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**Preliminary Investigation for  
Determination of Area in Need of Redevelopment  
U.S. Route 130 Corridor**

**Township of Florence  
In the County of Burlington  
State of New Jersey**

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**October 2009**

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# Preliminary Investigation For Determination Of Area In Need Of Redevelopment

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# 1. INTRODUCTION

## 1.1 Purpose and Basis of Study

The purpose of this preliminary investigation is to determine whether existing conditions considered from an area wide perspective found over the parcels set forth herein evince substantial evidence of the statutory criteria necessary for an affirmative finding of an area in need of redevelopment as established under the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. This study is undertaken then as a first step to engage, provided a finding in the affirmative, the benefits and opportunities made available through redevelopment planning as enabled by the aforementioned redevelopment law. Most significantly, a lawful finding of an area in need of redevelopment enables: 1) the preparation of a redevelopment plan, 2) public/private partnerships through the entering into redeveloper agreements, 3) a future look and arrangement of land reflective of cooperative development, and 4) the exercise of eminent domain as may be found necessary. In the language of the authorizing resolution, the delineated area is being studied to better align the township “to compete with neighboring municipalities for new commercial and other opportunities which will result in increased employment opportunities and tax ratables...”

The preliminary investigation has been conducted pursuant to adoption on September 2, 2009, of Resolution No. 2009-197 by the Mayor and Township Council of the Township of Florence (*hereinafter* Township Council), directing the Planning Board of the Township of Florence (*hereinafter* Planning Board) to undertake said investigation.

## 2. REDEVELOPMENT PROCESS

The Role of the Township Council and Planning Board: The redevelopment statute sets forth a multi-step process that must be observed by the Township Council and Planning Board in order to enable the Township to lawfully exercise the powers which accrue as a result of employment of redevelopment planning. This process is as outlined below.

- The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of P.L.1992, c.79 (C.40A:12A-5).
- The planning board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein. The map must also include a statement setting forth the basis for the investigation.
- The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution for formal action.
- Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
- Upon designation, the planning board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
- The redevelopment plan, after review by the planning board, is referred to the governing body.
- Upon receipt of the redevelopment plan from the planning board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the redevelopment statute.

### 3. STUDY AREA DELINEATION AND PLANNING SETTING

#### 3.1 Study Area Delineation

The area of investigation encompasses approximately 606 acres and encompasses generally the entirety of the Route 130 corridor and includes lands to the west and east of the corridor. Hornberger Avenue borders the study area to the north, while the Burlington Township - Florence Township municipal line provides a southern boundary. The westerly boundary is defined by the Conrail line. Lands to the east of Route 130 are somewhat irregularly defined as the study area here is delineated by zoning classifications. North of the Pennsylvania Extension of the New Jersey Turnpike, the study area includes the HC Highway Commercial and SM Special Manufacturing classifications contiguous to the Route 130 corridor. South of the turnpike extension, the study area includes HC Highway Commercial land contiguous to the corridor, and on the easterly side, land bounded by the southerly township boundary, Burlington-Bustleton Road and Florence and Bustleton Road (a/k/a Cedar Lane) which includes lands classified AGR Agriculture, and SM Special Manufacturing. The C zoned land abutting the HC Highway Commercial on the north side of Florence and Bustleton Road is also included.

As noted earlier, the boundaries of the study area were determined by the Township Council to align the municipality to better compete with other jurisdictions for new commercial opportunities and stimulate a rebirth of the corridor in the same manner as has occurred through the exercise of redevelopment planning in the Townships of Cinnaminson, Willingboro and Bordentown.

#### 3.2 Study Area Zoning Classifications

Zoning classifications within the study area as well as the intent for each are as set forth below:

The intent of the **AGR Agriculture District** is to provide for farming and agricultural uses and compatible single-family residential uses. Zoning permissions allow for customary farm buildings and dwellings for farm workers on farms of at least fifteen (15) acres.

The intent of the **HC Highway Commercial District** is to provide for commercial uses which provide services to the general traveling public and which have a service radius generally wider than the immediate neighborhood. Permitted uses in the zone include retail sales of goods and services; restaurants, bars, taverns, and nightclubs; department stores; garden centers engaged in the retail sales of living plant material; banks, including drive-in facilities; offices and office buildings; theaters and bowling alleys; automobile sales through franchised new car dealers as a conditional use; car washes; service stations; all neighborhood commercial uses; hotels and motels as a conditional use; adult uses as conditioned and, south of the New Jersey Turnpike, fire stations and emergency squad buildings.

The intent of the **NC Neighborhood Commercial District** is to allow for retail and service businesses located primarily for the convenience of the residents of the immediate neighborhood. The specific uses allowed in the zone are all uses permitted in the RA

District as described below; local retail activities, as defined under Section 91-227(B) of the zoning ordinance; local service activities, including barber- and beauty shops, tailor, dry-cleaning and laundering operation, repair shops and upholsters; restaurants, bars and package stores; banks, including drive-in facilities; professional offices; service stations as conditional uses; and dwelling units in the same building as a permitted commercial use.

The intent of the **P Park District** is to provide township residents with open space areas for recreational activities and purposes as specified by the Florence Township Recreation Committee.

The intent of the **RA Low-Density Residential District** is to provide for single-family residential dwellings and uses incidental thereto.

The intent of the **SM Special Manufacturing District** is to provide area for industrial uses which are of lesser magnitude and intensity than uses typical of industrial districts.

The intent of the **OP Office Park District** is to provide area for attractive, low-intensity commercial development.

The study area also contains several cemeteries and a fire house, which are coded “C” and “F”, respectively, on the Zoning Map.

### **3.3 Master Plan Perspective**

The August 20, 2007 Master Plan Re-Examination Report for the Township of Florence, adopted by the Planning Board on June 16, 2008, acknowledges previous principles adopted in the August 1999 Land Use Plan. Relevant to this redevelopment report are:

- a. Restoration of the imbalance in land uses by promoting commercial development in the Township;
- b. Promotion of commercial development in appropriate areas of the Township through zoning and the upgrading of municipal services;
- c. Protection of the township’s remaining agricultural land from the effects of development, especially residential, to the extent possible.

As to newly articulated assumptions and policies, the re-examination calls for:

- a. Increased Commercial/Industrial Development through innovative solutions to develop or redevelop portions of the township suitable for commercial development; and
- b. Enhanced opportunity for economic development and redevelopment by taking advantage of the Florence Park and Ride station and possible incorporation of a transit village concept.

### 3.4 State Planning Area Classification

Under the State of New Jersey State Development and Redevelopment Plan (SDRP), the study area is predominantly classified Suburban Planning Area (PA2); a portion of Block 160.01 is classified Rural Planning Area (PA4). Said classification denotes a growth area for which the following intentions are articulated:

- a. Provide for much of the state's future redevelopment;
- b. Promote growth in Centers and other compact forms;
- c. Protect the character of existing stable communities;
- d. Protect natural resources;
- e. Redesign areas of sprawl;
- f. Reverse the current trend toward further sprawl; and
- g. Revitalize cities and towns.<sup>1</sup>

The Plan envisions that the above mentioned goals will be achieved by strategies that retrofit or counter stand alone, uncoordinated development by guiding development/redevelopment activity to areas which already have infrastructure or to areas to which infrastructure can be extended from more intensely developed areas so to in the final analysis facilitate a more compact development pattern that fosters transportation linkages and use of public transit between developed areas while at the same time affording protection of natural systems. For the realization of this overarching development vision, of the planning area, the clarion call of the SDRP is for "municipalities to work with each other and their counties to delineate specific areas for redevelopment, retrofitting, rehabilitation or revitalization."<sup>2</sup>

Policy Objectives established for PA2 areas encourage: from a land use perspective, development and redevelopment activity in compact forms, to mean, within Centers<sup>3</sup> and retrofitted former single-use areas; from a housing perspective, provision of a full range of housing at densities to accommodate future growth primarily in Centers; from an economic development perspective, the guiding of economic development to Centers and transit supportive single-use areas; and from a redevelopment perspective, encouragement of redevelopment activity in existing Centers and single-use areas which can be redeveloped into mixed use areas through employment of the opportunities which accrue from the exercise of the state's redevelopment law.<sup>4</sup> Noteworthy also from a redevelopment perspective is the fact that within PA2 areas, governing body resolutions declaring areas to be in need of redevelopment, subject to review and approval by the Commissioner of the New Jersey Department of Community Affairs, receive an automatic approval.

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<sup>1</sup> *The New Jersey State Development and Redevelopment Plan*, adopted March 1, 2001, p. 196.

<sup>2</sup> *Ibid.*, p. 197.

<sup>3</sup> As defined by The New Jersey State Development and Redevelopment Plan, "a compact form of development with one or more Cores and residential neighborhoods."

<sup>4</sup> *The New Jersey State Development and Redevelopment Plan*, adopted March 1, 2001, p. 197.

#### 4. STATUTORY CRITERIA

Under 40A:12A-5, a delineated area may be declared in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality, by resolution, concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property, therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by 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. c. 303 9C52:27H-60 et. seq., said designation and prescribed related action are, in and of themselves, sufficient basis for the determination that an area is in need of redevelopment for the purpose of granting tax exemption within the enterprise zone or the adoption of a tax abatement and exemption ordinance.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the criteria, the Redevelopment Statute states:

“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 redevelopment of the area of which they are a part.<sup>5</sup>”

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<sup>5</sup> N.J.S.A. 40A:12A-3

## 5. DESCRIPTION OF EXISTING STUDY AREA CONDITIONS

Generally, the study area is comprised of those lands bounded by Hornberger Avenue, the mutual boundary with Burlington Township, the Conrail line, and non-residential zoning classification abutting the easterly side of the corridor.

For description purposes, the corridor area is conceived as being comprised of four segments indicated as Sections A through D. Route 130 is considered the north-south divider. The New Jersey Turnpike runs north to south but the extension is considered an east-west perpendicular intersect on Route 130. Figure 1 below graphically depicts the respective segments.

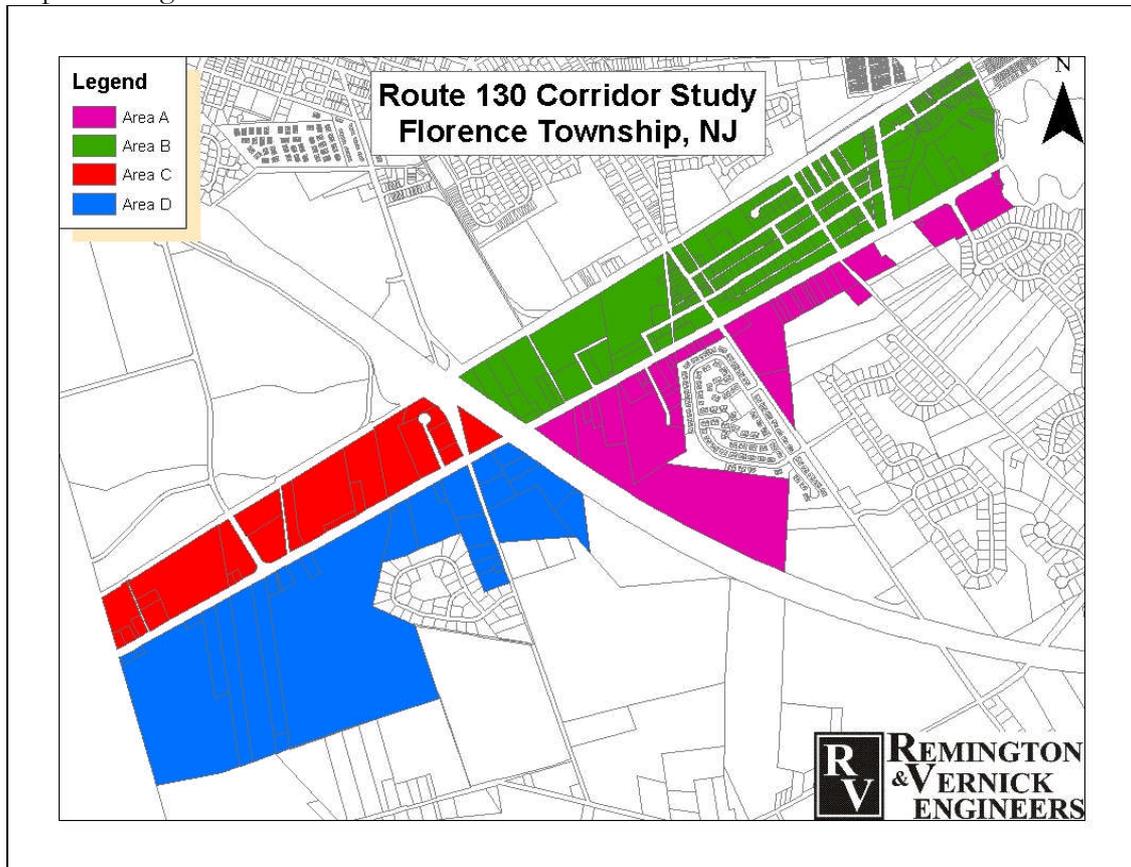


Figure 1. Study Area Segments

### 5.1 Section A

The area delineated as Section A of the Route 130 corridor study area encompasses lands adjacent to and east of Route 130, between the New Jersey Turnpike and the Mansfield Township border. The majority of the study area lands are zoned HC Highway Commercial. The Florence Industrial Park found along Cathy Lane are zoned SM Special Manufacturing. There is an area, in close proximity to the New Jersey Turnpike, which is zoned Special Manufacturing.

Section A manifests instances of well maintained commercial development and, as a demonstrable counterpoint, vacancy, discontinuance of commercial use, as well as incompatible land use.

At the north end, from a nonresidential use standpoint, Roma Bank (Block 166.13, Lot 1) and the Mallard Creek Shops (Block 166, Lot 2) are well maintained as is the Northview Motel (Block 165.01, Lots 2.05 and 17). Statutory criteria necessary to support a redevelopment declaration is not in evidence. Nearer to the turnpike extension, the uses which are found within the Florence Industrial Park located along Cathy Lane, are likewise well maintained and here again there are no prominent conditions giving rise to statutory criteria.

Counterpoint circumstances include a vacant dwelling at the gateway to the Florence Industrial Park on the south side of Cathy Lane (Block 163.01 Lot 15.03) which is situated within the HC District. The site is severely overgrown with vegetation and disinvestment is apparent. Discontinuance of commercial use is apparent at the former Brandow Used Car site (Block 163.01 Lot 10, 11, 14.01, 14.02). Said condition is found as well at Block 165.01, Lots 9.01 and 9.02 on which is found a one-story commercial building with a severely deteriorated garage to the rear.

A vacant, one-story masonry building is found on the 1.26 acre parcel identified on the Tax Map as Block 165.01, Lot 11.02. This structure formerly housed a machine shop. The Planning Board granted preliminary approval for the development of a 4,000 square foot restaurant and a 2,070 square foot storage area at the March 7, 2005 meeting; final approval was denied, as the final plan was substantially different from the preliminary plan, at the February 27, 2006 meeting. Amended final approval was granted to permit construction of a bar and restaurant at the August 21, 2006 meeting. Said final approval would by now have lapsed other than for passage of the state's Permit Extension Act. At the time of planning board consideration, the machine shop building had been vacant for as many as approximately fifteen (15) years as indicated by the township tax assessor. The site now sits fallow and is overgrown with vegetation. A residential use abuts the site immediately to the north.

Incompatible land use is also found; this condition relates, in the first instance, to the incompatibility of single-family detached residential development along a major artery on lands having a HC zoning classification rendering such use nonconforming and being, as such, counter to the development vision of the township as expressed by the zone plan, in the second, the proximity of residential development to higher intensity commercial development. As to the latter, residential development on Block 165.01, Lot 7 abuts a motel to the north and a car dealership to the south, a residential use on Lot 10 abuts a vacant 1-story office building, and a residential use found on Lot 11.01 abuts the vacant site for which final approval has been granted for the construction of a bar and restaurant.

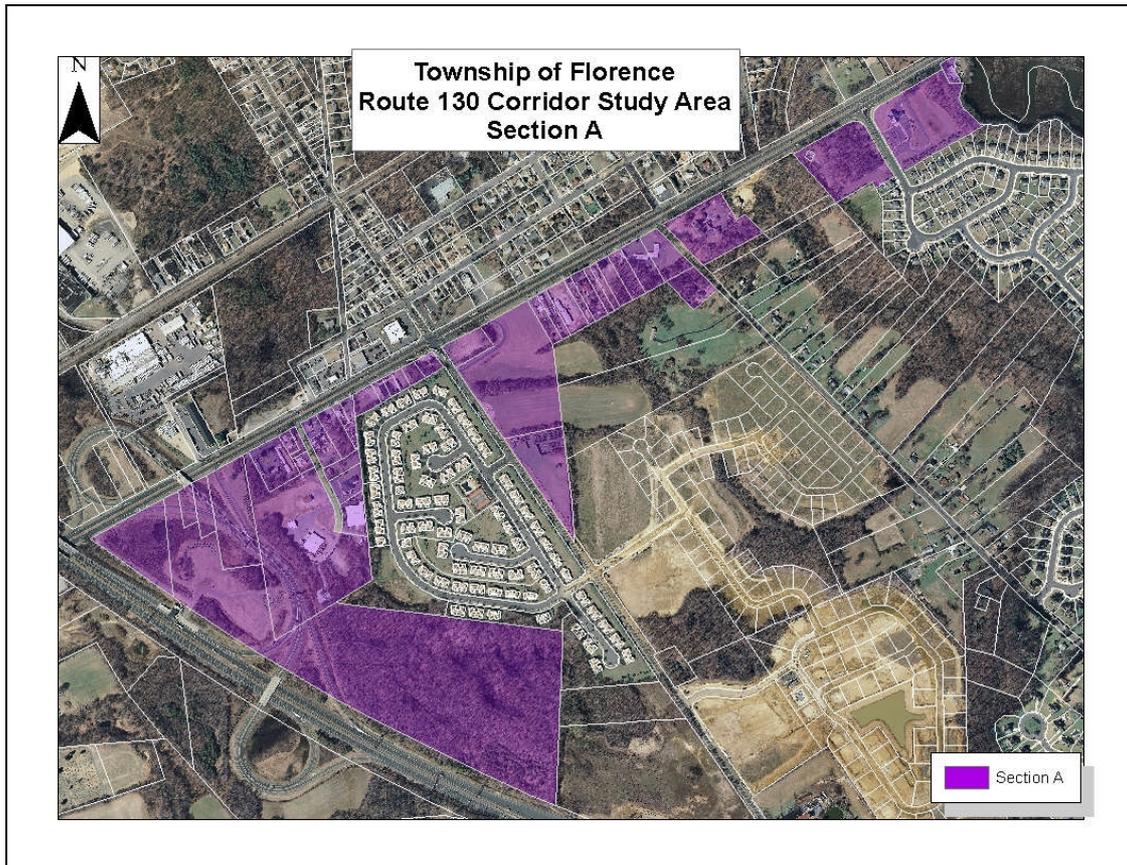


Figure 2. Florence Township Study Area A

## 5.2 Section B

The lands comprising this segment are situated on the westerly side of the corridor north of the turnpike extension and are also bounded by Hornberger Avenue and the Conrail line. Zoning classifications found within this segment include HC Highway Commercial, AGR Agriculture, P Park, RA Residential Zone “RA”, NC Neighborhood Commercial, SM Special Manufacturing, and one parcel having an F Fire House Designation. In addition, a portion of the northwesterly segment centered about the intersection of Norman Avenue with Hornberger Avenue is situated within the Roebling Historic District. Not counting the commercial uses contiguous to the corridor, residential uses predominate in the area east of the Conrail line from Hornberger Avenue to Delaware Avenue. The dwellings are predominately single-family construction and generally well maintained; older attached units are prevalent in the area bounded by Hornberger Avenue and James Street between Norman Avenue and Alden Avenue - in this subarea, information provided by the tax assessor reveals that of the forty-two (42) Class 2 (Residential) units, forty (40) are fifty (50) or more years old. Thirty-three (33) units were constructed as of 1930. A boarded, vacant two-story residential structure is found at the northwest corner of the Norman Avenue/Hornberger Avenue intersection (Block 118, Lot 27). Water and sewer infrastructure serving this area is likewise at least fifty (50) or more years old<sup>6</sup>.

<sup>6</sup> David Lebak, Water and Sewer Department Superintendent, telephone interview of September 23, 2009.

Viable commercial uses to include Wesley's Pub and Verann's Restaurant are found along Hornberger Avenue. In the first block of Alden Avenue extending to Roland Street there is however an instance of a vacant storefront and a vacant commercial building at 110 Alden Avenue (Block 118, Lot 31). Commercial uses are also found on Alden Avenue in the block bounded by Roland Street and James Street. The delicatessen at Roland Street is a part year operation; the window sign announces an October re-opening. A garage used for storage is found immediately to the west.

Beyond the aforementioned subarea, two (2) well maintained commercial uses are found on Hamilton Avenue. The first being NWL at 939 Hamilton Avenue (Block 100, Lot 8.01) and REBGRO Contract Packaging at 941 Hamilton Avenue (Block 100, Lot 8.02). In addition, the former fire house, at the intersection of Station Road and Delaware Avenue, has been converted to an office use and is now occupied by Lourdes Medical Associates.

As to conditions found along Route 130, this segment manifests well maintained development to include single-family detached residential use, as well as, instances of discontinuance of commercial use, incompatible land use, dilapidation, and faulty design.

From a commercial standpoint, of particular note, is the well maintained development on either side of the Delaware Avenue intersection with Route 130 being Roebing Bank (Block 109, Lot 1) and the Rite Aid store (Block 99.01, Lot 23).

Discontinuance of commercial use is evident at the site that formerly housed Illusions adult entertainment club (Block 109, Lot 6.01, 6.02, 10 and 12), which per information provided by the tax assessor, has now been closed for three (3) years. The vacant circumstance is made all the more prominent by the condition of the parking facility, forward of the building line, which is experiencing surface course deterioration and the emergence of vegetation as a result thereof. An incompatible land use circumstance also is present owing to the incompatibility of a commercial use with adjoining residential use to the north.

Discontinuance of commercial use is also manifested at the site of a former car dealership found at Block 162.01, Lots 1.04, 1.05, 7 and 8.

A vacant condition is found over Block 162, Lots 9 and 1.06 which formerly was the site of the Florence Adult Book Store which was demolished in 2006. The site remains devoid of improvements. Per consult with the township's construction office, no development concepts have been advanced since the demolition.

As noted above, an incompatible land use condition occurs where a single-family detached dwelling abuts the former Illusions site. This same condition is repeated where single-family detached development is situated immediately to the south of the presently vacant commercial site found at Block 110, Lots 3.01 and 8.01; while presently vacant, the Planning Board at the February 26, 2007 meeting granted amended preliminary/final major site plan approval for restaurant and retail use and two (2) apartments. By now, the site plan approval would have lapsed except for enactment of the state's Permit Extension Act.

A condition of faulty design is noted at the site of Frank and Mario's Pizzeria at the Station Road intersection with Route 130 (Block 99.01, Lot 29) owing to the circumstances whereby vehicles leaving the parking facility along Station Road are required, due to the size of same, to back into the right-of-way.

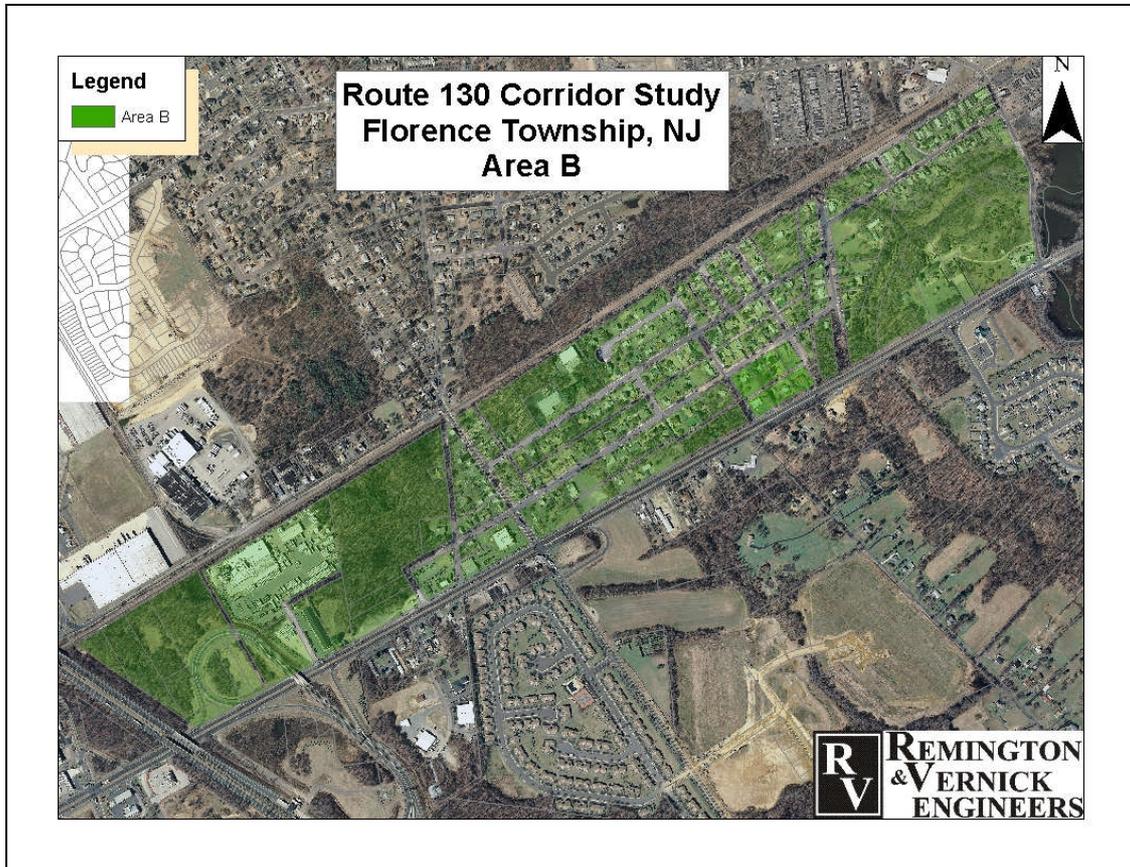


Figure 3. Florence Township Study Area B

### 5.3 Section C

The west side of the Route 130 corridor south of the New Jersey Turnpike is referred to in this report as Section C. The Conrail railroad tracks serve as a western boundary. The land is bordered to the south by the Burlington Township municipal boundary. HC Highway Commercial Zoning predominates, expanses of which lie within the Special Manufacturing Overlay District. The area is generally characterized by light industrial uses with some residential dwellings located in near proximity to the municipal border.

Section C manifests instances of well maintained commercial and light industrial development, and, as a demonstrable counterpoint, vacancy, discontinuance of commercial use, as well as incompatible land use.

At the south end, the Haines Industrial Center (Block 159, Lot 1.01) is well maintained. Traveling further north, Bung's Tavern (Block 159, Lot 8.01), Land O' Lakes Distribution Center (Block 159, Lot 5.03) and other light industrial uses located along Harkins Drive are also devoid of the statutory criteria necessary to support a redevelopment declaration.

Counterpoint circumstances include a vacant building previously operated by 84 Lumber (Block 159, Lot 4.01) as an equipment storage facility. The site is noticeably vacant being made all the more so by the presence of boarded front windows and also by the remnants of prior operations scattered throughout the site. As of this writing, the building has been abandoned for at least six (6) months.

Adjacent to the site is a building (Block 159, Lot 3) formerly used by Spacecraft for material storage. The site has been vacant for over five (5) years and is in disrepair. Other than for the building, the site is unimproved; the traffic circulation area is comprised of unimproved gravel and lacks defining infrastructure.

Incompatible land use is also found; this condition relates to the incompatibility of single-family detached residential development (Block 159, Lot 6.02) along a major artery on lands having a HC zoning classification. This lot contains a single family dwelling, an associated garage, and a commercial building.

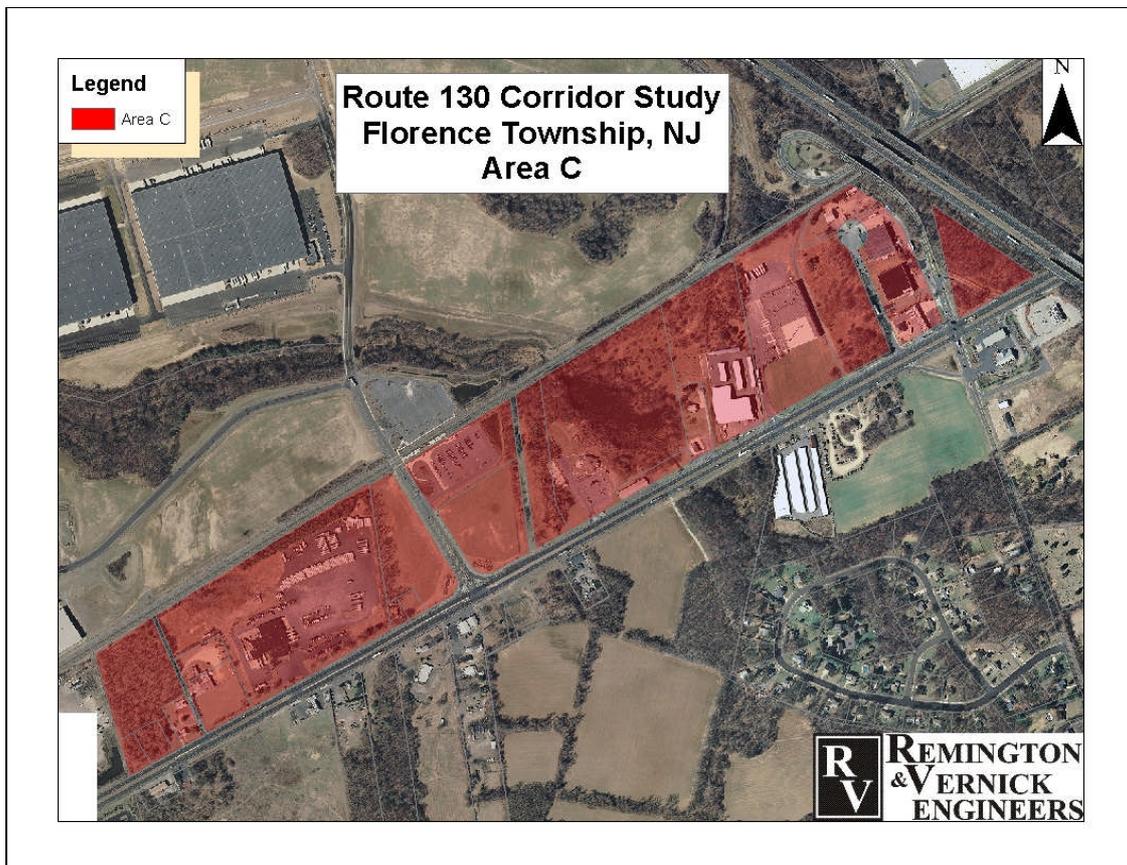


Figure 4. Florence Township Study Area C

## 5.4 Section D

Section D is the largest sized portion of the study area, totaling approximately 217 acres of land. It encompasses four separate zoning districts: HC Highway Commercial, AGR Agricultural, and the SM Special Manufacturing Overlay District. The study area abuts Route 130 to the east and is located between the New Jersey Turnpike Extension and the mutual boundary with Burlington Township. Significant lot depth characterizes the parcels zoned HC Highway Commercial and those within the SM Special Manufacturing Overlay District.

A large portion of Section D is the subject of a recent Planning Board approval. Specifically, final site plan approval was granted by the board at the May 18, 2009 meeting, allowing for the construction of three (3) warehouse distribution buildings over Block 160.01, Lots 2.01, 8, 9, 10.02, 10.02, 20, 21 and 22. The project will result in the elimination of the Wilson Building and unrelated buildings/uses found over the expanse of the site. Information provided by the tax assessor indicates that the building situated immediately to the rear of the Wilson Building has been vacant since July 2007 and that only approximately 30% of the Wilson Building was being utilized at the time of the Planning Board grant of preliminary major site plan approval in March 2009. Information obtained from the township construction official revealed the presence of a dilapidated building at the rear of the site, which apparently had a commercial use; field observation revealed also severely deteriorated pavement to the rear of the Wilson Building. The proposed development will cause also the elimination of what is colloquially referred to as the Cranmer site, which is comprised of a brick dwelling and a dilapidated, long term vacant commercial building as per information provided by the township's construction official.

Other existing commercial uses include Regency Auto Sound and Security (Block 160.01, Lot 7), and a repossession company operated on an unimproved lot to the rear. Additional uses include the U-Haul Storage site (Block 160.01 Lot 3), Clyde Boiston Storage Sheds (Block 160.01 Lot 11.01), Wawa (Block 163.02 Lot 13) and Burger King (Block 163.02, Lot 13.05); other than for the storage shed site which is only partially improved, these sites evidence well maintained improvements not suggestive of statutory criteria.

Discontinuance of commercial use coupled with prominent severe dilapidation is found on Block 160.01 Lot 14, the site of the former Bradley Fence Company Building. The municipal tax assessor verifies the property as vacant for approximately 10 years. Historically, two (2) automobile repair companies operated from Block 160.01, Lot 2.02, each housed in separate buildings. The building along the corridor is now vacant and has been so for a period of three (3) to four (4) years from information provided by the tax assessor. The building to the rear is currently operated by Falconio's Garage.

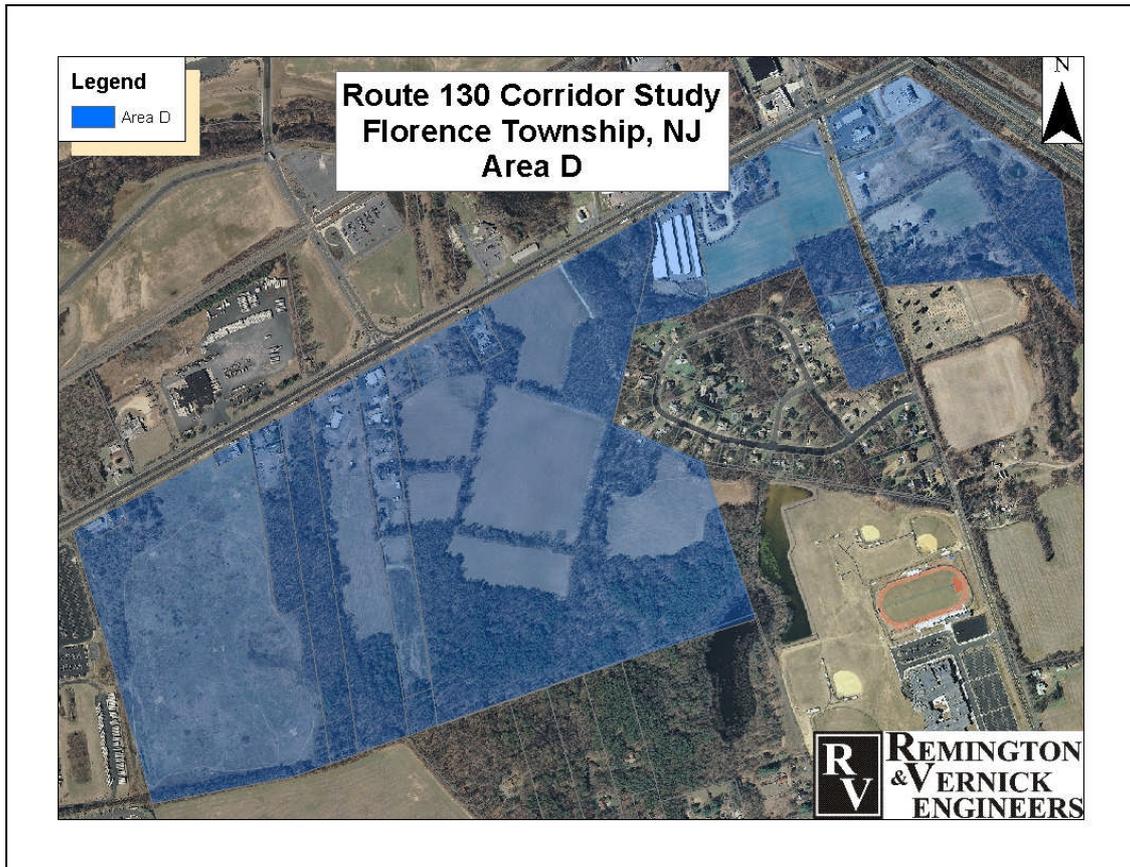


Figure 5. Florence Township Study Area D

## 5.5 Known Contaminated Sites List

The Route 130 Corridor Study Area hosts four (4) sites currently found on the New Jersey Department of Environmental Protection Known Contaminated Sites List. The Known Contaminated Sites List for New Jersey 2005 are those sites and properties within the state where contamination of soil or ground water has been identified or where there has been, or there is suspected to have been, a discharge of contamination. This list of Known Contaminated Sites may include sites where remediation is either currently under way, required but not yet initiated or has been completed.<sup>7</sup>

The presence of known contamination is viewed as an impediment to redevelopment. Here, all of the sites where contamination occurs are developed.

<sup>7</sup> NJDEP Website: <http://www.nj.gov/dep/gis/stateshp.html#KCSL>

## 6. APPLICATION OF STATUTORY CRITERIA

### 6.1 Introduction

The finding that an area is in need of redevelopment is an area wide determination. As such, the statutory charge for a positive finding of redevelopment eligibility requires a demonstration, on an area wide basis, that existing conditions give evidence of economic deterioration in terms of an underutilization or less than fully productive condition of land, sustained by condition of title, diverse ownership, or similar conditions; or physical deterioration by the presence of improvements which are dilapidated, obsolete, faulty in terms of arrangement, or in any way deleterious to the welfare of the community. An area is also eligible for declaration where there exists vacant land with impediments to development and also where it can be demonstrated that a redevelopment declaration would advance smart growth planning principles.<sup>8</sup>

### 6.2 Criteria Supporting a Finding of Need for Redevelopment

With respect to a basis for a finding of an area in need of redevelopment, existing lot specific and area wide conditions in combination present a mosaic of statutory criteria as articulated below necessary to support a redevelopment declaration.

#### 6.2.1 Lot Specific Criteria

*Criteria “a” is implicated where 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.*

Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, 14.02): This building owing to its severe dilapidation particularly to the roof can not be occupied and as such presents an unwholesome working condition.

Former Bradley Fence Company Building (Block 160.01 Lot 14): This building owing to its severe dilapidation can not be occupied and as such presents an unwholesome working condition.

*Criteria “b” is implicated where discontinued usage of the 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.*

Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, 14.02): Operations ceased at this site 18 to 20 years ago as per information provided by the township tax assessor.

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<sup>8</sup> In practice, advancement of smart growth is not recognized as being dispositive of an area in need of redevelopment in that smart growth principles have not been adopted pursuant to law or regulation.



One-Story Commercial Building (Block 165.01, Lots 9.01 and 9.02): The site is vacant as to commercial use and has been in such condition for the past 10 years as per information provided by the township tax assessor.



Former Illusions Adult Entertainment Club (Block 109, Lots 6.01, 6.02, 10, and 12): The site is vacant as to commercial use and has been in such condition now for three (3) years as per information provided by the township tax assessor.



Former Bradley Fence Company Building (Block 160.01 Lot 14): The site has been vacant as to commercial use and has been in such condition for over ten (10) years as per information provided by the township tax assessor.



Former Cranmer Site (Block 160.01, Lot 9): The site is vacant as to commercial use and has been for over 15 years as per information provided by the township tax assessor.



Former Wilson Building Site (Block 160.01, Lot 10.01): Left: View of what had been an underutilized principal building; right: view of long term vacant ancillary building.

With respect to the above mentioned Cranmer site and the former Wilson Building site, the Planning Board at the May 18, 2009 meeting granted final major site plan approval for the development of three (3) warehouse distribution buildings. Notwithstanding same, the site is nonetheless identified as a manifestation of criteria “b” inasmuch as long term discontinuance of commercial use was evident on each site at the time of Planning Board

consideration. Further, it can reasonably be concluded that inclusion of this site within the redevelopment zone will facilitate realization of the approved development by making available the benefits which accrue pursuant to a redevelopment declaration.

Former Auto Repair Garage (Block 160.01, Lot 2.02): The 3-bay garage to the front of the Falconio Garage site has been vacant for over 3 years as per information provided by the township tax assessor.

Former Spacecraft Storage Building (Block 159, Lot 3): This 1-story building has been vacant as to commercial use and has been in such condition since for the over 5 years as per information provided by the township tax assessor.



Former 84 Lumber site (Block 159, Lot 4.01): The site is vacant as to commercial use and has been in such condition since for now six (6) months as per information provided by the township tax assessor.



Former Totten Chevrolet site (Block 162.01, Lot 7): The site is vacant as to commercial use and has been in such condition since for 3 years as per information provided by the township tax assessor.



Former Seafood Retail Site (Block 110, Lot 8.01 and 3.01): The site is vacant as to commercial use and has been for approximately over 15 years ago per information provided by the township tax assessor. Final site plan approval for a restaurant, retail use, and two (2) apartments was granted by the Planning Board at the February 26, 2007 meeting. Absent the Permit Extension Act, this approval would by now have lapsed. Notwithstanding same, inclusion of this site is here warranted as first, the conditions which give rise to the criterion were prominent at the time of board consideration and second, the inclusion of same would facilitate realization of the approval by allowing for application of the benefits which accrue pursuant to the Local Redevelopment and Housing Law.



Former Machine Shop (Block 165.01, Lot 11.02): The site is vacant as to commercial use and has been for approximately 18 to 20 years per information provided by the township tax assessor. Final site plan approval for a bar and restaurant was granted by the Planning Board at the August 21, 2006 meeting. Absent the Permit Extension Act, this approval would by now have lapsed. Notwithstanding same, inclusion of this site is here warranted as first, the conditions which give rise to the criterion were prominent at the time of board consideration and second, the inclusion of same would facilitate realization of the approval by allowing for

application of the benefits which accrue pursuant to the Local Redevelopment and Housing Law.



*Criteria “d” is implicated where areas with buildings or improvements which, by reason of dilapidation, obsolescence, over crowding, 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.*

This criteria is manifested by conditions evidencing faulty arrangement, incompatible land use, deteriorated improvements, instances of obsolescence, as well as instances of faulty design as is indicated below. Application of this criteria requires, in the first instance, identification of the condition giving rise to the criteria and, in the second, demonstration of resulting detriment.

Faulty Arrangement. The corridor principally manifests a single-parcel, single-use, uncoordinated, stand-alone pattern of land use indicative of sprawl. “Sprawl is a generic term for a pattern of land development generally characterized by auto-dependency, an overall lack of density, the wasteful use of resources, and a strict separation between land uses.”<sup>9</sup> It results “in profoundly unsatisfying patterns of land uses, which are often discontinuous, lack functional open space, erect physical barriers between different land uses and activities, create great inefficiencies in mobility and access and are unsustainable and unaffordable in the long term.”<sup>10</sup> By its very nature, this type of development pattern and its emphasis on separate parcel development is inefficient in that, as here, it impedes: 1) the sharing of infrastructure such as parking, 2) economies of scale relative to the number of points of corridor ingress/egress, 3) installation of facilities such as stormwater management, and 4) the creation of place having a distinctive character.

Sprawl is injurious to the creation of place, necessary for a massing of economic opportunity, as it thwarts planned development, being an approach allowing for an integration of uses under a unifying plan, and thwarts also site intensification necessary for

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<sup>9</sup> New Jersey Office of State Planning, *Designing New Jersey* (2000), p.52.

<sup>10</sup> Ibid.

the promotion of business expansion/retention and job creation, as a result of limited land availability and/or adherence to statutory schemes which promote sprawl.

Another detrimental aspect of sprawl development is simply that it is the antithesis of smart growth and deprives a community of its benefits. “Smart growth directs development toward communities already served by infrastructure, seeking to utilize the resources that existing neighborhoods offer and to maintain the value of public and private investment. By encouraging development in existing areas, communities benefit from a stronger tax base, closer proximity of jobs and services, increased efficiency of already developed land and infrastructure, reduced development pressure in fringe areas, and preservation of farmland and open space. In addition, the process of increasing development in existing communities can maximize the use of existing impervious surfaces, thereby improving local and regional water quality, and can create opportunities for more transportation options.”<sup>11</sup>

Incompatible land use. This condition is manifested by the location of single-family detached dwelling development adjacent to more intense commercial development. Detriment attached to this circumstance results from the fact that it has long been established that the over-the-property line impacts of nonresidential development which typically relate to noise, dust, truck traffic, hours of operation, sometimes odors, and views preclude the full enjoyment of residential property. Additionally, this circumstance perpetuates inefficient land use patterns which may potentially introduce a limiting factor as to commercial site intensification, resulting from objection of neighboring residential uses or simply as a result of a lack of available land, to accommodate expansion or permit a sharing of facilities arrangement, which otherwise would be a possibility if not for residential development.

Single-family development adjoining commercial development is seen on each side of the corridor, specifically:

- a. The dwelling on Block 165.01, Lot 7 is situated between the Northview Motel (Lots 2.05 and 17) and the auto dealership on Lot 8;
- b. The dwelling on Block 165.01, Lot 11.01 is adjacent to a now closed commercial site (Lot 11.02) for which an approval has been granted for the construction of a bar and restaurant;
- c. The dwelling on Block 165.01, Lot 10 is adjacent to a now vacant commercial building on Lots 9.01 and 9.02;
- d. The dwelling on Block 110, Lot 7 is adjacent to the now closed Illusions Adult Entertainment site over Block 109, Lots 6.01, 6.02, 10, and 12; and
- e. The dwelling on Block 110, Lot 9 is adjacent to Lots 8.01 and 3.01, a site for which approval has been granted for restaurant and retail use.

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<sup>11</sup> Smart Growth Network, *Getting to Smart Growth: 100 Policies for Implementation*, p.52.

- f. The dwelling on Block 159, Lots 7.01 and 7.02 immediately south of the John Galt Drive intersection with Route 130 is adjacent to a large warehouse/distribution facility.

Dilapidation of Improvements. Prominent instances of severely dilapidated buildings are found at the sites indicated below. Conditions found at these locations are injurious to the welfare of the community in that: 1) these conditions being manifested at such prominent locations severely degrade the corridor streetscape presenting an impediment to the creation of place having a distinctive character; 2) the vacancy of these structures gives rise to the potential for fire and criminal mischief given the unattended condition - the township police department has advised of vagrancy over time at the Bradley Fence Company building; and 3) the aforementioned conditions are deleterious to the economic wellbeing of the township resulting from the loss of tax revenue which otherwise would be realized.

- a. Former Bradley Fence Building (Block 160.01, Lot 14);
- b. Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, and 14.02);
- c. Garage at site of the now vacant 1-story commercial building (Block 165.01, Lots 9.01 and 9.02);
- d. The parking facility serving the now vacant Illusions Adult Entertainment Club (Block 109, Lots 6.01, 6.02, 10, and 12) is experiencing severe surface course deterioration made all the more prominent by the emergence of vegetation.

Obsolescence. A manifestation of obsolescence is found at what had been the site of the Florence Adult Book Store (Block 162, Lots 9 and 1.06) which was razed in October 2006. The application of the criteria relates to the fact that a parking facility is present in the absence of a principal use. Detriment attaches as this long term condition communicates disinvestment presenting an impediment to the creation of place having a distinctive character necessary for the promotion of a massing of economic opportunity.

Obsolete layout is manifested at the site of the now vacant former Spacecraft Storage Building (Block 159, Lot 3) in that this structure is situated on such an undersized parcel having a depth of seventy-two (72) feet that with application of the front and rear yard setback requirements of the HC Highway Commercial zone, which combined equate to 125 feet, said requirements exceed the depth of the parcel leaving no building envelope. This circumstance makes impossible in the absence of substantial zoning relief the introduction of a new use requiring a new building and precludes the potential for site intensification in the event an appropriate use can be found for the existing structure. In either case, the size of the parcel militates, in all likelihood, against the provision of a fully infrastructured site.

An obsolete circumstance is also found at the site of Clyde Boiston's Sheds (Block 160.01, Lot 11.01) in that here a portion of property is being leased for the conduct of a business for which there is no supporting improvements other than a drive entrance and a dirt road allowing for interior circulation around the shed display area. This report posits that the conduct of retail along a major artery in a Highway Commercial zone absent supporting

infrastructure is an obsolete condition which is antithetical to the creation of place having a distinctive character necessary for the massing of economic opportunity.

Faulty Design. Various features found on each side of the corridor are indicative of faulty design and are demonstrated in varying combinations. These features include lack of provisions for stormwater management, instances of 100% or nearly so impervious coverage, development to the right-of-way, ill regulated traffic circulation, as well as instances of ill-defined and inadequate drive entrances.

As to detriment, the lack of stormwater management gives rise to and/or exacerbates non-point source pollution resulting from the lack of opportunity for water quality treatment of stormwater sheet flow infested by contaminants; also, the lack of stormwater management gives rise to the potential for erosion of downstream properties. Expansive impervious coverage lends support to the aforementioned outcomes and denies opportunity for trees to contribute to the health of the community through the consumption of/reduction of carbon dioxide and also to the general welfare through the filtering of noise, mitigation of erosion, and reduced energy costs through the cooling of buildings.<sup>12</sup>

Considered by itself, development to the right-of-way degrades the aesthetics of the streetscape as it precludes opportunity for landscaping and buffering and as such impedes the creation of place having a distinctive character; combined with ill regulated traffic circulation and lack of defined drive entrances, it gives rise to unsafe conditions and potential for vehicle to vehicle and vehicular/pedestrian conflicts as it results in areas of unregulated movement proximate to points of ingress/egress.

On the west side of the corridor:

- a. The automobile service station at the intersection with Hornberger Avenue (Block 121, Lot 4.04) is virtually a 100% impervious site with ill-defined traffic circulation owing to lack of curbing along each street frontage; the site also lacks stormwater management capability.
- b. The expanse of the parking facility for the former Illusions Club (Block 109, Lots 6.01, 6.02, 10, and 12) lacks infrastructure for stormwater management as well as interior landscaping (trees).
- c. The parking facility for the now vacant commercial site at Block 110, Lot 8.01 and 3.01 lacks stormwater management and interior landscaping (trees).
- d. The expanse of pavement on either side of Station Road extending from the Rite Aid Store (Block 99.01, Lot 23) to Parkside Avenue has no provision for stormwater management, exhibits expanses of pavement for which there is no interior landscaping and is defined also by a narrow setback from the corridor right-of-way. Frank and Mario's Pizzeria site on Lot 6 is affected by ill-defined traffic circulation owing to the lack of curbing along Parkside Avenue and Route 130 and lack of a defined entrance drive.

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<sup>12</sup> *Getting to Smart Growth, 100 Policies for Implementation*, The Smart Growth Network, (undated), p. 36.

- e. The parking facility serving the commercial building immediately to the south of 84 Lumber (Block 159, Lot 4.02) lacks provision for stormwater management and allows for ill-defined traffic circulation owing to a lack of curbing as well as lack of a defined entrance drive. The pavement extends virtually to the right-of-way.
- f. The parking facility serving the now closed Spacecraft site lacks provision for stormwater management.

On the east side of the corridor:

- g. The parking facility serving the Regency Auto Sound Security site lacks provision for stormwater management and permits ill-defined traffic circulation owing to a lack of curbing and a defined drive entrance. The pavement extends to the right-of-way other than for a gravel area at same.
- h. The parking area serving Ray's Garage (Block 163.01, Lot 12.01) lacks stormwater management and permits ill-defined traffic circulation along each street frontage owing to a lack of curbing and defined entrance drives.
- i. The parking facility for the vacant commercial building, next to Van Huff Motors, Block 165.01, Lots 9.01 and 9.02, lacks provision for stormwater management and allows for ill-defined traffic circulation due to a lack of curbing and defined entrance drive. The adjoining Van Huff Motors site (Block 165.01, Lot 8) is affected by the same conditions but also gives rise to an unsafe condition emanating from inventory display to the property line, being as such unsafe to customers given proximity to the corridor traffic given the absence of a physical barrier.
- j. The parking facility for the commercial site at northerly terminus of the east side of the study area (Block 166.13, Lot 2) allows for ill-defined traffic circulation owing to a lack of curbing and defined drive entrance.
- k. The Nirdip Motel is situated at the southerly terminus of the study area on the east side of the corridor (Block 160.01, Lot 15). There is no provision for stormwater management, the building has a shallow setback from the right-of-way and the on-site traffic circulation area/parking facility is separated from the corridor by a narrow grass area, all of which combining to present a circumstance antithetical to the streetscape necessary for the creation of place having a distinctive character in turn necessary for a massing of economic growth along the corridor.

## 7. CONCLUSION

This report concludes that a lawful basis exists to declare portions of the US Route 130 corridor an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. given manifestations of conditions rising to the level of the statutory criteria under section 40A:12A-5 thereof. This report further concludes that the existing conditions giving rise to the below enumerated statutory criteria are long term in nature and evidence the unlikelihood of the area achieving a fully productive condition solely through private sector initiative pointing up the need for the application of the powers and benefits which accrue under redevelopment planning pursuant to redevelopment law. Criteria supporting the conclusion include:

- a. Instances of substandard structures unwholesome for occupancy (Criteria “a”):
  1. Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, 14.02)
  2. Former Bradley Fence Company Building (Block 160.01 Lot 14)
  
- b. Instances of discontinuance of commercial (Criteria “b”):
  1. Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, 14.02)
  2. One-Story Commercial Building (Block 165.01, Lots 9.01 and 9.02)
  3. Former Illusions Adult Entertainment Club (Block 109, Lots 6.01, 6.02, 10, and 12)
  4. Former Bradley Fence Company Building (Block 160.01 Lot 14)
  5. Former Cranmer Site (Block 160.01, Lot 9)
  6. Former Wilson Building Site (Block 160.01, Lot 10.01)
  7. Former Auto Repair Garage (Block 160.01, Lot 2.02)
  8. Former Spacecraft Storage Building (Block 159, Lot 3)
  9. Former 84 Lumber site (Block 159, Lot 4.01)
  10. Former Totten Chevrolet site (Block 162.01, Lot 7)
  11. Former Seafood Retail Site (Block 110, Lot 8.01)
  12. Former Machine Shop (Block 165.01, Lot 11.02)
  
- c. A pattern of sprawl development representing as such a faulty arrangement of improvements (Criteria “d”):

Sprawl development is the predominant land use pattern found along the east and west sides of the Route 130 corridor.
  
- d. Instances of severe dilapidation of improvements (Criteria “d”):
  1. Former Bradley Fence Building (Block 160.01, Lot 14)
  2. Former Brandow Used Car Site (Block 163.01, Lots 10, 11, 14.01, and 14.02)
  3. Garage at site of the now vacant 1-story commercial building (Block 165.01, Lots 9.01 and 9.02)
  4. The parking facility serving the now vacant Illusions Adult Entertainment Club (Block 109, Lots 6.01, 6.02, 10, and 12)

- e. Instances of incompatible land use (Criteria “d”):
1. The dwelling on Block 165.01, Lot 7 is situated between the Northview Motel (Lots 2.05 and 17) and the auto dealership on Lot 8
  2. The dwelling on Block 165.01, Lot 11.01 is adjacent to a now closed commercial site (Lot 11.02)
  3. The dwelling on Block 165.01, Lot 10 is adjacent to a now vacant commercial building on Lots 9.01 and 9.02
  4. The dwelling on Block 110, Lot 7 is adjacent to the now closed Illusions Adult Entertainment site over Block 109, Lots 6.01, 6.02, 10, and 12
  5. The dwelling on Block 110, Lot 9 is adjacent to Lots 8.01 and 3.01
  6. The dwelling on Block 159, Lots 7.01 and 7.02
- f. Instance of obsolescence (Criteria “d”):
1. Former site of Florence Adult Book Store (Block 162, Lots 9 and 1.06)
  2. Former Spacecraft Storage Building (Block 159, Lot 3)
  3. Clyde Boiston’s Sheds (p/o Block 160.01, Lot 11.01)
- g. Instances of faulty design (Criteria “d”):
1. The automobile service station at the intersection with Hornberger Avenue (Block 121, Lot 4.04)
  2. Former Illusions Club (Block 109, Lots 6.01, 6.02, 10, and 12)
  3. The parking facility for the now vacant commercial site at Block 110, Lot 8.01 and 3.01
  4. Station Road extending from the Rite Aid Store (Block 99.01, Lot 23) to Parkside Avenue
  5. The parking facility serving the commercial building immediately to the south of 84 Lumber (Block 159, Lot 4.02)
  6. The parking facility serving the now closed Spacecraft Storage Building (Block 159, Lot 3)
  7. The parking facility serving the Regency Auto Sound and Security (Block 160.01, Lot 7)
  8. Ray’s Garage (Block 163.01, Lot 12.01)
  9. The parking facility for the vacant commercial building, next to Van Huff Motors, Block 165.01, Lots 9.01 and 9.02
  10. Van Huff Motors site (Block 165.01, Lot 8)
  11. The parking facility for the commercial site at northerly terminus of the east side of the study area (Block 166.13, Lot 2)
  12. Nirdip Motel (Block 160.01, Lot 15).

In addition to the parcels listed above which exhibit a blighting condition(s), this report recommends inclusion also of several parcels which do not themselves exhibit any criteria suggested of blight; these parcels are listed below. Pursuant to N.J.S.A. 40A:12A-3, “a redevelopment area may include lands, building, 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.”

- a. Block 160.01, Lot 1.01 being vacant land situated to the rear of the former Bradley Fence Building and the motel to the north. This recommendation is made as the severely deteriorated, long term vacant Bradley Building is situated on an undersized parcel as to area and lacks a building envelope as the depth of the property is less than the combined front and rear yard requirements which total 125 feet where the parcel has an approximate depth of 110 feet. It is reasonable to conclude that this circumstance precludes redevelopment of the site and consigns the site therefore to a condition of non-utility in the absence of land assembly. In addition, the parcel immediately north (Lot 7) has a width of 200 feet and a depth nearly six (6) times the width (1,157 feet). Lands recommended for redevelopment declaration to the depth of Lot 7 are situated immediately north. Here again, it is reasonable to assume that given the inclusion of Lot 1.01 will enhance the development attractiveness of Lot 7 given the configuration.
- b. Block 160.01, Lots 4, 24, 11.01, and 11.02 being land situated on the east side of the corridor at the intersection with Cedar Lane. Immediately to the south is found Lot 3 being the site of the fully improved Friendly Mini Storage; on the opposite side of Cedar Lane is found the fully improved Wawa Store (Block 163.02, Lot 13) and the fully improved Burger King site (Block 163.02, Lot 13.05). Lots 4, 24, 11.01, and 11.02 of Block 160.01 should be included to enhance the development potential of an undeveloped area, situated at a major intersection; the undeveloped condition represents an underutilization of HC Highway Commercial land along a major artery.
- c. Block 160.01, Lot 3, being the site of Friendly Mini Storage is recommended for inclusion in the redevelopment zone despite the well maintained condition of the facility. This recommendation is made as it is a matter of public record that the company has filed tax appeals for two (2) consecutive years suggesting that this site has the potential of becoming a vacant site and inclusion may, in the first instance, enhance the redevelopment potential of the site and, in the second, assist the current owners in securing funding as a result of a redevelopment declaration. In the eventuality of vacancy, it is reasonable to presume that this site may become part of a larger redevelopment initiative involving adjoining Lots 11.01, 11.02, 4, and 24.
- d. Block 160.01, Lot 1.02 is the site of an automobile service station. This parcel is recommended for inclusion in the redevelopment zone as it is reasonable to presume that its inclusion promotes greater flexibility in design in the overall redevelopment of the southerly end of the block in which situated particularly given the long, narrow configuration of adjoining Lot 7.

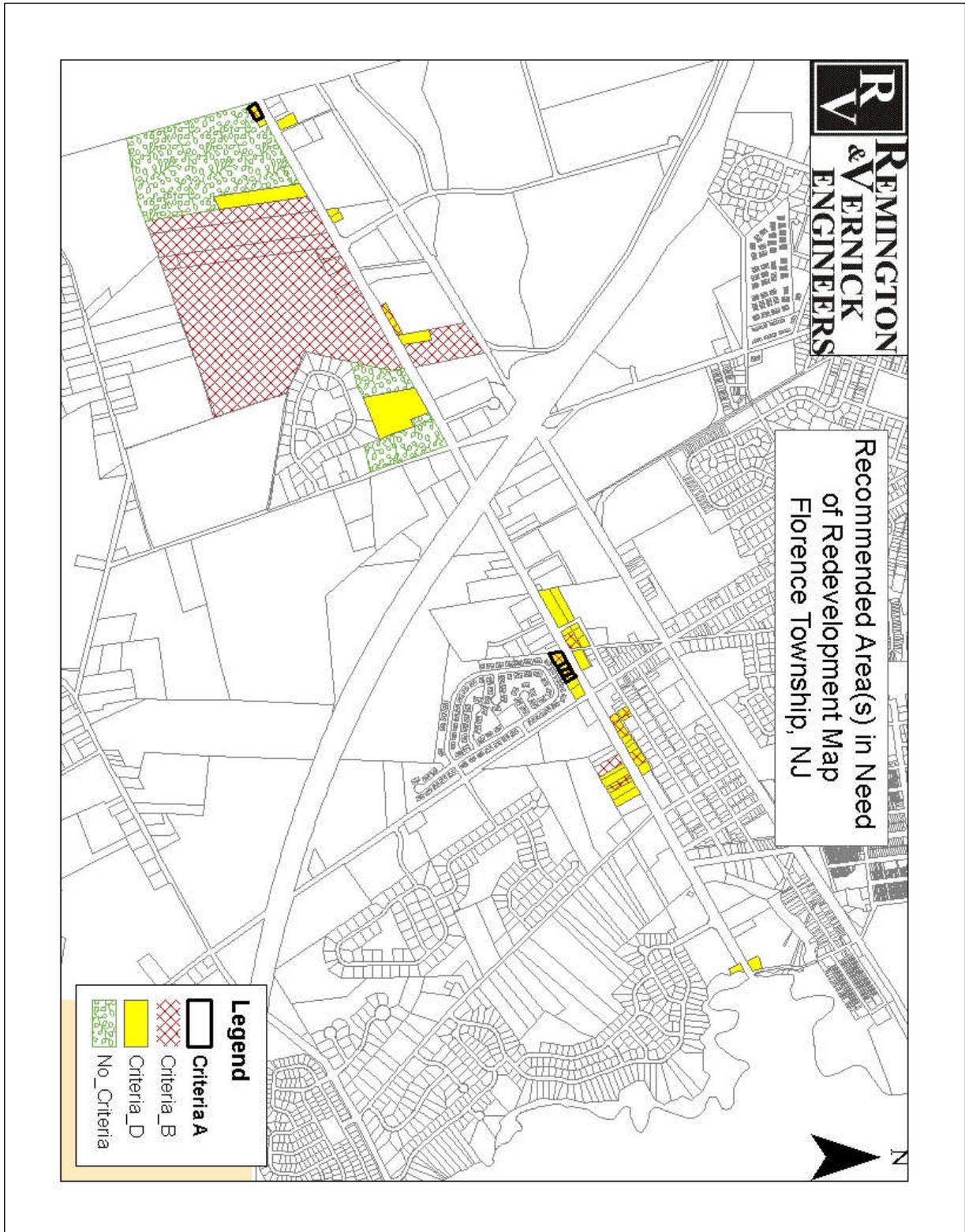


Figure 6

## **8. RECOMMENDATION**

For the reasons articulated in the previous section, it is recommended that the Township Council of the Township of Florence and Planning Board take the action necessary as prescribed by redevelopment law to declare the parcels enumerated in Section 7 which exhibit statutory criteria or are recommended for inclusion for the effectuation of a future plan, each category of which depicted on the Recommended Area in Need of Redevelopment Map, as being in need of redevelopment.

**APPENDIX “A”**

**Township Council  
Resolution Authorizing Conduct of Study  
Resolution No. 2009-197**

**TOWNSHIP OF FLORENCE**

**RESOLUTION NO. 2009-197**

**RESOLUTION AUTHORIZING AND DIRECTING THE FLORENCE TOWNSHIP PLANNING BOARD TO CAUSE A PRELIMINARY INVESTIGATION TO BE MADE PURSUANT TO THE NEW JERSEY LOCAL DEVELOPMENT AND HOUSING LAW, AS TO WHETHER A CERTAIN AREA ALONG THE ROUTE 130 CORRIDOR WITHIN THE TOWNSHIP OF FLORENCE IS "AN AREA IN NEED OF REDEVELOPMENT" WITHIN THE MEANING AND INTENDMENT OF SAID STATUTE**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., ("the Act") allows municipalities to identify certain areas within their geographical boundaries as "Areas in Need of Redevelopment", or "Areas in Need of Rehabilitation", one of the purposes of which, among others, is to encourage private investment in certain properties through, e.g., the demolition, clearance, or removal of buildings, the construction and rehabilitation of existing buildings, the creation of new job opportunities and ratables within municipalities, etc.; and

**WHEREAS**, the Act empowers municipalities to authorize and direct their Municipal Planning Boards to cause preliminary investigations to be made to determine whether areas exist within the municipality that are "in need of redevelopment" or "in need of rehabilitation", N.J.S.A. 40A:12A-6; and

**WHEREAS**, other municipalities along the "Route 130 Corridor", including Cinnaminson and Willingboro Townships, and other, have enacted legislation declaring certain portions of Route 130 within their geographical boundaries to be "Areas in Need of Redevelopment", as a result of which designations, said municipalities have enjoyed the commercial and industrial rebirth of this Corridor, resulting in increased employment

opportunities, tax ratables, and other benefits which a municipality generally derives from the redevelopment of commercial corridors within its boundaries; and

**WHEREAS**, the Mayor and Council of the Township of Florence have determined that it is in the best interest of the Township of Florence, in order to compete with neighboring municipalities for new commercial and other opportunities which will result in increased employment opportunities, and tax ratables for the municipality, to study the Route 130 Corridor, measured from the border of Florence Township with Burlington Township at its southern terminus, and with Mansfield Township at its northern terminus, to determine if the Corridor or portions of same, are "in need of redevelopment" so that the municipality can undertake various initiatives to incentivize commercial and other developers to locate their businesses along this Corridor; and

**WHEREAS**, the New Jersey Redevelopment and Housing Law empowers municipalities to authorize and direct their Municipal Planning Boards to undertake such studies and investigations.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Florence, that the Florence Township Planning Board be and is hereby authorized and directed to cause a preliminary investigation to be made pursuant to the New Jersey Redevelopment and Housing Law as to whether portions of the "Route 130 Corridor", as outlined above, within the Township of Florence, are in need of redevelopment within the meaning and intendment of the statute;

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the Chairman and Land Use Administrator of the Florence Township Planning Board, and with the

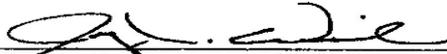
Burlington County Office of Land Use Planning, within ten (10) days of adoption, and that the Planning Board be urged to complete its preliminary investigation and file its written report within the Mayor and Council as expeditiously as possible.

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I, JOY M. WEILER, Clerk of the Township of Florence, County of Burlington, State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Resolution approved by the Township Council at their September 2, 2009 meeting.

  
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JOY M. WEILER, RMC/MMC  
Township Clerk

