

PRELIMINARY INVESTIGATION

181 North Main Street

HARRISON TOWNSHIP, NJ

July 13, 2022

Block: 39

Lots: 6, 6.01, 7, 8, and 8.01



Prepared by:



ACKNOWLEDGEMENTS

MAYOR

Louis Manzo

TOWNSHIP COMMITTEE

Louis Manzo, Mayor
Donald Heim, Deputy Mayor
Julie Delaurentis
John Williams
Adam Wingate

JOINT LAND USE BOARD

Walter Bright, Chair
Anthony DiFabio, Vice Chair
Dennis Chambers
Steve Dickson
Joseph Schwab
Constantine Benas
Bill Madara, Alternate No. 1
Dennis Bonanni, Alternate No. 2
Mathew Cardile, Alternate No. 3
Robert Schumann, Alternate No. 4

JOINT LAND USE BOARD SECRETARY

Donna Schwager

LAND USE BOARD SOLICITOR

Eric J. Riso
Platt & Riso, P.C

LAND USE BOARD ENGINEER

Hugh Dougherty, PE
Pennoni Associates

LAND USE BOARD PLANNER

Robert Melvin, AICP/PP
Pennoni Associates - Group Melvin Division

Prepared by: _____



Matthew Wanamaker, AICP/PP
NJ Planner License No. 33LI00650500
July 13, 2022

TABLE OF CONTENTS

1.0	Introduction	iv
1.1.	Study Authorization	iv
1.2.	Summary of Findings	iv
1.3.	Non-Condemnation	iv
2.0	Redevelopment Law	2
2.1.	Purpose of the Act.....	2
2.2.	Redevelopment Procedure	2
3.0	Existing Conditions.....	4
3.1.	Description of Site Area	4
4.0	Statutory Criteria	5
5.0	Application of Statutory Criteria "B" and "D"	6
5.1.	Statutory Language	6
5.2.	Conditions	7
5.3.	Conclusion	7
	Appendix A - Resolution No. 140-2022	9

1.0 Introduction

1.1. Study Authorization

Harrison Township through Resolution No. 140-2022 has requested that Pennoni perform a Preliminary Investigation into Block 39, Lots 6, 6.01, 7, 8, and 8.01 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 the Investigation Area.

1.2. Summary of Findings

The analysis presented within this document serves as the basis for the recommendation that Block 39, Lots 6, 6.01, 7, 8, and 8.01 qualify as Areas in Need of Redevelopment.

The study finds that Block 39, Lots 7, 8, and 8.01 meets Criterion B because of the vacant commercial uses.

The study finds that Block 39, Lots 6, 6.01, 7, 8, and 8.01 meets Criterion D because of its obsolete layout and faulty design.

1.3. Non-Condemnation

Resolution 140-2022 authorized the Study to establish a “Non-Condemnation Redevelopment Area” and the findings of this report are consistent with that authorization.

As of 2013, the Legislature required 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.”

Figure 1. Redevelopment Parcel Blocks and Lots



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 under utilized 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).
- 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. Redevelopment Parcel Aerial



3.0 Existing Conditions

3.1 Description of Site Area

The study area (the site) is located along New Jersey Route 45, or North Main Street, on the three road intersection with David Drive and Breakneck Road and continuing directly to the southwest of the intersection. The site consists of five C-1 zone parcels, from 179 to 197 North Main Street. The 2.57 acre site is currently occupied by seven vacant structures, including five former residential structures and two former commercial structures.

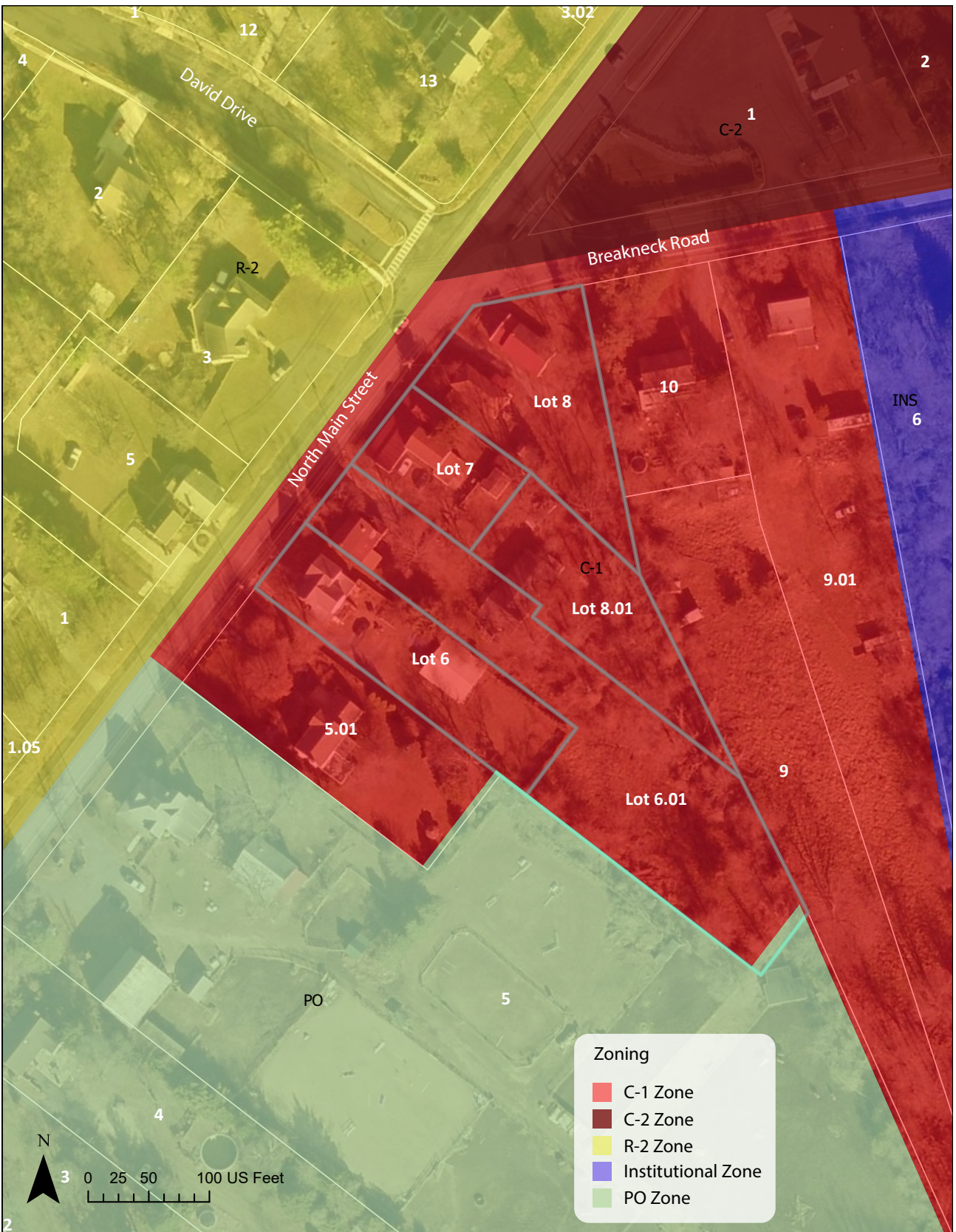
Adjacent parcels to the site include C-1, C-2, R-2, and Professional Office (PO) zones. Just across from the site, on the other side of Breackneck Road, is a commercial area including a CVS pharmacy, a dairy/sandwich shop, and an orthondtist office. The neighboring zones, particularly the adjacent commercial area, make this site an ideal candidate for a commercial enterprise.

4.0 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.

Figure 3. Redevelopment Parcels Zoning



- 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.

5.0 Application of Statutory Criterion “B” and “D”

5.1. Statutory Language

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.

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.

5.2. Conditions

5.2.a. Block 39, Lots 6, 6.01, 7, 8, and 8.01

Pennoni conducted a visit of the site, and also toured the area via Google Maps and NearMaps, which provide up-to-date drone photography.

The analysis of Block 39, Lots 6, 6.01, 7, 8, and 8.01 indicates that the commercial structures on the site are vacant and in their current condition and configuration could not support new businesses and cause a safety hazard due to their proximity to the roadway. The residential units on the lots are currently vacant, not a permitted use in the zone, and are within such close proximity to the commercial structures, in some cases on the same lot or crossing the property lines of two lots, that future utilization for residential purposes is unlikely. According to Harrison Township Joint Land Use Board Secretary Donna Schwager, these properties have been vacant since at least December 28, 2021. In addition, this analysis concludes that the current structures are sufficiently outdated in their design and construction as to be considered obsolete for the purposes they are intended to serve.

5.3. Conclusion

Based on this evidence, Block 39, Lots 6, 6.01, 7, 8, and 8.01 meets statutory Criterion B and D and qualifies as an Area in Need of Redevelopment. The current site contains vacant and obsolete structures which constitute a deleterious land use. Redevelopment is needed in order to better suit existing adjacent land uses and to progress toward realization of the Township's Master Plan.

Figure 4. Vacant structure in Block 39, Lot 7



Appendix A - Resolution No. 140-2022

RESOLUTION NO. 140-2022

**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 6.01, 7, 8, 8.01 IN BLOCK 39
(181 NORTH MAIN STREET) 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 39, Lot 6.01, 7, 8, 8.01) determination shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of eminent domain; and, as such, the Redevelopment Area shall be established and be referred to as a "Non-Condernation 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 property identified as and consisting of Block 39, Lots 6.01, 7, 8, 8.01 qualifies 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/property.

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 39, Lots 6.01, 7, 8, 8.01 is a "Non-Condernation Redevelopment Area such that the municipality may use all those powers provided by the Legislature for use in a Redevelopment Area", other than the use 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 June 6, 2022.

TOWNSHIP OF HARRISON

BY: 

LOUIS F. MANZO, MAYOR

ATTEST:



DIANE L. MALLOY, Municipal Clerk

ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo	<input checked="" type="checkbox"/>			
DeLaurentis	<input checked="" type="checkbox"/>			
Powell				<input checked="" type="checkbox"/>
Williams	<input checked="" type="checkbox"/>			
Wingate				<input checked="" type="checkbox"/>

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 June 6, 2022, in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.



DIANE L. MALLOY, Municipal Clerk

DRAFTED FOR THE TOWNSHIP OF HARRISON BY:

