

# Route 206 Area

Area in Need of  
Redevelopment without Condemnation and  
Rehabilitation Investigation Study

October 1, 2015

## Township of Shamong, New Jersey

### **Joint Land Use Board Members**

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Kathleen Wigley  
Martin Mozitis  
Sue Onorato  
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### **Township Committee**

Kenneth Long, Mayor  
Timothy Gimbel, Deputy Mayor  
Michael DiCroce, Committeeman  
Sean Gray, Committeeman  
Martin Mozitis, Committeeman

Township Administrator/Clerk- Susan D. Onorato, RMC/CMR

Township Attorney- Douglas Heinold, Esq.  
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Prepared By: Michelle M. Taylor, AICP, PP  
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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-50, 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 without Condemnation or Rehabilitation Investigation 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 or Area in Need of Rehabilitation.

## **B. Investigation Area**

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

**Block 23.01 Lot 10.08;**

**Block 22 Lots 1, 2, 3, 5.02, 6, 7.01, 7.02, 8, 9 & 10.01;**

**Block 19.01 Lots 29.01, 29.02, 29.03, 30, 31, 32, 33.01 & 33.02; and**

**Block 24 Lot 1**

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

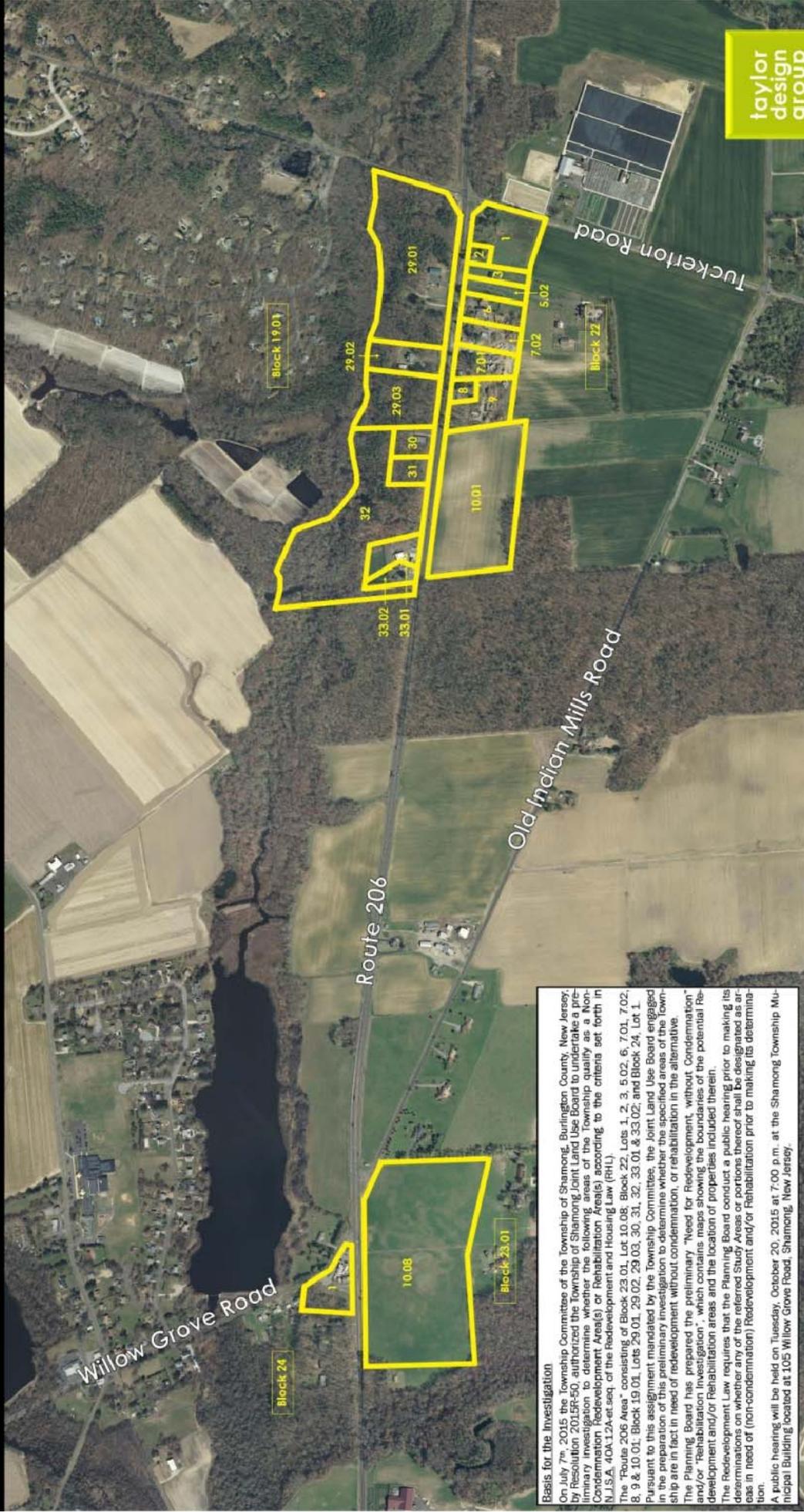
# Route 206 Area

## Area In Need of Redevelopment or Rehabilitation Investigation Study



### Shamong Township, NJ

October 1, 2015



**Basis for the Investigation**

On July 7<sup>th</sup>, 2015 the Township Committee of the Township of Shamong, Burlington County, New Jersey, by Resolution 2015R-50, authorized the Township of Shamong Joint Land Use Board to undertake a preliminary investigation to determine whether the specified areas of the Township are in need of redevelopment or rehabilitation. The areas of the Township designated as Redevelopment Areas (or Rehabilitation Areas) are those areas set forth in N.J.S.A. 40A:12A-et seq. of the Redevelopment and Housing Law (RHU).

The "Route 206 Area" consisting of Block 23.01, Lot 10.08, Block 22, Lots 1, 2, 3, 5.02, 6, 7.01, 7.02, 8, 9 & 10.01, Block 19.01, Lots 29.01, 29.02, 29.03, 30, 31, 32, 33.02, & 33.02, and Block 24, Lot 1.

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 & Rehabilitation 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.

### **Rehabilitation Area**

To determine that a specific area is considered to be "*an area in need of **rehabilitation***", 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-14.a) of the LRHL, as identified below.

#### **NJSA 40A:12A-14.a**

- (1) A significant portion of structures therein are in a deteriorated or substandard condition;
- (2) More than half of the housing stock in the delineated area is at least 50 years old;
- (3) There is a pattern of vacancy, abandonment, or underutilization of properties in the area;
- (4) There is a persistent arrearage of property tax payments on properties in the area;
- (5) Environmental contamination is discouraging improvements and investment in properties in the area; or
- (6) A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

## **D. Master Plan & State Planning Discussion**

The "Route 206 Area" properties are located on the east and west sides of Route 206 at the intersection of Route 206, Willow Grove Road and Old Indian Mill Road. The remaining lots are located along Route 206 directly south of its intersection with Tuckerton Road.

The southern portion of the Route 206 area contains two parcels.

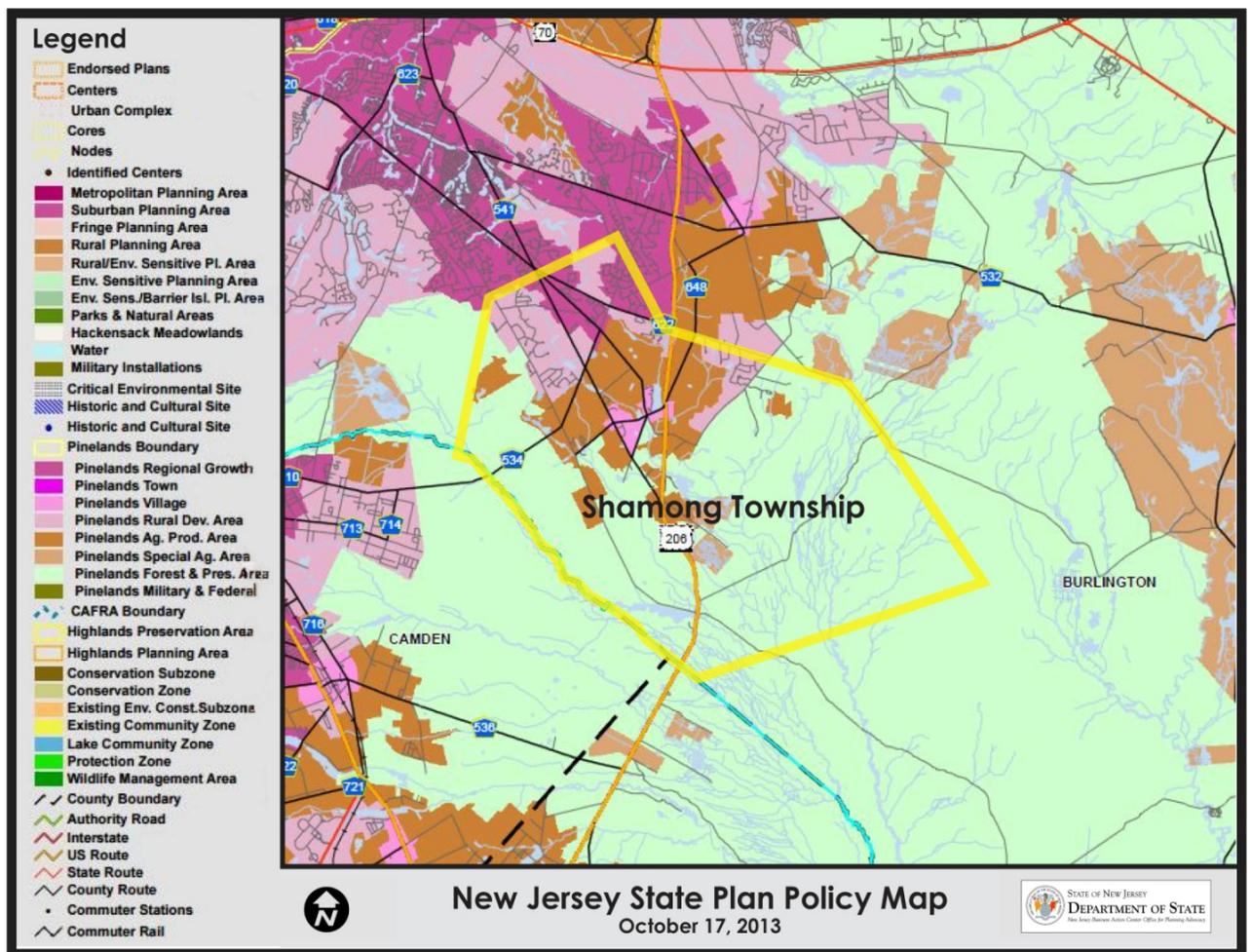
The first on the west side of Route 206 in the PVC Pinelands Village Commercial District; and the second on the east side of Route 206 in the PVC II Pinelands Village Commercial District.

Permitted uses in the zone include single family detached dwellings, institutional uses, cemeteries, retail stores, service retail shops, restaurants, banks, office buildings, agricultural processing, public service infrastructure, and signs.

The northern portion of Route 206 located south of the intersection of Tuckerton Road and Route 206 on both sides of Route 206 is zoned RDC Rural Development Commercial. One parcel, Lot 10.01 in Block 22 is zoned Agricultural Commercial. This particular zone is subject to the Scenic Corridor provisions of §110-33 which requires with some exceptions a 200 feet setback from the centerline of Route 206 which is 88 feet wide. The exceptions would be if existing development patterns are that buildings are setback less than 200 feet within 1,000 feet of any site proposed for development, the established development pattern prevails.

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**

The Route 206 Area has been broken down into two distinct areas for the purposes of this study; they include the Pinelands Village/Willow Grove Road Node, and Tuckerton Road Node.

### **Surrounding Land Uses**

East of the Route 206 Area adjacent to Tuckerton Road is the RD II- Rural Development Area II Zone where the land uses are residential and environmentally sensitive lands. West of the 206 area adjacent to Tuckerton Road is the AP- Agricultural Preservation Zone. The Zone wraps across 206 and extends south, surrounding the northern portion of Willow Grove Road and Old Indian Mills intersection. The Valenzano Winery is located on the east side of Route 206 in the AP Zone below the Pinelands Village Commercial Zone. The PVR Pinelands Village Residential Zone follows Willow Grove Road and extends in a northerly direction. The PVO Pineland Village Office Zone is located south of the Shamong Diner adjacent to Route 206.

### **Pinelands Village/Willow Grove Road Node**

This investigation area is located on the east and west sides of Route 206 at its intersection with Willow Grove Road to the west and Indian Mills Road which borders a portion of the area along the northern boundary to the east.

All of the parcels located in this area are within a designated Pinelands Village and are in the PVC and PVC-II zoning district.

- Block 24, Lot 1 is in the PVC Zone, and contains the Shamong Diner, date of construction unknown, the assessor's office files indicate that the Effective age is approximately 25 years old. There are plans to open a new grocery store on the site. Route 206 was constructed in Shamong in 1939. The Shamong Diner was a gas station and auto repair business in the 1950's and was a gas station and grocery store in the 1960's. A visual survey of the site confirms its origins based upon the building type and physical site improvements. Portions of the site contain contamination, pursuant to the NJDEP Active Sites with Confirmed Contamination list prepared on April 12, 2013.

Given the environmental constraints of contamination, coupled with strict environmental and 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 which discourage the undertaking of improvements, it is offered that the "d" and "e" criteria are met.

#### **Block 24, Lot 1 qualifies as an "Area in need of redevelopment."**

- Block 23.01, Lot 10.08 is in the PVC-II Zone, and is a qualified farm consisting of approximately 20 acres per the Shamong tax maps. The property is currently fallow.

This site represents the balance of the non-residential zoning districts at this node located at a prominent intersection in the municipality. As discussed above, the Shamong Diner site qualifies as an area in need of redevelopment.

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 non-residentially 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 23.01, Lot 10.08 qualifies as an “Area in need of redevelopment.”**

### **Tuckerton Road Node**

This study area is located along Route 206 south of its intersection with Tuckerton Road. All of the parcels located in this area are within the RDC- Rural Development Commercial zoning district, except Block 22, Lot 10.01 on the east side, which is zoned AC- Agricultural Commercial. This node is described as east and west side sections for clarity.

A total of 6 of 11 residential units are at least 50 years of age, which is 54.5 percent of the units in the area. Three properties in the area contain material stockpiles and are adjacent to five of the dwelling units constructed in 1930, 1935 and 1945.

### **West Side:**

This study area is located on the west side of Route 206 south of its intersection with Tuckerton Road.

- Block 19.01, Lot 33.01 & 33.02 contains multiple structures and multiple businesses including Mighty Joe’s Gas and Grill Mart, and QuickShot paintball/airsoft. The earliest structure is noted to be constructed in 1972. Pursuant to the NJDEP Active Sites with Confirmed Contamination list prepared on April 12, 2013., portions of the exceed permissible levels of contamination. There is a 25’ tall gorilla on the site known as “Mighty Joe” the Gorilla which had graced the Wildwood Boardwalk for many years. The Spanish-made gorilla was refurbished and relocated to the site in 2004.

Given the environmental constraints of contamination, coupled with strict environmental and 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 which discourage the undertaking of improvements, it is offered that the “d” and “e” criteria are met.

**Block 19.01, Lot 33.01 & 33.02 qualifies as an “Area in need of redevelopment.”**

- Block 19.01, Lot 29.01 is an owner occupied single family residence constructed in 1927. The parcel also contains a large pole barn which appears to be occupied by a fencing contractor. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 19.01, Lot 29.02 contains a rental single family dwelling constructed in 1969 owned by a property company. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 19.01, Lot 29.03 A note in the assessor’s file indicates that approximately “40-50% of the rear portion of the parcel is located in wetlands. The site may have obtained a waiver of strict compliance and have some development potential.” There is a relatively new contemporary single family residential dwelling unit located on the parcel and a large garage/ pole barn with an oversized door. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 19.01, Lot 30 is a Verizon switching station. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 19.01, Lot 31 is noted to be wetlands and not developable. The lot is currently privately owned. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 19.01, Lot 32 is a qualified farm of approximately 12.5 acres. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***

### **East Side:**

This study area is located on the west side of Route 206 south of its intersection with Tuckerton Road. There are 9 residential units; 5 single family and 4 two family homes. 7 of the 9 units are located in buildings which are over 50 years old. There are 5 rental units and 4 owner-occupied units. A contractor’s storage yard in varying degrees of property maintenance provides little visual buffers from the residential structures located nearby, or from Route 206.

- Block 22, Lot 1, is a garden center consisting of approximately 4.29 acres. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***
- Block 22, Lot 2 is an owner occupied single family residence constructed in 1945. ***This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.***

- Block 22, Lot 3 is an owner occupied single family residence constructed in 2006. *This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.*
- Block 22, Lot 5.02 is an owner occupied single family residence constructed in 1996. *This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.*
- Block 22, Lot 8 is an owner occupied single family residence constructed in 1953. *This lot qualifies as an “Area in need of rehabilitation”, as more than 50% of the housing stock in the delineated area is at least 50 years old.*
- Block 22, Lot 6 contains a rental two family residence constructed in 1935. There is also a contractor’s storage yard on the site. (See below)
- Block 22, Lot 7.01 contains a rental two family residence constructed in 1945. There is also a contractor’s storage yard on the site. (See below)
- Block 22, Lot 7.02 contains an abandoned shed and no other improvements. There is also a contractor’s storage yard on the site. (See below)
- Block 22, Lot 9 contains a rental single family residence constructed in 1930. There is also a contractor’s storage yard on the site.

Lots 6, 7.01, 7.02 and 9 above, all include residential units as well as portions of a contracting business/storage yard. These uses are not expressly permitted on the same lot in the zone, and are existing non-conforming uses, and inherent incompatibilities exist between the uses. This site exhibits an obsolete design, and/or faulty arrangement, which may be detrimental to the safety, health, morals, or welfare of the community. In addition, there is a lack of proper utilization of the areas, which may be a direct result of the existing non-conforming status. This, in turn, impedes land assemblage and discourages the undertaking of improvements, resulting in a stagnant and unproductive condition of the land. It is offered that the “d” and “e” criteria are met for this parcel.

**Block 22, Lots 6, 7.01, 7.02 and 9 qualify as an “Area in need of redevelopment.”**

- Block 22, Lot 10.01 contains a qualified farm consisting of approximately 16 acres currently planted in corn and adjacent to the V&V Adventure farm, an agritourism site and active farm (out of area).

This parcel is located at the southern terminus of the Study area, and the RDC/AC commercial zoning corridor along Route 206. As discussed above, the three adjacent parcels to the north of this site, as well as the “Mighty Joe” site immediately across Route 206, qualify to be an area in need of redevelopment.

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 adjacent non-residentially 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 22, Lot 10.01 qualifies as an “Area in need of redevelopment.”**

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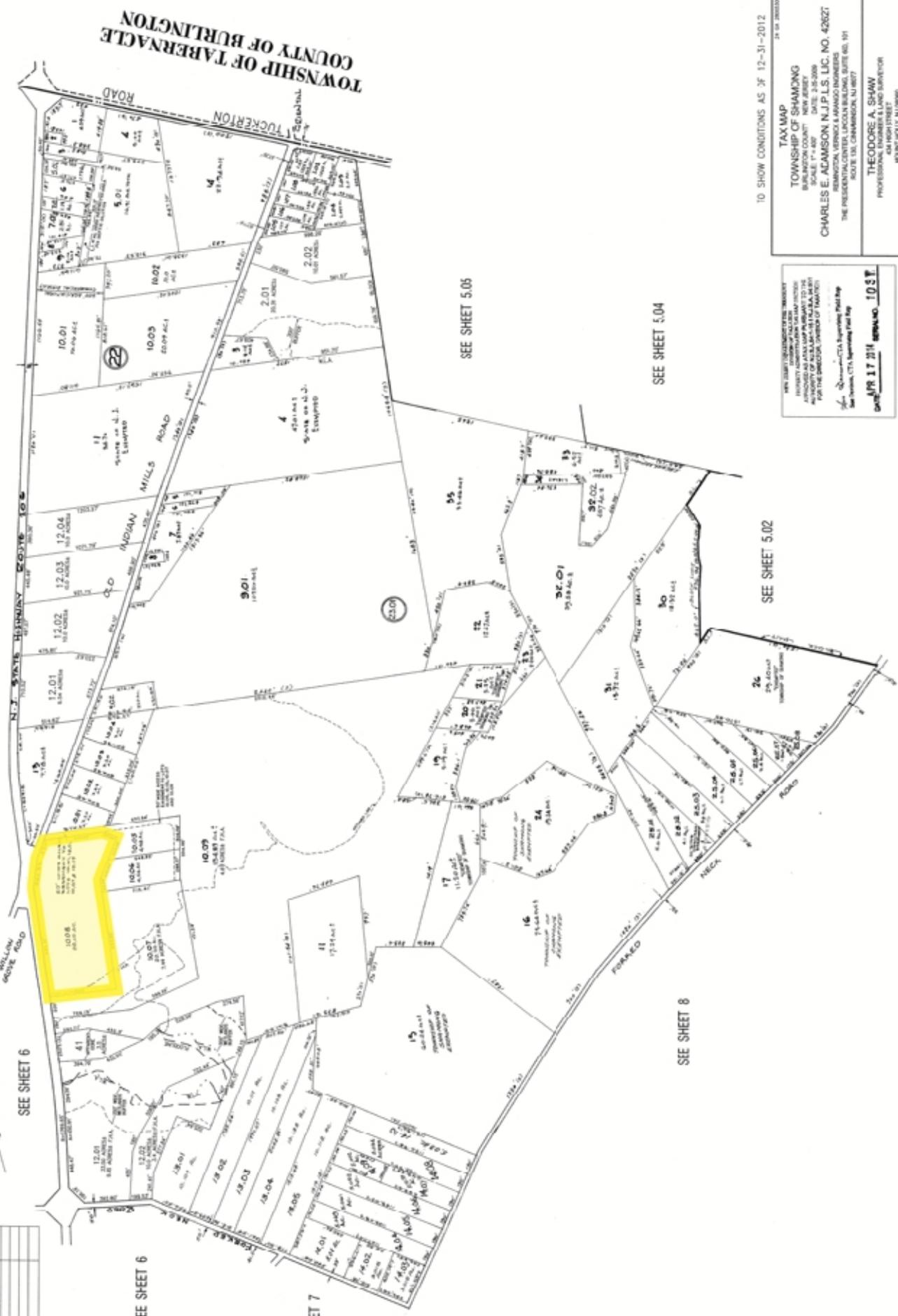
Valenzano, Barbara. Personal Interview. September 23, 2015.

## **G. Appendix**



**NOTE:**  
 THIS MAP IS A SKANED COPY OF THE TAX MAP ORIGINALLY  
 PREPARED BY THEODORE A. SHAW, PROFESSIONAL ENGINEER & LAND SURVEYOR,  
 1000 WEST WASHINGTON STREET, SUITE 101, MOUNT HOLLY, NJ 08060,  
 THE OFFICE OF REDEMPTION, VERMONT & ARMANDO ENGINEERS.

REVISIONS	DATE	BY	REASON



NEW JERSEY DEPARTMENT OF TREASURY  
 PROPERTY ADMINISTRATION TAX MAP DIVISION  
 APPROVED AS A TAX MAP PURSUANT TO THE  
 PROVISIONS OF THE TAX MAP ACT (NJSA 17:27)  
 FOR THE MUNICIPALITY OF TABERNAcle  
 BURLINGTON COUNTY, NEW JERSEY  
 THE PROFESSIONAL ENGINEER & LAND SURVEYOR  
 THEODORE A. SHAW, P.E.  
 APR 17 2014 APPROVAL 105T

TAX MAP  
 TOWNSHIP OF SHAMONG  
 BURLINGTON COUNTY, NEW JERSEY  
 SCALE: 1" = 400'  
 DATE: 2-8-2009  
 CHARLES E. ADAMSON, N.J.P.L.S., LIC. NO. 42627  
 THE PRESIDENTIAL, VERMONT & ARMANDO ENGINEERS  
 1000 WEST WASHINGTON STREET, SUITE 101  
 MOUNT HOLLY, NJ 08060

TO SHOW CONDITIONS AS OF 12-31-2012

