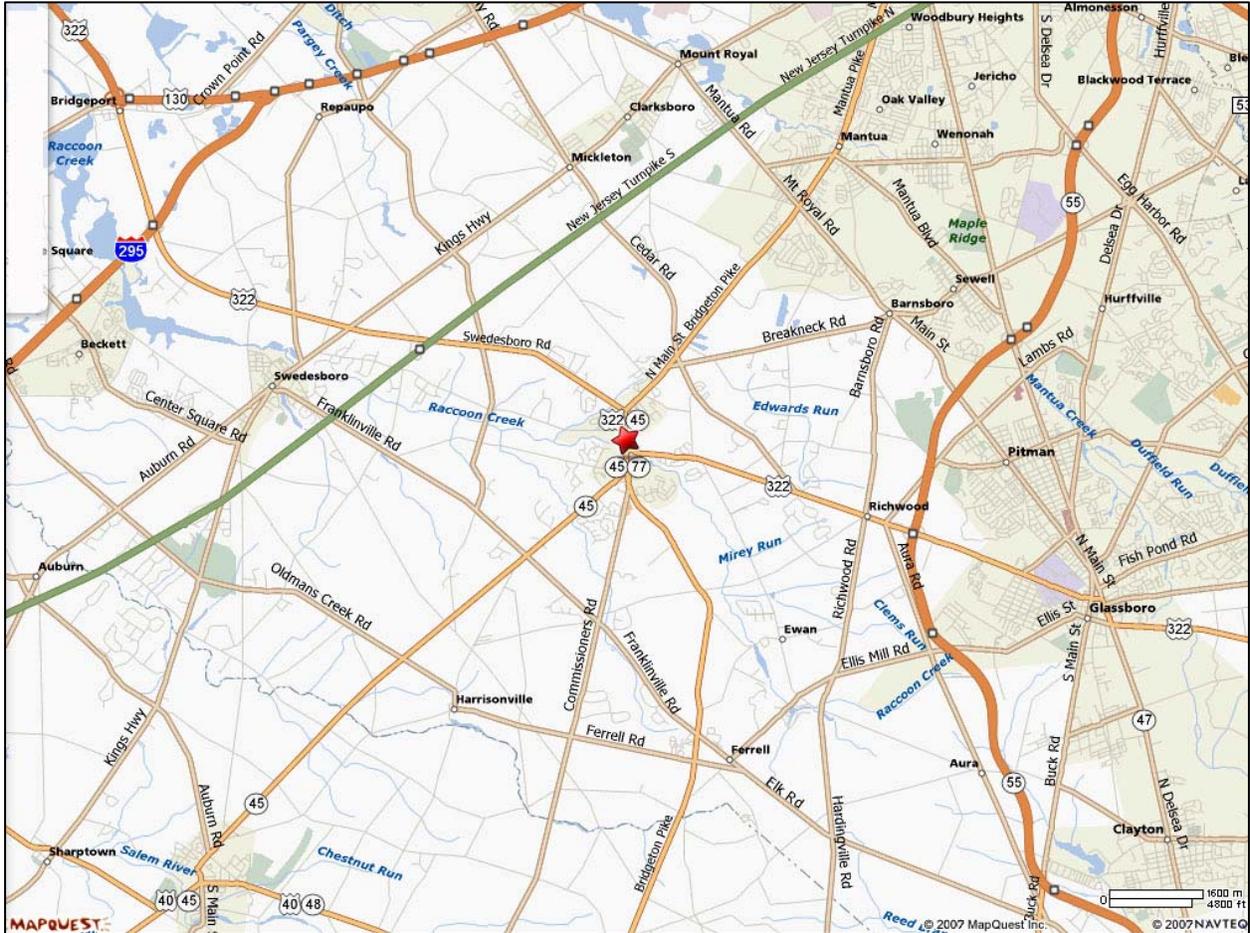
### **Description & Background**

The study area contains an abandoned commercial structure and parking/circulation area, and is located in the Fringe Planning Area (PA3) as designated by the SDRP. The intent of the PA3 area is to:

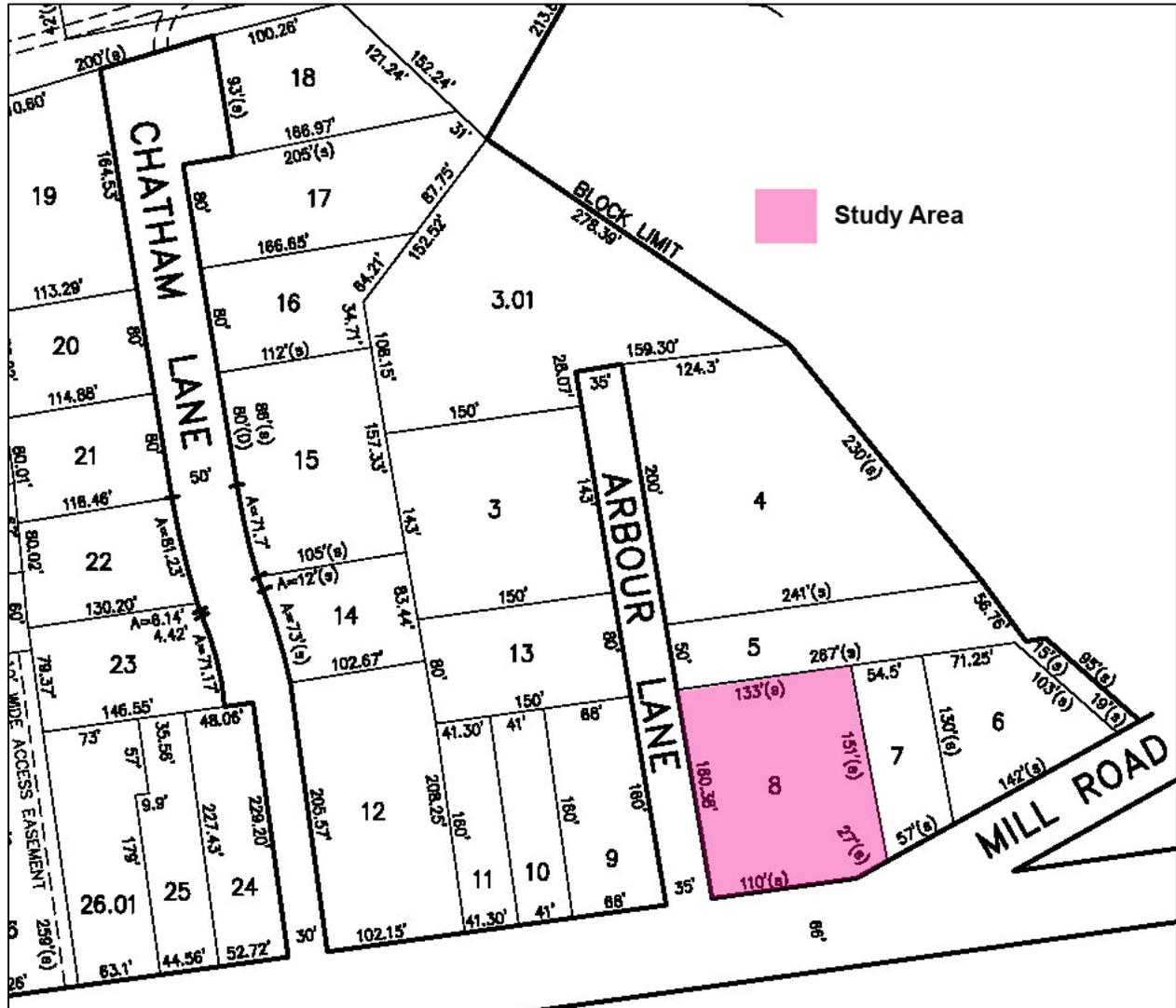
- accommodate growth in Centers;
- protect the Environs primarily as open lands;
- revitalize cities and towns;
- protect the character of existing stable communities;
- protect natural resources;
- provide a buffer between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas; and
- confine programmed sewers and public water services to Centers.

## V. MAPS OF STUDY AREA

### Access Routes in the Vicinity of Harrison Township:



**Study Area**  
**Block 62, Lot 8 of the Harrison Township Tax Map**



## Aerial Photograph of Study Area



## VI. EXISTING CONDITIONS AND LAND USE

Block 62, Lot 8 is within the Main Street District zone and fronts on both North Main Street and Mill Road. The property is currently vacant and was formerly the site of a gas station, which is a nonconforming use under Main Street District zoning. The lot abuts Arbor Street (a short dead-end street) to its north, the intersection of North Main Street and Mill Road to its west, and residential properties to its east and south.

An abandoned principal building is located in the northwestern portion of the lot. In the front yard and a portion of the side yard is a paved area that exhibits severe surface course deterioration. A paved passageway in poor condition runs along the southern side of the principal structure. There are two depressed curbs along the property frontage. Metal bollards have been installed along the northern portion of the property frontage and provide an access barrier preventing use of one of the depressed curbs. A short wood retaining wall is provided around a landscaped area on the northern side of the property. The east side of the property is wooded and provides a screen to the benefit of the residential property to the east of the parcel. The remainder of the property is largely occupied by overgrown vegetation. There is no screening to the benefit of the residential property to the south of the lot. According to information obtained from the township construction office, the property has been vacant for at least ten years.

## VII. STATUTORY CRITERIA

Under 40A:12A-5, a delineated area may be declared in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality, by resolution, concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property, therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by action of storm, fire, cyclone, tornado, earthquake, or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

- g. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zones Act, P.L. c. 303 9C52:27H-60 et. seq.), said designation and prescribed related action are, in and of themselves, sufficient basis for the determination that an area is in need of redevelopment for the purpose of granting tax exemption within the enterprise zone or the adoption of a tax abatement and exemption ordinance.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the criteria, the Redevelopment Statute states:

“A redevelopment area may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.”<sup>3</sup>”

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<sup>3</sup> N.J.S.A. 40A:12A-3

## VIII. APPLICABILITY OF STATUTORY CRITERIA

The statutory charge for a positive determination of redevelopment eligibility can be demonstrated by existing conditions of abandonment or physical deterioration evidenced by the presence of improvements which are dilapidated, obsolete, faulty in terms of arrangement, or in any way deleterious to the welfare of the community.

Conditions within the study area provide a basis for a finding of an area in need of redevelopment based upon criteria 'b' and 'd'. Justification of each criterion is provided below:

### Criteria "b"

As stated above, the Local Redevelopment and Housing Law dictates that criteria 'b' is met when a parcel exhibits a discontinuance of the use of buildings previously used for commercial purposes. As an abandoned gas station that has been vacant for at least ten years, this property exhibits this condition.

### Criteria "d"

Dilapidated Improvements - Physical dilapidation evidenced by pavement exhibiting severe surface course deterioration, and poorly maintained, overgrown vegetation.

Deleterious Land Use - The "boarded-up" condition of the principal building provides an undesirable condition that has an adverse visual impact on surrounding properties.

Faulty and Obsolete Design/Conditions Inconsistent With Modern Land Use Practices - The parking/circulation area provides no circulation markings or delineated parking spaces, and is so deteriorated that its function is obsolete. Excessive land coverage is exhibited by the presence of unnecessary paving to the right-of-way. Additionally, there is a lack of screening to shield this use from the residential use to the south of the property. Furthermore, the building detracts from the attractive, historical character of the Main Street corridor created by the other buildings in this district.

Overall, this property manifests blighted conditions that suggest disinvestment. These characteristics have a limiting impact on the vitality of the Main Street district, and thus limit the corridor's potential to attract new and promote the expansion of existing business so to yield job creation and tax base expansion.

**Faulty and/or obsolete design/physical deterioration/deleterious land use (criteria ‘d’)**



Severe surface course deterioration with resulting overgrown weeds (left); Severe surface course deterioration and “boarded-up” principal structure (right).



Paved area so deteriorated that its has become obsolete as a circulation/parking area (left); severely deteriorated parking/circulation area (right)

**Faulty design (criteria ‘d’)**



(left) Excessive land coverage demonstrated by unnecessary paving to the right-of-way; (right) lack of screening to the benefit of adjacent residential properties

## IX. CONCLUSION

Based upon the conditions described herein, this Preliminary Investigation concludes that the conditions found within the study area substantially demonstrate physical deterioration, faulty design, obsolescence, and deleterious land use rising to the statutory level necessary to deem the area to be in need of redevelopment. Accordingly, the entirety of the study area is eligible for an area in need of redevelopment declaration based upon criteria 'b' and 'd'.

It is recommended that the Township of Harrison Governing Body and Planning Board take the action necessary, after public notice and hearing, to make said determination according to law.<sup>4</sup>

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<sup>4</sup> Any municipal governing body resolution which designates an area to be in need of redevelopment is required to be submitted to the New Jersey Department of Community Affairs (DCA) for review. If the area designated is within an area targeted for development activity by state policies (Metropolitan [PA1] or Suburban [PA2] planning areas, or within an identified center, for example), approval of the designation is automatic upon submittal of the resolution to the DCA Commissioner. If the area which has been designated is not within an area for which development and redevelopment is encouraged by state policies, laws, or regulations, the DCA Commissioner has the authority to approve or reject the designation. In such cases, if no response is received from the Commissioner within thirty (30) days of the municipal submittal, the designation is automatically approved.

**SUPPLEMENT TO  
PRELIMINARY INVESTIGATION FOR DETERMINATION  
OF AN  
AREA IN NEED OF REDEVELOPMENT**

**BLOCK 62, LOT 8**

At the request of the Township of Harrison Planning Board, Remington and Vernick engineers performed additional investigation to determine the environmental conditions at the referenced site. The property was the subject of report prepared by our office, dated July 20, 2007, which concluded that the site met the statutory criteria to be eligible as an area in need of redevelopment.

An abandoned gas station is on the property. The New Jersey Department of Environmental Protection has provided correspondence with Shell Oil Products, US regarding the remediation of the site, said correspondence being dated April 3, 2006. It is also our understanding the site is currently owned by Daibes Brothers Construction, 1000 Portside Drive, Edgewater, NJ, 07020 – 1100. Currently, NJDEP is overseeing an approved Remedial Investigation Workplan (RIW) being performed by the Shell Oil Products Us company. **A Remedial Action Workplan (RAW) has not been approved.**

The following is a summary of outstanding environmental issues noted in the April 3, 2006 letter from NJDEP:

While most soil testing completed in 2001 came back below the cleanup criteria, soil samples PR-9 and UST-11 were over the criteria. In addition soil samples S-3 and S-7 from 1997 were also above the cleanup criteria. NJDEP has required both Vertical and Horizontal delineation of the contaminated area.

Groundwater monitoring completed in 2005 showed several monitoring wells had contaminants over the Ground Water Quality Standards, including free product in one of the wells. NJDEP is requiring that the biannual monitoring be continued and that Shell perform interim remedial action.

Additional sampling for lead is required.

Shell is required to calculate the CEA (classification exception area, which means the estimated limit (horizontal and vertical) of groundwater contamination) for the site.

Shell is required to continue screening utilities, storm sewers and basements in the area, including the South Jersey Water Company municipal well. Contaminants were not found during the 2004/ 2005 screening. Free product was discovered in a monitoring well adjacent to a residence in 1992 which is still being monitored.

There were several requirements for additional documentation, clarifications and for submission of a Remedial Work Plan which has not been addressed.

The evidence of soil and groundwater contamination further supports the conclusion in our July 20, 2007 report that existing on-site conditions rise to the level of the statutory criteria necessary for an affirmative finding of an area in need of redevelopment. Here criteria “d” is implicated as the above referenced soil and groundwater contamination is in and of itself a condition detrimental to the health, safety, and welfare of the community. We note that based on the information provided by NJDEP, the site will need remediation before improvements can occur on the property.