

Report
Concerning the Determination
of the
Proposed
VALLEY ROAD
STUDY AREA
as
“AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT”

To be Presented to the Planning Board
of the
Township of Long Hill
on
May 24, 2016

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The original copy of this report was signed and sealed in accordance with N.J.S.A.
45:14A-1 et. seq. and regulations pursuant to N.J.A.C. 13:41-1.3.

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I. INTRODUCTION

A. Redevelopment Authorization

By Resolution # 16-074, dated January 27, 2016; the Municipal Council of the Township of Long Hill authorized the Long Hill Township Planning Board to conduct a preliminary investigation of the area known as the Valley Road Study Area, (hereinafter the Study Area), and to conduct a hearing to determine whether or not this Study Area meets the statutory criteria necessary to be declared an “Area in Need of Redevelopment” as a “Condemnation Redevelopment Area” pursuant to NJSA 40A:12A-5 and NJSA 40A:12A-6.

The Township of Long Hill Planning Board adopted a resolution on April 13, 2016 authorizing the Board Planner to undertake such a Study and report back to the Planning Board.

B. Valley Road Study Area

The Study Area consists of nine (9) tax lots located on two (2) different tax blocks. These are:

Block	Lot	Address	Use
Block: 10401	Lot 1	1297 Valley Rd	Vacant house
Block: 10401	Lot 2	1285 Valley Rd	Vacant Zizzors Site
Block: 10401	Lot 3	1277, 1279, 1283 Valley Rd	Barber shop, Speedy Mart, Cleaners
Block 10401	Lot 4	1261 Valley Rd	Vacant Thermoplastics Site
Block: 11514	Lot 5	281 Mercer St	House
Block 11514	Lot 6	1268 Valley Rd	Vacant Thermoplastics Site
Block 11514	Lot 8	269 Mercer St	Engineered Plastics Products
Block: 11514	Lot 31	1278 Valley Rd	Vacant Cleaner Site
Block 11514	Lot 32	1282 Valley Rd	House

The Study Area is located in the southern portion of the Township, along Valley Road, just east of the intersection Valley Road and Main Avenue and just to the west of Hudson Street. It is located on either side of Valley Road, with Block 10401 situated on the north side of Valley Road and Block 11514 located on the south side of Valley Road. Mercer Street forms the northern boundary of the Study Area and Arata Street forms the southern boundary.

II. CRITERIA FOR DETERMINATION OF NEED FOR REDEVELOPMENT

The Study Area may be determined to be in need of redevelopment if, after investigation, public notice and hearing, as provided within NJSA 40A: 12A-6, the governing body concludes by resolution that within the Study Area, any of the following conditions are 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 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. 1992, 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 seq.) 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 principles adopted pursuant to law or regulation.

In addition, the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3, permits the inclusion of certain parcels in a redevelopment area necessary for effective redevelopment by stating:

“A redevelopment area may include land, 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”.

III. SURVEY OF CONDITIONS IN THE STUDY AREA

A. Boundary Description

The Study Area (hereafter referred to as the Area) consists of nine (9) lots on two different tax blocks. These are: Block 10410, Lots 1, 2, 3 and 4; and Block 11514, Lots 5, 6, 8, 31 and 32.

The Study Area contains approximately 5.5 acres. It is located in the southern portion of the Township, along Valley Road, just east of the intersection Valley Road and Main Avenue and just to the west of Hudson Street. It is located on either side of Valley Road, with Block 10401 situated on the north side of Valley Road and Block 11514 located on the south side of Valley Road. Mercer Street forms the northern boundary of the Study Area and Arata Street forms the southern boundary.

The location and boundary of the Study Area is found on Map 1.

B. Local Setting and Background

The surrounding area consists primarily of commercial uses along Valley Road, especially to the east, although the area along Valley Road west of Main Avenue becomes predominantly residential. The frontage along Valley Road to the east is primarily zoned B-2, General Commercial; B-3, Planned Shopping Zone and O, Office Zone. The frontage along Valley Road to the north of the Study Area is zoned O, Office Zone and then becomes R-4, Residential.

The area to the north is primarily residential, and is zoned R-4 Residential. The Township's Police Department and Emergency Management office is located just across Mercer Street from the Study area. A small LI-2 Limited Industrial Zone is located northeast of the Study Area. The area to the south is mostly open land and is located within the Conservation district.

The Stirling Train Station is located about ½ mile to the north and the Lakeland Bus Line #78 provides limited service along Valley Road from Bedminster via Basking Ridge, Bernardsville and Far Hills to New York Port Authority Bus Terminal via Berkeley Heights, New Providence and Summit.

The Study Area consists of a mixture of residential, commercial and industrial properties. According to the Township of Long Hill tax records, and a visual inspection of the properties during site visits; three (3) lots contain industrial uses, three (3) lots contain commercial uses and three (3) lots contain residential uses.

From a land area perspective, the Study Area is primarily industrial with approximately 60% of the land area within the Study Area dedicated to industrial land uses. Residential comprises about 22% and Commercial comprises about 18%.

The entire Study Area lies within the flood hazard area. DEP regulated Wetlands also exist on the southern part of lots 1 and 2. See Map 4. Both of these conditions have a negative effect on the development potential of the properties.

C. Area Zoning

In terms of Zoning, the Study Area is located within the four (4) different zoning districts. The current Zoning is found on Map 2.

Lot 4 on Block 10401 is located in the LI-2, Limited Industrial District, as are Lots 6, 8 and 32 on Block 11514. Lots 1, 2 and 3 on Block 10401 are zoned B-2, General Commercial. Lot 5 on Block 11514 is zoned R-4, Residential; and Lot 32 on Block 11514 is zoned O, Office.

The uses located on the various lots do not necessarily follow the zoning in every case, although in many cases they do. See the chart below:

Block	Lot	Zoning	Use Category	Current Use	Conforming
10401	01	B-2 General Business	2 – Residential	Vacant house	No
10401	02	B-2 General Business	4A – Commercial	Vacant hair stylist	Yes
10401	03	B-2 General Business	4A – Commercial	Barber shop, Speedy Mart, Cleaners	Yes
10401	04	LI-2 Limited Industrial	4B- Industrial	Vacant Thermoplastics	Yes
11514	05	R-4 Residential	2 – Residential	House	Yes
11514	06	LI-2 Limited Industrial	4B- Industrial	Vacant Thermoplastics	Yes
11514	08	LI-2 Limited Industrial	4B – Industrial	Engineered Plastic Products	Yes
11514	31	LI-2 Limited Industrial	4A – Commercial	Vacant cleaners	No
11514	32	O – Office Zone	2 - Residential	Residence	No

D. Master Plan

The Valley Road Element of the Master Plan for the Township of Long Hill, adopted in September 2015, includes the following passage from the Vision Statement:

The vision for Downtown Long Hill is that of a vibrant hub of community activity. We envision a future in which the area is highly accessible to pedestrians through connecting pathways and sidewalks. Downtown will be a place where people will come to stroll, shop, work, attend cultural and entertainment events, enjoy food and drink, and conduct civic and other business activities.

Downtown should be planned to strengthen its role as an economically sustainable commercial center that provides many of the goods and services that Township residents need on a daily basis and also be a magnet to people from the surrounding region.

Under Zoning Changes the following goals are listed:

- 1. Combine portions of the B-2, B-3, LI-2 and O Zones along Valley Road into a new Business Downtown Zone (B-D) to allow office, commercial and retail uses.*
- 2. Insure that land use ordinances permit uses in the B-D zone that are substantially similar to the uses currently permitted in the B-2, B-3 and O zones.*
- 3. Eliminate the LI-2 Limited Industrial Zone on Valley Road.*
- 7. Add the lots at the intersection of Valley Road and Main Avenue to the Conservation Zone (C) ... because the area is prone to localized and very severe flooding.*
- 9. Revise the prohibited uses list of the land use ordinance to ensure that appropriate Downtown business activities are encouraged in the B-D Zone.*

Under Item 3, Community Improvements is this these goal:

- 1. Do not permit single family detached residences or any other residential uses within the B-D Zone.*

E. Property Survey and Analysis

E.1. Property Survey Methodology

The following methods were used in gathering information and preparing a physical condition survey of the Study Area. The site reconnaissance and data collection described below was conducted and overseen by a professional licensed planner.

- a. Parcel ownership, land use, lot assignments, size and assessed value were obtained from the municipal tax records for the Study Area parcel. When necessary, land use categories were modified through field surveys.
- b. A visual survey of the property was conducted to determine the general physical condition of the parcels within the Study Area, and where necessary to modify characteristics obtained from the tax records. The criteria for the evaluation of the condition of buildings and properties consisted of those factors that would indicate the generality of active maintenance and investment, or the lack thereof, in the residence, business, plant or property surveyed. Building and property condition was determined by focusing on certain indicators such as the following: windows, entranceways, siding, brickwork, cornices, sidewalks and curbing, evident rubbish, foundations and retaining walls, fencing, arrangement of driveways, parking and loading areas, relationship of buildings and land use to the surrounding area, condition of pavement and the grounds in

general. Factors which weighed against a positive rating included: cracks and fissures in masonry or concrete, broken windows, rotted and deteriorated wood elements, missing or damaged siding sections, evident debris and poor maintenance of the grounds or lot areas, rusted or broken fencing elements, damaged or missing sidewalk areas and overcrowding or excessive coverage of buildings and land-use.

The following descriptive standards were also used for evaluating the physical conditions of the buildings where applicable:

Good - A structure with no noticeable building code violations. However, it may need minimal improvements, e.g. painting, woodwork, replacing of window sash.

Fair- A structure, which is beginning to deteriorate, noted by a more urgent need for painting, replacement of windows, repair of siding, steps, roof, etc.

Poor- Structure indicating several major maintenance problems or code violations. Such problems or code violations include electrical, plumbing, and/or heating, ventilating, air conditioning systems, roof damage, etc. Other significant conditions are those deemed to be unsafe, unsanitary, obsolete or possess any such characteristics, or are so lacking in light, air or space as to be conducive to unwholesome human occupancy.

Dilapidated- A structure in the advanced stages of deterioration is considered to be substandard, unsafe, unsanitary or obsolete. These buildings possess major code violations and maintenance problems so as not to be fit for human habitation or fall into so great a state of disrepair as to be untenable.

E.2. Ownership and Tax Information

Block	Lot	Address	Owner	Assessed Value
10401	1	1297 Valley Rd	Long Hill Real Estate, LLC	\$315,600
10401	2	1285 Valley Rd	Long Hill Real Estate, LLC	\$156,400
10401	3	1277-1283 Valley Rd	Long Hill Real Estate, LLC	\$401,300
10401	4	1261 Valley Rd	Thermoplastic Proc/Vent	\$440,000
11514	5	281 Mercer St	Anton Balog / Jana Balagova	\$367,400
11514	6	1268 Valley Rd	Thermoplastic Proc/Vent	\$650,000
11514	8	269 Mercer St	Engineered Plastics Products	\$886,300
11514	31	1278 Valley Rd	Valley NM Realty, LLC	\$280,500
11514	32	1282 Valley Rd	Stephen Maglione	\$366,200

Tax information for the above properties was collected from the New Jersey Association of County Tax Boards.

E3. Study Area Characteristics and Analysis of the properties within the Study Area

Block 10401, Lot 1 - 1297 Valley Road: This property is developed with a house constructed in 1930, according to the Long Hill Township Tax Assessor's records, and is owned by Long Hill Real Estate, LLC.

In 2014 this property came to the attention of the Zoning Enforcement Officer due to its dilapidated condition. The Construction Official and Zoning Enforcement Officer inspected the premises and found: multiple broken windows; gutters and leaders not connected; brick chimney falling apart; electrical panel laying on the ground; rear porch rotted and stairs unsafe; roof overhangs rotted; and shingles missing and beyond repair. A summons was issued on March 27, 2014 for property maintenance violations. The building is still in dilapidated condition with broken and boarded up windows, damaged siding and roofing, and damage to the porches. The electrical service and meters have been removed. The house has been vacant since 2011.

According to the Township Construction/Zoning records, no permits have been issued for this property since 1996. The property is zoned B-2, General Commercial Zone; and as such is a non-conforming use, meaning that the residential use is now obsolete in this zone. The rear 1/3 of this property is designated as wetlands. See Map 4. Lot 1 has been placed on the DEP Known Contaminated Site List (KCSL) and is listed as a source of known contamination or having potential groundwater contamination. It has been issued Program ID number 493021. The 2015 Valley Road Element of the Master Plan recommends that this property be added to the Conservation Zone because the area is prone to localized and very severe flooding.

This property meets **criteria a.** of N.J.S.A. 40A:12A-6 because the building is dilapidated, substandard, unsafe, unsanitary, obsolescent, and possess other characteristics, as to be conducive to unwholesome living conditions.

The property also meets **criteria d.** of N.J.S.A. 40A:12A-6 because this building and property, by reason of dilapidation, obsolescence, sanitary facilities, deleterious land use and obsolete layout, is detrimental to the public safety, health, morals and welfare. This property is an attractive nuisance, not properly secured or maintained, and a detriment to the surrounding area. This property is having a deleterious impact on the general appearance and character of the area and is having a detrimental impact on the adjacent property to the east.

Block 10401, Lot 2 - 1285 Valley Road: This property is just east of Lot 1, described above. This property is also owned by Long Hill Real Estate, LLC. It is zoned B-2 General Commercial Zone and is developed with a one story commercial structure that is in poor condition. The south west corner of the property is in a wetlands area. The 2015 Valley Road Element of the Master Plan recommends that this property be added to the Conservation Zone because the area is prone to localized and very severe flooding.

The building has a very worn appearance. The building has been vacant since 2011. Plywood covers much of the building façade. The paint is very faded and peeling. The electrical service has been disconnected. According to Township records the last permit was issued in 1999 for signage. The building is located very far to the front of the property leaving little or no room for

aesthetic improvements or improvements to the pedestrian streetscape. This is due to the narrow size of the property, being only 50 feet wide. The property is currently nonconforming in: front yard setback, side yard setback, lot area and lot width. The narrow width also results in a less than optimal parking arrangement and access. The parking area pavement is in poor condition and the striping is faded and barely distinguishable. Stormwater appears to be directed underground by leaders. It is not clear where that water goes eventually. A dumpster on the property appears to be unused and the dumpster enclosure is dilapidated. Large weeds are growing through the pavement adjacent to the building.

In 2014 the Construction Official inspected this building and found siding (cement plaster) cracked and falling off the wall in places. In 2013 the Zoning Enforcement Officer issued a warning letter regarding debris. Also in 2013 the Zoning Enforcement Officer issued a summons concerning an improperly parked trailer. In 2011 the Zoning Enforcement Officer issued a property maintenance warning to clean up and secure the building.

This property meets **criteria b.** of N.J.S.A. 40A:12A-6 because of the discontinuance of the use of this building previously used for commercial purposes; a general lack of maintenance and the same being allowed to fall into a state of disrepair such that at this time the building is currently untenable. This property appears to be adversely affected by the blighted conditions of the adjacent residential property to the west, and the decline of this property can be described as an example of creeping blight. This property could benefit from inclusion in the redevelopment area and could contribute to the overall improvement of the area.

Therefore, this property can also be included in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of properties in a redevelopment area as necessary for effective redevelopment by stating: "A redevelopment area may include land, 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"

Block 10401, Lot 3 - 1277, 1279, 1283 Valley Road: This property is also owned by Long Hill Real Estate, LLC. It is developed with a small strip center consisting of a cleaner, a hair salon/barber shop and a "Speedy Mart" convenience store. Lot 3 has been placed on the DEP Known Contaminated Site List (KCSL) and is listed as a source of contamination or having potential groundwater contamination. The site contains asbestos. It has been issued Program ID number 493021, the same as Lot 1. A deed restriction on Lot 3 was issued in 2009. A No Further Action letter has been issued which restricts the uses allowed on the property. The building appears to be in generally good condition.

The building was constructed in 1965 as offices and stores, and has had several different commercial occupants in the years since. The front parking area pavement is also in fairly good condition and the parking spaces are striped; although the parking area lacks landscaping and curbing. The lack of curbing and landscaping in front of the building is no doubt caused by the building's location and proximate to the street, leaving no room for these features. The property is currently nonconforming in: front yard setback, and possibly side yard setback as well.

The dumpster does not appear to be in use and the enclosure is dilapidated. It appears that the gates cannot be closed due to damage. Shopping carts and crates litter the area behind the building. Another dumpster is located immediately behind and adjacent to the building, contrary to the Land use ordinance. Stormwater is discharged directly onto the parking lot. There is nothing to separate the parking or vehicular circulation from the adjacent pedestrian sidewalk. The area in general would benefit from additional improvements to this property. Similarly, this property could benefit from inclusion in the redevelopment area and would contribute to the overall improvement of the area.

As such, this property is recommended for inclusion in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of certain parcels in a redevelopment area necessary for effective redevelopment by stating: "A redevelopment area may include land, 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".

This property lies between the two properties described above as meeting the criteria as an Area in Need of Redevelopment just to the west as described above, and another large property to the east which also meets the criteria for inclusion in an Area in Need of Redevelopment as more fully described below.

Block 10401, Lot 4 - 1261 Valley Road: This property is just east of Lot 3 as described above. It is developed with an industrial factory building owned by Thermo Plastic Processing. The building has been vacant since early 2015 and has fallen into a state of disrepair. The building was built in 1946. Other than a roof repair in 2008, no permits have been issued for this building since 1994.

Landscaping in front of the building is overgrown and the loading area does not appear to have been maintained. The ramp leading down from Valley Road is unpaved and the side retaining walls are collapsing. The loading area is accessed directly from Valley Road which would result in trucks having to stop in the flow of traffic and then back into the loading area. This is an antiquated and obsolete arrangement and would not be allowed today by current zoning or site plan standards, and is a safety and traffic hazard. The brick face and other siding is falling away from the building in several locations. There are a number of broken windows and damaged doors. There are also open windows, further exposing the interior to the elements. There is an open shed structure at the rear of the property and 55 gallon drums have been left exposed at the rear of the building. The paving surrounding the structure is in generally poor condition. Given the current condition of the property, it is untenable. The condition of this property is an attractive nuisance. The open storage of the drums on the site and the open storage shed at the rear of the property also results in condition that is detrimental to the safety, health, morals, or welfare of the community. The property is currently nonconforming in: lot area, lot width, front yard setback and side yard setback.

The property is also impacted by environmental contamination and is currently within the New Jersey Licensed Site Remediation program. Lot 4 has been placed on the DEP Known Contaminated Site List (KCSL) and is listed as a source of known soil contamination consisting of asbestos, plasticizer and metals. In 2014 there was a petroleum spill resulting in ground contamination. Lot 4 has been issued Program ID number 197391. The Licensed Site Remediation Professional states that the property will likely be deed restricted to nonresidential uses after the cleanup is completed and a No Further Action letter is issued by the DEP,.

This property meets **criteria b.** of N.J.S.A. 40A:12A-6 because of the discontinuance of the use of this building previously used for industrial purposes; a general lack of maintenance and the same being allowed to fall into a state of disrepair such that the building is untenable.

The property also meets **criteria d.** of N.J.S.A. 40A:12A-6 because this building and property; by reason of dilapidation, obsolescence, deleterious land use and obsolete layout, is detrimental to the public safety, health, morals and welfare. This property is an attractive nuisance, not properly secured or maintained, and a detriment to the surrounding area. This property is having a deleterious impact on the general appearance and character of the area, and a more direct negative impact on the adjacent property to the west.

Block 11514, Lot 5 - 281 Mercer Street: This property is developed with a single family home in good condition. It is located in the northeastern corner of the study area and fronts onto Mercer Street. The property is part of a residential neighborhood and is zoned R-4 Residential. Although conforming in terms of use, the property is nonconforming in terms of lot area and lot width. The property does not meet the criteria as an Area in Need of Redevelopment. However, the property is impacted by the adjacent Thermo Plastic use on Lot 6 and could benefit by the redevelopment of this area. This property can therefore be included in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of properties in a redevelopment area as necessary for effective redevelopment by stating: "A redevelopment area may include land, 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".

Block 11514, Lot 6 - 1268 Valley Road: This property is directly across Valley Road from the industrial building located on Lot 4 described above. It is also owned by Thermo Plastic Processing and is also developed with an industrial factory building. The building has been vacant since early 2015 and has fallen into a state of disrepair. According to Township Construction/Zoning records, the plant was approved and built in 1946. Over the next 40 years there were a number of variance approvals for incursions into the front, side and rear yard setbacks.

This building, like the one across the street to the south, is vacant and has fallen into a state of disrepair. There is little to no landscaping in front of the building or elsewhere on the site and the loading docks front onto Valley Road presenting a very poor appearance to the public realm. The loading area is accessed directly from Valley Road and there appears to be insufficient maneuvering area on the site for larger vehicles. This would result in trucks having to use Valley

Road for maneuvering in order to back into the loading area. This is an antiquated and obsolete arrangement and would not be allowed today by current zoning or site plan standards. The property is currently nonconforming in terms of lot area, lot width, front yard, side yard and rear yard setbacks.

The metal siding on the building is dented and damaged in several locations. There is also some damage to the cement block base of the building at the front of the building. At the rear of the building there is an open window exposing the interior of the building to the elements, and gaps in the fencing and plywood surrounding outdoor tanks and storage areas. The plywood is unpainted and deteriorating and the fencing is rusting and in disrepair. There is also a lack of maintenance on the storage tanks with some showing significant rusting. There are also a number of 55 gallon drums openly stored on the site. The paving surrounding the structure is in generally poor condition.

Similar to Lot 4 on the opposite side of Valley Road, this property is impacted by environmental contamination and is currently within the New Jersey Licensed Site Remediation program. Lot 6 is on the DEP Known Contaminated Site List (KCSL) and is listed as a source of known soil contamination consisting of asbestos, plasticizer and metals. Lot 6 has been issued Program ID number 197389. The Licensed Site Remediation professional states that the property will likely be deed restricted to nonresidential uses after the cleanup is completed and a No Further Action letter is issued by DEP,.

The condition of this property is an attractive nuisance. The open storage of the drums on the site and the open gaps in the fencing and plywood screening at the rear of the property also results in condition that is detrimental to the safety, health, morals, or welfare of the community. Given the current condition of the property it is untenable.

This property meets **criteria b.** of N.J.S.A. 40A:12A-6 because of the discontinuance of the use of this building previously used for industrial purposes; a general lack of maintenance and the same being allowed to fall into a state of disrepair such that the building is untenable.

The property also meets **criteria d.** of N.J.S.A. 40A:12A-6 because this building and property; by reason of dilapidation, obsolescence, deleterious land use and obsolete layout, is detrimental to the public safety, health, morals and welfare. This property is an attractive nuisance, not properly secured or maintained, and a detriment to the surrounding area. This property is having a deleterious impact on the general appearance and character of the area, and is having a more direct negative impact on the adjacent property to the west, Lot 31, which will be discussed in more detail later in this report.

Block 11514, Lot 8 - 269 Mercer Street: This property is directly behind, i.e. just north of, Lot 6 described above. The property fronts onto Mercer Street and is located in the northeast corner of the Study Area. It is owned by Engineered Plastic Products, Inc. This property is developed with an industrial factory structure and use, and is also zoned for industrial use (LI-2 Limited Industrial Zone). Therefore, the use is conforming in the zone. Although a conforming use, the property is nonconforming in terms of lot area, lot width, front yard, side yard and rear yard setbacks.

The building appears to be in good condition. The building is a cement block building with a stucco finish. The building is well maintained and painted. There are no broken windows or missing siding. The fencing at the rear of the building is a solid stockade type fence that appears to be fairly new and in good condition. The property does not, in and of itself, meet any of the criteria as an Area in Need of Redevelopment. However, the property is impacted by the adjacent Thermo Plastic use on Lot 6 and could benefit from the redevelopment of this area.

This property can therefore be included in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of properties in a redevelopment area as necessary for effective redevelopment by stating: "A redevelopment area may include land, 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".

Block 11514, Lot 31 - 1278 Valley Road: This property is located immediately adjacent to and west of the Thermo Plastic Processing factory located on Lot 6. The building formerly housed a dry cleaner on the first floor and a residential use on the 2nd floor. The property is owned by Valley NM Realty, LLC. The building has been vacant since 2013 and there is a "For Sale" sign in the front window of the commercial ground floor.

The building is in fair condition, and there are signs of deferred maintenance. According to the Township Construction/Zoning records the store and residential uses are "grandfathered", meaning they are pre-existing non-conforming uses. The last construction permit for this property was issued in 2006 to replace a gas hot water heater. The signage box is empty and shows signs of rust and deterioration. The paint and stucco on the side walls of the building is peeling and pulling away from the under structure. The rear addition is especially in need of maintenance and shows more advanced signs of peeling paint and deterioration of the stucco. The rear yard has also become overgrown.

There does not appear to be any parking associated with this property, although the entire frontage of the property is paved with asphalt from the building face to the curb. At the time of the site visit, there was a car parked in a perpendicular fashion in front of the store front. The car blocked the pedestrian way and appears to have backed onto the site over the curb along Valley Road. This presents an unsafe condition to both the pedestrian environment as well as to the vehicular traffic flow along Valley Road. This arrangement of the building on the site is no doubt due to the undersized nature of the lot. The property is currently nonconforming in terms of lot area, lot width, front yard, side yard and rear yard setbacks.

The lot width is only 50 feet. It would very difficult to redevelop this property due to the lack of width and be able provide adequate access to the site and an adequate parking arrangement. Conversely, if this property were to be combined with the adjacent Thermo Plastic Property to the east, the combined site would be much more conducive to redevelopment and the more effective redevelopment of the area.

This property meets **criteria b.** of N.J.S.A. 40A:12A-6 because of the discontinuance of the use of this building previously used for commercial purposes; a general lack of maintenance and the same being allowed to fall into a state of disrepair such that at this time the building is currently untenable. This property appears to be adversely affected by the blighted conditions of the adjacent industrial property to the east, and the decline of this property can be described as an example of creeping blight.

The area in general would benefit from improvements to this property. Similarly, this property could benefit from inclusion in the redevelopment area and would contribute to the overall improvement of the area. As such, this property could also be included in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of certain parcels in a redevelopment area necessary for effective redevelopment by stating: "A redevelopment area may include land, 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".

Block 11514, Lot 32 - 1282 Valley Road: This property is developed with a 2.5 story structure which appears to have originally contained a commercial first floor use and a residential unit on the second floor above. Currently, the property contains two residential units. The Township Construction/Zoning records label the two family use as "grandfathered", meaning that the use is a pre-existing non-conforming use. The most recent construction permit issued on this property was in 1996 for oil tank abandonment.

The property is located in the Office Zone. As such, the current use is not permitted and is non-conforming to the current zone plan. The property is also nonconforming in terms of lot area, lot width, front yard and side yard setbacks. The 2105 Valley Road Element of the Master Plan designates this property as part of a new B-D, Business Downtown district. The 2105 Valley Road Element of the Master Plan also recommends that residential use not be permitted within the B-D Zone.

The building is in fair condition. The paint is fairly fresh and the windows appear operational. There are strands of holiday lights across the front of the building, some of which have come loose and are hanging down to the ground and the property has a somewhat unkempt appearance. The siting of the building is also somewhat problematic in that it is located very close to the roadway and the curbing along the entire frontage consists of a dropped curb. This arrangement of the building on the site is no doubt due to the undersized nature of the lot. The lot is only 50 feet wide and it would be very difficult to redevelop this property due to the lack of width and provide adequate access and parking arrangement. Conversely, if this property were to be combined with the adjacent Dry Cleaner site and the Thermo Plastic Property to the east, the combined site would be much more conducive to redevelopment and the more effective redevelopment of the area.

Although lacking as related to current design and site planning standards, the building does not appear to have declined to the point where it would qualify under the Statute as meeting the criteria to be designated as an Area in Need of Redevelopment. However, the property does

appear to have been adversely impacted by the blighting conditions of the properties located just to the east and across Valley Road to the west. It should also be noted that the adjacent property to the west containing the Day Care use, and the property at the corner of Main Avenue are in good condition and well maintained. Therefore, it is important that the “creeping blight” phenomena that appears to be occurring in this area along the frontage of Valley Road be addressed. As such, this property is recommended for inclusion in the redevelopment area pursuant to the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3. This section permits the inclusion of properties in a redevelopment area necessary for effective redevelopment by stating: “A redevelopment area may include land, 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”.

IV. SUMMARY AND CONCLUSION

A review of the characteristics of the Study Area indicates that the Study Area qualifies as an "Area in Need of Redevelopment" pursuant to NJSA 40A: 12A-1 et seq.; meeting the criteria of subsections "a", "b", and "d" of NJSA 40A:12A-5; and pursuant to the definitional section of the Local Redevelopment and Housing Law, (C.40A: 12A-3), wherein a redevelopment area may include land, 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.

Statutory Criterion "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.

The following property qualifies under criteria "a":

- 1297 Valley Road, Block 10401 – Lot 1.

Statutory Criterion "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.

The following properties qualify under criteria "b":

- 1285 Valley Road, Block 10401 – Lot 2;
- 1261 Valley Road, Block 10401 – Lot 4;
- 1268 Valley Road, Block 11514 – Lot 6;
- 1297 Valley Road, Block 11514 – Lot 31.

Statutory Criterion "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.

The following properties qualify under criteria "d":

- 1285 Valley Road, Block 10401 – Lot 1;
- 1261 Valley Road, Block 10401 – Lot 4;
- 1268 Valley Road, Block 11514 – Lot 6.

In addition, the following properties qualify under the definitional section of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3, which permits the inclusion of properties in a redevelopment area necessary for the effective redevelopment of the area.

- 1285 Valley Road, Block 10401 – Lot 2;
- 1277-1283 Valley Road, Block 10401 – Lot 3;
- 281 Mercer Street, Block 11514 – Lot 5;
- 269 Mercer Street, Block 11514 – Lot 8;
- 1278 Valley Road, Block 11514 – Lot 31;
- 1282 Valley Road, Block 11514 – Lot 32.

This report concludes that the Study Area can be determined to be a “CONDEMNATION REDEVELOPMENT AREA”; as it qualifies for such a determination under subsections “a”, “b”, and “d” of NJSA 40A:12A-5 and pursuant NJSA 40A:12A-3, the definition of an “area in need of redevelopment” as found in the Local Redevelopment and Housing Law as indicated below in the Summary Chart.

SUMMARY CHART

Block	Lot	Address	Criteria			
			a	b	d	Definition
10401	1	1297 Valley Rd	X		X	
10401	2	1285 Valley Rd		X		X
10401	3	1277-1283 Valley Rd				X
10401	4	1261 Valley Rd		X	X	
11514	5	281 Mercer St				X
11514	6	1268 Valley Rd		X	X	
11514	8	269 Mercer St				X
11514	31	1278 Valley Rd		X		X
11514	32	1282 Valley Rd				X

Note: Some properties may meet more than one criteria and/or meet a criteria and are also recommended for inclusion under the definition of an Area in Need of Redevelopment pursuant to NJSA 40A:12A-3.

End of Report
 Appendices Follow

APPENDIX 1

RESOLUTIONS

**TOWNSHIP OF LONG HILL
RESOLUTION #16-074**

**AUTHORIZING THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY
INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH
INCLUDES LOTS 5, 6, 8, 31 & 32 IN BLOCK 11514
AND LOTS 1, 2, 3 & 4 IN BLOCK 10401 QUALIFIES AS AN AREA IN NEED OF
CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5.**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Section 5 thereof; and

WHEREAS, the Town wishes to utilize the Planning Board's knowledge and expertise in exploring whether the following parcels with frontage on Passaic Valley Road, as depicted on the map attached hereto as Exhibit A and identified on the official tax map of the Town as Block 11514, Lots 5, 6, 8, 31 & 32 and Block 10401, Lots 1, 2, 3 and 4 (collectively, the "Study Area") meet the criteria established by the Act; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall 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 other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or 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 the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board to undertake such preliminary investigation of the study area as shown on the Map attached hereto and made a part hereof as Schedule A, as a Condemnation Redevelopment Area; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, and State of New Jersey, as follows:

I. INVESTIGATION OF STUDY AREA AUTHORIZED

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Act, including *N.J.S.A. 40A:12A-5*, to be designated as a Condemnation Redevelopment Area.

II. MAP TO BE PREPARED

As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment areas and the location of the various parcels contained therein.

III. PUBLIC HEARING REQUIRED

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Condemnation Redevelopment Area.

At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Condemnation Redevelopment Area. All objections to a determination that all or a portion of the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

V. PLANNING BOARD TO MAKE RECOMMENDATIONS

After conducting its investigation, preparing a map of the proposed Condemnation Redevelopment Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Committee in the form of a resolution as to whether the Town should designate all or part of the Study Area as a Condemnation Redevelopment Area. Such recommendation shall be submitted to the Township Committee by April 30, 2016.

VI. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

VII. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Town Clerk.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Condemnation Redevelopment Area; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Long Hill.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

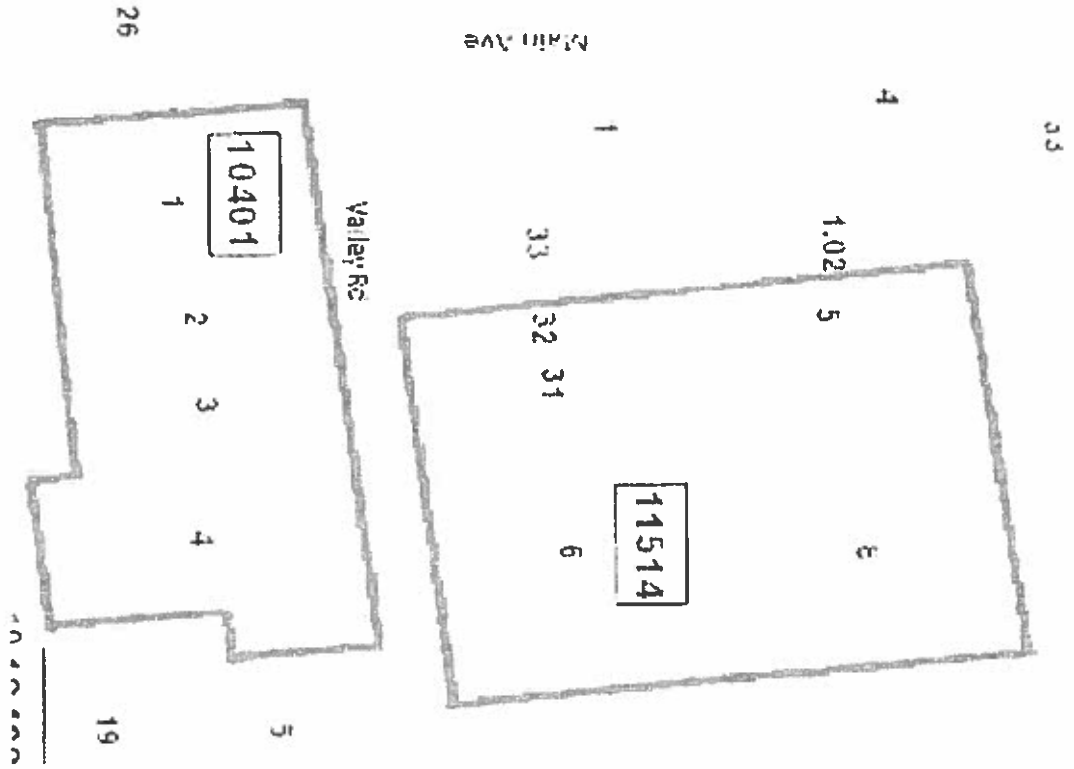
Adopted by the Township Committee on January 27, 2016

I, Cathy Reese, Township Clerk of the Township of Long Hill, County of Morris, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on January 13, 2016.


 Cathy Reese, RMC
 Township Clerk

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
	X	DORSI	x			
		PISERCHIA	x			
X		RAE	x			
		SCHULER		x		
		MERINGOLO	x			

SCHEDULE A



RESOLUTION OF THE PLANNING BOARD
OF THE
TOWNSHIP OF LONG HILL

Directing Shamrock Enterprises, LTD. to prepare an Area in Need of Redevelopment Report relative to a Preliminary Investigation of a proposed Study Area including properties known as Lots: 5, 6, 8, 31 and 32 in Block 11514 and Lots 1, 2, 3, and 4 in Block 10401 to determine if said Study Area qualifies as an Area in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1 et.seq.

WHEREAS: The Municipal COMMITTEE Council of the Township of Long Hill, by Resolution 16-074, has authorized the Planning Board to undertake a Preliminary Investigation of a proposed Study Area including properties known as Lots: 5, 6, 8, 31 and 32 in Block 11514 and Lots 1, 2, 3, and 4 in Block 10401 to determine if said Study Area qualifies as an Area in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1 et.seq.; And

WHEREAS: Shamrock Enterprises, LTD. has been retained as the professional planning consultant to the Township of Long Hill Planning Board; And

WHEREAS: The Township of Long Hill Planning Board seeks the assistance of Shamrock Enterprises in conducting the preliminary investigation of the above the proposed Study Area as authorized by the Municipal Council of Long Hill; Now

THEREFORE BE IT RESOLVED: that Shamrock Enterprises, LTD is hereby directed and authorized by the Township of Long Hill Planning Board to prepare an Area in Need of Redevelopment Report for the proposed Study Area; and to otherwise assist the Long Hill Planning Board relative to the Preliminary Investigation of the proposed Study Area in order to determine if said Study Area qualifies as an Area in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1 et.seq.



CYNDI KIEFER, Secretary

Long Hill Township Planning Board

Dated: 4.13.16

APPENDIX 2

PHOTOS

BLOCK 10401 LOT 1

**1297 VALLEY ROAD
Vacant Residential Site**











BLOCK 10401 LOT 2

1285 VALLEY ROAD
Vacant Zizzors Site





BLOCK 10401 LOT 3

1277, 1279, 1283 VALLEY ROAD
Speedy Mart Site



BLOCK 10401 LOT 4

**1261 VALLEY ROAD
Vacant Thermoplastics Site**













BLOCK 11514 LOT 5

281 MERCER STREET
Single Family Home



BLOCK 11514 LOT 6

1268 VALLEY ROAD
Vacant Thermoplastics Site













BLOCK 11514 LOT 8

**269 MERCER STREET
Engineered Plastic Products Site**





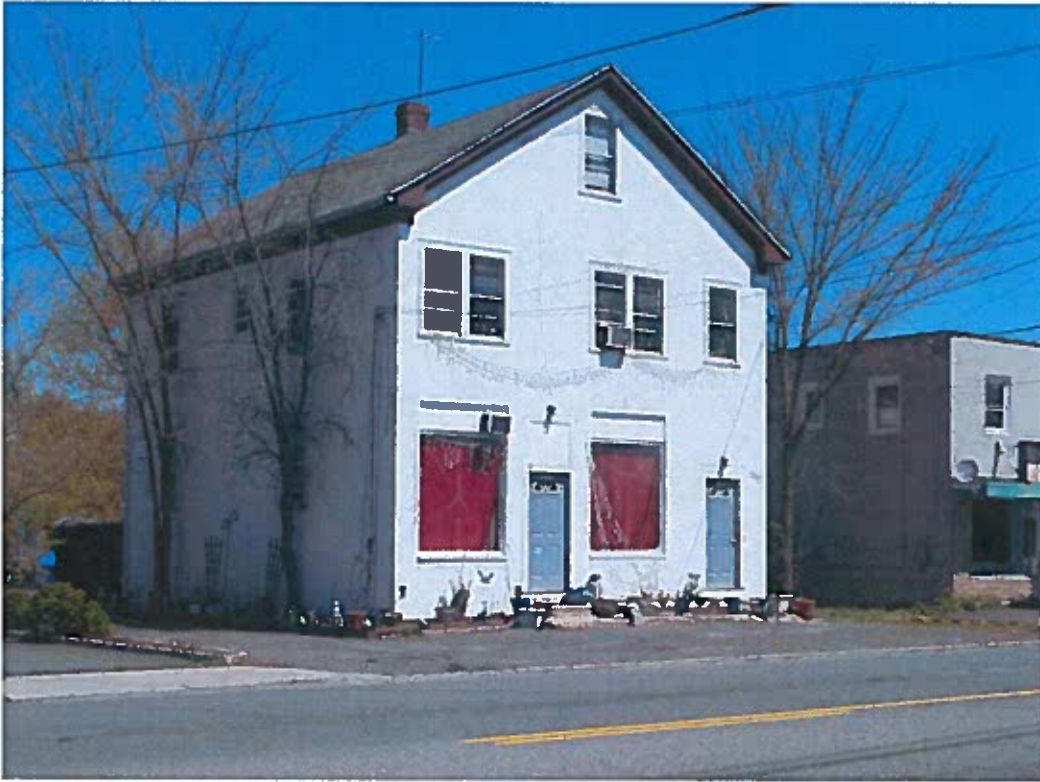
BLOCK 11514 LOT 31

1278 VALLEY ROAD
Vacant Cleaners Site



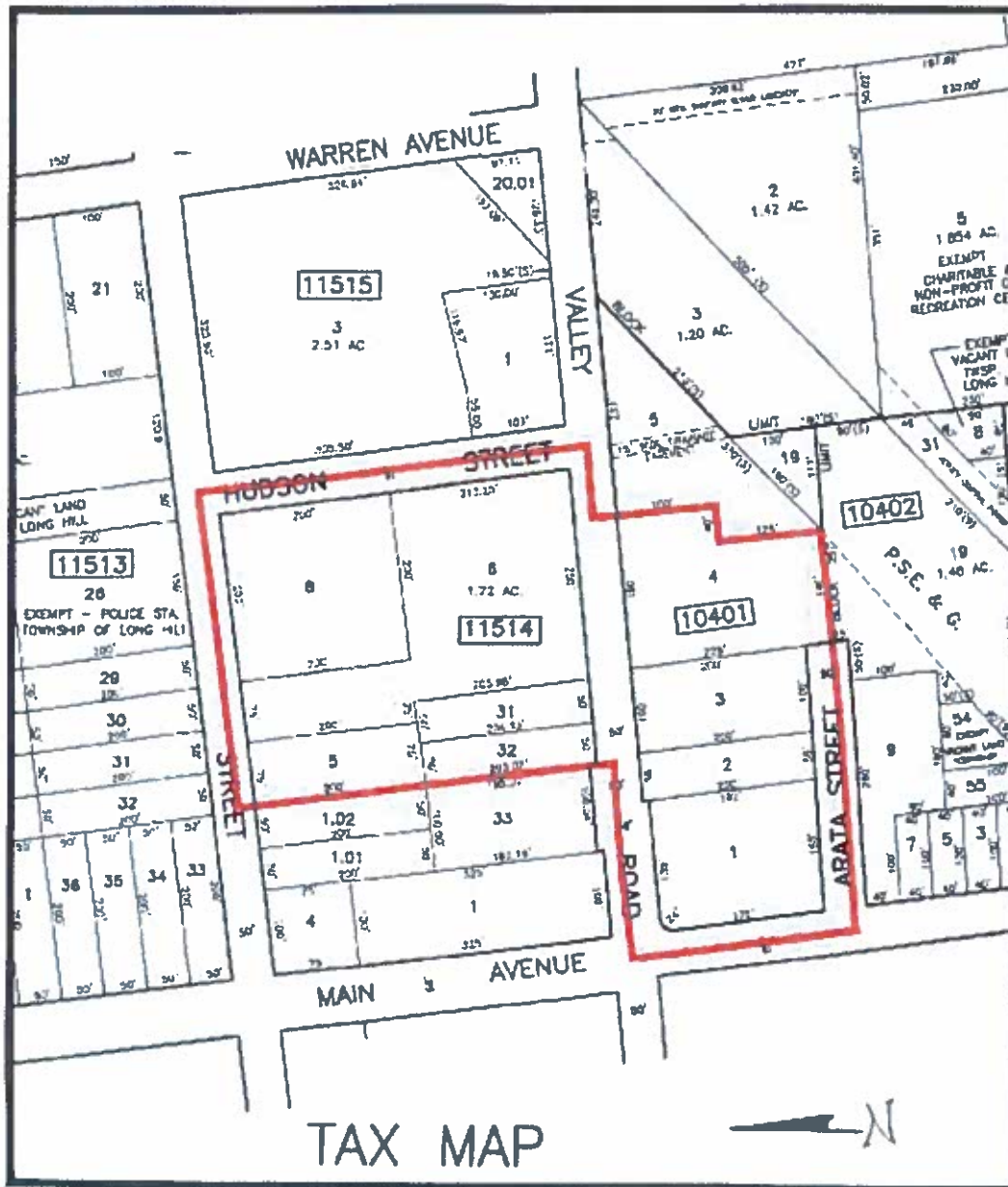
BLOCK 11514 LOT 32

1282 VALLEY ROAD
Residential Site



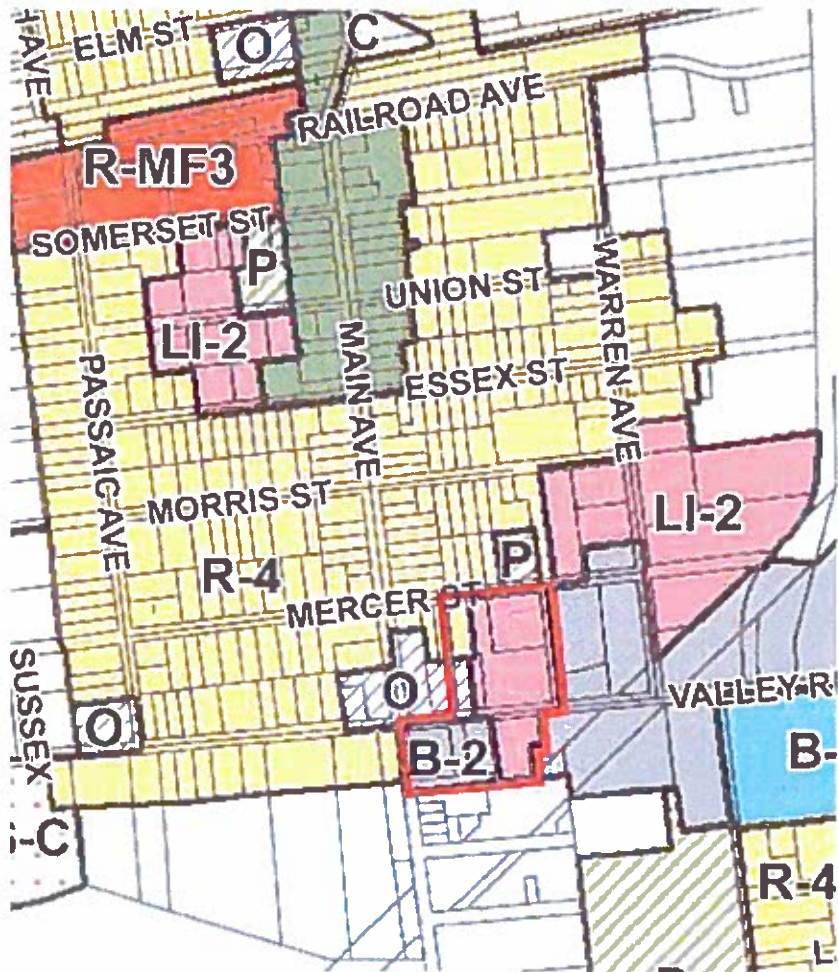
APPENDIX 3

MAPS



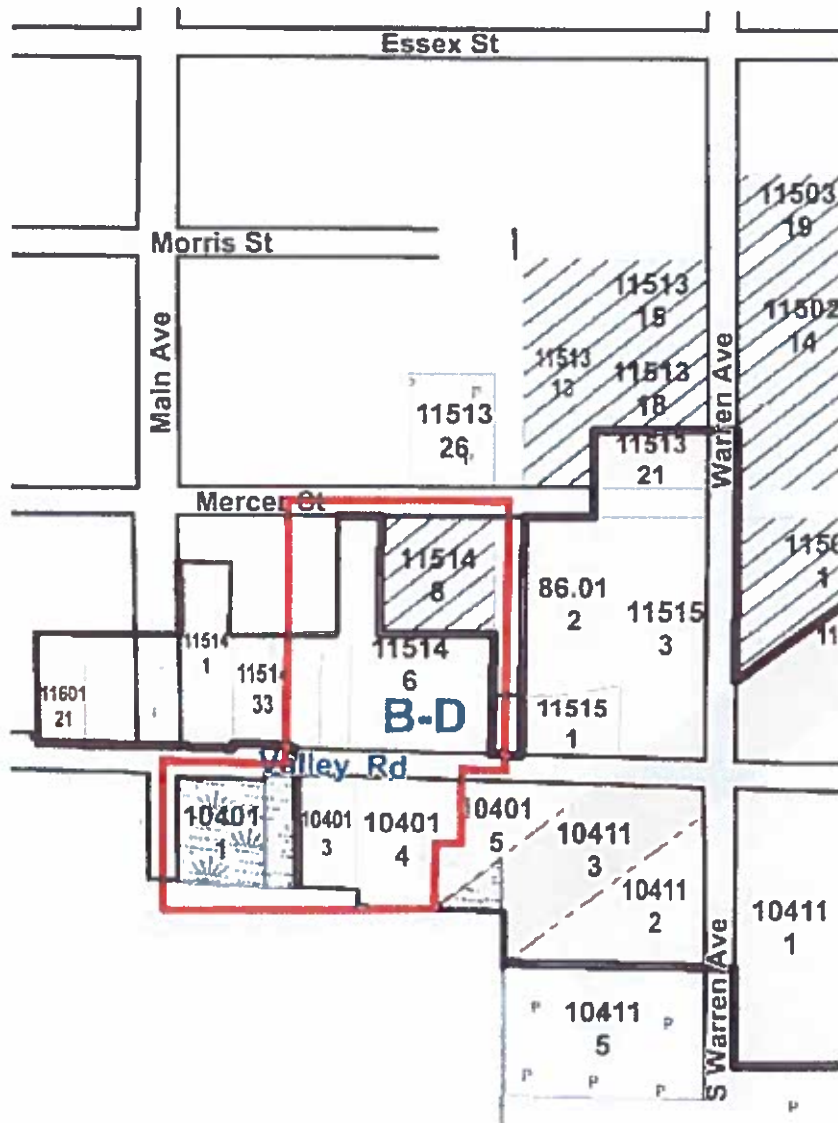
Valley Road Study Area
 A PROPOSED CONDEMNATION AREA IN NEED OF REDEVELOPMENT
 TOWNSHIP OF LONG HILL, MORRIS COUNTY, NEW JERSEY

Map #1 Boundary Map



Valley Road Study Area
 A PROPOSED CONDEMNATION AREA IN NEED OF REDEVELOPMENT
 TOWNSHIP OF LONG HILL, MORRIS COUNTY, NEW JERSEY

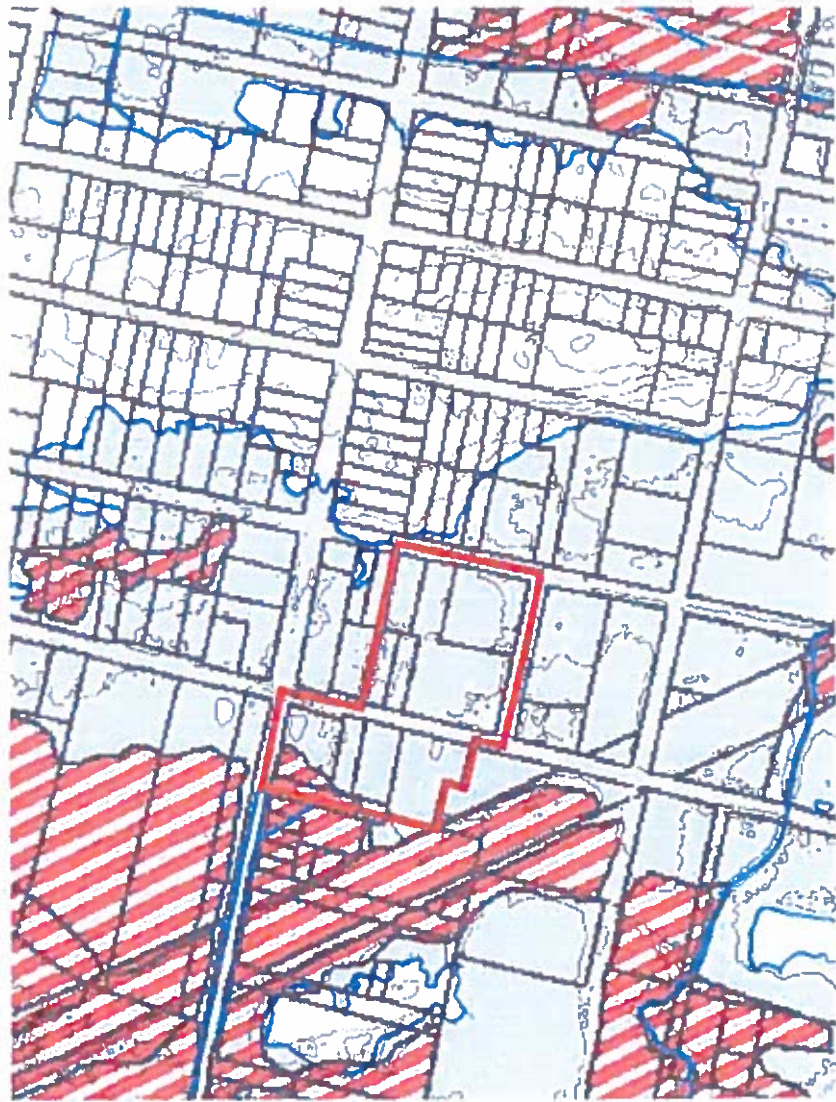
Map #2 Existing Zoning



Valley Road Study Area

A PROPOSED CONDEMNATION AREA IN NEED OF REDEVELOPMENT
 TOWNSHIP OF LONG HILL, MORRIS COUNTY, NEW JERSEY

Map #3 Master Plan Land Use



Valley Road Study Area
A PROPOSED CONDEMNATION AREA IN NEED OF REDEVELOPMENT
TOWNSHIP OF LONG HILL, MORRIS COUNTY, NEW JERSEY

Map #4 Wetlands & Flood Areas

- WETLANDS
- FLOODPLAIN

