

PRELIMINARY INVESTIGATION

Block 44, Lot 4

HARRISON TOWNSHIP, NJ

September 30, 2022

Block: 44

Lots: 4



Prepared by:



ACKNOWLEDGEMENTS

MAYOR

Louis Manzo

TOWNSHIP COMMITTEE

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Julie Delaurentis, Deputy Mayor
Michelle Powell
John Williams
Adam Wingate

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September 30, 2022

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1.0 Introduction

1.1. Study Authorization

Harrison Township, through Resolution No. 140-2022, has requested that Pennoni perform a Preliminary Investigation into Block 44, Lot 4 to ascertain whether this area qualifies as an “Area in Need of Redevelopment” pursuant to the New Jersey Local Redevelopment and Housing Law (LRHL) in accordance with the statutory criteria set forth in N.J.S.A. 40A:12A-5 (alternatively known as a “Redevelopment Area”).

Figure 1 identifies the location and surrounding environs of the Investigation Area.

1.2. Non-Condemnation

Resolution 159-2022 authorized the Study to determine whether the study area qualifies to be designated as a “Non-Condemnation Redevelopment Area” pursuant to the LRHL. If an area is determined to be a non-condemnation redevelopment area and a redevelopment plan is adopted for the area, the municipality may exercise all relevant redevelopment powers granted pursuant to the LRHL other than the power of eminent domain.

1.3. Summary of Findings

The analysis presented within this document serves as the basis for the recommendation that Block 44, Lot 4 does not qualify as an Area in Need of Redevelopment as it does not meet the statutory requirements of Criterion “A” through Criterion “H”.

2.0 Redevelopment Law

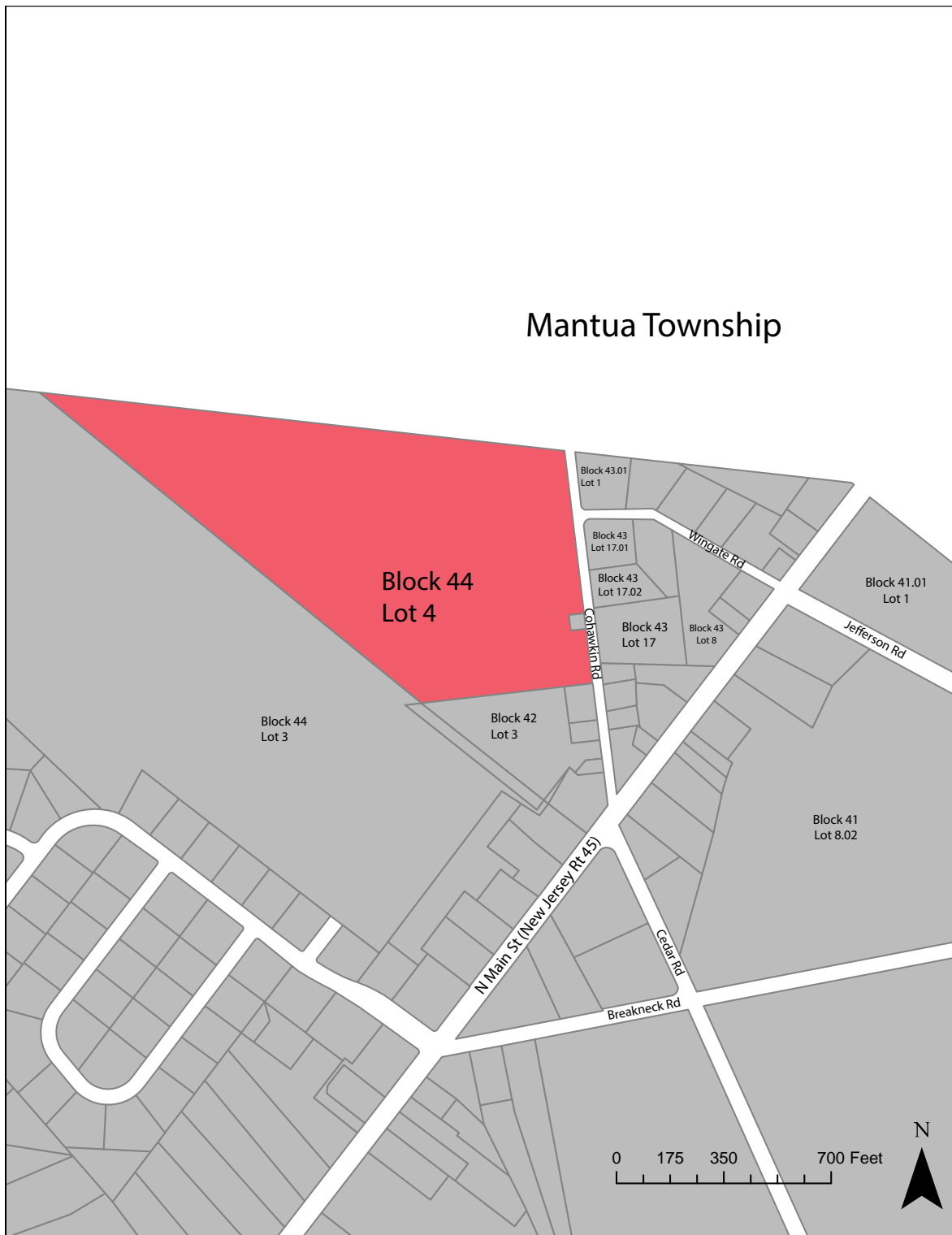
2.1. Purpose of the Act

New Jersey’s Local Redevelopment and Housing Law (LRHL), empowers municipalities and local governments with the ability to initiate a process that transforms distressed 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.

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:

Figure 1. Redevelopment Parcel Blocks and Lots



- 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.

3.0 Existing Conditions

3.1. Description of Site Area

The study area (the site) is located along the west side of Cohawkin Road, just to the north of its intersection with New Jersey State Route 45. The approximately 23-acre site is located along the Township’s northern border with Mantua Township. The study area is not currently occupied by any structures. The northern half of the site has a history of use as an agricultural field. The southern portion of the site is currently a wooded area.

Detached single-family dwellings are found to the south and east of the site along Cohawkin Road. The study area is part of a contiguous stretch of farmland parcels that extends to the north of the site into Mantua Township and to the west within Harrison Township.

3.2. Zoning

The site consists of one parcel within the R-2 Residential District along the northern municipal border with Mantua Township. Parcels on the opposite side of Cohawkin Road fall within the Professional Office zone.

Figure 2. Redevelopment Parcel Aerial

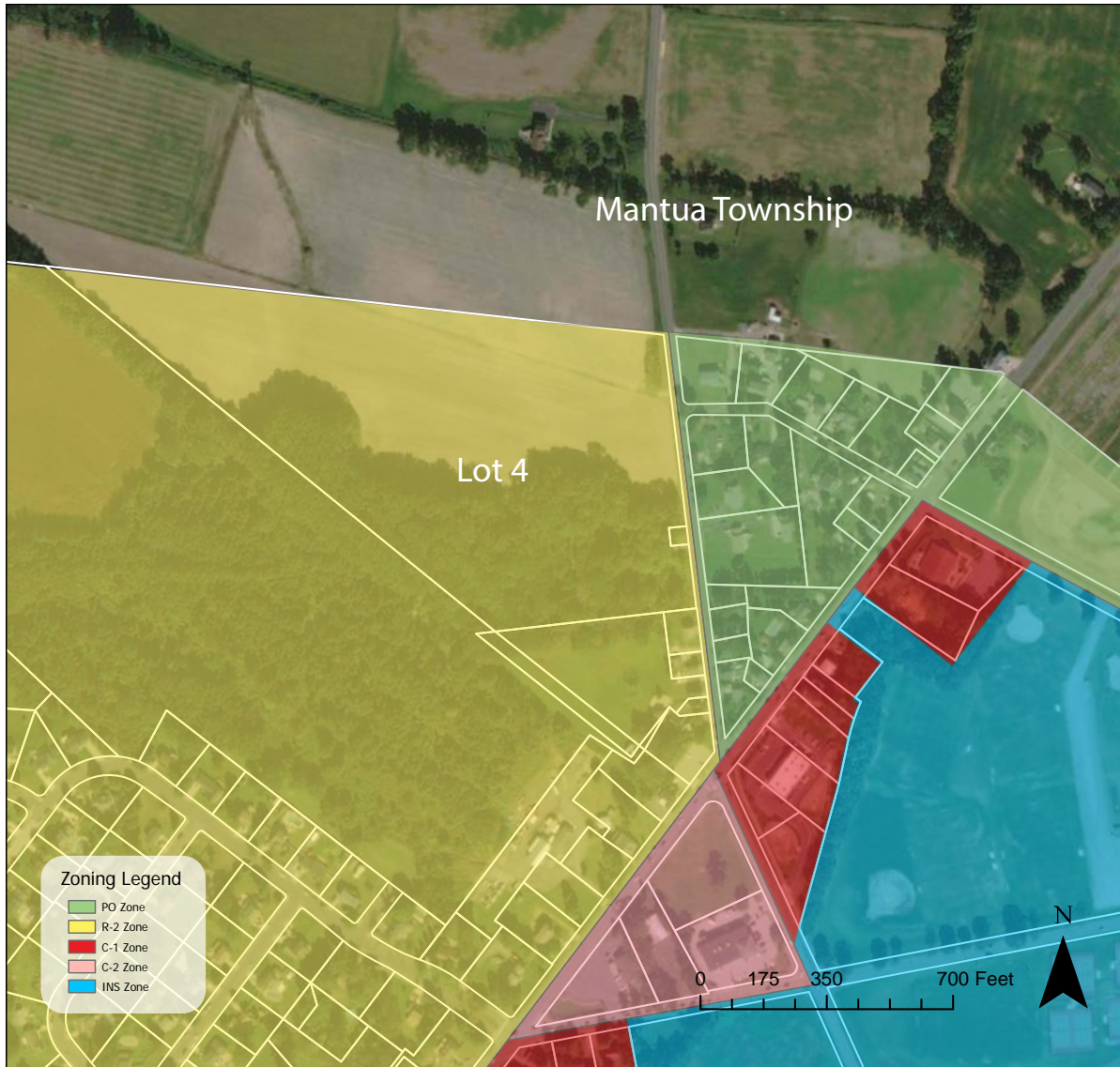


4.0 Statutory Criteria

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 a building or buildings previously used for commercial, retail, shopping malls, or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; 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

Figure 3. Redevelopment Parcels Zoning



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 an 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 “A”

5.1. 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.

5.2. Findings

Criterion “A” focuses on the physical condition of buildings within the study area. There are no buildings within the study area so Criterion “A” is inapplicable.

6.0 Application of Statutory Criterion “B”

6.1. Statutory Language

The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls, or plazas, office parks, manufacturing, or industrial purposes; the abandonment

of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

6.2. Findings

Criterion “B” focuses on the presence of vacant or abandoned commercial or industrial buildings within the study area. There are no buildings within the study area so Criterion “B” is inapplicable.

7.0 Application of Statutory Criterion “C”

7.1. 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.

7.2. Findings

Criterion “C” considers land that is either publicly owned or privately owned and which has remained unimproved and vacant for at least ten years. While buildings have not been constructed on the site, the land has been improved to allow agricultural use. Furthermore, there is inconclusive evidence that onsite conditions inhibit the marketability of the site within designation as an area in need of redevelopment. In particular:

- The site is accessible from public rights-of-way, and it is not isolated from other developed areas of the Township.
- There are no topographic conditions impacting the site’s development.
- While it is likely that pesticides have been used on the site, there is not conclusive evidence of their use or any hazardous soil condition that would prevent its development.

For the above stated reasons, the study area does not meet the statutory requirements for Criterion “C”.

8.0 Application of Statutory Criterion “D”

8.1. Statutory Language

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.

8.2. Findings

Criterion “D” evaluates whether buildings or other improvements on the site meet modern land use planning standards. This considers site layout or design that is “detrimental to the safety, health, morals, or welfare of the community.” The study area does not have buildings that could be considered dilapidated, obsolete, overcrowded, faultily arranged or designed, lacking ventilation, light or sanitary facilities, or excessively cover land, nor do these aspects accurately describe the agricultural or wooded areas of the site.

While there are other uses that have expanded to this corner of the Township, when considering the larger area, the site is part of a contiguous area of agricultural land that extends into neighboring Mantua Township. The land use is therefore not deleterious, and the layout is not obsolete. For the above stated reasons, the study area does not meet the statutory requirements for Criterion “D”.

9.0 Application of Statutory Criterion “E”

9.1. Statutory Language

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.

9.2. Findings

The study area consists of a single parcel. There do not appear to be issues related to ownership or title that is creating a stagnant and unproductive condition of land. The study area therefore does not meet the statutory requirements for Criterion “E”.

10.0 Application of Statutory Criterion “F”

10.1. Statutory Language

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.

10.2. Findings

The study area was not impacted by a major natural disaster. The study area therefore does not meet the statutory requirements for Criterion “F”.

11.0 Application of Statutory Criterion “G”

11.1. Statutory Language

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.

11.2. Findings

The study area is not within a designated Urban Enterprise Zone. The study area therefore does not meet the statutory requirements for Criterion “G”.

12.0 Application of Statutory Criterion “H”

12.1. Statutory Language

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

12.2. Findings

The study area is comprised of the type of agriculture and natural, wooded areas typically intended for preservation according to smart growth principles, especially given that it is located on the outskirts of the Township. The study area is also not specifically identified as an area for smart growth development in the master plan. There is therefore no evidence that the study area meets the statutory requirements for Criterion “H”.

13.0 Conclusion

Based on the above stated evidence, Block 44, Lot 4 does not meet any of the statutory criteria necessary to designate as an Area in Need of Redevelopment.

Appendix A - Resolution No. 159-2022

Done

RESOLUTION NO. 159-2022

**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 LOT 4 IN BLOCK 44 (COHAWKIN ROAD) ON THE OFFICIAL TAX MAP OF
THE TOWNSHIP OF HARRISON QUALIFIES 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 44, Lot 4) 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-Condensation 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 44, Lot 4 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 direct 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 44, Lot 4 is a "Non-Condensation 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.

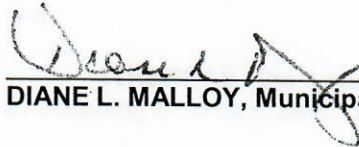
ADOPTED at a regular meeting of the Mayor and Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on June 21, 2022.

TOWNSHIP OF HARRISON

BY: 

LOUIS F. MANZO, MAYOR

ATTEST:



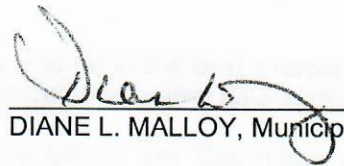
DIANE L. MALLOY, Municipal Clerk



ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo	✓			
DeLaurentis	✓			
Powell	✓			
Williams	✓			
Wingate				✓

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 21, 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:

