

US ROUTE 322 & BARNSBORO ROAD REDEVELOPMENT INVESTIGATION

HARRISON TOWNSHIP, NEW JERSEY

Preliminary Investigation (Resolution 204 - 2017)

Non-Condemnation

REVISED DRAFT: December 11, 2017

BLOCK 21

LOTS 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15

BLOCK 29

LOTS 6, 6.01, and 6.02

BLOCK 31

LOT 11.06

Acknowledgements

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Louis Manzo

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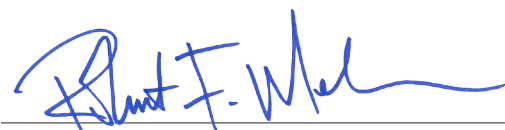
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Table of Contents

1.0	Introduction	2
1.1.	Study Authorization	2
1.2.	Summary of Findings.....	2
1.3.	Non-Condemnation	5
2.0	Redevelopment Law	5
2.1.	Purpose of the Act.....	5
2.2.	Redevelopment Procedure.....	5
3.0	Statutory Criteria	6
4.0	Applicability of Statutory Criterion “A”	8
5.0	Applicability of Statutory Criterion “C”	11
6.0	Applicability of Statutory Criterion “D”	14
7.0	Applicability of Section 3 Criteria	22
8.0	Conclusion	23
	Appendix A - Resolution No. 204 - 2017	25
	Appendix B - N.J.A.C. 5:21-4.2 Table 4.3	28
	Appendix C - Block 21 Tax Map	30

1.0 Introduction

1.1. Study Authorization

Harrison Township, through Resolution No. 204 - 2017 (Appendix A), adopted 5 September, 2017, has requested that Group Melvin Design perform a Preliminary Investigation into the following parcels to ascertain whether this area qualifies under N.J.S.A. 40A:12A-5 as an “Area in Need of Redevelopment”:

Block 21: Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15

Block 29: Lots 6, 6.01, and 6.02

Block 31: Lot 11.06

Figure 2 identifies the location and surrounding environs of the Redevelopment Investigation Parcels.

Figure 1. List of Block and Lots

Block	Lot	Parcel Address	Owner Name
21	3	500 MULLICA HILL RD	EAGLE ENTERPRISES OF SJ LLC
21	4	508 MULLICA HILL RD	LOGRANDE MARK T
21	4.01	506 MULLICA HILL RD	FIGUEROA, SAMUEL & JENNIFER
21	4.02	502 & 504 MULLICA HILL RD	EAGLE ENTERPRISES OF SJ LLC
21	5	512 MULLICA HILL RD	LOGRANDE, MARK T
21	6	514 MULLICA HILL RD	GATTO, ANTHONY J JR, HUHN, A & NOTTIS
21	7	516 MULLICA HILL RD	HILDEBRAND, PETER
21	8	518 MULLICA HILL RD	518 MULLICA HILL ASSOCIATES LLC
21	13	110 HARRISONVILLE RD	MATALUCCI, MARK
21	14	112 HARRISONVILLE RD	MARTIN, ANTHONY J & JEAN
21	15	114 HARRISONVILLE RD	MATLACK, RUSSELL J & MARY
29	6	MULLICA HILL RD	CLENDING VIERECK INVESTMENTS LLC
29	6.01	728 BARNSBORO RD	KIER, JAMES C/O SHERN KIER
29	6.02	722 BARNSBORO RD	CANCILA, REBECCA L & JASON
31	11.06	498 MULLICA HILL RD	SCORDO, LUCREZIA

1.2. Summary of Findings

It is the determination of this report that Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15; Block 29, Lots 6, 6.01, and 6.02, and Block 31, Lot 11.06 all meet the statutory requirement for being designated an Area in Need of Redevelopment.

1.2.a. Block 21, Lots 4, 4.01, 4.02, 5: Criterion A

It is the determination of this report that Block 21, Lots 4, 4.01, 4.02, and 5 meet Criterion A because of the presence of substandard, unsafe, dilapidated, and obsolescent buildings. Lot 4 contains a dilapidated shed, surrounded by piles of trash and construction debris. Lot 4.01 contains a shed and a large storage unit, both of which have had their doors broken. Lot 4.02 has an accessory

Figure 2. Redevelopment Study Parcels Aerial



building with broken windows, missing roof shingles, and dilapidated wooden siding. Lot 5 contains both a shed and an old barn which are in a dangerous state of disrepair. Because the generality of these buildings is substandard, unsafe, dilapidated, and/or obsolescent, it is the determination of this report that Block 21, Lots 4, 4.01, 4.02, and 5 meet Criterion A.

1.2.b. Block 29, Lot 6: Criterion C

Block 29, Lot 6 has remained as unimproved agricultural land since at least the 1930s. This privately owned lot has remained unimproved for more than 10 years prior to the adoption of Resolution 204-2017. The nature of this parcel's soil, namely the high likelihood of environmental contamination due to its history as an orchard, make it unlikely to be developed through the instrumentality of private capital, and thus qualify as an area in Need of Redevelopment under Criterion C.

1.2.c. Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15; Block 29, Lots 6, 6.01, and 6.02; and Block 31, Lot 11.06: Criterion D

It is the determination of this report that Block 29, Lots 6 and 6.02, and Block 31, Lot 11.06 meet Criterion D because they have been historically used as orchards. In this instance, orchards are considered a deleterious land use because of the use of pesticides and other harmful chemicals which have left a residual contaminating effect on the land. The pollution has likely lead to, among other problems, heavy metal accumulation in soils. Such contamination has well documented health effects that will persist unless the soil is remediated. The contamination caused by this deleterious land use is clearly a detriment to the health and safety of the community.

It is the determination of this report that Block 21, Lots 3, 4, and 5, meet Criterion D because of the improper storage of vehicles, materials, and debris. This improper storage is considered a deleterious land use as it may attract vermin, could cause environmental contamination from leaked engine fluids, and may depress area land values. This deleterious use is detrimental to the health, morals, and welfare of the community.

It is the determination of this report that Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15; Block 29, Lots 6, 6.01, and 6.02; and Block 31, Lot 11.06, meet Criterion D because of a lack sidewalks or pedestrian amenities, in violation of New Jersey development requirements. Those accessing the study parcels by foot or walking past the properties must walk within the roadway. The existing conditions for pedestrians is detrimental to the safety, health, and welfare of the community.

It is the determination of this report that Block 21, Lots 3, 5, 6, 7, 8, 13, 14, and 15 meet Criterion D because of their obsolete layout of each parcel. Lots 6, 7, 8, 13, and 15 do not meet the minimum frontage width or acreage for the C-1 Village Center District as defined by the Harrison Township Zoning Ordinance. Although Lots 3 and 5 meet the minimum frontage and acreage requirements for a C-1 zoned parcel, they each comprise deep, narrow lots, on which automobile circulation, or additional development, would be detrimental to the safety and welfare of the community. Lot 14 is identified as a "flag lot," with a narrow approach toward Harrisonville Road. Such a narrow street frontage restricts automobile circulation, and is found to be detrimental to the safety and welfare of the community.

1.2.d. Block 21, Lots 4.01 and 14; and Block 29, Lot 6.01: Section 3 Criteria

This investigation concludes that Block 21, Lots 4.01 and 14 should be included in the Redevelopment Area, under Section 3 of the LRHL, as their inclusion is necessary for the effective redevelopment of

surrounding lots on Block 21. Lot 4.01 sit between Lots 4 and 4.02, both of which have been identified as In Need of Redevelopment. In order to effectively redevelop Lots 4.02 and 5, as well as the other redevelopment parcels fronting U.S. 322 (Block 21, Lot 3, 6, 7, and 8; Block 31, Lot 11.06).

Block 21, Lot 14 is a “flag lot” surrounded on either side by parcels identified as In Need of Redevelopment (Block 21, Lots 13 and 15). Lot 15 is surrounded on two sides by Lot 14. In order to effectively redevelop these small lots, Lot 14 must be included in the Redevelopment Area.

This investigation also concludes that Block 29, Lot 6.01 should be included in the Redevelopment Area, under Section 3 of the LRHL, as its inclusion is necessary for the effective redevelopment of Block 29, Lots 6 and 6.02. Lot 6.01 is surrounded on three sides by Lot 6, and provides a crucial frontage along Richwood Road. Because excluding Lot 6.01 would create a significant and unnecessary gap along the Redevelopment Area’s road frontage and would considerably hinder the Area’s redevelopment potential, the inclusion of Block 29, Lot 6.01 is found necessary for the effective development of the area of which it is a part.

1.3. Non-Condemnation

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

Resolution #233-2015 states that if the Study Area qualifies as an Area in Need of Redevelopment, the Township of Harrison is authorized to further qualify the area as a “Non-condemnation Redevelopment Area,” such that the municipality may use all those powers provided in the Legislature for the use in the designated area in need of redevelopment excluding only the use of eminent domain pursuant to NJSA 40A: 12A-1 et seq.

2.0 Redevelopment Law

2.1. Purpose of the Act

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

2.2. Redevelopment Procedure

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

- A. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5). The Township Council has adopted Resolution No. 2013-6-14.
- B. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included in it. This map should be accompanied by a statement setting forth the basis of the investigation.
- C. The Planning Board must then conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.
- D. The Governing Body may act on this recommendation by adopting a resolution designating the area an "Area in Need of Redevelopment". The Governing Body must make the final determination as to the Redevelopment Area boundaries.
- E. A Redevelopment Plan must be prepared establishing the goals, objectives, and specific actions to be taken with regard to the "Area in Need of Redevelopment."
- F. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the Township's Zoning Ordinance.

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

3.0 Statutory Criteria

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

- A. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or poses any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- B. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- C. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination

of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

- E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- G. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

N.J.S.A. 40A:12A-3 further states that "A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective development of the area of which they are a part." This is commonly referred to as the "Section 3 Criteria."

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

4.0 Applicability of Statutory Criterion “A”

4.1. Introduction

4.1.a. Statutory Language: Criterion 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.

4.1.b. Applicability

The following analysis of Statutory Criterion A is applicable to:

- Block 21, Lots 4, 4.01, 4.02, and 5

4.2. Substandard, Unsafe, Unsanitary, Dilapidated, or Obsolescent Buildings

Block 21, Lots 4, 4.01, 4.02, and 5 meet Criterion A because of the presence of substandard, unsafe, dilapidated, and obsolescent buildings. Existing building conditions were documented on a site visit on December 8, 2017. The buildings documented are clearly dilapidated and are likely unsafe. The below properties are in violation of Harrison Township Zoning Code § 159-7(A) “Exterior maintenance standards, Prohibited uses and activities,” which states that “Structurally unsafe or unsound buildings or structurally unsound parts thereof, structurally unsound walls or foundations, and fences” are prohibited to both residential and nonresidential buildings and premises.

4.2.a. Lot 4: Shed and Debris

As shown in Figure 3, Lot 4 contains a dilapidated shed, surrounded by piles of trash and construction debris. Paint has worn from all sides of the shed. Nearby, cars sit on the back lawn. A pile of building materials and debris is located immediately behind the shed.

Figure 3. Lot 4: Dilapidated Shed and Debris



4.2.b. Lot 4.01: Shed and Storage Unit

Lot 4.01 contains a shed and a large storage unit, both of which have had their doors broken. Figure 4 displays the broken shed and storage unit.

4.2.c. Lot 4.02: Accessory Building

Figure 5 shows the dilapidated accessory building located on Lot 4.02. The building appears to have broken windows, missing roof shingles, and dilapidated wooden siding. Moss is growing on portions of the roof. A significant portion of the building has not been painted, and several of the larger siding panels appear to have fallen off or been removed. The building is surrounded by garbage, unraked leaves, and construction debris.

Figure 4. Lot 4.01: Broken Shed and Storage Unit



Figure 5. Lot 4.02: Dilapidated Accessory Building



4.2.d. Lot 5: Shed and Barn

Figures 6 and 7 display the dangerous state of disrepair of the shed and barn located on Lot 5, respectively.

There is a considerable hole in the side of the shed, and a large canvas sheet likely covers an even larger hole. Portions of the garage door on the shed are missing, as well as a significant portion of roof shingles. Portions of wood trim and wall have also fallen off on the opposite side of the shed.

The barn, which formerly houses horses, has become dilapidated and unsafe. Sizeable holes exist in various walls of the barn. A large hole in the roof allows water into the building. A number of burrows have been dug beneath and around the barn by large vermin, or other animals. The building is unsuitable for any use.

4.3. Conclusion

Because the generality of the buildings within Block 21, Lots 4, 4.01, 4.02, and 5 is substandard, unsafe, dilapidated, and/or obsolescent, it is the determination of this report that said parcels meet the statutory requirement for being designated an Area in Need of Redevelopment as a result under Criterion A.

Figure 6. Lot 5: Abandoned Shed



Figure 7. Lot 5: Abandoned Barn



5.0 Applicability of Statutory Criterion “C”

5.1 Introduction

5.1.a. Statutory Language: Criterion 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.

5.1.b. Applicability

The following analysis of Statutory Criterion C is applicable to:

- Block 29, Lot 6

5.2. Unimproved Vacant Land

Privately owned land must remain unimproved and vacant for at least ten years prior to the adoption of the investigation resolution (2017). According to historic aerial photography records, Block 29, Lot 6 has been unimproved, vacant land since at least 1930 (87 years).

5.3. Not Likely to be Developed through the Instrumentality of Private Capital due to Nature of Soil

Of particular importance to this Preliminary Investigation are historic aeriels which show that Block 29, Lot 6, among other neighboring properties, was used as an orchard and rotating crop field from 1930 until at least 1970. As illustrated in Figures 8 and 9, orchards are visible on these parcels in years 1930 and 1970, respectively. As a result, it is likely that pesticides, herbicides, fungicides, spray oil and assorted other chemical applicants have been used in support of the agricultural activities on these parcels for at least 40 years.

The likely contamination of the soils on site, and the extent of soil remediation likely required before new construction, significantly increases the cost of development, and makes Lot 6 unlikely to be developed through the instrumentality of private capital.

Although the Study Area is zoned for commercial use by Harrison Township (C-1 Village Center District), there has been no further development of the Subject Area since approximately 2004, indicating that by reason of the nature of the soil contamination on the site, the unimproved vacant land is unlikely to be developed through the instrumentality of private capital. The risk to health and safety caused by the possible presence of dieldrin in the soil within the Study Area has resulted in an additional burden on redevelopment of the area, and a further cost for redevelopment, as a soil remediation plan must be prepared and executed before redevelopment of the site can occur.

Figure 8. 1930 Historic Aerial of Study Parcels



 Study Parcels

Aerial Source: New Jersey Geographic Information Network

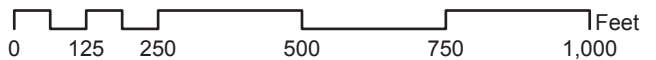


Figure 9. 1970 Historic Aerial of Study Parcels



 Study Parcels

Aerial Source: HistoricAerials.com



0 125 250 500 750 1,000 Feet

6.0 Applicability of Statutory Criterion “D”

6.1. Introduction

6.1.a. Statutory Language: 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.

6.2. Deleterious Land Use - Agriculture

6.2.a. Applicability

The following analysis of Statutory Criterion D is applicable to:

- Block 29, Lots 6 and 6.02
- Block 31, Lot 11.06

6.2.b. Soil Contamination - Prior Agricultural Use

Of particular importance to this Preliminary Investigation are historic aerials which show that Block 29, Lots 6 and 6.02 and Block 31, Lot 11.06, among other neighboring properties, were used as orchards and rotating crop fields from 1930 until at least 1970. As illustrated in Figures 8 and 9, orchards are visible on these parcels in years 1930 and 1970, respectively. As a result, it is likely that pesticides, herbicides, fungicides, spray oil and assorted other chemical applicants have been used in support of the agricultural activities on the parcels identified in Figure 10.

6.2.c. Detrimental to the safety, health, morals, or welfare of the community

According to the US Department of Agriculture Natural Resources Conservation Service, old orchards that used insecticides containing arsenic as an active ingredient are likely to led to excessive heavy metal accumulation in soils that are toxic to humans and other animals. Chronic problems associated with long-term Arsenic exposure include skin poisoning and such exposure has adverse affects on the kidneys and central nervous systems.¹

The same report notes that once metals are introduced and contaminate the environment, they will remain. Metals do not degrade like carbon-based (organic) molecules. As a result, contamination that was introduced many years ago is likely to remain on site and continue to pose a threat to the health, safety, and welfare of the community unless remediated.

One contaminant of particular concern is dieldrin. Dieldrin has been found at high levels in the soil of other Harrison Township parcels which were used as orchards during the same timeframe as the study parcels.² Originally, dieldrin was used as a broad-spectrum soil insecticides for the

¹ “Heavy Metal Soil Contamination,” Department of Agriculture Natural Resources Conservation Service < http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_053279.pdf >

² A 2003 Phase I Environmental Site Assessment (ESA) discovered dieldrin within the Tomlin Station Redevelopment Area (Block 46, Lots 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10 and 4.11; Block 46.01, Lots 1, 2 and 3; and Block 46.02,

protection of various food crops, as seed dressings, to control infestations of pests like ants and termites, and to control several insect vectors of disease. The US Department of Agriculture banned all uses of aldrin and dieldrin in 1970³. Further concerns about damage to the environment and potentially to human health, the EPA banned all uses of aldrin and dieldrin in 1974. When humans have been exposed for longer periods to lower doses of these compounds, neurotoxic symptoms have included headache, dizziness, general malaise, nausea, vomiting, and muscle twitching or myoclonic jerking.⁴

Furthermore, it is highly likely that other pesticides, herbicides, fungicides, spray oil and assorted other chemical applicants were used on site, as commonly used in fruit orchards throughout the United States in the 1950s through 1970s, and as found elsewhere in orchards within Harrison Township, New Jersey. According to the US Department of Agriculture Natural Resources Conservation Service, old orchards that used insecticides containing arsenic as an active ingredient are likely to lead to excessive heavy metal accumulation in soils that are toxic to humans and other animals. Chronic problems associated with long-term Arsenic exposure include skin poisoning and such exposure has adverse affects on the kidneys and central nervous systems.⁵

6.2.d. Conclusion

This report concludes that Block 29, Lots 6, and 6.02 and Block 31, Lot 11.06 meet the statutory requirement for being designated an Area in Need of Redevelopment as a result of:

- a review of aerial photography, and
- an understanding of the historic role of pesticides, herbicides, fungicides, spray oil and assorted other chemical applicants in orchard and other agricultural uses, and their continued impact on soil conditions into present day.

It is the determination of this report that the Study Parcels in question have been historically used for deleterious land uses which have left a residual contaminating effect on the soil. Such contamination has well documented health effects, and must be remediated before development can occur. As a result of these findings it is clear that the condition of the soil within the Study Area has resulted in the unlikelihood of development through the instrumentality of private capital. Furthermore, such containment is likely to hinder the future development of the site to its highest and best use unless the community is able to exercise its Redevelopment powers.

Lots 1, 2, 3, 4, 5, 6 and 7.)

3 "Health Effects Support Document for Aldrin/Dieldrin," United States Environmental Protection Agency. < https://www.epa.gov/sites/production/files/2014-09/documents/support_cc1_aldrin-dieldrin_healtheffects.pdf>.

4 Ibid.

5 "Heavy Metal Soil Contamination," Department of Agriculture Natural Resources Conservation Service < http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_053279.pdf>

6.3. Deleterious Land Use - Improper Storage of Materials

6.3.a. Applicability

The following analysis of Statutory Criterion D is applicable to:

- Block 21, Lots 3, 4, 5

6.3.b. Improper Storage of Materials and Vehicles

Harrison Township Code § 159-7(A) "Exterior maintenance standards, Prohibited uses and activities" prohibits the following:

Animal excrement piles or vegetable waste, paper, rags, cartons, boxes, fallen tree branches, yard trimmings, objects in a state of general disrepair that are not being used for their original intended purpose, garbage, waste materials, scrap building materials, used tires, scrap metal, glass or wood, appliances in disuse, plumbing fixtures, furniture in disrepair.

Township Code § 159-7(A) also prohibits:

The outdoor placement of vehicles, machinery, equipment or parts thereof, including, but not limited to, boats and trailers, regardless of whether they are licensed or registered, which have been dismantled or have been in a state of visible disrepair for more than 30 days.

The same section of code requires that, "Vehicles shall be stored in designated parking stalls, in garages or carports or on driveways."

Upon a site visit to the investigation area, Lots 4 and 5 were found to contain piles of furniture in disrepair, fallen tree branches, scrap building materials, and scrap wood. Two cars, a white sedan and a black pick up truck, were being stored improperly on the back lawn of Lot 4 as of December 8, 2017. Lot 3 contains an improperly stored boat. The boat is in a state a visible state of disrepair, and has been on the property for more than 30 days. Figures 11, 12, and 13 below and on the next page display the improperly stored materials and vehicles within Block 29, Lots 3, 4, and 5, respectively.

Figure 11. Lot 3: Improperly stored boat



6.3.c. Detrimental to the safety, health, morals, or welfare of the community

The improper storage of materials and vehicles is in direct violation of Township code and poses safety, health, and economic detriments to the larger community. Piles of refuse and furniture attract vermin and rodents. Cars driven and stored on lawn, instead of driveway, damage turf and allow oil and other chemicals to possibly leak from the car into the soil. Additionally, improperly stored vehicles and materials degrade from the aesthetic quality of a neighborhood, and could potentially depress area property values.

6.3.d. Conclusion

This report concludes that Block 21, Lots 3, 4, and 5 meet the statutory requirement for being designated an Area in Need of Redevelopment as a result of:

- a review of local exterior maintenance standards; and
- a site visit to document material and vehicle storage practices,

It is the determination of this report that the Study Parcels in question contain improperly stored materials and vehicles, which constitute a deleterious land use detrimental to the safety, health, morals, or welfare of the community.

Figure 12. Lot 4: Improperly stored materials and vehicles



Figure 13. Lot 5: Improperly stored materials



6.4. Lack of Sidewalks or Pedestrian Amenities

6.4.a. Applicability

The following analysis of Statutory Criterion D is applicable to:

- Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15
- Block 29, Lots 6. 6.01, and 6.02
- Block 31, Lot 11.06

6.4.b. Nature of Area Roads

U.S. Route 322 (Mullica Hill Road), onto which Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, and 8, Block 29, Lot 6, and Block 31, Lot 11.06 front, is a major roadway within the region. According to N.J.A.C. 5:21-4.1, the highest order of residential streets is called a Major Collector. According to the state ordinance, "Direct access to homes from this level of street should be avoided." A Major Collector carries a maximum average daily traffic of 7,500 vehicles. As of January 2016, this stretch of U.S. Route 322 has an average annual daily traffic of 22,467 vehicles, nearly three times the maximum average daily traffic found on a Major Collector street.

Block 29, Lots 6, 6.01, and 6.02 front onto Barnsboro Road (Gloucester County Route 609). As of March 2012, this roadway carries an average annual daily traffic volume of 2,568 vehicles. This volume of car traffic classifies this street as a Minor Collector. A Minor Collector street has an average daily traffic maximum of 3,500 vehicles. As area development has continued since 2012, it is likely that Barnsboro Road carries a larger number of vehicles today than in 2012.

Block 21, Lots 13, 14, and 15 front onto Harrisonville Road (Gloucester County Route 618). As of the writing of this Redevelopment Investigation, no traffic count records exist for Harrisonville Road. Given the number of housing developments along Harrisonville Road, and the road's role as a connector between Mullica Hill Road (U.S. 322), NJ Route 55, and Bridgeton Pike, it is likely that Harrisonville Road carries at least as many vehicles as Barnsboro Road.

6.4.c. State Requirements for Sidewalks

According to N.J.A.C. 5:21-4.5 "Sidewalks and graded areas," sidewalks shall be provided when:

Sidewalks and/or graded areas shall be required, depending on road classification and intensity of development, in accordance with the requirements set forth in Table 4.3 in N.J.A.C. 5:21-4.2.

Sidewalks and/or The minimum lot size in the development is smaller than one acre; and the development or project is located within 2,500 feet of a train station, public or school bus route; or the development or project is located within 2,500 feet of an existing recreational, business or retail use or a site where such use is permitted by existing zoning.

Table 4.3, attached to this investigation as Appendix B, indicates that Major Collector streets shall require two sidewalks (one on each side) and Minor Collector streets shall require either one or two sidewalks, depending on the intensity of development.

Harrison Township Zoning Code § 225-16(C) "C-1 Village Center District, Area and Bulk Regulations," states that the minimum lot size within the C-1 Village Center District Zone is 22,000 square feet,

roughly one-half acre. Additionally, Harrison Township Zoning Code § 225-16(B) "C-1 Village Center District, Use Regulations," allows for a wide range of business and retail uses.

Because the minimum lot size is smaller than one acre, because business or retail use is permitted by existing zoning, and because the streets within the study area are classified as those road types which require sidewalks, sidewalks are required by New Jersey code in front of the redevelopment study parcels, all of which fall within the C-1 Village Center District.

N.J.A.C. 5:21-4.5 "Sidewalks and graded areas," specifies that:

Sidewalk width shall be four feet; wider widths may be necessary near pedestrian generators and employment centers. Where sidewalks abut the curb and cars overhang the sidewalk, widths shall be six feet. In high-density residential areas when sidewalks abut the curb, a sidewalk/graded area of at least six feet in width shall be required..

6.4.d. Detrimental to the safety, health, morals, or welfare of the community

U.S. Route 322, Harrisonville Road, and Barnsboro Road are subject to high volume, high speed traffic. Tractor trailers regularly pass through the area, speeding within feet of roadside utility poles. As the primary east-west route connecting Pennsylvania through Southern New Jersey to the shore, beach

Figure 14. Pedestrian conditions along U.S. 322 (Mullica Hill Road) facing west (left) and east (right).



traffic regularly clogs Route 322 in the summer. As development in the Richwood area continues, traffic volumes along these roads is likely to increase. Without sidewalks or pedestrian amenities, pedestrians currently cannot safely access area businesses or homes. The photographs in Figure 14 present existing pedestrian conditions along U.S. Route 322.

6.4.e. Conclusion

This report concludes that Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15; Block 29, Lots 6, 6.01, and 6.02, and Block 31, Lot 11.06 meet the statutory requirement for being designated an Area in Need of Redevelopment as a result of:

- a review of local and state ordinances and development requirements; and
- a site visit to document unsafe pedestrian and roadway conditions.

It is the determination of this report that none of the identified investigation parcels contain sidewalks or any other pedestrian amenity. Such a lack of amenities is in violation of state requirements, and creates dangerous and unsafe conditions for pedestrians and drivers. This report notes that such a lack of pedestrian amenities is detrimental to the safety, health, and welfare of the community.

6.5. Obsolete Layout - Detrimental Lot Arrangements

6.5.a. Applicability

The following analysis of Statutory Criterion D is applicable to:

- Block 21, Lots 3, 5, 6, 7, 8, 13, 14, and 15

6.5.b. Block 21, Lots 6, 7, 8, 13, and 15 - Do Not Meet Minimum Code Dimensions

All of the Study Area parcels fall within the C-1 Village Center District. Lots 6, 7, 8, 13, and 15 do not meet the minimum frontage width or acreage for the C-1 Village Center District as defined by the Harrison Township Zoning Ordinance. Harrison Township Zoning Code § 225-16(C) "C-1 Village Center District, Area and Bulk Regulations," states that the minimum lot size within the C-1 Village Center District Zone is 22,000 square feet, roughly one-half acre, and that the minimum lot width at building setback line shall be 100 feet minimum. As can be inferred from the tax map attached to this report as Appendix C, these parcels do not meet these minimum requirements.

Such narrow street frontages restrict internal automobile circulation, require an excessive number of individual driveways and curb cuts, and hinder the private development of each parcel. Excessive driveways create unnecessary points of potential conflict along the roadway and may cause traffic accidents or congestion. Reduced private development potential reduces area land values and may encourage detrimental land uses.

6.5.c. Block 21, Lots 3 and 5 - Deep, Narrow Lots

Although Lots 3 and 5 meet the minimum frontage and acreage requirements for a C-1 zoned parcel, they each comprise deep, narrow lots, on which automobile circulation, or additional development, would be detrimental to the safety and welfare of the community.

6.5.d. Block 21, Lot 14 - Flag Lot

Lot 14 is identified as a "flag lot," with a narrow approach toward Harrisonville Road. Flag lots are

so named because of the long, slender strips of land resembling flag poles that extend from the typically rectangular main sections of these lots — or the “flags” — out to the street. Each “flag pole” typically provides just enough frontage for vehicle access and is sometimes shared by several neighbors. While Lot 14’s street frontage width meets Township code requirements, and is wider than a traditional “flag lot” frontage, emergency vehicles may still have difficulty accessing the rear portion of the property.

6.5.e. Conclusion

This report concludes that Block 21, Lots 3, 5, 6, 7, 8, 13, 14, and 15 meet the statutory requirement for being designated an Area in Need of Redevelopment as a result of:

It is the determination of this report that the obsolete layout of the Study Parcels in question create detrimental conditions along Mullica Hill Road (U.S. 322) and Richwood Road. Some of these parcels do not meet municipal acreage and street frontage requirements. The arrangement of repeating narrow lots requires the construction and maintenance of excessive driveway curb cuts along major roads, and limits internal automobile circulation.

7.0 Applicability of Section 3 Criteria

7.1. Introduction

7.1.a. Statutory Language: Section 3

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.

7.1.b. Applicability

The following analysis of the Section 3 Criteria is applicable to:

- Block 21, Lots 4.01 and 14
- Block 29, Lot 6.01

7.2. Necessary Inclusion for Effective Redevelopment

According to the New Jersey Redevelopment Handbook, “Section 3” 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.”

Block 29, Lot 6.01 is located along Richwood Road, surrounded on three sides by Block 29, Lot 6. As enumerated above, Lot 6 qualifies as an Area in Need of Redevelopment under Criteria C and D. Lot 6.01 provides a crucial section of frontage along Richwood Road. Without Lot 6.01, the Redevelopment Area would have a significant gap along a crucial road frontage. Including Lot 6.01 within the Redevelopment Area makes the Area largely orthogonal, making the Area more easily redevelopable. Block 29, Lot 6.01’s inclusion within the Redevelopment Area is thus essential to effectively redevelop the overall area.

8.0 Conclusion

This report concludes that Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 13, 14, and 15, Block 29, Lots 6. 6.01, and 6.02, and Block 31, Lot 11.06 meet the statutory requirement for being designated an Area in Need of Redevelopment. A variety of conditions exist on and across these parcels, including dilapidated and unsafe buildings, likely environmental contamination from past use as orchards, improper storage of materials, vehicles, and debris, lack of sidewalks or pedestrian amenities, and detrimentally narrow lot arrangements.

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Appendix A - Resolution No. 204 - 2017

RESOLUTION NO. 204-2017

**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 BLOCK 21, LOTS 3, 4, 4.01, 4.02, 5, 6, 7, 8,
13, 14, AND 15; AND BLOCK 29, LOTS 6, 6.01 AND 6.02, B31, L 11.06 ON THE OFFICIAL
TAX MAP OF THE TOWNSHIP OF HARRISON QUALIFY AS A NON-CONDEMNATION
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 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 11.08, 13, 14, and 15; and Block 29, Lots 6, 6.01 and 6.02 Block 31, Lot 11.06) 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-Condemnation Redevelopment Area"; and

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

WHEREAS, the Township of Harrison governing body wishes to direct the Joint Land Use Board to undertake a preliminary investigation to determine whether the following property identified as and consisting of Block 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 11.08, 13, 14, and 15; and Block 29, Lots 6, 6.01 and 6.02, B31, L11.06, 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 21, Lots 3, 4, 4.01, 4.02, 5, 6, 7, 8, 11.08, 13, 14, and 15; and Block 29, Lots 6, 6.01 and 6.02, B31, L11.06, is a "Non-Condemnation 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

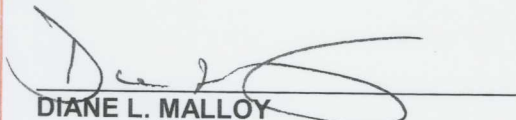
4. The preliminary investigation, once completed, shall be submitted to the Township Committee for review and approval in accordance with the provisions of the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

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 September 5, 2017.

TOWNSHIP OF HARRISON

BY: 
LOUIS F. MANZO, MAYOR


ATTEST:


DIANE L. MALLOY
Municipal Clerk

ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo	✓			
Clowney	✓			
Heim	✓			
Gangemi	✓			
Jacques	✓			

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 September 5, 2017 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.


DIANE L. MALLOY
Municipal Clerk

Appendix B - N.J.A.C. 5:21-4.2 Table 4.3

TABLE 4.3
CARTWAY AND RIGHT-OF-WAY WIDTHS

Street type ^a	Total avg. daily traffic 1,500† †(loop—750 each half)	Traveled way	No. of parking lanes ^b	Parking Lane width	Cartway width	Curb or shoulder ^b	Sidewalk or graded area ^c	Right- of-way width ^c
Residential access								
a. Parallel parking								
Low intensity		21 feet	1	7 feet	28 feet	None	1 SW 1 GA	50 feet
Medium intensity		21 feet	1	7 feet	28 feet	Curb	2 SW	50 feet
High intensity (on-street parking)		21 feet	1	7 feet	28 feet	Curb	2 SW	50 feet
b. Nonparallel parking (all intensities)								
One-side parking		24 feet	1	18 feet		Curb	2 SW ^m	54 feet
Two-side parking		24 feet	2	36 feet		Curb	2 SW ^m	72 feet
c. No parking								
High intensity (off-street parking)		20 feet	0	0 feet	20 feet	None	2 SW	50 feet
Neighborhood (all intensities)	1,500	16 feet	2	14 feet	30 feet ^c	Curb	2 SW	50 feet
Minor Collector ^d	3,500							
Low intensity ^d with no parking		20 feet	0	0 feet	20 feet	None	1 SW 1 GA	50 feet
Low intensity with one parking lane		21 feet	1	7 feet	28 feet	Curb	1 SW 1 GA	50 feet
Medium and High intensities								
With one parking lane		21 feet	1	7 feet	28 feet	Curb	2 SW	50 feet
With two parking lanes		22 feet	2	14 feet	36 feet	Curb	2 SW	60 feet
With off-street parking		22 feet	0	0 feet	22 feet	Curb or shoulder	2 SW	50 feet
Major Collector ^d	7,500							
Low intensity		24 feet	0	0 feet	24 feet	None	2 SW	50 feet
Medium and High intensities		24 feet	0	0 feet	24 feet	Curb or shoulder	2 SW	50 feet if curb, 54 feet if shoulder
Special Purpose Streets								
Rural street ^e	500	20 feet	0	0 feet	20 feet	None	2 GA	40 feet
Rural lane ^e	200	18 feet	0	0 feet	18 feet	None	2 GA	40 feet
Alley (one way)					9 feet			11 feet
Alley (two way)		18 feet	0	0 feet	18 feet	None	2 GA	22 feet
Cul-de-sac (stem) ^e	250							
Marginal access street ^f								
Divided street ^g								
Multifamily access cul-de-sac ^h	1,000							
Multifamily court ⁱ	Note ^g							

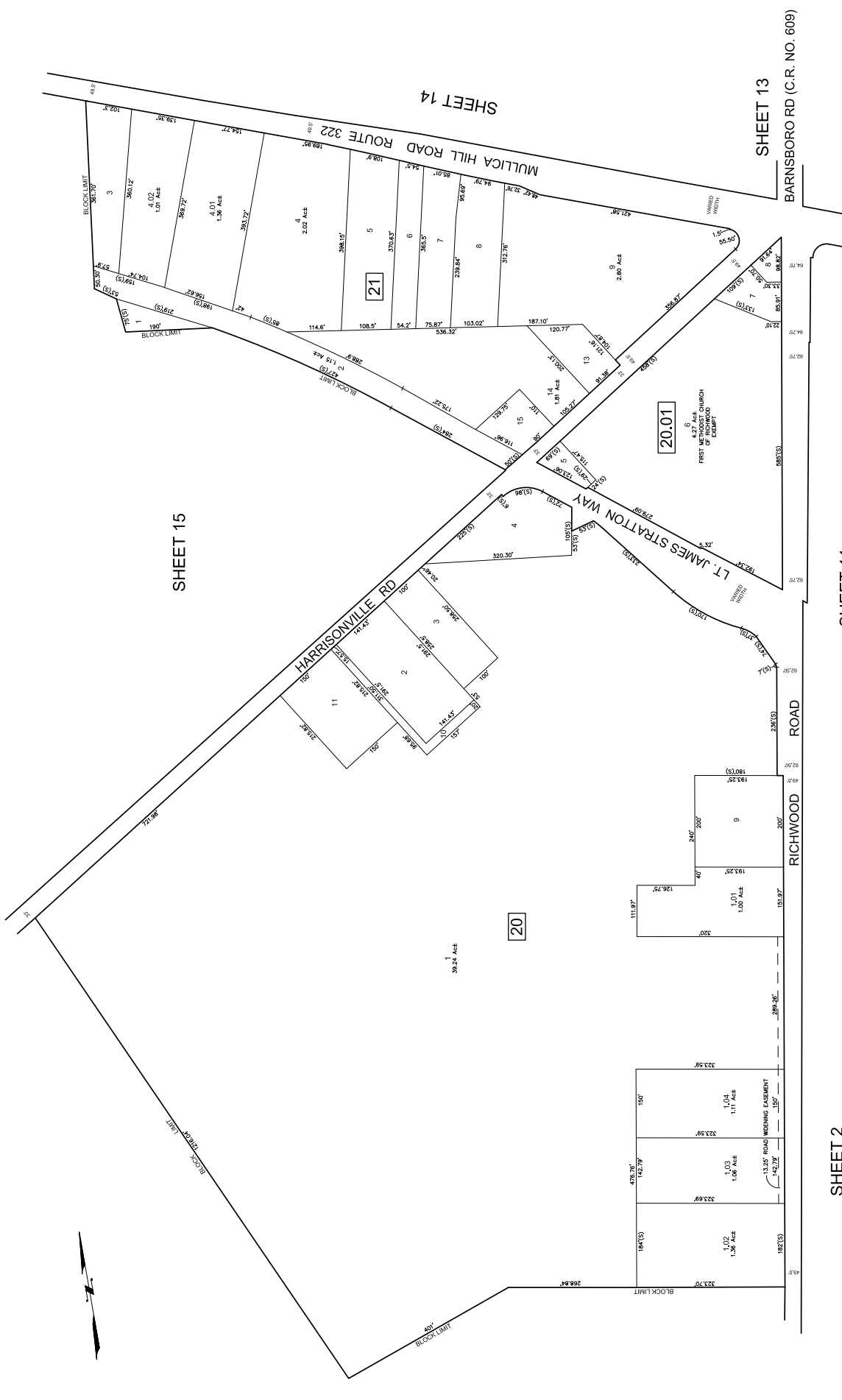
NOTES:

a See Table 4.2 for definitions of street hierarchy and [N.J.A.C. 5:21-4.2](#) for definitions of low, medium, and high intensity of development.

b Parking lane refers to parallel parking, except in the case of residential access streets with nonparallel parking, which have perpendicular parking.

c The 30 foot cartway would accommodate two seven foot parking lanes and a 16 foot traveled way.

Appendix C - Block 21 Tax Map



THIS MAP HAS BEEN GIVEN A FORMAL CERTIFICATION BY THE DIVISION OF TAXATION ON FEBRUARY 2, 1999 SIGNED BY WILLIAM H. BLACK, CTA AND ASSIGNED SERIAL NUMBER 783

TAX MAP
TOWNSHIP OF HARRISON
GLoucester COUNTY
SHEET 1-100
NEW JERSEY
DATE: JANUARY 1999
WILLIAM E. ALBURGER
LICENSED LAND SURVEYOR
1299 NORTH CHURCH STREET, SUITE 3
MOORESTOWN, NEW JERSEY
COM# 2602793000
TO SHOW CONDITIONS AS OF JULY 2011

• THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/DESIGN (CAD/D) AND COORDINATE GEOMETRY (COGO).

DATE	BY	UNDO	BLOCK	LOT
07/10	CHARLES A. ANDERSON	33994	20	8.82.01
04/2011	CHARLES A. ANDERSON	33994	20	9.1.01.02
04/2011	CHARLES A. ANDERSON	33994	20	9.1.01.02
05/2012	CHARLES A. ANDERSON	33994	20	9.1.01.12
07/2017	CHARLES A. ANDERSON	33994	20	15.6

SHEET 15

SHEET 9

SHEET 13

SHEET 14

SHEET 2

SHEET 11