

Oak Shade Road – South Area

Area in Need of
Redevelopment without Condemnation
Investigation Study

October 1, 2015

Township of Shamong, New Jersey

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A. Introduction & Basis for the Investigation

The Township of Shamong Township Committee has identified various parcels for analysis and potential consideration as Redevelopment Areas without Condemnation or Rehabilitation Areas in accordance with the Local Redevelopment and Housing Law (LRHL).

On July 7, 2015, by Resolution 2015R-53, the Township Committee of the Township of Shamong, Burlington County, NJ authorized the Joint Land Use Board by Resolution to prepare a determination report for the enumerated area, to determine whether the specified tax lots identified meet one or more of the criteria in Section 5 (NJSA 40A:12A-5) of the LRHL, to determine if it is “an area in need of redevelopment.”

In the alternative, if certain lots do not meet the **Redevelopment Area** standards, those parcels will be evaluated to determine if the statutory requirements exist for **Rehabilitation Area** Determination pursuant to Section 14 (NJSA 40A:12A-14) of the LRHL.

This Area in Need of Redevelopment Investigation without Condemnation has been prepared pursuant to the NJ Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et.seq.

This report is provided to the Joint Land Use Board for review and public hearing to be held on October 20, 2015, to determine whether the statutory conditions per N.J.S.A. 40A:12A are in fact met, and the area can be deemed an Area in Need of Redevelopment without Condemnation.

B. Investigation Area

The Properties included in this investigation are as follows, as shown on the Investigation Area Map, see following page:*

Block 7 Lots 21.05, 21.06, 22.01, 22.02, 23, 24.01 & 24.02.

*As identified on the Shamong Township tax maps (see Appendix).

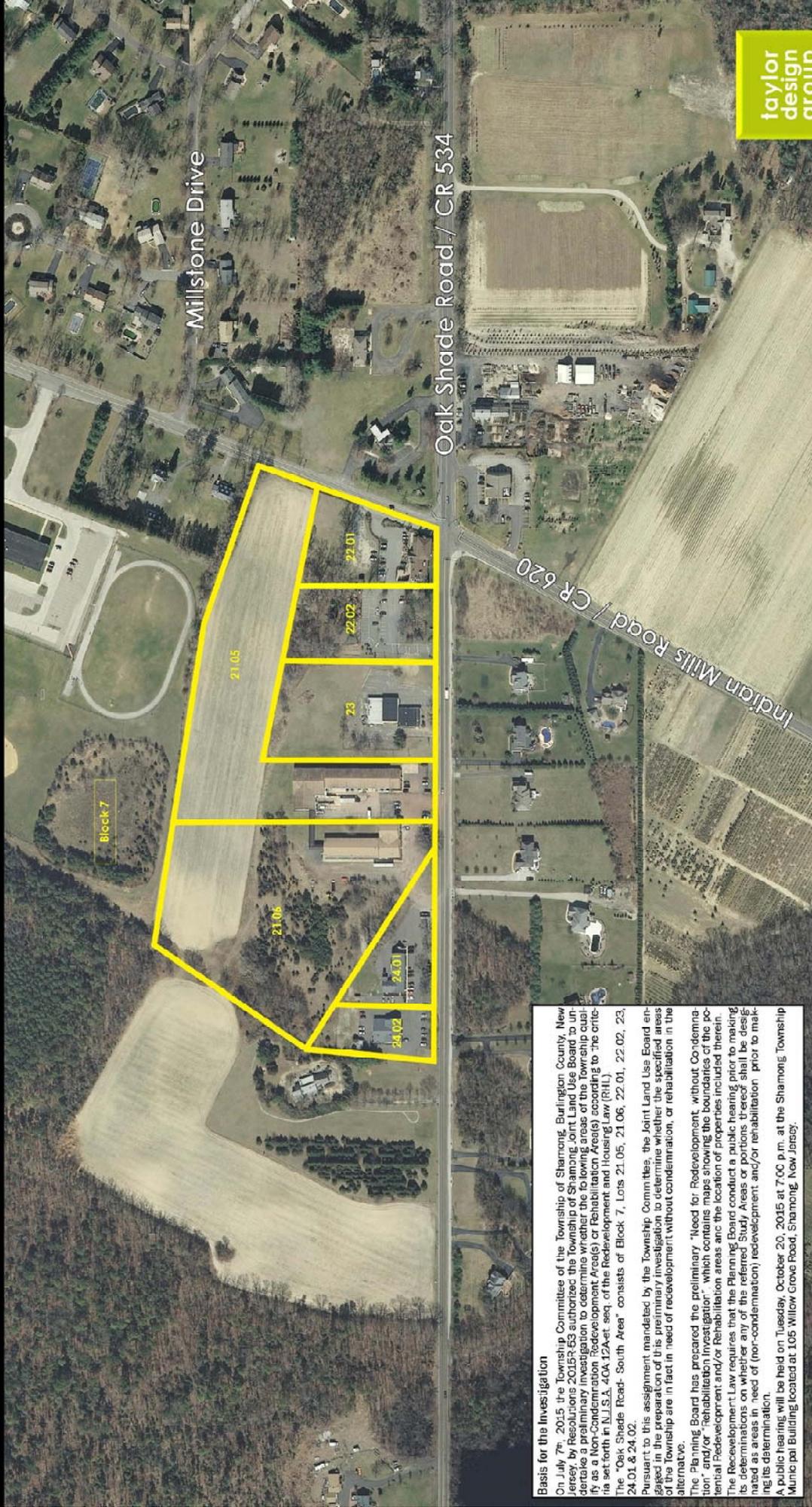
Oak Shade Road- South Area

Area In Need of Redevelopment or Rehabilitation Investigation Study



Shamong Township, NJ

October 1, 2015



Basis for the Investigation
On July 7th, 2015 the Township Committee of the Township of Shamong, Burlington County, New Jersey, by Resolutions 2015R-63 authorized the Township of Shamong Joint Land Use Board to undertake a preliminary investigation to determine whether the following areas of the Township qualify as a Non-Condensation, Redevelopment Area(s) or Rehabilitation Area(s) according to the criteria set forth in N.J.S.A. 40A:12A-4 et seq. of the Redevelopment and Housing Law (RHL).
The "Oak Shade Road- South Area" consists of Block 7, Lots 21.05, 21.06, 22.01, 22.02, 23, 24.01 & 24.02.
Pursuant to this assignment mandated by the Township Committee, the Joint Land Use Board engaged in the preparation of this preliminary investigation to determine whether the specified areas of the Township are in fact in need of redevelopment without condemnation, or rehabilitation in the alternative.
The Planning Board has prepared the preliminary "Need for Redevelopment, without Condemnation" and/or "Rehabilitation Investigation" which contains maps showing the boundaries of the potential Redevelopment and/or Rehabilitation areas and the location of properties included therein. The Redevelopment Law requires that the Planning Board conduct a public hearing prior to making its determinations on whether any of the referred Study Areas or portions thereof shall be designated as areas in need of (non-condemnation) redevelopment and/or rehabilitation prior to making its determination.
A public hearing will be held on Tuesday, October 20, 2015 at 7:00 p.m. at the Shamong Township Municipal Building located at 105 Willow Grove Road, Shamong, New Jersey.

Investigation Area Map

C. Redevelopment Designation Criteria

Redevelopment Area

To determine that a specific area is considered to be “an area in need of redevelopment”, the Joint Land Use Board must find that the tax lots in the area meet one or more of the criteria in Section 5 (NJSA 40A:12A-5) of the LRHL, as identified below.

Furthermore, the definition of a “redevelopment area” at Section 3 of the LRHL permits the inclusion of additional parcels 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.”

NJSA 40A:12A-5

- 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 12 (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; and
 - h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

D. Study Area, Zoning, Master Plan & State Plan

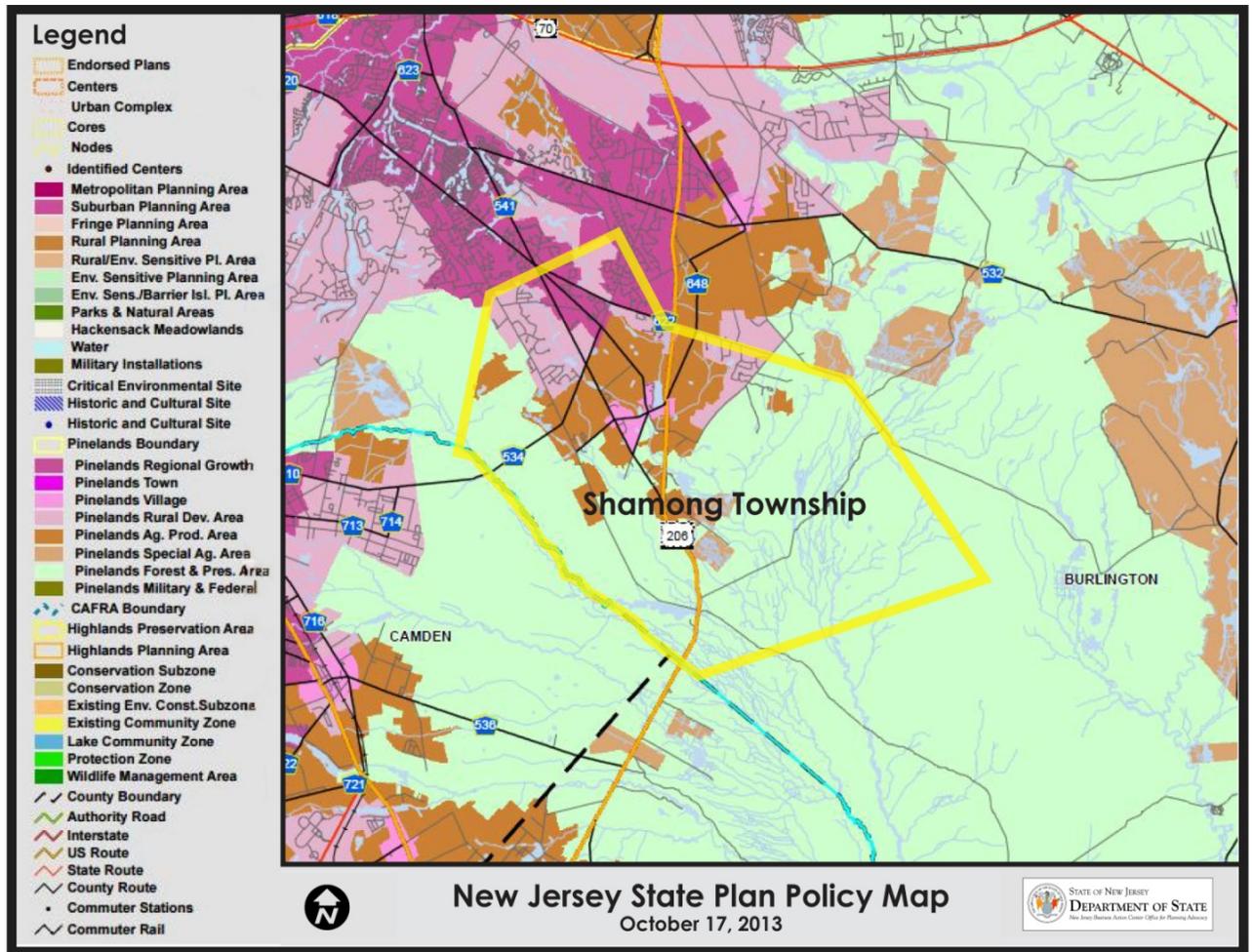
The "Oak Shade Road - South" properties are located on the southwest corner of the intersection of Stokes Road (County Route 541) and Oak Shade Road (County Route 534).

All the parcels in this area are zoned RGC Regional Growth Commercial which permits retail sales and service, restaurants, bars, and package stores, banks, professional offices, single family detached housing, agriculture, recreation, and institutional uses. The parcels included in the "need for redevelopment without condemnation and rehabilitation area" were those parcels located in one of two of the only areas zoned Regional Growth Commercial.

Based upon visual surveys of the area, the existing uses in the zone are permitted except the wholesale distribution located on the Opici Distributing site.

The Master Plan explains the zoning in effect and reinforces the existing land use plan of the municipality with no recommended alterations or changes. The Housing Element reinforces a stated need for low and moderate income housing, stating a compliant plan will be provided.

The following map illustrates the location context of Shamong Township on the New Jersey State Plan Policy Map of 2013.



E. Parcel/Area Analysis

Surrounding Land Uses

West of the subject parcels is the Indian Mills Memorial School in the Regional Growth Area. Directly east of the area are residential dwellings located in the RGA Regional Growth Area and RRD-II Rural Development II Zones. Further east there are lands zoned AP Agricultural Production which are principally forested land and active agricultural production areas. North of the intersection of Oak Shade Road and Indian Mills Road are the remaining lands zoned RGC Regional Growth Commercial. South of the parcels is the RD I Rural Development I Zone District containing scattered residential, agricultural uses, and clustered residential development.

Oak Shade Road - South

- La Campagnola Restaurant located directly on the corner is also known as Block 7, Lot 22.01 & 22.02. The parcels contain a restaurant on 3 acres and associated improvements, such as parking, drive aisles, and landscaping. The original building was constructed in 1819; and due to large scale damage to that structure there have been wholesale building improvements. Notwithstanding those improvements, it is understood by the Planning Board that the owners would like a

more modern and sizable kitchen in which to prepare meals. The parking layout is somewhat inefficient with single loaded parking bays, and areas of the site which are denuded from overflow vehicle parking.

Given the strict environmental and land development regulations, conditions exist on site, which are obsolete in their design and/or layout, and lack of proper utilization exists. Further, conditions exist which discourage the undertaking of improvements, it is offered that the “d” and “e” criteria are met.

Block 7, Lots 22.01 & 22.02 qualifies as an “Area in need of redevelopment.”

- The Opici Wine Company of New Jersey, a wine distributor, is located on Block 7, Lot 21.05 & 21.06. The sites contain warehouses and office space, which straddle the property line with a covered walkway. It is estimated that the date of construction is approximately 1971. The site provides poor site circulation, utilizes off-site, unpaved driveways, and contains a building layout and additions which are obsolete.

In particular, the facilities have become outdated and the operation has outgrown the size and type of buildings on the site due to an increase in overall statewide business. A complete renovation of either one or both warehouses is necessary for continued occupancy, providing updated temperature controls, moisture control, and electric panel improvements to facilitate these changes. At least one warehouse requires demolition to provide a modern facility and accommodate additional product. Additional renovated, updated office space is required. And as indicated above, modern site improvements are required, including, circulation improvements for truck traffic, lighting, and landscaping. In conjunction with the constraints upon lot area, coupled with strict land development regulations, conditions exist on site that are obsolete in their design and/or layout, and lack of proper utilization exists. Further, conditions exist with discourage the undertaking of improvements, it is offered that the “d” and “e” criteria are met.

Block 7, Lots 21.05 & 21.06 qualifies as an “Area in need of redevelopment.”

- Block 7, Lot 23 was originally constructed as a warehouse in 1960 and subsequently converted to a tax exempt use called Crossroads Evangelical, which operates as a place of worship. The site is located squarely between the La Campagnola Restaurant and Opici Wine Company. The building and site are somewhat poorly maintained, likely due to the building’s age and retrofitting from an industrial electrical contractor type use to a place of worship.

The “e” criteria condition is met at this site as “a lack of proper utilization....or similar conditions” exist, “which impede land assemblage or discourage the undertaking of improvements.” The Board believes that this lot when viewed in consideration of the remainder of the commercial zoned areas, in concert with strict Pinelands Regulations, and septic limitations reinforces the determination of qualification under statutory criteria “e”.

Furthermore, as discussed above, the definition of a “redevelopment area” of the LRHL permits the inclusion of additional parcels 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 7, Lot 23 qualifies as an “Area in need of redevelopment.”

- There are two, two- story office building structures located on Block 7, Lot 24.01 and 24.02 and these properties form the southern edge of the RGD Zone and this area. Lot 24.01 contains an unfinished stone driveway providing access to the Opici wine distributor.

The leasing agent indicates that the buildings were constructed in the 1970’s and have subsequently undergone building improvements and upgrades, including regular maintenance, cosmetic upgrades, and increased size and open plan creation. The average tenancy is approximately 7 years and the lower level offices are more desirable than the upper level. Currently, 1 lease area is not occupied of the roughly 13 lease areas.

The “e” criteria condition is met at this site as “a lack of proper utilization....or similar conditions” exist, “which impede land assemblage or discourage the undertaking of improvements.” In particular, the circulation by the Opici Wine Distributor on the site, results in a faulty arrangement on both sites. The Board believes that this lot when viewed in consideration of the remainder of the adjacent Regional Growth Commercial zoned areas that meet the redevelopment area designation criteria, in concert with strict Pinelands Regulations, and septic limitations reinforces the determination of qualification under statutory criteria “e”.

Furthermore, as discussed above, the definition of a “redevelopment area” of the LRHL permits the inclusion of additional parcels 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 7, Lot 24.01 & 24.02 qualifies as an “Area in need of redevelopment.”

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G. Appendix

