Harrison Township, New Jersey

PRELIMINARY INVESTIGATION
BLOCK: 62
LOTS: 6, 7, and 8
January 2015

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Acknowledgements

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Louis Manzo

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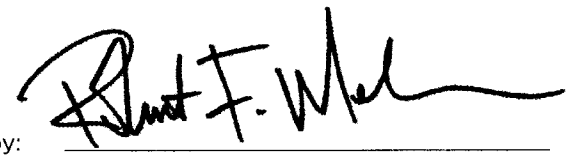

Robert F. Melvin, AICP/PP
NJ Planner License No. 04018

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1.0 Introduction

1.1. Study Authorization

Harrison Township through Resolution No. 217-2014 (Appendix A) has requested that Group Melvin Design perform a Preliminary Investigation into Block 62, Lots 6, 7, and 8 to ascertain whether this area qualifies under N.J.S.A. 40A:12A-5 as an "Area in Need of Redevelopment"

Figure 1 identifies the location and surrounding environs of Block 62, Lots 6, 7, and 8.

1.2. Summary of Findings

The analysis presented within this document serves as the basis for the recommendation that Block 62, Lots 6, 7, and 8 qualify as an Area in Need of Redevelopment.

1.2.a. Criterion A: Block 62, Lot 6

An investigation of the property found evidence that the principal structure on Block 62, Lot 6 is in a state of disrepair that results in the site being conducive to unwholesome living or working conditions.

1.2.b. Criterion A: Block 62, Lot 7

An investigation of the property found evidence that the principal structure on Block 62, Lot 7 is in a state of disrepair that results in the site being conducive to unwholesome living or working conditions.

1.2.c. Criterion C: Block 62, Lot 8

Lot 8 is a previously designated Area in Need of Redevelopment (Resolution 039-2009, Appendix B). This investigation supports this designation, finding that the property's structure has since been demolished, has continued to remain vacant and unimproved for approximately 15 years, and is a Known Listed Contaminated Site. It is therefore unlikely that Lot 8 be developed not likely to be developed through the instrumentality of private capital.

1.2.d. Criterion H: Blocks 62, Lots 6, 7, and 8

Additionally, this report finds that Block 62, Lots 6, 7, and 8 meet the "H" criterion, Smart Growth Consistency, due to the site's relationship to both state and local smart-growth objectives and because of the site's location within the Village of Mullica Hill.

As a result, Block 62, Lots 6, 7, and 8 warrant accompanying guidelines that will ensure that the entire area is developed in a manner that adheres to local and state plans, incorporates sound principals of urban planning and design, promotes the public welfare, and contributes to the sustainable economic development of the Township.

1.3. Condemnation

Block 62, Lots 6, 7, and 8 is recommended to be a "Condemnation Redevelopment Area."

As of 2013, the Legislature requires that Preliminary Investigations state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including eminent domain. Those Redevelopment Areas where

the municipality declares it will not use eminent domain are referred to as "Non-Condemnation Redevelopment Areas." Resolution 217-2014 (Appendix A) authorized the Study to establish Block 62, Lots 6, 7, and 8 as a "Condemnation Redevelopment Area. " It is the recommendation of this Study that Block 62, Lots 6, 7, and 8 be established as a "Condemnation Redevelopment Area".

Figure 1. Aerial of Site

2.0 Redevelopment Law

2.1. Purpose of the Act

New Jersey's Local Redevelopment and Housing Law (LRHL), empowers municipalities and local governments with the ability to initiate a process that transforms underutilized or poorly designed properties into healthier, more vibrant, or economically productive land areas. The process has been used successfully across New Jersey to creatively improve properties meeting statutory redevelopment criteria. Projects approved for redevelopment are often eligible for certain types of technical and financial assistance from the State.

2.2. Redevelopment Procedure

The LRHL requires municipalities to perform a number of steps before it may exercise its Redevelopment powers. This process is meant, in part, to ensure that the Governing Body acts in concert with the goals and objectives of the Township's Master Plan. Recognizing the Planning Board's role as the steward of the Master Plan, these steps require the Planning Board to make recommendations to the Township Council. The required steps are as follows:

A. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5). The Township Council has adopted Resolution No. 2013-6-14.

B. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included in it. This map should be accompanied by a statement setting forth the basis of the investigation.

C. The Planning Board must then conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.

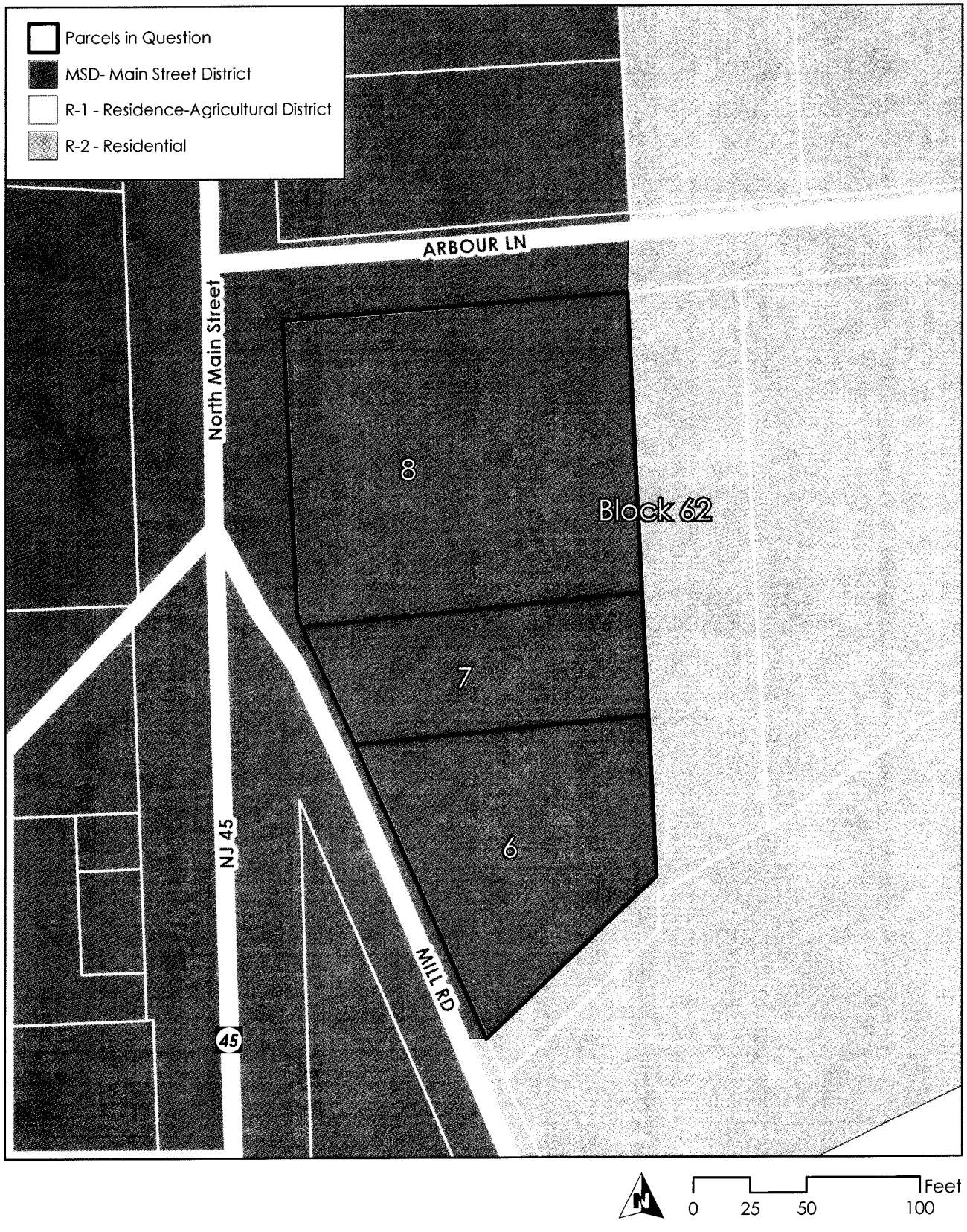
D. The Governing Body may act on this recommendation by adopting a resolution designating the area an "Area in Need of Redevelopment". The Governing Body must make the final determination as to the Redevelopment Area boundaries.

E. A Redevelopment Plan must be prepared establishing the goals, objectives, and specific actions to be taken with regard to the "Area in Need of Redevelopment."

F. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the Township's Zoning Ordinance.

Only after completion of this process is the Township able to exercise the powers granted to it under the State Redevelopment Statute.

Figure 2. Zoning



Existing Conditions

2.3. Description of Site Area

The site area is generally bounded by Mill Road to the west and Swamp Road to the south, off of North Main Street (Route 45) and about a half-mile south of the Mullica Hill Bypass.

Block 62, Lot 8 is a vacant lot that was previously used as a gas station, and Block 62, Lots 6 and 7 are residential lots. To the east of the lots is a largely wooded and undeveloped area.

2.4. Zoning

The area being reviewed is located in Harrison Township, with the Block 62, Lots 6, 7, and 8 being zoned MSD (Main Street District). The Main Street District permits both commercial and residential uses within the existing historic buildings in the district.

Surrounding uses include R-1 (Residence-Agricultural District) and R-2 (Residential District) to the east. The R-1 residential district allows for single-family detached homes, certain agricultural uses and farm buildings, recreation, municipal services, private schools, animal hospitals, home industry, and offices. The R-2 residential district allows for smaller lots and similarly allows for single-family detached homes, certain agricultural uses and farm buildings, recreation, municipal services, and private schools.

Figure 2 contains a zoning map of the site and its surroundings and shows the location of the three lots in question, Block 62, Lots 6, 7, and 8

2.5. Ownership & Tenancy

Block	Lot	Zoning*	Property Class**	Address	Owner
62	6	MSD	2	19 Mill Rd	Roberts, Dale A & Harris, Crystal A
62	7	MSD	2	21 Mill Rd	Duffield, Donna
62	8	MSD	1	29 North Main St	Mullica Hill Gas, LLC

*Zoning:
MSD - Main Street District

**Property Class:
2 - Residential
1 - Vacant

3.0 Statutory Criteria

A study area qualifies as being an "Area in Need of Redevelopment" if it meets at least one of the eight statutory criteria listed in Section 40A:12A-5 of the Local Redevelopment and Housing Law:

A. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or poses 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 properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the 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.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers

within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

N.J.S.A. 40A:12A-3 further states that "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 development of the area of which they are a part." This is commonly referred to as the "Section 3 Criteria."

According to the Redevelopment Handbook, this section allows for the inclusion of properties that do not meet the statutory criteria but are,"essential to be included in the designation to effectively redevelop the area." Examples of such properties include properties located within and surrounded by otherwise blighted area, property that are needed to provide access to an area to be redeveloped, areas needed for infrastructure or utilities, or properties that otherwise could be determined to be critical to the area's successful redevelopment.

4.0 Applicability of Statutory Criterion "A"

4.1. Introduction

4.1.a. Statutory Language

The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or poses any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

4.2. Block 62, Lot 6

Criteria "A" applies to Block 62, Lot 6 due to substandard conditions of the structure and site configuration based on information obtained through a survey of the property and the building's exterior conducted by Robert Melvin, AICP/PP of Group Melvin Design on October 31, 2014.

Substandard Structure

The structure on Block 62, Lot 6 is in a state of disrepair that has caused the building to qualify as substandard and unfit for habitation. As illustrated in the photographs shown in Figure 3, several issues related to this deterioration are evident:

1. Deterioration and rotting at the underside of the roof; cracks around windows and on siding of the structure. (Photo A)
2. Overall damage and deterioration of the building exterior as evidenced by façade appearance. (Photo B)
3. Lack of maintenance, as evidenced by overgrowth of front and side yards. (Photo C)
4. Structural damage to the front steps and porch, as well as organic growth on structure. (Photo D)

These issues combined indicate the building is substandard, unsafe, and dilapidated and is not conducive to wholesome living or working conditions.

4.2.a. Conclusion

This report concludes that the property and building survey found evidence that the principal structure on Block 62, Lot 6 is in a state of disrepair that results in the site being a detriment to the health, safety, morals and welfare of the community and possesses characteristics as to be conducive to unwholesome living or working conditions.

Figure 3. Photographs of Structural Issues at Block 62, Lot 6

4.3. Block 62, Lot 7

Criteria "A" applies to Block 62, Lot 7 due to substandard conditions of the structure and site configuration based on information obtained through a survey of the property and the building's exterior conducted by Robert Melvin, AICP/PP of Group Melvin Design on October 31, 2014.

Substandard Structure

The structure on Block 62, Lot 7 is in a state of disrepair that has caused the building to qualify as substandard and unfit for habitation. As illustrated in the photographs shown in Figure 3, several issues related to this deterioration are evident:

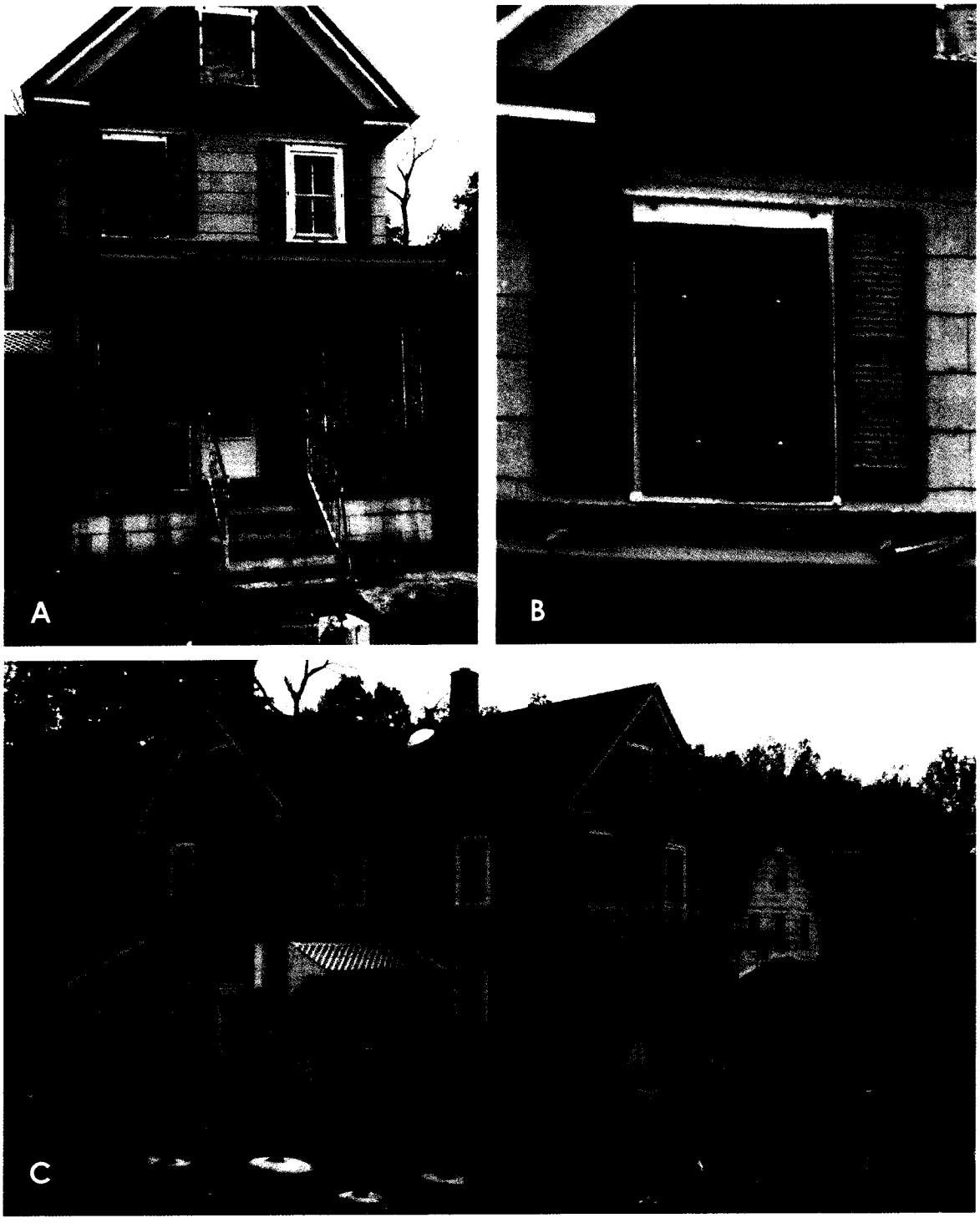
1. Overall damage and deterioration of the building exterior as evidenced by façade appearance, boarded windows, and rusting porch railings. (Photo A)
2. Structural damage to the front steps and porch. (Photo A)
3. Deterioration and rotting of exterior; asbestos siding presents a health hazard. (Photo B)
4. The structure currently sits vacant and with a lack of maintenance, as evidenced by overgrowth in the front and side yards. (Photo C)

These issues combined indicate the building is substandard, unsafe, and dilapidated and is not conducive to wholesome living or working conditions.

4.3.a. Conclusion

This report concludes that the property and building survey found evidence that the principal structure on Block 62, Lot 7 is in a state of disrepair that results in the site being a detriment to the health, safety, morals and welfare of the community and possesses characteristics as to be conducive to unwholesome living or working conditions.

Figure 4. Photographs of Structural Issues at Block 62, Lot 7



5.0 Applicability of Statutory Criterion "C"

5.1. Introduction

5.1.a. Statutory Language

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.

5.2. Block 62, Lot 8

Lot 8 is a previously designated Area in Need of Redevelopment (Resolution 039-2009, Appendix B). The 2007 *Preliminary Investigation for Determination of an Area in Need of Redevelopment Block 62, Lot 8* conducted by Remington and Vernick Engineers identified that Lot 8 has remained vacant since approximately 1999 (Appendix C). Lot 8 was found to be in need of redevelopment, and at the time of the study fit criteria "B" (abandoned commercial buildings) and "D" (faulty and obsolete design). Subsequently, the structure was torn down, and the lot has remained vacant.

In addition to this previous designation, Lot 8 currently fits criteria "C" due to the length of vacancy and current environmental conditions of the site. Lot 8 is under Licensed Site Remediation Professional (LSRP) oversight, and is a Known Contaminated Site, meaning that a brownfield condition has been reported.

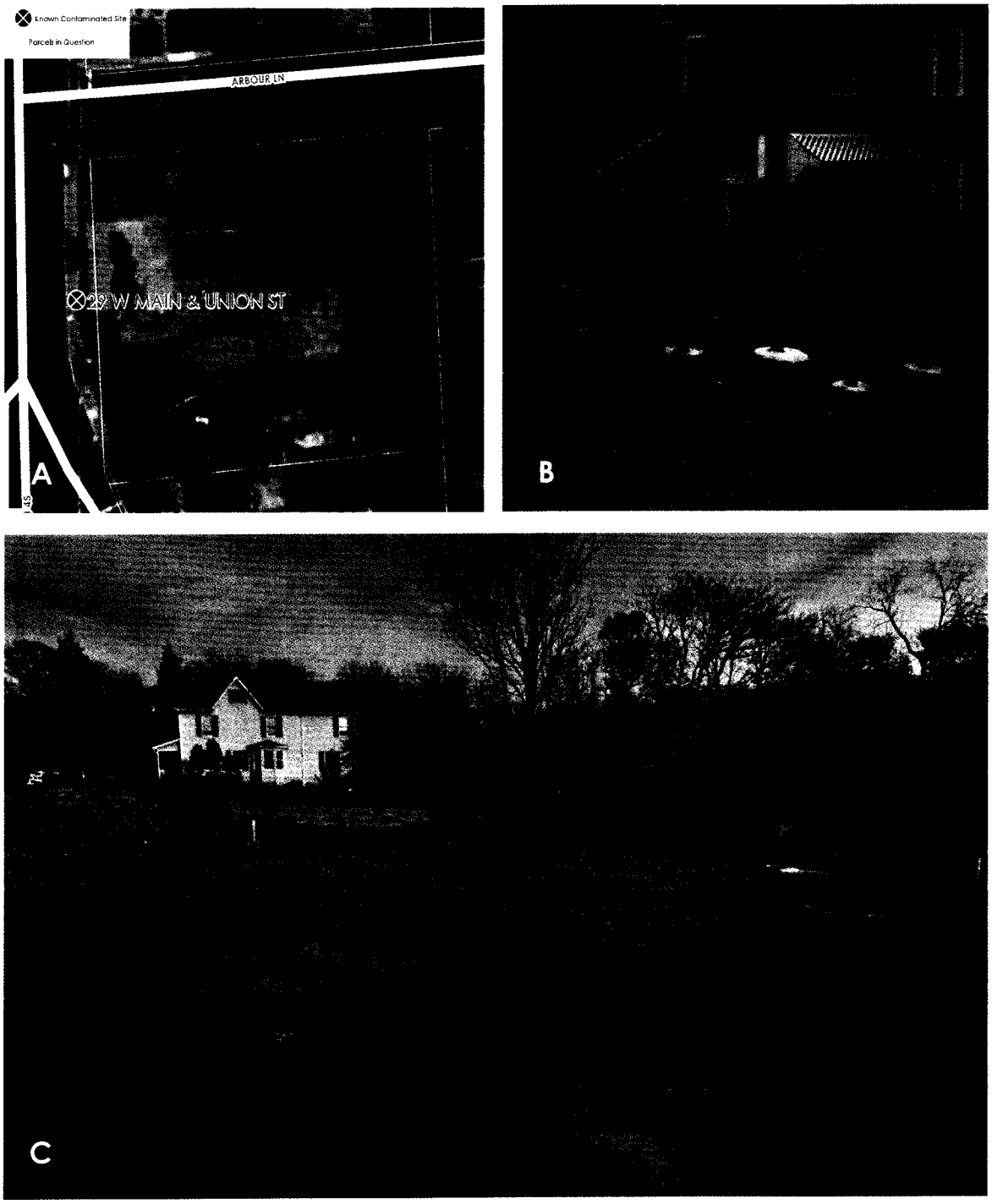
Figure 5 illustrates the continued contamination and vacancy issues that remain on the site:

1. As the map demonstrates, Lot 8 is a Known Contaminated Site, as identified by the NJ Department of Environmental Protection (NJDEP). (Photo A)
2. The site is currently vacant, with possible groundwater testing. (Photo B)
3. The structure has been vacant for approximately 15 years; this suggests that the lot is unmarketable due to external or on site conditions, such as soil contamination. (Photo C)

5.2.a. Conclusion

This report concludes Block 62, Lot 8 fits criteria "C" due to its vacancy for approximately 15 years and its listing in NJDEP's Known Contaminated Sited list, making the property not likely to be developed through the instrumentality of private capital.

Figure 5. Block 62, Lot 8 Contamination and Vacancy



6.0 Applicability of Statutory Criterion "H"

6.1. Introduction

6.1.a. Statutory Language

The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

6.2. Block 62. Lots 6, 7, and 8

The "H" criterion, Smart Growth Consistency, applies to Block 62, Lots 6, 7, and 8. The State Planning Act (N.J.S.A. 52:18A-196 et seq.), adopted in 1985, establishes the framework, for State policies and regulations related to smart growth principles. Among the stated objectives in the Act that serve as this framework are the following:

- Protect the natural resources and qualities of the state, including, but not limited to: agricultural development areas, fresh and saltwater wetlands, flood plains, stream corridors, aquifer recharge areas, steep slopes, areas of unique flora and fauna, and areas with scenic, historic, cultural and recreational values;
- Promote development and redevelopment in a manner consistent with sound planning and where infrastructure can be provided at private expense or with reasonable expenditures of public funds. This should not be construed to give preferential treatment to new construction;
- Identify areas for growth, limited growth, agriculture, open space conservation and other appropriate designations that the commission may deem necessary;
- Coordinate planning activities and establish statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

The New Jersey State Development and Redevelopment Plan, adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies and a map which reflects desired growth patterns. The parcel in question is located in Planning Area 3, Fringe Planning Area, where growth is directed at centers in these areas in order to preserve environmentally sensitive lands and open space.

Figure 6. State Planning Areas & Sewer Service Area

Figure 5 contains a map of State Planning Areas and Sewer Service Areas.

The policy objectives of State Planning Area 3 include the following:

- Focus development and redevelopment in appropriately located and designed Centers to accommodate growth that would otherwise occur in the Environs.
- Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth.
- Encourage appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development, to accommodate growth that would otherwise occur in the environs.

(2001 State Plan, p. 202, 203)

The Block & Lots in question are both in the Main Street Zoning District, within the Village of Mullica Hill, Harrison Township's historic commercial center. Redevelopment of these parcels supports smart growth principles by directing redevelopment close to an established village area that has walkable characteristics and directing development away from farmland, open space, and sensitive environmental areas. With respect to good Smart Growth, center based practices, and locating development near community amenities and walkable environments, the site or area is an extension of Mullica Hill with walkability into the historic downtown.

Block 62, Lot 6, 7, and 8 both front Mill Road, just off Route 322. Currently, these lots do not provide adequate access for pedestrians. Lot 7's sidewalk is unkept and disconnected from a sidewalk network, and Lot 6 has no sidewalk. This lack of infrastructure does not support pedestrian movement either on the site or connecting to the Village of Mullica Hill.

Additionally, all lots within the study area, because of their proximity to the Village of Mullica Hill, do not achieve the highest and best use for the area under smart growth principles. Development on this site should align itself with the goals of the State Plan by supporting a walkable community.

Appendices

Appendix A: Resolution No. 217-2014

RESOLUTION NO. 217-2014

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON AUTHORIZING THE JOINT LAND USE BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER LOTS 6, 7 AND 8 IN BLOCK 62 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF HARRISON QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of the municipality by Resolution, to cause its Planning Board to conduct a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the proposed Redevelopment Area (Block 62, Lots 6, 7 and 8) determination shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area including the power of eminent domain; and, as such, the Redevelopment Area shall be established and be referred to as a "Condemnation Redevelopment Area"; and

WHEREAS, the Township Committee of the Township of Harrison, Gloucester County, has determined that an investigation and inquiry should be made to see if said area is in need of redevelopment pursuant to the aforementioned State Statute; and

WHEREAS, the Township of Harrison governing body wishes to direct the Joint Land Use Board to undertake a preliminary investigation to determine whether the following properties identified as and consisting of Block 62, Lots 6, 7 and 8 qualify as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Township Committee considers it to be in the best interest of the Township to directs its Joint Land Use Board to conduct such an investigation regarding said area/properties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Harrison, County of Gloucester and State of New Jersey as follows: -

1. The Joint Land Use Board of the Township of Harrison is hereby directed to undertake a preliminary investigation to determine whether Block 62, Lots 6, 7 and 8 is a Condemnation Redevelopment Area such that the municipality may use all those powers provided by the Legislature for use in a Redevelopment Area, including the power of eminent domain, according to the criteria set forth in N.J.S.A. 40A:12A-1, et seq.; and

2. The staff of the Joint Land Use Board and its consultants are hereby directed to assist the Joint Land Use Board in conducting the area in need of redevelopment investigation; and

3. The Township Clerk shall forward a copy of this Resolution to the Chairman and Secretary of the Joint Land Use Board for immediate action; and

4. The preliminary investigation, once completed, shall be submitted to the Township Committee for review and approval in accordance with the provisions of the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

ADOPTED at a regular meeting of the Mayor and Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on December 1, 2014.

TOWNSHIP OF HARRISON

BY: _____
LOUIS F. MANZO, MAYOR

ATTEST:

_____
DIANE L. MALLOY
Municipal Clerk

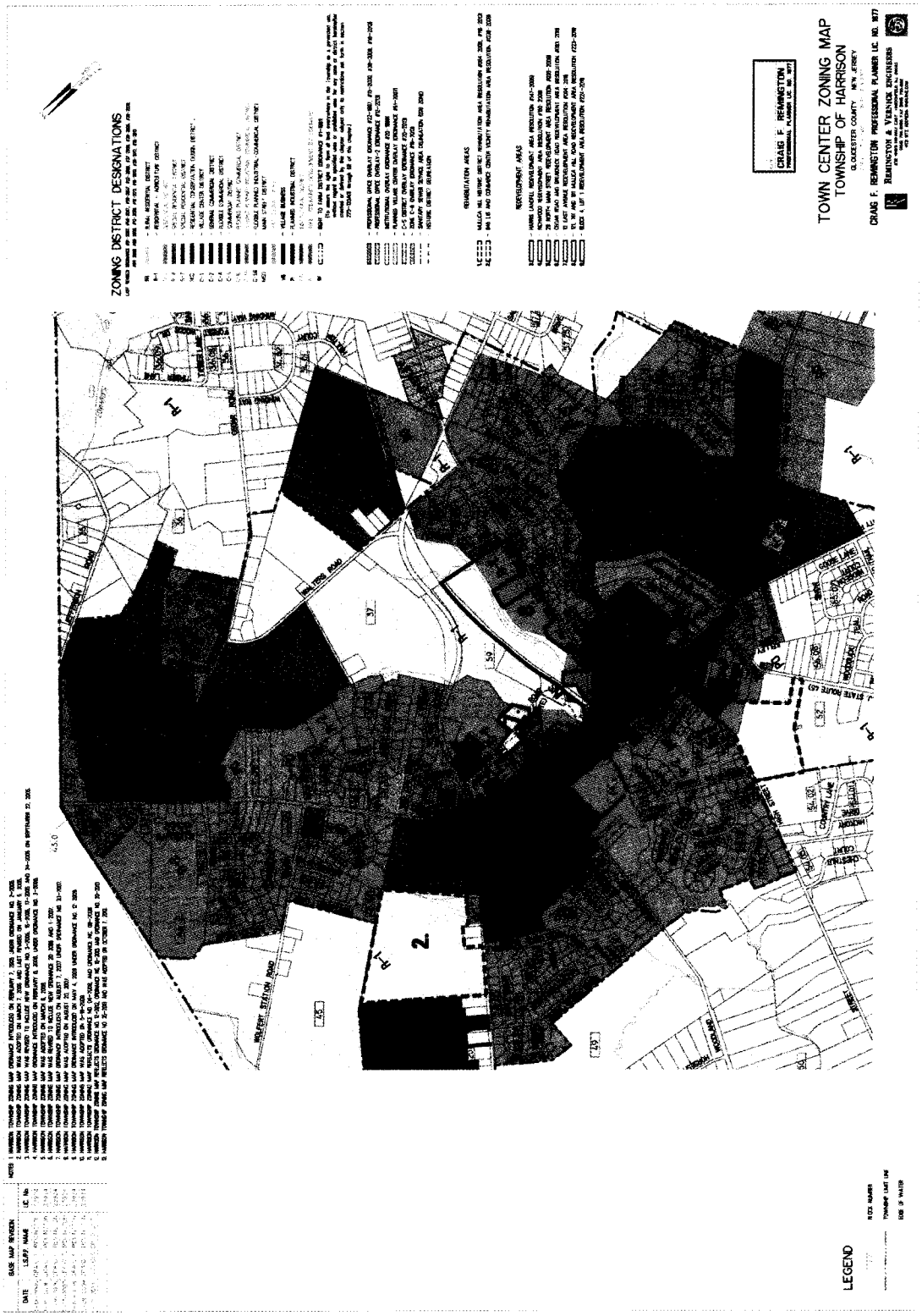
ROLL CALL VOTE				
COMMITTEE MEMBER	**AYES**	**NAYS**	**ABSTAIN**	**ABSENT**
Manzo	✓			
Clowney	✓			
Diggons				✓
Heim				✓
Shearer	✓			

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey, at a meeting held by the same on December 1, 2014 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.

_____
DIANE L. MALLOY
Municipal Clerk

Appendix B: Harrison Town Center Zoning Map

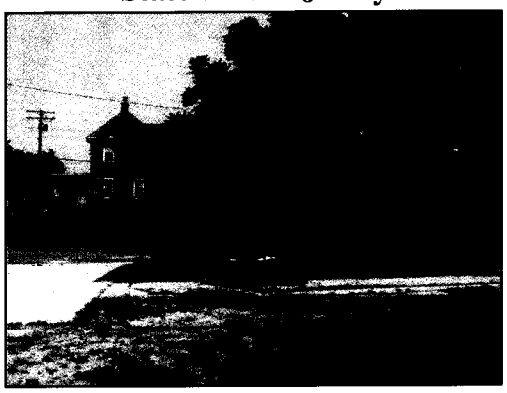


Appendix C: 2007 Block 62, Lot 8 Preliminary Investigation

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



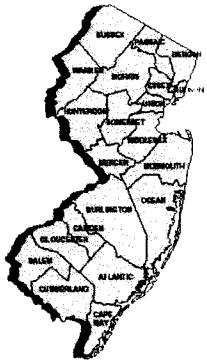
Remington & Vernick Engineers, Inc.
232 Kings Highway East
Haddonfield, New Jersey 08033

July 2007

Craig F. Remington, L.S., P.P.,
Vice President
License #33LI00187700

John Cantwell, P.E., P.P.
License #33LI00519900

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



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[1], 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[2]. 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).

[1] http://www.harrisontwp.us/overview.html
[2] 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

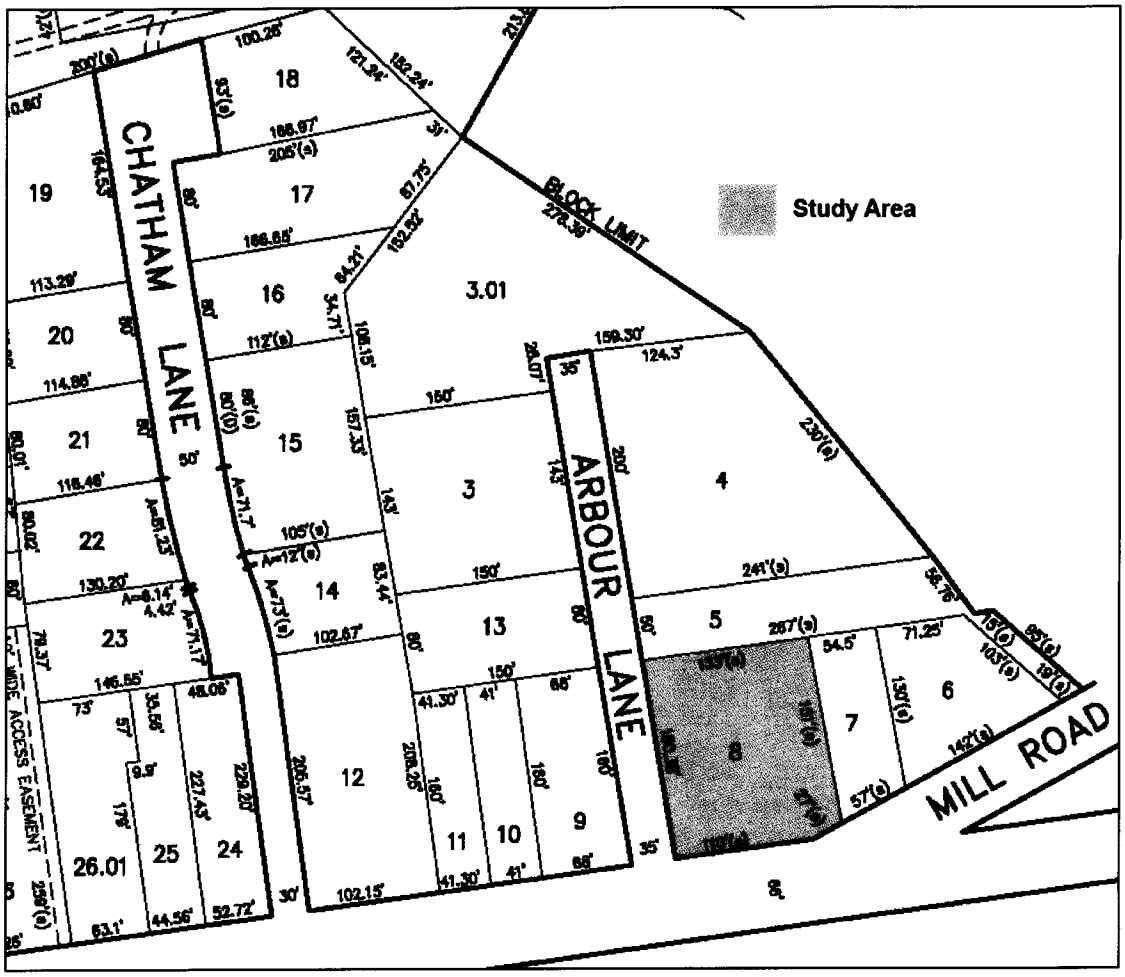
The study area contains an abandoned commercial structure and parking/circulation area, and is located in the Fringe Planning Area (PA3) as designated by the SDRP. The intent of the PA3 area is to:

- 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.

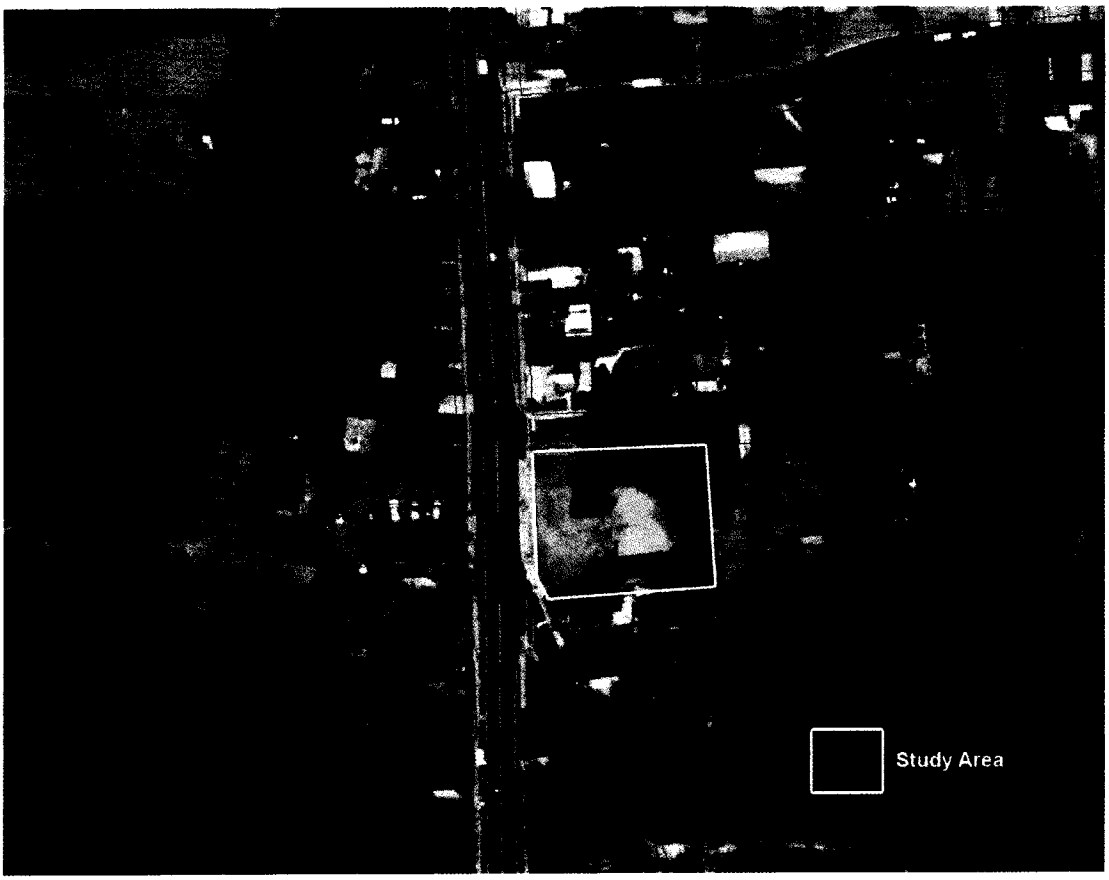
V. MAPS OF STUDY AREA

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 eight 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.[3]"

[3] 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 eight 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.

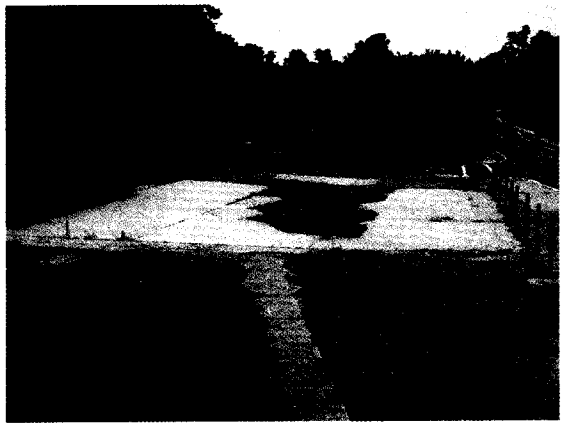
Deleterious Land Use – The "boarded-up" condition of the principal building provides an undesirable condition that has an adverse visual impact on surrounding properties.

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.

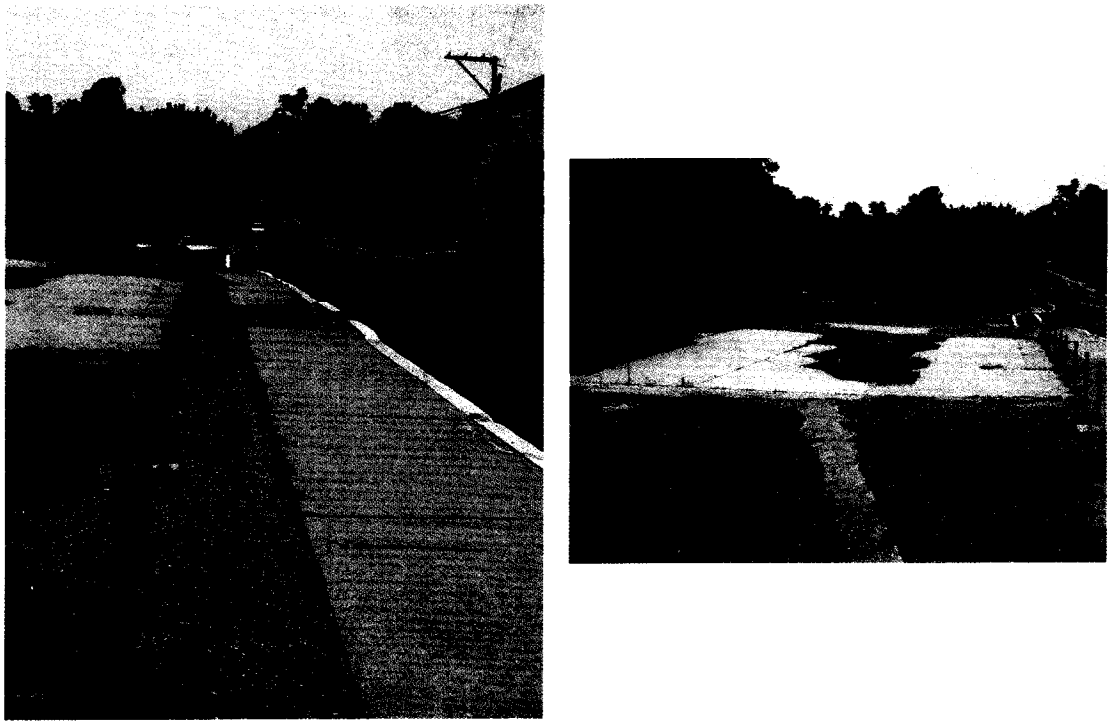
Faulty and/or obsolete design/physical deterioration/deleterious land use (criteria 'd')

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.[4]

[4] 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.