

# South Ave Blk 401 & 403

---

## AREA IN NEED OF REDEVELOPMENT INVESTIGATION REPORT

**Prepared for:**

Borough of Garwood-Planning Board

**Prepared by:**

H2M Associates, Inc.  
119 Cherry Hill Road, Suite 200  
Parsippany, New Jersey 07054

*To be presented May 27, 2015*



---

Jeffrey L. Janota, P.P., AICP # 33LI00582700

*The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.*



*Prepared and adopted by the Garwood Planning Board:*

Charles Lombardo, Member Class I - Mayor

Bruce Patterson - Member, Class II

William Nierstedt - Councilman - Class III

Steve Greet - Member, Class IV - Chairman

Robert Scherer - Member, Class IV

Paul Tarantino - Member, Class IV

Michael Vena - Member, Class IV

Gene Jannotti - Member, Class IV

Kathleen Villaggio - Member, Class IV

Craig McCarrick - Alt. I

Patricia Quattrocchi - Alt. II

Steve Napolitano - Alt. III

Tim Hak - Alt.IV

Board Secretary - Adele Lewis

Planning Bd. Attorney - Donald Fraser, Esq

Planning Bd. Engineer/Planner - Victor Vinegra, P.E.

*Consultant:*

H2M Associates, Inc.

119 Cherry Hill Road, Suite 200

Parsippany, NJ 07054

Adopted: \_\_\_\_\_



**CONTENTS**

I. EXECUTIVE SUMMARY ..... 1

II. INTRODUCTION ..... 3

III. CRITERIA FOR REDEVELOPMENT AREA DETERMINATION ..... 5

IV. METHODOLOGY ..... 7

V. STUDY AREA CONTEXT AND LOCATION ..... 8

VI. PLANNING AND ZONING ..... 11

VII. INDIVIDUAL PROPERTY ANALYSES ..... 18

    BLOCK 401, LOT 1 450-490 SOUTH AVENUE .....19

    BLOCK 401, LOT 2 50 CENTER STREET .....32

    BLOCK 401, LOT 3 20 CENTER STREET .....44

    BLOCK 401, LOT 4 400 SOUTH AVENUE.....46

    BLOCK 401, LOT 5 70 CENTER STREET .....54

    BLOCK 403, LOTS 1 & 2 453 & 451 SOUTH AVENUE .....57

    BLOCK 403, LOT 3 447 SOUTH AVENUE.....60

    BLOCK 403, LOTS 5, 6, 19, 20 435 & 423 SOUTH AVENUE; 424 & 432 WILLOW AVENUE .....63

    BLOCK 403, LOTS 4, 21,22 438, 439 & 440 WILLOW AVENUE .....68

VIII. RECOMMENDATIONS SUMMARY ..... 74

IX. NEXT STEPS ..... 75

**APPENDICES**

APPENDIX A Resolution # 14-220



## I. EXECUTIVE SUMMARY

This Redevelopment Area Investigation Report has been prepared to determine whether the area known as the South Avenue Redevelopment Study Area (the “study area”) meets the statutory criteria for designation as an “area in need of redevelopment,” pursuant to the Local Redevelopment and Housing Law (“LRHL”) of the New Jersey Statutes.

The Study Area consists of fifteen (15) parcels located along both frontages of South Avenue as well as Willow Avenue. The properties include the Petro Plastics facility (office space and warehouse), the Casale Industries buildings (office building and warehouse), the main parking lot facility for both industrial uses, the Personal Best Training facility, one vacant lot and one duplex residential structure, and the Wells Fargo Bank. The Garwood Council had directed the Planning Board to investigate these specific parcels by Resolution #14-220, adopted June 10, 2014 (Appendix A). The Resolution states that it be further resolved “the use of eminent domain is to be authorized by the municipality and that if so delineated, the delineated area shall be deemed a Condemnation Redevelopment Area (CRA) in accordance with L 2013, c. 159” and be it further resolved “that the Planning Board be ad is hereby directed that the notice of hearing shall specifically state that a redevelopment are determination shall authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area”.

H2M Associates, Inc. was retained by Borough of Garwood to prepare this Study to determine if the South Avenue Study Area meets statutory criteria to be designated an “area in need of redevelopment”. Our team conducted a thorough analysis of existing and historical conditions, including a review of land use, building conditions, utilities, infrastructure and environmental conditions. The analysis also included a detailed review of records from the municipal tax assessors, building departments, fire departments, code enforcement, and police departments, as well as interior and exterior property inspections.

This report assesses the Borough’s past planning efforts within and related to this neighborhood and conducts a detailed analysis of each individual property. The comprehensive evaluation of the Study Area as laid out in the following pages of this report results in a determination that all but one property within the South Avenue Study Area meet statutory requirements for designation as an “area in need of redevelopment”.

A summary of the “area in need of redevelopment” determinations is presented on the next page.



**Area in Need of Redevelopment Summary Determinations**

No.	Block	Lot	Street Address	AINR Criteria
1	401	1	450-90 South Avenue	Criteria a, b, d, h
2	401	2	50 Center Street	Criteria a, b, d, h
3	401	3	20 Center Street	Criteria c
4	401	4	400 South Avenue	Criteria a, h
5	401	5	70 Center Street	Section 3
6	403	1	453 South Avenue	Section 3
7	403	2	451 South Avenue	Section 3
8	403	3	447 South Avenue	Criteria d
9	403	4	439 South Avenue	Criteria d
10	403	5	435 South Avenue	Criteria d
11	403	6	423 South Avenue	Criteria d
12	403	19	424 Willow Avenue	Criteria d
13	403	20	432 Willow Avenue	Criteria d
14	403	21	438 Willow Avenue	Criteria d
15	403	22	440 Willow Avenue	Criteria d



## II. INTRODUCTION

H2M Associates, Inc. (H2M) has been retained to prepare this study, the purpose of which is to determine whether portions of Block 401 and Block 403 of the Borough of Garwood, as shown on the Redevelopment Study Area map below, qualify as an “area in need of redevelopment” as defined in the Local Redevelopment and Housing Law (the “LRHL”, P.L.1992, C.79, s.1). This report is written pursuant to Section 6 of the LRHL, which provides the following:

1. No area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L.1992, c.79. The governing body of a municipality shall assign the conduct of the investigation and hearing to the Planning Board of the municipality.
2. After completing its hearing on this matter, the Planning Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the Planning Board, the municipal governing body may adopt a resolution determining the delineated area, or any part thereof, is a redevelopment area.

In resolution #14-220, (**Appendix A**) the Garwood Borough Council requested that the Borough’s Planning Board undertake an investigation pursuant to N.J.S.A. 40A: 12A-6 to determine whether the area described in the resolution qualifies as an area in need of redevelopment, “and to make a recommendation to the Municipal Council for a determination accordingly.”

H2M Associates has been retained to determine whether the properties within the Study Area meet the statutory requirements for designation as an “area in need of redevelopment” pursuant to the LRHL codified at N.J.S.A. 40A:12A-1 et seq.). This report provides an analysis of current conditions at each of the blocks and lots in the Study Area including a review of land use, zoning and master plan policies, building conditions, utilities, environmental conditions, and tax and building records. The statutory criteria for redevelopment and rehabilitation are then applied to these findings to determine whether they warrant a redevelopment designation. Lastly, next steps and overall conclusions regarding the Study Area’s potential redevelopment area status are presented. Maps indicating the boundaries and location of the Study Area are included.

This redevelopment study shall constitute the required investigation pursuant to the LRHL and shall be severable in the event that the designation of any individual site(s) as an area in need of redevelopment is deemed invalid by a court of law or other body with jurisdiction. Such severability shall mean that the analysis and conclusions contained herein for all other sites shall remain valid and in full force with respect to the LRHL should any finding that an individual site(s) qualifies as an area in need of redevelopment be reversed.





Redevelopment Study Area Map



### III. CRITERIA FOR REDEVELOPMENT AREA DETERMINATION

Each property in this Study was evaluated according to the criteria contained in Section 5 of the LRHL. At least one of the following conditions must be present in order to determine that a site is in need of redevelopment:

- (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 of 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 title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- (f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- (g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of



the enterprise zone shall be considered sufficient for the determination that the area is in need for redevelopment pursuant to sections 5 and 6 of P.L. 1992, c.79 (c.40A: 12-5 and 40A: 12-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431 (C.40A: 20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c.441 (C.40A: 21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and Planning Board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A: 12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

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

The basis for applying the 'e' criteria has changed as a result of the New Jersey Supreme Court decision in *Gallenthin vs. Borough of Paulsboro*, which was decided on June 13, 2007. In the *Gallenthin* decision, the Supreme Court concluded that N.J.S.A. 40A:12A-5 (e) does not apply in circumstances where the sole basis for redevelopment is that the property is not "fully productive," but applies to areas that are unproductive because of issues of title, diversity of ownership, or similar conditions. In addition, the *Gallenthin* decision underscored the need to inspect the interiors of buildings, if possible, and demonstrate actual blight and/or clear evidence of blighting influences in reaching a conclusion that a property qualifies for designation as an area in need of redevelopment.

Also, Section 3 of the LRHL allows the inclusion of parcels necessary for the effective redevelopment of the area by stating:

"...A redevelopment area may include land, buildings or improvement which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part."



## IV. METHODOLOGY

In the preparation of this study, H2M reviewed the following records, documents and data:

- Official tax maps of the Borough of Garwood
- Tax Assessor records for each property within the Study Area
- Ownership, property sales and property value information
- Aerial imagery
- Police records
- Fire Department reports
- Code Violations
- Inspection reports
- Contaminated sites information provided by the NJDEP
- Recent development applications and approvals
- Recent building department permits
- 2009 Garwood Master Plan Re-Examination Report, prepared by Kasler Associates, PA
- 2009 Master Plan for the Borough of Garwood, prepared by Kasler Associates, PA
- Zoning Map and Ordinance of the Borough of Garwood
- Preliminary Assessment Report/Investigative Report/Remedial Investigation Report for Blk 401 Lot 1, Blk 403 Lots 4, 21, 22, prepared by EcolSciences, Inc., dated May 7, 2014
- Phase I Environmental Site Assessment/Preliminary Assessment for Blk 401 Lots 2& 4, Blk 403 Lots 5, 6, 19, & 20, prepared by EcolSciences, Inc., dated April 30, 2015

H2M also conducted a land use analysis of the study area and surrounding blocks and physically inspected each individual property within the Study Area. The inspections included exterior inspections, photographic inventory of all properties and interior inspections of buildings that were accessible. H2M's Project Manager, Jeffrey Janota, PP, AICP was accompanied on the site visits for the Casale and Petro Plastic's sites by a representative from the property owner and contract purchaser of the properties in question. Additional information was gathered on site through discussions with long term occupants of the facility.

The Study Area consists of 15 properties with varied conditions that range from maintained and fully occupied buildings to properties containing vacant, dilapidated and obsolete structures. The following analysis details the existing conditions on each of the subject properties in the Study Area including site conditions, building conditions and other physical characteristics. All of the properties were visited in person and, where permitted by the owner, interior building conditions were evaluated. Data on incidents of crime were gathered from the police department and data on construction, health, zoning and fire code violations were gathered from the respective municipal offices. Each property was then assessed with respect to the eight redevelopment criteria to determine which, if any, are met. Within each property description, there is an enlarged aerial photograph of the site and ground-based photographs. Section VII - INDIVIDUAL PROPERTY ANALYSES contains the individual analyses to serve as a basis for a determination of the area in need of redevelopment.



## V. STUDY AREA CONTEXT AND LOCATION

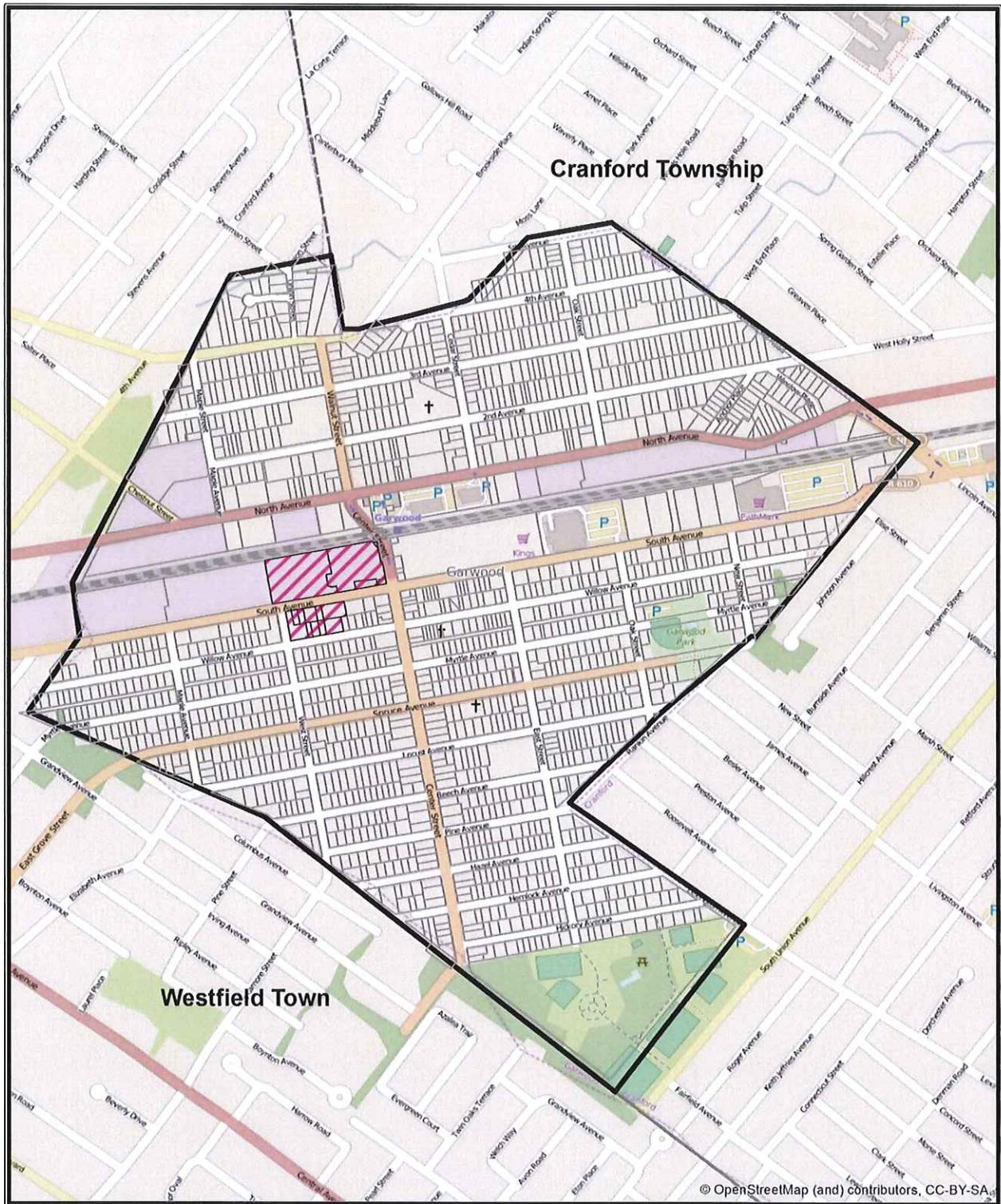
The South Avenue Study Area is centrally located at the crossroad of South Avenue (Union County 610) and Center Street, which is the main north-south arterial that extends across the Borough. The properties consist of 7.1 acres and the area is bound by the Raritan Valley - New Jersey Transit Rail Line to the north, Center Street to the east, Willow Avenue to the south and West Street along the western boundary of the site. The Garwood Train Station is located approximately one block away at the corner of North Avenue and Center Street, providing rail service during peak and non-peak times between Raritan and Newark Penn Station.

The study area exhibits similar characteristics of many properties along the North and South Avenue corridor, which consist of older, vacant, obsolete industrial buildings. While many of the older industrial uses along the corridor have either been adaptively re-used for such uses as storage, office space or multi-tenant space, the industrial properties in question are contaminated, dated, in poor condition and not suitable for re-use. The industrial properties provide obsolete layout and design of the facilities and more of a concern is that they are on the New Jersey Department of Environmental Protection (NJDEP) list of Know Contaminated Sites. Within the past ten years, surrounding municipalities such as Fanwood and Cranford Township have taken advantage of their transit stop locations, by providing residential and mixed use development opportunities on underutilized or vacant parcels through redevelopment planning, resulting in the development of walkable mixed use transit villages. The study area in question is a prime example of that opportunity that could transform the South Avenue corridor and enhance the Garwood downtown.

The immediate surrounding uses consist of a mix of light industrial, car dealership, warehousing and office along South Avenue, including the Garwood municipal building, Fire Department and associated parking. At the intersection of South Avenue and Center Street in a one block both directions, the uses consist of an eclectic mix of 1-2 story office space and 2-3 story mixed use buildings (both office and retail on 1<sup>st</sup> Floor).

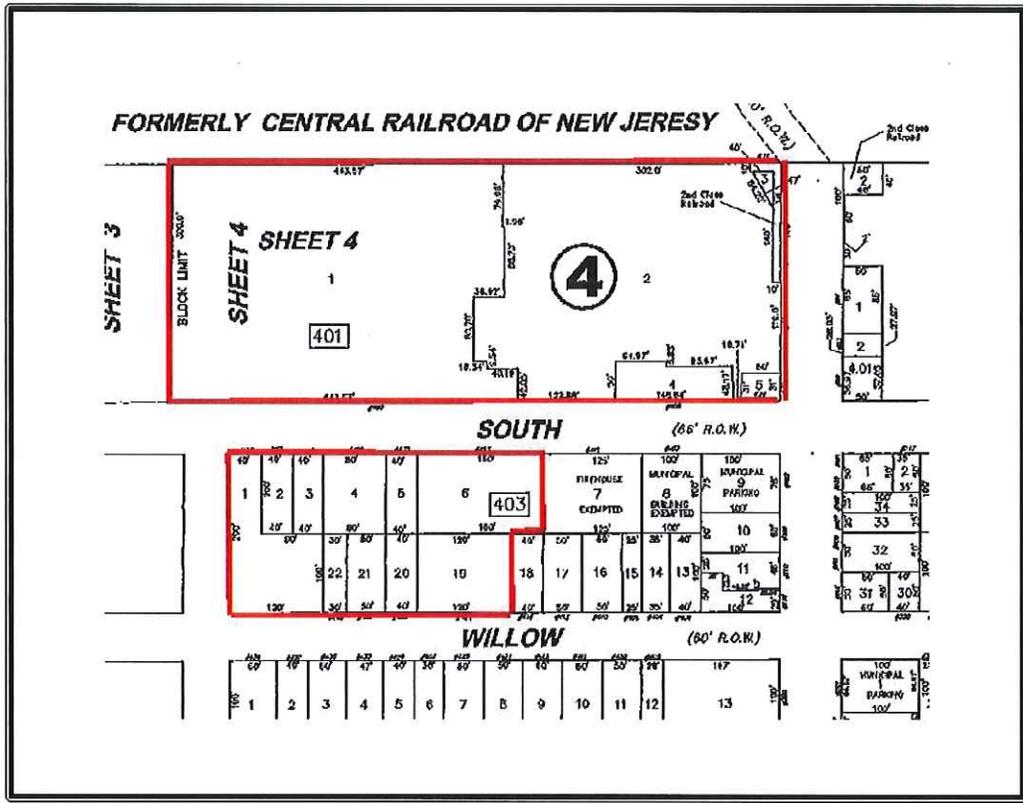
At the time of this report, utilizing current tax parcel data, Casale Industries and Petro Plastics owned 12 out of the 15 lots in the study area consisting of the existing industrial buildings and associated office space on Block 401 and the parking facilities across South Avenue located on Block 403, in addition to the Personal Best fitness facility on the corner of South and Center. The remaining four lots are owned by: the Borough of Garwood (Block 401 Lot 3), First Union National Bank (Block. 401 Lots 1, 2) and an individual property owner of the duplex residential home (Block 403 Lot 3) adjacent to the Wells Fargo Bank. The tax parcels that are the subject of this redevelopment area investigation and the formal "Study Area" are shown below.





STUDY AREA LOCATION MAP





Tax Map

No.	Block	Lot	Street Address	Acreage	Zone	Description
1	401	1	450-90 South Avenue	2.86	LI	Industrial Use
2	401	2	50 Center Street	2.24	LI	Industrial Use
3	401	3	20 Center Street	0.014	LI	Municipal owned
4	401	4	400 South Avenue	0.173	LI	Industrial Use
5	401	5	70 Center Street	0.0356	LI	Gym
6	403	1	453 South Avenue	0.367	GB	Bank
7	403	2	451 South Avenue	0.0918	GB	Bank
8	403	3	447 South Avenue	0.0918	GB	Duplex house
9	403	4	439 South Avenue	0.1837	GB	Parking Lot
10	403	5	435 South Avenue	0.0918	GB	parking Lot
11	403	6	423 South Avenue	0.3673	GB	Parking Lot
12	403	19	424 Willow Avenue	0.2754	RES-B	Parking Lot
13	403	20	432 Willow Avenue	0.0918	RES-B	Parking Lot
14	403	21	438 Willow Avenue	0.1148	RES-B	Parking Lot
15	403	22	440 Willow Avenue	0.0689	RES-B	Parking Lot

Study Area Property Summary



## VI. PLANNING AND ZONING

### Master Plan Review

H2M reviewed the current 2009 Master Plan and Master Plan Re-Examination Report, prepared by Kasler Associates, PA., to understand the existing problems, as well as the goals, policies and recommendations for the land use and development of the study area.

### Goals and Objectives

Goal #7 of the master plan is to provide sufficient space in appropriate locations for a variety of residential, commercial and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all the citizens of Garwood; (f) by guiding the future development and or redevelopment of land within the borough so as to incorporate new construction without undue disruption to the established character of the Borough.

Goal (#8) is to continue to recognize that North and South Avenues are the primary areas for business serving the community; (c) Encourage lot consolidation to enhance opportunities for infill and redevelopment; (d) Encourage mixed use developments; (e) discourage parking areas in the front yards

These goals and objections speak to the Boroughs decision to determine if the existing uses and their location in the study area are appropriate and if not, to guide development by lot consolidation and redevelopment. The study area lots are located within the Boroughs downtown and rail station walkable limits, where good planning would encourage the development of Transit Village mixed use buildings, where building, not cars would front on the street and would provide residents with access to transit, shopping and open space. The existing uses do not meet these goals and objectives.

### Land Use

The Land Use Element on page 9, recommends the development of a Transit Orinted Development District on the parcels in the study area, which should include a mixture of residential and commercial uses that would benefit from the proximity to the rail station and would include provisions for incorporating COAH units. In addition, page 12 discusses the need to maintain light industrial uses in the borough, however the study area lots were not identified as an area to maintain light industrial uses.

### Housing Element and Fair Share Plan- (HEFSP)

On page 13 of the HEFSP, the master plan element discusses the development of Transit Oriented Development zoning for the light industrial uses located in the study area, that will require the residential component of at least 15 units per acre with a 20 percent (20%) set aside, yielding a total of 18 low and moderate income housing units.



## **STATE PLANNING CRITERIA**

### **2001 STATE DEVELOPMENT AND REDEVELOPMENT PLAN**

In 1986, the New Jersey Legislature passed the New Jersey State Planning Act, which created the State Planning Commission and required the preparation and adoption of the State Development and Redevelopment Plan (the “State Plan”). The most current adopted plan is dated March 1, 2001. The purpose of the State Plan is to:

Coordinate Planning Activities and establish statewide planning objectives in the following area: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services and intergovernmental coordination. (N.J.S.A. 52:18A-200(f), the State Planning Act)

The State Plan uses a policy map to differentiate areas from highest growth to lowest growth based on information, such as natural resources, sewer availability, etc. These differentiations are called planning areas, which range from PA1-Metropolitan to PA-8 state park. Garwood is situated within Planning Area 1-Metropolitan Planning. The intent of the Metropolitan Planning Area (PA1) of the SDRP is to:

- Provide for much of the state’s future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

### **DRAFT STATE STRATEGIC PLAN**

The draft State Strategic Plan: New Jersey’s update to the State Development and Redevelopment Plan and the draft Infrastructure Needs Assessment was released for public comments and hearings in November 2011. The Plan is “to focus the State’s policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State’s critical resources”. The intent of the State Plan is to direct growth and development into areas served by public infrastructure as a means of more efficiently using public resources. A total of six public hearings were scheduled throughout the State. Since the initial public meetings and the addition of several more, the State Planning Commission has not acted on the adoption of the plan.

Since the Study Area lies within a PA-1, which represents the areas for growth in New Jersey, the location of the Study Area is consistent with “Smart Growth” planning principles. However, courts have ruled that reliance upon a property’s location within an area targeted for growth by the State Plan cannot be the sole basis for designating an area in need of redevelopment.

## **EXISTING ZONING**

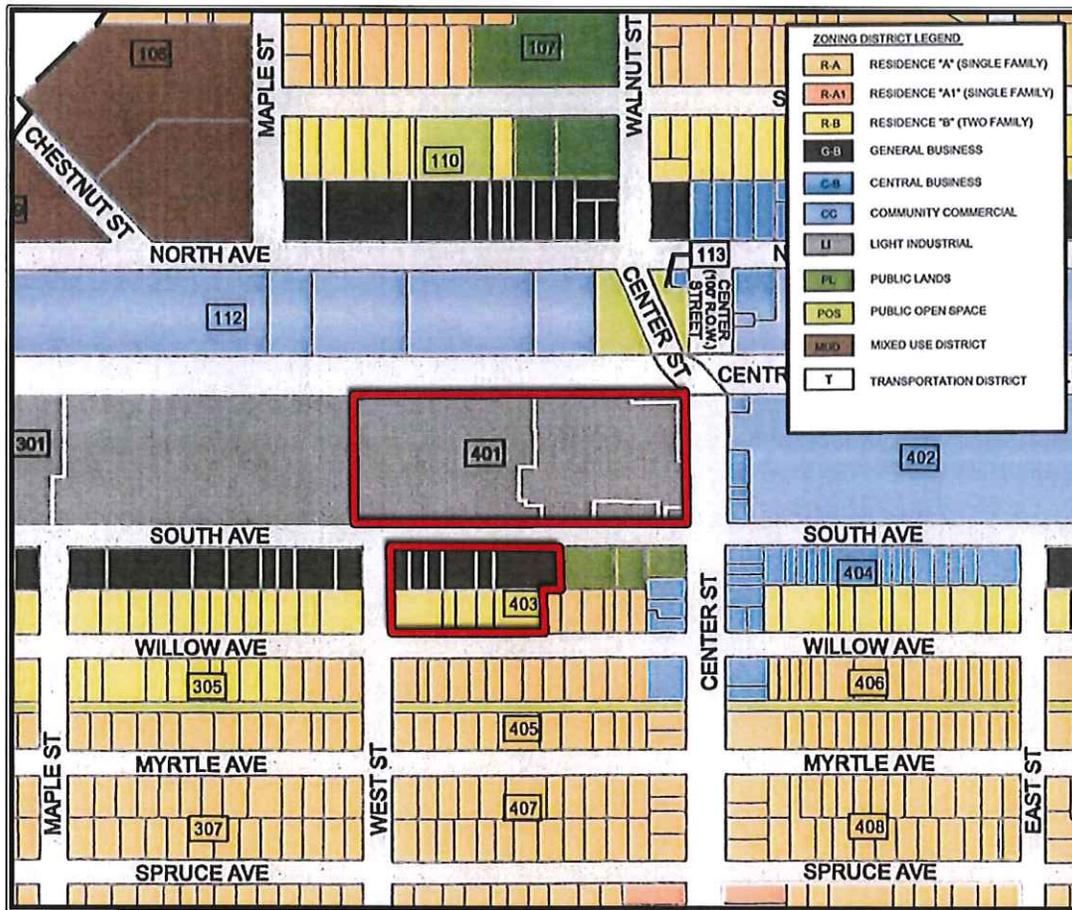
The current zoning in the Study Area consists of three designations –

- LI- Industrial District,



- GB-General Business District,
- RB – Residence B - Two Family District.

The boundaries of these districts are illustrated on the existing zoning exhibit. The nature of existing land uses, with respect to the spectrum of permitted uses and compatibility with same, plays a role in the evaluation of statutory criteria for the determination of an area in need of redevelopment.



Composite Zoning Map of Study Area Properties

1. LI - Light Industrial Zoning District

Tax Block 401 is the only block within the Study Area within the LI –Light Industrial zoning district and the 5 lots contained within consist of 5.32 acres.

**A. Purpose.** This zone is designed to protect and concentrate those commercial and industrial/manufacturing uses that are currently viable and those sites for which industrial/commercial reuse is feasible and probable. It is also designed for those industrial and heavy commercial uses which have a minimum of environmental impacts but have vehicular traffic, or utilitarian or operational requirements that make them more appropriately located adjacent to major arterials and these compatible land uses, rather than residential uses.



**B. Permitted uses.** The Borough has utilized the Standard Industrial Code (SIC) to develop categories of uses which are permitted in the LI Zone. The codes used are contained in the 1987 Edition of the Executive Office of the President-Office of Management and Budget's Standard Industrial Classification Manual, a copy of which is available in the Construction Office for review. All uses within these categories are permitted unless specifically excluded. These uses are only permitted when located inside permitted structures.

- (1) Industrial/heavy commercial uses as follows: Major Group 50, wholesale trade-durable goods, including 5091, sporting and recreational goods and supplies, except ammunition and firearms; Major Group 51, wholesale trade-non-durable goods, except 516 (chemical and allied products), Group Number 517 (petroleum and petroleum products), 5198 (paints, varnishes and supplies); Major Group 75, automotive repair, services and garages, including Group Number 753 (automotive repair shops) only.
- (2) Light industrial and manufacturing uses as follows: Major Group 25, furniture and fixtures; Major Group 26, paper and related products; Major Group 27, printing and publishing; Major Group 34, fabricated metals, except machinery; Major Group 35, machinery and computers; Major Group 36, electronic and electrical, except computers; Major Group 38, measuring, analyzing and controlling instruments, photogenic, medical and optical, and watches and clocks.
- (3) Major Group 54, food stores of not more than 60,000 square feet.
- (4) Child care centers.

**C. Use limitations:**

- (1) Warehouse establishments that are designed for selling merchandise in the above group categories, rather than storing such merchandise are not permitted in this zone. Such establishments are considered retail trade uses.
- (2) The above permitted uses are only permitted when located inside permitted structures. Outdoor storage is only permitted as an accessory use in accordance with § 106-111 of this chapter.

**D. Bulk regulations:**

- (1) Lot area: 30,000 square feet minimum.
- (2) Yards:
  - (a) Front: 10 feet minimum.
  - (b) Rear: 10 feet minimum.
  - (c) Side: 10 feet minimum.
- (3) Lot depth: 200 feet minimum.
- (4) Lot width: 100 feet minimum.
- (5) Height: 40 feet maximum.
- (6) Building coverage: 40% minimum.
- (7) Open space: 15% of total lot area minimum.



**E. Adjustment to bulk regulations.** Where a shared parking arrangement with an adjacent property owner has been presented for approval to the approving authority pursuant to § 106-114E of this chapter, the lot area, lot width, building coverage, and open space requirements set forth in § 106-98, Subsection D (Bulk regulations) shall be calculated as though the subject property and the adjacent property with which a shared parking arrangement has been proposed are combined to form one unified parcel of land.

## 2. GB- General Business Zoning District

*Tax Block 403/Lots 1, 2, 3,4,5,6 located in the GB-General Business zoning district consist of 1.19 acres.*

**A. Purpose.** This zone is designed for retail trade, retail/business services, professional, business and administrative offices, and commercial uses that require larger lots and are more dependent on auto traffic. This zone is also intended to function as a transition zone between residential and industrial zones.

**B. Permitted uses.** The Borough has utilized the Standard Industrial Code (SIC) to develop categories of uses which are permitted in the GB Zone. All uses within these categories are permitted unless specifically excluded. A copy of this manual is available in the Construction Office for review. These uses are only permitted when located inside permitted structures.

- (1) Retail trade as described in § 106-94B(1) unless specifically excluded below.
- (2) Professional offices as described in § 106-94B(2).
- (3) Retail/business service uses as follows. Major Group 60, banking, excluding industry number 6059 (establishments performing functions closely related to deposit banking, not elsewhere classified); Major Group 61, credit agencies other than banks; Major Group 62, security and commodity brokers, dealers, exchanges and services; Major Group 63, insurance; Major Group 64, insurance agents, brokers and service; Major Group 65, real estate, only the following industry numbers, 6531 (real estate agents and managers), and 6541 (title abstract offices); Major Group 72, personal services excluding 7299 (miscellaneous personal services); Major Group 73, business services excluding industry number 7399 (business services, not elsewhere classified); Major Group 76, miscellaneous repair services, excluding 7699 (repair shops and related services, not elsewhere classified); Major Group 79, industry number 7911 (including dance studios and schools, but excluding dance halls), and 7933 (bowling alleys) only; Major Group 86 (membership organizations), 8611 (business associations), 8621 (professional membership organizations), (civic, social and fraternal associations) and 8651 (political organizations) only.
- (4) Child care centers.

### C. Required bulk conditions:

- (1) Lot area: 7,000 square feet minimum.



- (2) Yards:
  - (a) Front: 10 feet minimum.
  - (b) Rear. Where the rear property zone is adjacent to a residential zone, a heavily landscaped rear yard of not less than one foot for every two feet of height of the principal structure is required, but not less than 10 feet. Where the rear property line is not adjacent to a residential zone, a rear yard of three feet is required.
  - (c) Side. Where the side property line is adjacent to a residential zone, or a residential property, a heavily landscaped side yard of five feet is required; where the property is a corner lot, a minimum side yard of 10 feet is required adjacent to the street; a three-foot side yard is required in all other cases.
- (3) Lot depth: 100 feet minimum.
- (4) Lot width: 70 feet minimum.
- (5) Height: three stories or 40 feet maximum.
- (6) Open space: 15% minimum of total lot area.
- (7) Building coverage. The minimum lot coverage of the principal structure shall be 30% of the total lot area.

### 3. RB- Residence B- Two Family

*Tax Block 403/Lots 19, 20, 21 & 22 contains 0.55 acres within the RB-Residence (Two Family) zoning district.*

**A. Purpose.** This zone is designed to accommodate single- and two-family dwelling units. The zone is also designed to act as a transition zone between the single-family residential zones and the commercial districts of the Borough.

#### **B. Permitted uses:**

- (1) Single-family detached dwelling units.
- (2) Two-family dwelling units when the dwelling units are separated by unpierced ceilings and floors, not walls.
- (3) Accessory uses that are customary and incidental to single- and two-family dwelling units as described in § 106-107.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence and community residences for persons with head injuries.
- (5) Home occupations conforming to § 106-108.
- (6) Public parks and playgrounds.
- (7) Accessory apartment for senior citizens conforming to § 106-105.



- (8) The boarding of two persons per dwelling unit in rooms that do not constitute separate housekeeping units and where the outside entrance to the rented rooms is the same entrance to the remainder of the housekeeping unit. No cellar can be used as a dwelling unit for boarders.

**C. Required bulk conditions:**

- (1) Lot size. Every lot within this zone shall meet the minimum lot size requirements for lots in the RA Zone.
- (2) Yards:
  - (a) Front: 25 feet minimum and 35 feet maximum.
  - (b) Rear: 25% of the lot depth, except that in no case will a rear yard be less than 35 feet.
  - (c) Side: 10% of the lot width on both sides, except that in no case will a side yard be less than five feet. When the lot in question is a corner lot, the side yard shall conform to 50% of the required front yard setbacks on said side street as determined by the front yard requirement for the zoning district, but not less than 10 feet.
- (3) Lot depth: 100 feet minimum.
- (4) Lot width: 50 feet minimum.
- (5) Height: for a single-family dwelling, 2 1/2 stories or 30 feet maximum; for a two-family dwelling, 2 1/2 stories or 35 feet maximum.
- (6) Open space: for a single-family dwelling, 50% minimum; for a two-family dwelling, 40% minimum.
- (7) (Reserved)
- (8) Maximum dwelling size or floor area ratio (FAR):

Lot Size (square feet)	FAR	Maximum Dwelling Size (square feet)	
0-5,000		0.54=54%	use FAR
5,001-6,000			2,900
6,001-8,000			3,200
8,001 and above			3,500

Note: To obtain floor area ratio (FAR), multiply the lot area by the ratio. This yields the maximum square footage of the dwelling.

- (9) Impervious lot coverage: Impervious surfaces shall cover no more than 60% of the lot.



## VII. INDIVIDUAL PROPERTY ANALYSES

The following pages provide an evaluation of the fifteen properties in the Study Area to determine if they meet one or more of the eight redevelopment criteria. The analysis looks at each site on an individual basis and considers the entire Study Area comprehensively to determine if conditions exist to make an "area wide" redevelopment determination.



	<b>Block 401, Lot 1</b> <b>450-490 South Avenue</b>
<b>OWNER</b>	Petro Plastics PO Box 167 Garwood, NJ 07027
<b>ACREAGE</b>	2.86 acres
<b>YEAR BUILT</b>	
<b>TAX CLASS</b>	4B- Industrial
<b>ZONE DISTRICT</b>	LI – Light Industrial
<b>PERMITTED USE</b>	Yes

**PROPERTY DESCRIPTION**

The 3.23± acres of the overall Petro Plastics site, occupied since 1963 consists of four parcels of land referenced as Block 401, Lot 1 and Block 403, Lots 4, 21 and 22 within the Borough of Garwood, Union County, New Jersey. The Lot 1 portion of the Site, which is being discussed here is 2.86 acres and is improved with a series of interconnected and detached industrial buildings occupied by the plastics extrusion operations of Petro Plastics Company Inc. (450 South Avenue) and Petro Extrusion Technologies, Inc. (490 South Avenue). The additional lots 4, 21 and 22 have historically been asphalt paved parking lots with no buildings and will be discussed in a separate summary.



Bing Map- Bords Eye viewof 450 and 490 South Avenue

The majority of buildings on Lot I are constructed of steel framing set on concrete foundation walls and slab floors (no basements), brick exterior walls, and built-up asphalt roofing. The office/warehouse



building at 490 South Avenue is constructed of corrugated metal walls and ceilings on a concrete foundation. Interior building features within production areas include concrete flooring, masonry and concrete walls, and exposed wooded roof decking. The production area floors are covered in several areas by steel plates. A mezzanine area within 450 South Avenue was used for general storage of product inventory and raw materials. Office areas along South Avenue include vinyl tile flooring, wood panel walls and grid hung tile ceilings. (See images provided)

Operations involving Petro Plastics Company at 450 South Avenue are contained within a series of interconnected industrial buildings within the eastern portion of the Site. These buildings were constructed in phases between circa 1899 and around 1949. The building interior at 450 South Avenue is divided between offices, a machine shop and a tool room along South Avenue; a boiler room, shipping and maintenance shop areas within the northern sections. Some equipment associated with the former ALCOA foundry operations remains present in the eastern portion of the building.

Petro Extrusion Technologies' operations at 490 South Avenue are housed within two detached buildings in the western portion of the Site. The office/warehouse building was constructed in 1986 and consists of a steel framed building on a concrete foundation. This building was reportedly constructed on the foot print of a former ALCOA building that was demolished. The interior is divided between office space within the southern section and warehouse space within the northern section. The warehouse was used for storage of shipping materials and finished goods and housed a small product cutting/trimming operation. The production building is located along the western lot boundary and is constructed of concrete walls on a concrete foundation. The production building interior is divided between an office, locker/bathroom, and a machine shop along South Avenue; a contact cooling water recycling system, compressors, a sand blasting station, a tool area and a tool room within the central section; and extrusion lines, equipment storage area, and shipping department within the northern section. A wooden shed and an aluminum shed, attached to the rear of the production building, were used for general storage of raw materials and equipment. Both of these structures have concrete floors.<sup>1</sup>

## **SITE HISTORY**

The Lot I portion of the Site is part of a larger tract of land that has historically been used for industrial purposes since circa 1889. At that time, C&C Electric Company (later the Garwood Electric Company) manufactured dynamos (i.e. generators) and electrical motors on the premises. C&C Electric Company's operations within the subject portion of the manufacturing facility included a brass foundry; pattern, polishing, paint and machine shops; and a boiler room. The United States Aluminum Company (USAC) acquired the Site from C&C Electric Company circa 1921. Aluminum Company of America (ALCOA) purchased USAC in 1949. USAC and ALCOA operated as a die casting shop until 1960. Unclassified records obtained from the U.S. Department of Energy indicate that between July and November 1944, ALCOA reportedly manufactured casting dies that were used to cast uranium slugs on the premises. From 1960

---

<sup>1</sup> Preliminary Assessment Report/Investigative Report/Remedial Investigation Report for Blk 401 Lot 1, Blk 403 Lots 4, 21, 22, prepared by EcolSciences, Inc., dated May 7, 2014. P 16-17



until 1963, various unspecified tenants occupied the Site. Petro Plastics Company purchased the Site and began their plastic extrusion operations in 1963. The office/warehouse building at 490 South Avenue was built in 1986 over a location previously occupied by a building formerly used by ALCOA for unspecified uses.<sup>2</sup>

## ZONING

The site is within Garwood's LI- Light Industrial Zone and appears to meet all the criteria established in the Garwood Zoning code, except is deficient in the required 10 foot side yard setback as the structure is attached to the adjacent Casale warehouse. The previous industrial use was a permitted use in the zone under the Standard Industrial Code (SIC) - Major Group 50 – whole trade durable goods.

## RECENT INVESTMENT

- 1998 – Alterations
- 2000 – Construction of 25x 36 Storage Building
- 2004 - 5 Sprinkler heads
- 2010 – Replaced signs

## VIOLATIONS

### *GARWOOD FIRE DEPT.*

#### *450 SOUTH AVENUE*

- 4/01/2010 - Sprinkler system annual test required
- 3/22/2011 - Fire extinguisher violation
- 4/21/2011- Fire extinguisher violation
- 5/02/2011 – Fire protections system shall be maintained
- 5/10/2011 - Fire protection system must be maintained
- 2/21/2012 - Sprinkler system annual test required
- 3/13/2012 - Sprinkler system annual test required
- 5/15/2014 - Sprinkler system violation-broken pipe
- 6/03/2014 - Sprinkler system violation-broken pipe

#### *490 SOUTH AVENUE*

- 4/1/2010 – Egress needs to be illuminated, Sprinkler test required

### *ADDITIONAL VIOLATIONS*

Requests for records from the municipal, zoning, health, and police departments did not return any records of code enforcement issues, incidents or violations associated with this property.

---

<sup>2</sup> Preliminary Assessment Report/Investigative Report/Remedial Investigation Report for Blk 401 Lot 1, Blk 403 Lots 4, 21, 22, prepared by EcoSciences, Inc., dated May 7, 2014. P.10.



## ENVIRONMENTAL

EcolSciences, Inc. performed a Preliminary Assessment/Site Investigation /Remedial Investigation Report dated May 7, 2014, which identified Areas of Concern (AOCs) associated with operations conducted at the Petro Plastics Company, Inc. under NJDEP Case Number 90-07-1556-19 and 98-07-1556-19. As part of the Preliminary Assessment twenty-three (23) AOCs were identified associated with the building and former operations at the 450 South Avenue facility. Based on the conclusions and recommendations, further investigation was warranted at twenty-one (21) of the twenty-three (23) AOCs. Subsequently, site investigation activities were conducted at the property between February 27 and March 6, 2014. These activities consisted of a geophysical survey, soil sampling and the installation and sampling of temporary well points. Based on the findings of the Site Investigation, historic fill material was identified within soil borings installed across the entirety of the property. Soil samples exhibited exceedance of the Soil Remediation Standards within seven (7) of the AOCs, and exceedances of the Groundwater Standards for tetrachloroethene (PCE), trichloroethene (TCE), benzene and base neutral compounds were identified in groundwater samples.

Based on the findings of the site investigation, remedial investigation activities were conducted at the property in April 2014. Sampling activities were conducted within ten (10) areas of concern including: above ground tanks, sumps, floor drains/settling pit, transformers, fill material, rail sidings, underground storage tanks, historic operations and polychlorinated biphenyls (PCBs). The results of the sampling revealed exceedances of PCBs in soil within three areas of the property, which will require remediation consisting of a combination of excavation in accordance with the USEPA Toxic Substances Control Act (TSCA) and deed notice. Historic fill related contaminants, including polyaromatic hydrocarbons (PAHS) and metals, are present throughout the property. Additional contaminants, including extractable petroleum hydrocarbons and 2-methylnaphthalene, were detected within AOCs in exceedance of the NJDEP standards. Groundwater sampling indicated numerous contaminants above the Groundwater Quality Standards including volatile organic compounds (PCE, TCE, and gasoline related contaminants), fuel oil related semivolatile organic compounds, historic fill related contaminants, base neutral tentatively identified compounds and lead. PCBs were also identified within concrete chip samples collected from two areas of the 450 South Avenue Building.

## CRITERIA RECOMMENDATION

The property at Block 401, Lot 1 meets redevelopment criteria "a", "b", "d", "h"

**A Criteria.** 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 Criteria.** 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.

**D Criteria** .Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement of 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.

**H Criteria.** Smart Growth Consistency (N.J.S.A. 40A:12A-5.h) – “The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or Area in Need of Redevelopment Study for South Avenue.” Designation of the area delineated is consistent with smart growth planning principles pursuant to law and regulation.

#### **CRITERIA APPLICABILITY**

Based on our analysis of existing conditions within Petro Plastics Facility, it is evident that much of the facility meets one or more of the “area in need of redevelopment” criteria. More particularly, the entire physical plant has been in disuse for some time and the existing structures are dilapidated and/or are suffering from obsolescence/faulty design, generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent. As a result, the property qualifies for redevelopment area designation under the “a”, “b” and “d” and “h” criteria of N.J.S.A. 40A:12A-5.

The existing physical plant is no longer in use. The property is largely affected by the age and condition of the space. Many of the structures are over 55 years old. Most of the office space is poorly laid out and in a state of disrepair. Renovation or modernization of the on-site facilities is further hampered by the fact that many of the buildings are in such a state of disrepair and such that reconstruction or modernization would be expensive, if not cost-prohibitive.

The property is further plagued by environmental contamination due to its intensive use as a light industrial & manufacturing facility since the late 1890’s. The environmental condition of the site including the elevated level of contamination is not only a public health, safety and welfare concern, but it places the facility at an even greater competitive disadvantage in the marketplace. The use was a deleterious land use because the use over time caused contamination of the soil and ground water on the site. As evidenced by the environmental reports, several aspects of the uses over time resulted in soil and groundwater contamination on the site. The environmental contamination from the deleterious land use on the site threatens the health, safety and welfare of the Borough. Based on all of these factors and conditions, the property is detrimental to the overall public health, safety and general welfare of the community.

The complex is now vacant and the buildings and supporting infrastructure are outdated and/or poorly designed relative to current industry standards. As a result, these buildings/facilities have little or no appeal in the marketplace (i.e., for industrial reuse or adaptive re-use). As stated, significant portions of the main plant complex are in dilapidated condition. The existing structure has damaged floors, windows, ceilings and wall surfaces and has suffered from exposure to the elements. The collapsing flooring is particularly problematic and would need to be removed and replaced.



In addition to the industrial portion being in deteriorated physical condition, the vacant one story office properties fronting on South Avenue are largely obsolete for modern-day office operations, as it is characterized by an inefficient layout, inefficient insulation, windows and outdated building systems (i.e., heating, ventilation, air conditioning and plumbing) to support safe and efficient modern operation. There is visible structural damage on portions of the brick exterior, interior damage caused by water and lack of maintenance including broken or missing windows, rotting wood elements, and the lack of utilities including heat that create conditions are not habitable and are conducive to unwholesome working conditions. In short, the property is obsolete in the context of current industry standards and has fallen into such a state of repair that it constitutes a threat to any occupant because the condition contributes to unwholesome working conditions. The vacant and abandoned nature of the site also creates an attractive nuisance for vandalism and trespassing.

According to records from the municipality, there has been no significant investment in the property to remedy any of the varying problems noticed during the inspections. The last noted improvement according to the construction department was a permit in 2010 for news signs. There were nine identified violations from 2010 till 2014 for fire system related violations.

The "h" Criterion addresses smart growth consistency and provides that municipalities can designate an area in need of redevelopment if the designation is consistent with smart growth planning principles adopted pursuant to law or regulation. The area lacks in any distinctive or attractive design that would contribute to the sense of place in Garwood's proposed transit village area. The area is located at the Borough's center and is a gateway property for the Borough, which has the possibility of contributing to the Borough's sense of place, walkability and creating a destination location around an active rail line. The area is in a location with existing water and sewer utilities, as well as frontage on an existing County Road road. Designation of the area as an area in need of redevelopment is consistent with smart growth planning principles adopted pursuant to law or regulation.

The Office of Planning Advocacy defines smart growth as "well-planned, well managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources. Smart growth supports livable neighborhoods with a variety of housing types, price ranges and multi-modal forms of transportation." Smart growth is epitomized by compact, transit-accessible, pedestrian-oriented, and environmentally sustainable development. Smart growth may exhibit one or more of the following characteristics:

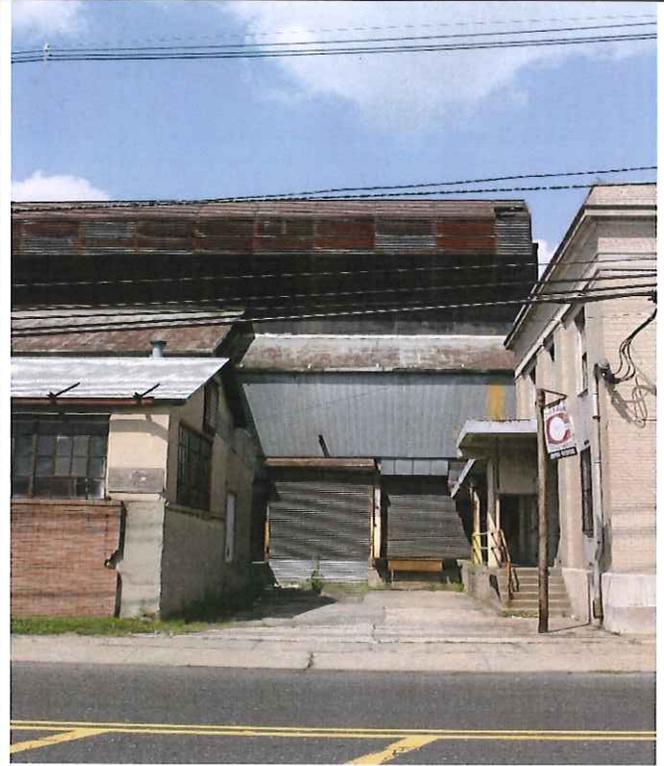
- Mixed land uses.
- Compact, clustered community design.
- A wide range of housing choices and opportunities.
- Walkable neighborhoods. • Distinctive, attractive communities offering a sense of place.
- Open space, farmland, and scenic resource preservation.
- Development directed to existing communities and infrastructure.
- Sustainable design
- A variety of transportation options.



The 2009 Master Plan on page 9 of the Land Use Element suggests the study area be designated a Transit Oriented Development District that should include a mixture of residential and commercial uses that would benefit from proximity to the rail station. According to Garwood36.com, on February 29th 2012, NJ Transit presented the results of a Transit Village Study could potentially shape the future of Garwood for decades to come on multiple fronts including its viability as a commuter destination, potential for residential growth in the future, and even the direction of the town's commercial core in Downtown.

In summary, the generality of buildings that are substandard unsafe and dilapidated related to the discontinuance of the use of the building in the study area for light industrial and office purposes qualifies this study area as in need in redevelopment under **criteria a and b**. The property's substandard and outdated conditions as detailed above are deleterious to the surrounding area and these conditions are detrimental to the overall public health, safety and general welfare, thus meeting **criteria d**. In addition the properties are consistent with smart growth planning principles adopted pursuant to law or regulation and therefore meet **criteria h**.





Looking at the front façade and entrance to Petro Plastics offices. Casale structure in background.

Additional view of front façade looking toward 450 South Avenue





Main entrance to Petro Plastics Company. Roof in poor condition and windows rusting.

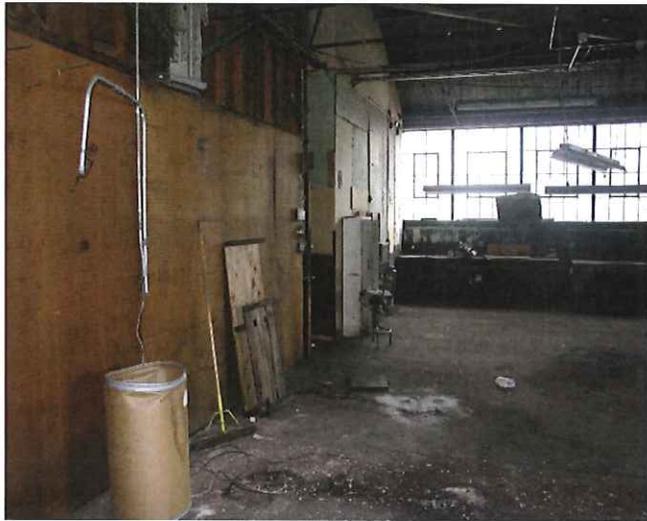


View between Casale property and Petro Plastics

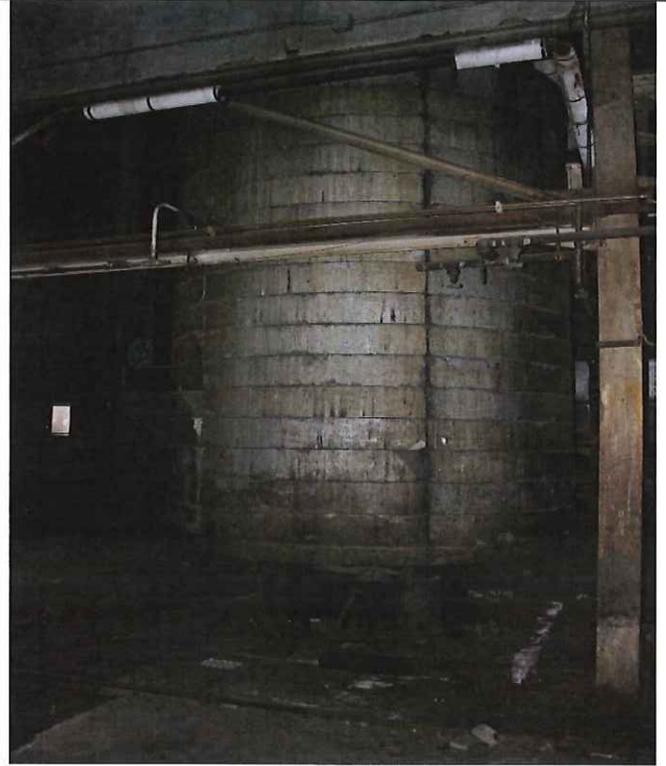


Interior view of industrial use area.

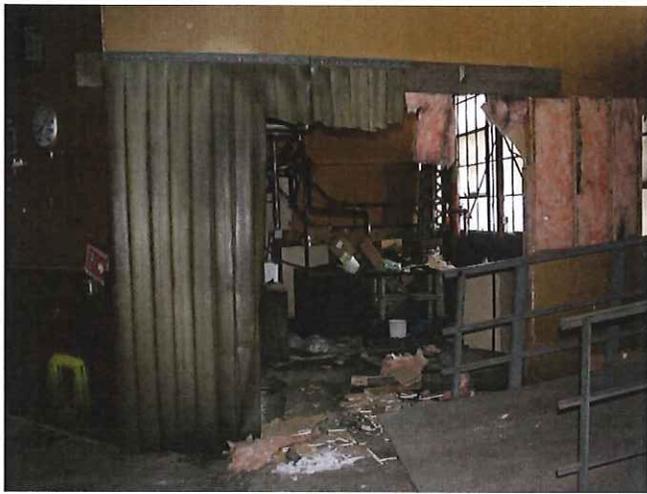




Exterior industrial windows, storage container for plastics pellets. Pellets all around floor.



Old ceramic kiln



View of equipment room, missing entrance doors and wall exterior-visible insulation



View of ceiling from 2d floor Mezzanine

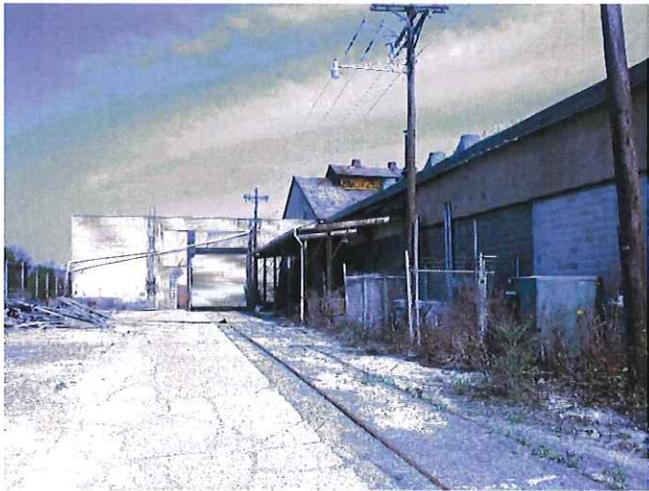




Interior work space with metals plates on floor, where floor was failing



Interior of work space, old industrial lighting and mechanicals



Rear of property, transformers along edge of building. Old rail line stub

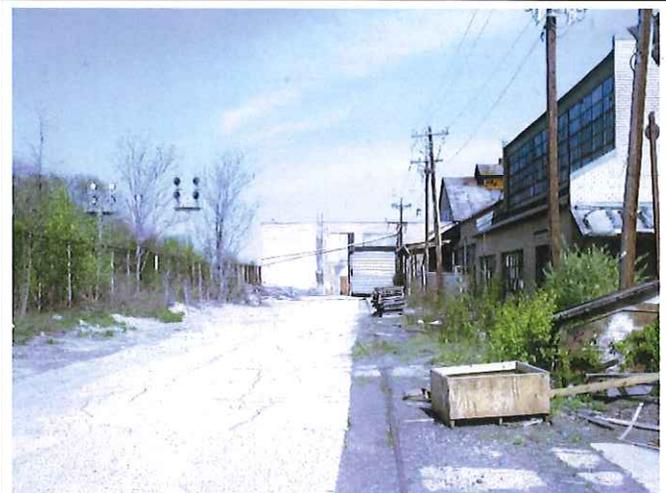


Loading dock in poor condition.





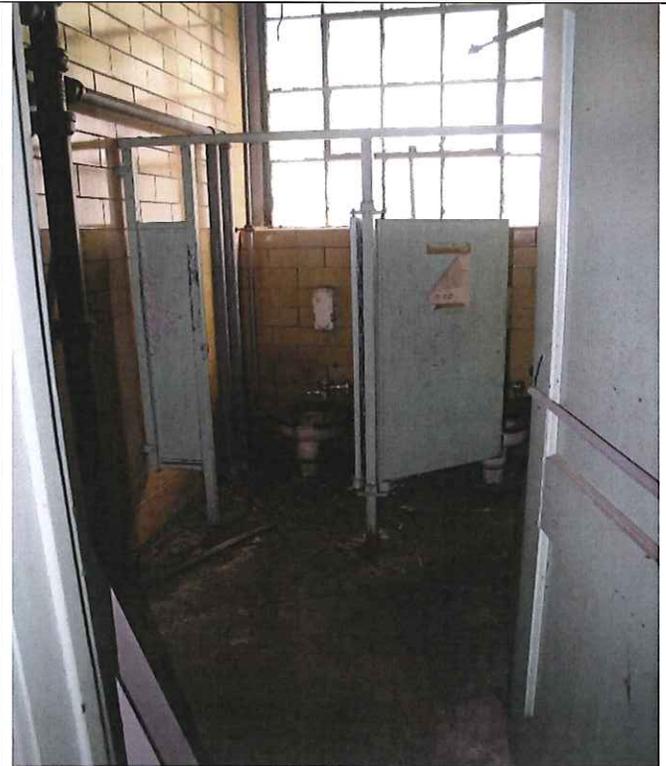
Newer storage and warehouse facilities at truck entrance to site



View along rear of property towards overhead gate entering Casale warehouse. Railroad to the left.



View of interior office space. Water damage along exterior wall through cinder block.

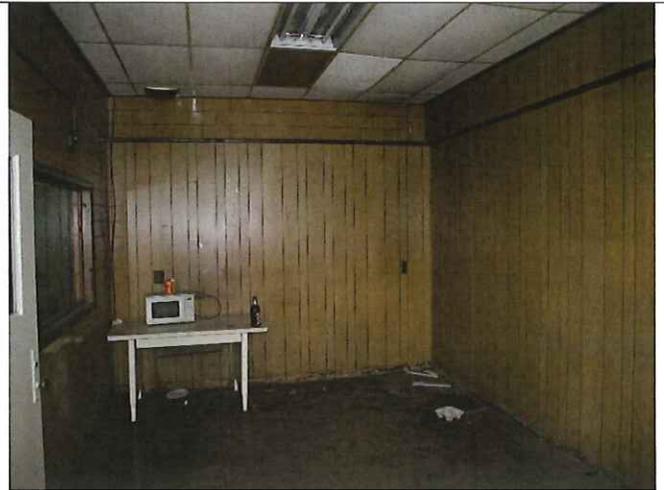


Nonfunctional bathroom. Fixtures and overall condition poor. Evidence of flooding.

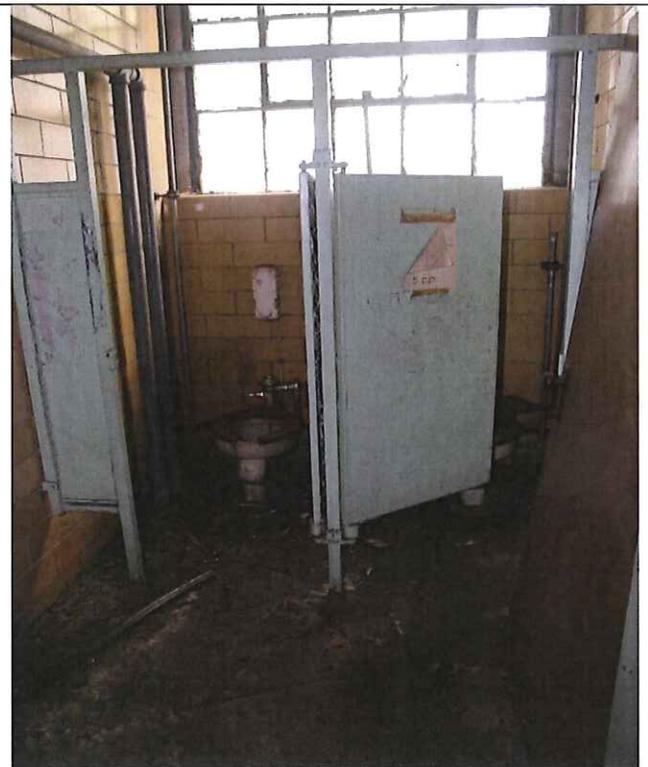




Storage are adjacent to offices. Ceiling exposed and in poor condition



Office at entrance to facility

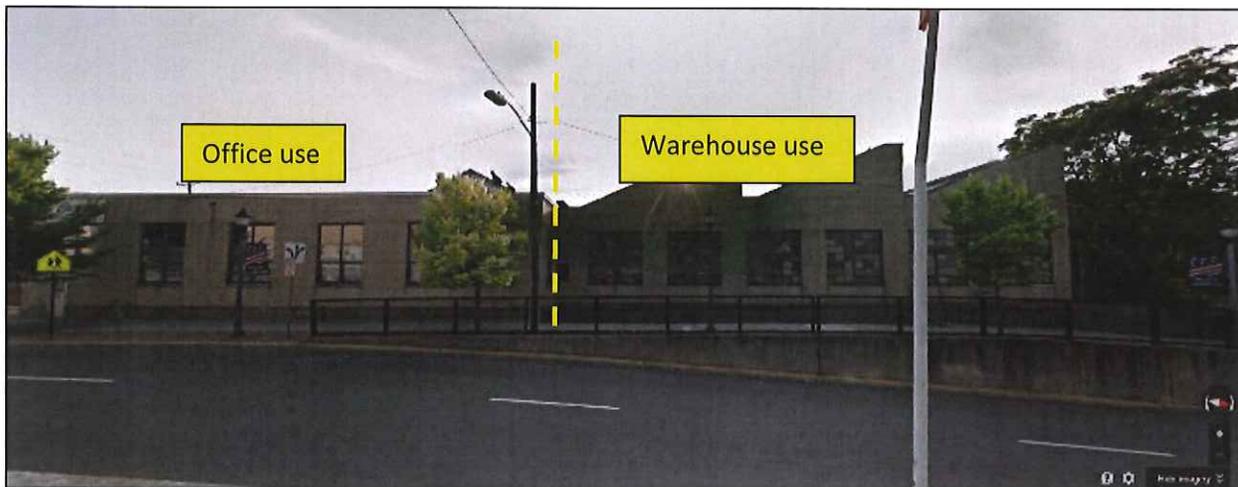




	<b>Block 401, Lot 2 50 Center Street</b>
<b>OWNER</b>	Casale Industries Inc. 50 Center Street Garwood, NJ 07027
<b>ACREAGE</b>	2.24 acres
<b>YEAR BUILT</b>	
<b>TAX CLASS</b>	4B-Industrial
<b>ZONE DISTRICT</b>	LI- Light Industrial
<b>PERMITTED USE</b>	Yes

**PROPERTY DESCRIPTION**

The 2.24 acre site identified as Block 401, Lot 2, located at the intersection of South Avenue and Center Street is improved with a series of vacant interconnected industrial buildings formerly occupied by Casale Industries, which filed for bankruptcy on August 2, 2013. The southeastern portion of the building, which



*Google Map Street View- Casale Industries from Center Street*

was historically used for manufacturing operations, was converted into office space. The office space has evidence of severe water damage and lack of maintenance. The southern and eastern portions of the building feature wood block flooring with sections of the floor replaced with concrete, reportedly in areas where the floor had 'bubbled up' due to moisture. An interior loading dock is located in the southern central portion of the building. Overhead doors provide additional access to the manufacturing portions of the building in the southeast and northeast portions of the building. Along the northwestern portion of the building, located at the rear of the property, existing an old railroad stub and access to the structure via an old overhead door. A paint room and incinerator were historically located in the southwestern portion of the building, while a sandblasting room is located in the northwestern corner of the building. A corridor in the central northern portion of the building contains an apparent sprinkler standpipe, fire hydrant, and drum storage area. Pits, trenches, drains, and metal plates assumed to be covering other



subsurface features were observed throughout the industrial building. At the time of inspection all the machinery and material had been removed and as can be seen by the photographs attached in this section, there is evidence of severe decay and structural degradation of this structure, including the roof and floor.

The southwestern portion of Lot 2 contains a separate single story building currently occupied by Artifacts by Elise, an antiques store. The majority of the space is used for storage of antique furniture and a small portion of the building along the northern wall is used for repair and refinishing of the furniture. Exterior portions of Lot 2 consist of an elevated concrete walkway between the industrial building and the single story commercial building as well as concrete walkways and asphalt paved alleyways.

### **SITE HISTORY**

The subject property was formerly part of a larger industrial property that included Lot 1, located offsite to the west (the Petro Plastics, Inc. site). C&C Electric Company operated within the industrial building on Lot 2 from prior to 1901 (reportedly sometime in the 1880s) through circa 1928 and their operations reportedly consisted of the manufacturing of electrical components (i.e. generators, etc.). From circa 1928 through circa 1954 ALCOA operated on the property, and although the exact operations are unclear, based on Sanborn Maps it appears that industrial operations including aluminum casting manufacturing and die cutting was conducted on the property. The property was subdivided into the current layout sometime prior to 1954, and from circa 1954 through August 2013 Casale Industries operated as a metal fabricator within the industrial building on Lot 2. Operations including stamping, cutting, drilling, welding, painting, and sand blasting were conducted within the building. From August 2013 until present the building has been unoccupied and the Casale Industries machinery has been removed. The southwestern portion of Lot 2 has been occupied by Artifacts by Elise (an antiques shop) since circa 2010. From circa 2005 to 2010 this space was occupied by a tile and marble countertop manufacturer, and by a textile wholesaler from circa 2002 to 2005. Historically, this space was reportedly used by Casale industries for a short time as a machine shop and by Petro Plastics, Inc. for storage.<sup>3</sup>

### **ZONING**

The site is located within Garwood's LI-Light Industrial zone. The facility is a permitted use in the LI Zone. The site meets all but one of the bulk standard criteria as there appears to be a deficiency in the rear yard setback. The Casale industrial building is actually attached to the Petro Site creating no rear yard setback. The previous industrial use was a permitted use in the zone under the Standard Industrial Code (SIC) - Major Group 50 – whole trade durable goods.

---

<sup>3</sup> Phase I Environmental Site Assessment/Preliminary Assessment for Blk 401 Lots 2& 4, Blk 403 Lots 5, 6, 19, & 20, prepared by EcolSciences, Inc., dated April 30, 2015.



**RECENT INVESTMENT**

- 2001 - A/C & heat Replacement

**VIOLATIONS***GARWOOD FIRE DEPT.*

3/19/2009 – Exist signs must be illuminated  
Sprinkler system maintenance  
Sprinkler system Annual test report  
Sprinkler system maintenance  
Means of egress must be illuminated  
Failure to install Fire Dept. Lock Box  
Fire alarms

6/15/2009 - Exist signs must be illuminated  
Sprinkler system maintenance  
Sprinkler system Annual test report  
Sprinkler system maintenance  
Means of egress must be illuminated  
Failure to install Fire Dept. Lock Box  
Fire alarms

9/18/2009 - Exist signs must be illuminated  
Sprinkler system maintenance  
Sprinkler system Annual test report  
Sprinkler system maintenance  
Means of egress must be illuminated  
Fire alarms

4/1/2010 - Dangerous condition- fire dept. connection

5/18/2010 - Windowless basements

11/23/2010 - Dangerous condition- fire dept. connection

3/22/2012 - Emergency lighting must be maintained  
Sprinkler system maintenance (1 system out of service)  
Dangerous condition- partially full flammable containers to be removed  
Windowless basements

5/14/2013 - Emergency lighting must be maintained  
Sprinkler system maintenance (1 system out of service)  
Dangerous condition- Fire Dept. connection not connected



*CONSTRUCTION DEPARTMENT*

10/19/2001 - working without permits

*ADDITIONAL VIOLATIONS*

Requests for records from the municipal zoning, health, and police departments did not return any records of code enforcement issues, incidents or violations associated with this property.

**ENVIRONMENTAL**

EcolSciences, Inc. was retained by Russo Acquisitions, LLC to conduct a Phase I Environmental Site Assessment/Preliminary Assessment of the adjoining properties located at 50 Center Street; 400, 423, and 435 South Avenue; and 424 and 432 Willow Avenue and referenced as Block 401, Lots 2 and 4 and Block 403, Lots 5, 6, 19, and 20 ("Site") within the Borough of Garwood, Union County, New Jersey. This Phase I Environmental Site Assessment/Preliminary Assessment Report characterizes the existing environmental conditions on the Site and assesses potential environmental concerns. Lots 5,6,19 & 20 are discuss in a separate section.

Areas of concern (AOCs) are defined in N.J.A.C.7:26E-1.8 of the NJDEP *Technical Requirements* as any existing or former location where hazardous substances, hazardous constituents or pollutants are or were known or suspected to have been discharged, generated, manufactured, refined, transported, stored, handled, treated, disposed of, or may have migrated. Based on EcolSciences' *Preliminary Assessment*, including the evaluation of available background environmental documentation, forty (40) AOCs were identified.

Based on EcolSciences' *Preliminary Assessment*, including the evaluation of available background environmental documentation, forty (40) AOCs were identified. Based on the history of the industrial uses on site and assessments during inspection, the Phase I includes recommendations for additional testing and next steps investigation and sampling.

Federal and State database listings of hazardous waste and spill case sites were provided by Environmental Data Resources (EDR). The Federal and State databases provide a permanent record of environmental regulatory compliance, suspected and documented hazardous waste sites, and spill case sites. The Site is listed on the RCRA-CESQG (see below) and NJ Release Lists. The Site does not appear on any other applicable State or Federal databases. The Site is within an area of Garwood that has a long history of industrial use. Several nearby properties are listed on applicable databases, including nearby sites with CEAs for ground water contamination. As such, the groundwater beneath the subject property may be impacted from regional sources. A number of spills have been reported on the property; two of which have reportedly been investigated by the NJDEP (the roller pit overflow which was addressed with absorbent materials) and a reported dumping of xylene waste into a crack in the building foundation. No further information was available pertaining to these spills.

***Resource Conservation and Recovery Act – Conditionally Exempt Small Quantity Generators(RCRA-CESQG)*** Casale Industries and Silliker Laboratories at 400 South Avenue are listed on the *RCRA-CESQG Report*. No RCRA violations are reported for Casale Industries, although several manifest-related RCRA



violations from the 1990's are listed under Silliker Laboratories which reportedly conducted food related testing on the subject property. Manifest data in the Silliker Laboratories listing indicated that chlorinated volatile organics (including tetrachloroethene and trichloroethene, etc) were used at the property.

#### CRITERIA RECOMMENDATION

The property at Block 401, Lot 1 meets redevelopment criteria "a", "b", "d", "h"

**A Criteria.** 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 Criteria.** *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.*

**D Criteria.** *Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement of 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.*

**H Criteria.** *Smart Growth Consistency (N.J.S.A. 40A:12A-5.h) – "The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or Area in Need of Redevelopment Study for South Avenue." Designation of the area delineated is consistent with smart growth planning principles pursuant to law and regulation.*

#### CRITERIA APPLICABILITY

Based on our analysis of existing conditions within Casale Facility, it is evident that the facility meets one or more of the "area in need of redevelopment" criteria. More particularly, the entire physical plant has been in disuse for some time and the existing structures are dilapidated and/or are suffering from obsolescence/faulty design, generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent. As a result, the property qualifies for redevelopment area designation under the "a", "b" and "d" and "h" criteria of N.J.S.A. 40A:12A-5.

Both the office and physical industrial plant are no longer in use. The property is largely affected by the age and condition of the space. The structures are over 55 years old. Most of the office spaces are poorly laid out and in a state of disrepair. There is evidence of water damage along the ceiling and walls and the lack of overall maintenance of the office portion of lot 2. Renovation or modernization of the on-site facilities is further hampered by the fact that many of the buildings are in such a state of disrepair and such that reconstruction or modernization would be expensive, if not cost-prohibitive.



The property is further plagued by potential environmental contamination due to its intensive use as a light industrial & manufacturing facility since the late 1880's. The environmental conditions of the site including are potentially not only a public health, safety and welfare concern, but it places the facility at an even greater competitive disadvantage in the marketplace for re-sale. The use was a deleterious land use because the use over time caused contamination of the site. As evidenced by the Phase I environmental reports, several aspects of the uses over time resulted in potential contamination on the site. The environmental contamination from the deleterious land use on the site threatens the health, safety and welfare of the Borough. Based on all of these factors and conditions, the property is detrimental to the overall public health, safety and general welfare of the community.

In addition to the industrial portion being in deteriorated physical condition, the vacant one story office property containing Artifact by Eloise, fronting on South Avenue and the Id office fronting on Center Street are obsolete for modern-day office or retail operations, as it is characterized by an inefficient layout, inefficient insulation, windows and outdated building systems (i.e., heating, ventilation, air conditioning and plumbing) to support safe and efficient modern operation. There is visible structural damage on portions of the exterior, interior damage caused by water and lack of maintenance including broken or missing windows, and the lack of utilities including heat that create conditions are not habitable and are conducive to unwholesome working conditions. In short, the property is obsolete in the context of current industry standards and has fallen into such a state of repair that it constitutes a threat to any occupant because the condition contributes to unwholesome working conditions. The vacant and abandoned nature of the site also creates an attractive nuisance for vandalism and trespassing.

According to records from the municipality, there has been no significant investment in the properties on Lot 2 to remedy any of the varying problems identified during the inspections. The last noted improvement according to the construction department was a permit in 2001 for work on the heat and AC system. There have been nine fire code and safety violations since 2013 for fire system and safety related violations.

The "h" Criterion addresses smart growth consistency and provides that municipalities can designate an area in need of redevelopment if the designation is consistent with smart growth planning principles adopted pursuant to law or regulation. The area lacks in any distinctive or attractive design that would contribute to the sense of place in Garwood's proposed transit village area. The area is located at the Borough's center and is a gateway property for the Borough, which has the possibility of contributing to the Borough's sense of place, walkability and creating a destination location around an active rail line. The area is in a location with existing water and sewer utilities, as well as frontage on an existing County Road road. Designation of the area as an area in need of redevelopment is consistent with smart growth planning principles adopted pursuant to law or regulation.

The Office of Planning Advocacy defines smart growth as "well-planned, well managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources.



Smart growth supports livable neighborhoods with a variety of housing types, price ranges and multi-modal forms of transportation.” Smart growth is epitomized by compact, transit-accessible, pedestrian-oriented, and environmentally sustainable development. Smart growth may exhibit one or more of the following characteristics:

- Mixed land uses.
- Compact, clustered community design.
- A wide range of housing choices and opportunities.
- Walkable neighborhoods. • Distinctive, attractive communities offering a sense of place.
- Open space, farmland, and scenic resource preservation.
- Development directed to existing communities and infrastructure.
- Sustainable design
- A variety of transportation options.

The 2009 Master Plan on page 9 of the Land Use Element suggests the study area be designated a Transit Oriented Development District that should include a mixture of residential and commercial uses that would benefit from proximity to the rail station. According to Garwood36.com, on February 29th 2012, NJ Transit presented the results of a Transit Village Study could potentially shape the future of Garwood for decades to come on multiple fronts including its viability as a commuter destination, potential for residential growth in the future, and even the direction of the town's commercial core in Downtown.

In summary, the generality of buildings that are substandard unsafe and dilapidated related to the discontinuance of the use of the building in the study area for light industrial and office purposes qualifies this study area as in need in redevelopment under **criteria a and b**. The property's substandard and outdated conditions as detailed above are deleterious to the surrounding area and these conditions are detrimental to the overall public health, safety and general welfare, thus meeting **criteria d**. In addition the properties are consistent with smart growth planning principles adopted pursuant to law or regulation and therefore meet **criteria h**.





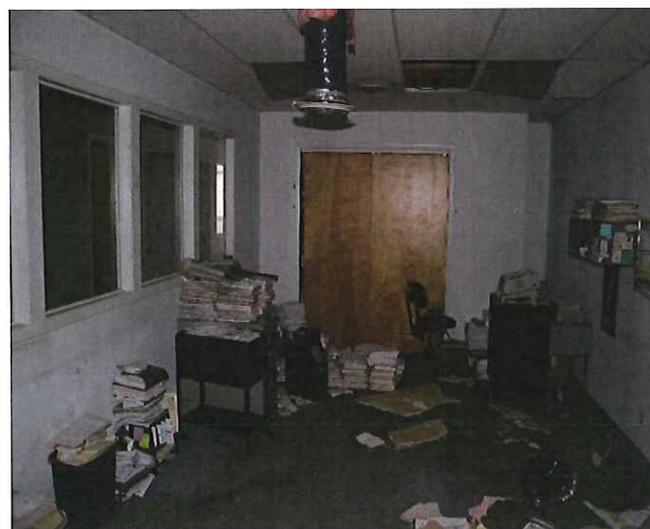
Entrance to office portion of Casale site on Lot 2.  
Looking at loading dock for warehouse.



Typical office in office structure facing Center Street



Hallway looking towards exit, Offices on either side of hallway.

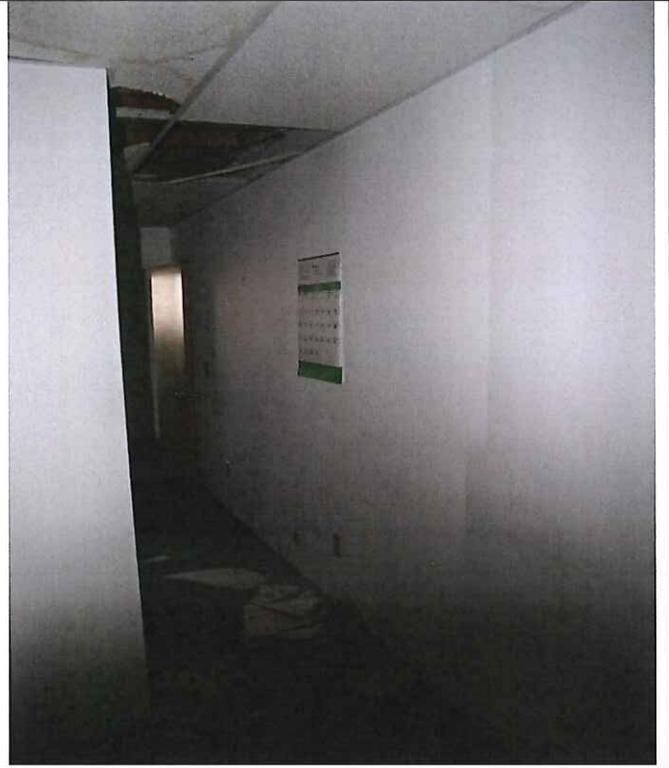


Office with water damage from leaking ceiling.





Water damaged ceiling



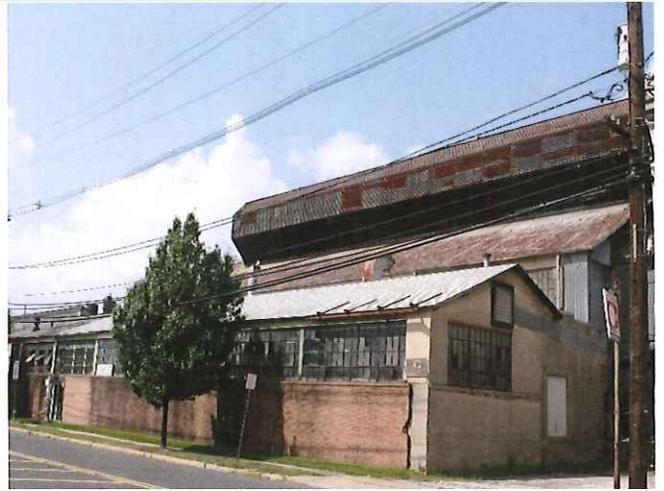
Additional damaged ceiling and walls from leaking ceiling







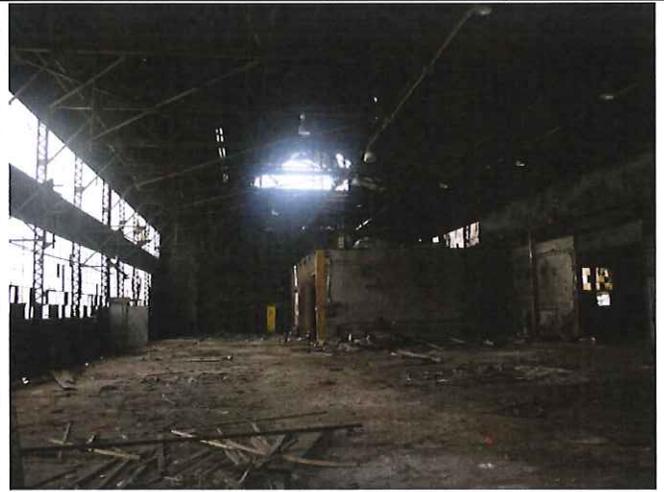
Rear of Lot 4 offices looking at Casale warehouse exterior to right



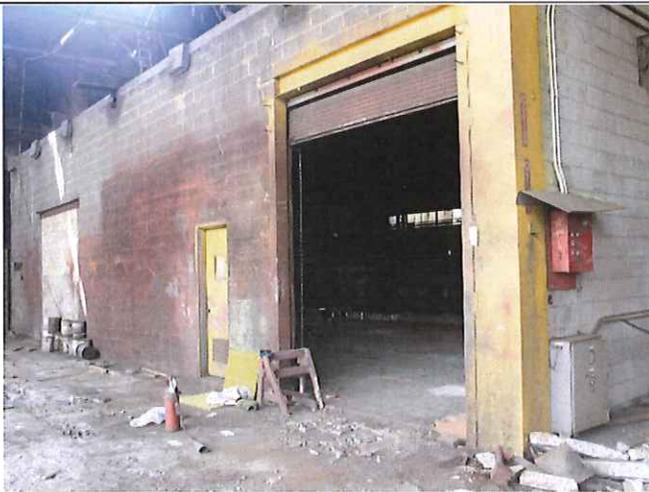
Looking at entrance to loading dock on South Avenue and Artifacts by Eloise building



Warehouse interior, debris and oils staining on floor



Warehouse interior. Debris and layers of dust and dirt on floor. Exposed roofline in background.



Entrance to paint storage area.

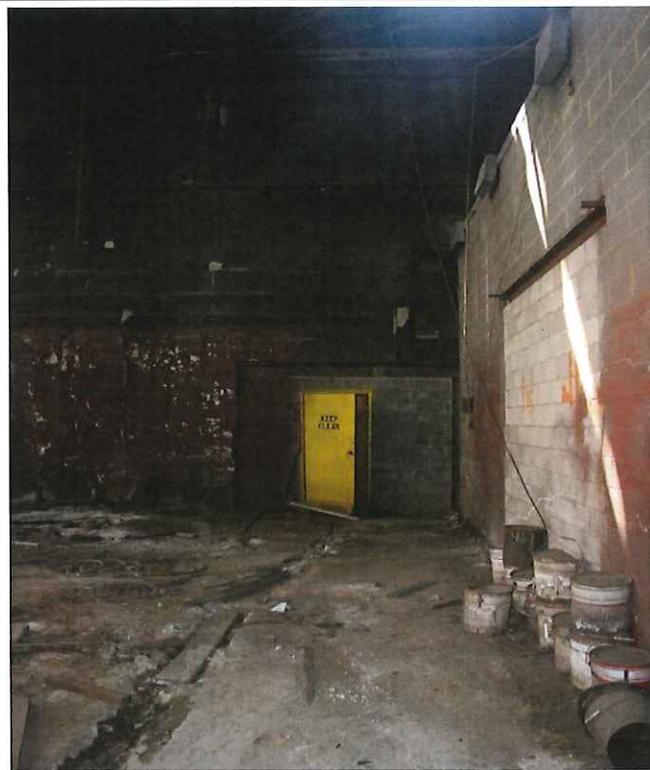


Interior view of massive floor space. Debris and collapsed wall





Old electrical equipment. Visible staining on floor



Cracked concrete floor. Looking at side entrance to Petro Plastic Site



Interior view of loading dock



Looking toward rear of warehouse





Silt, dust and dirt floors, 2" thick, Cinder block from collapsed wall.



Paint and chemical canisters in paint storage area.



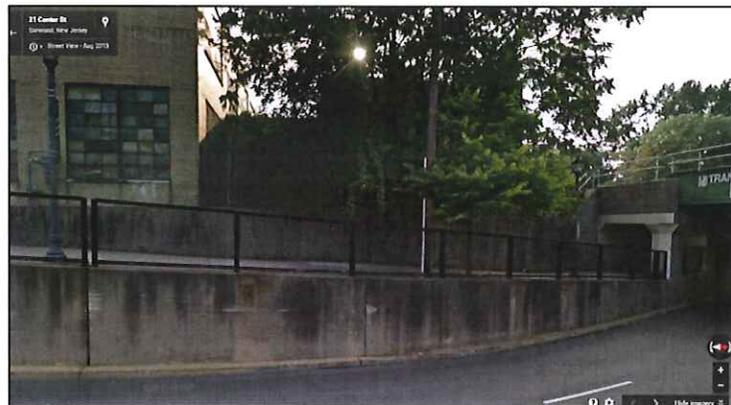
View from loading dock area



	<b>Block 401, Lot 3 20 Center Street</b>
<b>OWNER</b>	Borough of Garwood
<b>ACREAGE</b>	0.014 acres
<b>YEAR BUILT</b>	N/A
<b>TAX CLASS</b>	15C-Public Property
<b>ZONE DISTRICT</b>	LI- Light Industrial
<b>PERMITTED USE</b>	Yes

**PROPERTY DESCRIPTION**

Lot 3 is a 609 square foot, irregularly shaped municipal owned lot, located on the northwestern edge of Center Street, just before the NJ Transit Rail underpass. It encompasses the retaining wall and property adjacent to the Casale Industries property located on lot 2 and forms the barrier between the Casale property and the public Right-of-Way (ROW).



**ZONING**

The site is within Garwood’s LI- Light Industrial Zone and based on its size and irregular shape does not meet any of the zoning criteria established in the Garwood Zoning code.

**RECENT INVESTMENT**

There has been no recent investment in the property

**VIOLATIONS**

Requests for records from the municipal building, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

**ENVIRONMENTAL**

An OPRA (Open Public Records Act) request was made to the New Jersey Department of Environmental Protection (NJDEP) to determine if there are environmental issues or records of contamination associated with the site. The NJDEP response indicated that there are no Department records associated with the site.



**CRITERIA RECOMMENDATION**

The property at Block 401, Lot 3 meets redevelopment criteria "a".

**CRITERIA APPLICABILITY**

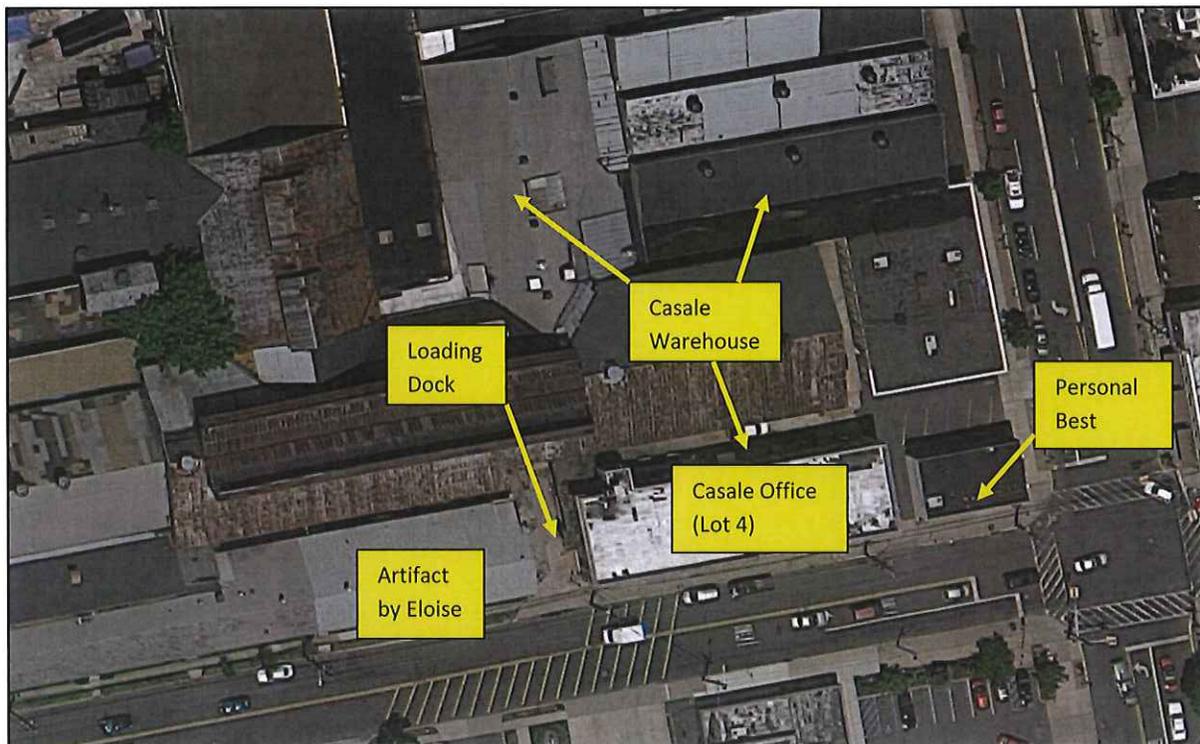
Criteria A states that land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, 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.



	<b>Block 401, Lot 4</b> <b>400 South Avenue</b>
<b>OWNER</b>	Casale Industries Inc. 50 Center Street Garwood, NJ 07027
<b>ACREAGE</b>	0.173 acres
<b>YEAR BUILT</b>	1936
<b>TAX CLASS</b>	4A-Industrial
<b>ZONE DISTRICT</b>	LI- Light Industrial
<b>PERMITTED USE</b>	Yes

**PROPERTY DESCRIPTION**

Lot 4, a 0.173 acre parcel consists of a two-story building with a full basement that encompasses the majority of the lot. The stand-alone building is located between the Fitness business and the Artifact by Eloise building along South Avenue. Parking for this facility has historically been located across the street. The building is currently occupied by Madeira Pipe Organ Company, a tuning and pipe organ repair company on the 1st and 2nd floors and a private wood working shop on the 1st floor. Pipe organs and pianos are stored on the first floor and the basement of the building. The second story of the building contains wood working machinery (i.e. compressors, saws, sanders, etc.) for the repair and refurbishing of pipe organs. A freight elevator is located in the northwestern corner of the building and it reportedly provides access to the first and basement floors of the building.





## **SITE HISTORY**

Lot 4 was vacant until circa 1936 when the present day two-story building with basement was constructed. The building has reportedly been used for office space, although for approximately 10- 20 years food testing was reportedly conducted in the building by Silliker Labs of New Jersey. Other office space use has reportedly been conducted by a variety of tenants including Bancloc Security Specialties, Inc, Ex-lax pharmaceuticals, Silliker Labs of NJ Inc, and Casale Industries. Madeira Pipe Organ Company has operated within the building since circa 2010 and refurbishes and tunes pipe organs. A private cabinet and woodworking shop also maintains space on the first floor.

## **ZONING**

The site is located within Garwood's LI-Light Industrial zone. The uses in the current facility is a permitted use in the LI Zone as the two uses meet the definition for furniture and fixtures in Major Group 25 of the Standard Industrial Codes (SIC). The lot and its structure only appear to comply with all the requirements of the zone except the lot depth, where 200 feet is required and 50 is existing; and the lot area where 30,000 sqft are required and 7,536 sqft are provided.

## **RECENT INVESTMENT**

- 2008 - 200 Amp Electrical Service added

## **VIOLATIONS**

Requests for records from the municipal, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

## **ENVIRONMENTAL**

Given the history of use on the surrounding sites on lots 1 &2 it is probably that there is some level of contamination from current or past uses. That being said the concentration of Areas of Concern seem to be primarily focused on Lot 2 of the Casale property. At the time of this report only a Phase I Assessment had been conducted, therefore the areas of concern have not been finalized for identified contaminants. The contamination on lot 4 is unknown at this point but should be considered when looking at the development potential of the site.

Federal and State database listings of hazardous waste and spill case sites were provided by Environmental Data Resources (EDR). The Federal and State databases provide a permanent record of environmental regulatory compliance, suspected and documented hazardous waste sites, and spill case sites. These database listings were reviewed by EcoSciences to identify hazardous waste and spill sites in the general vicinity, and to assess whether any of the sites listed in those databases could adversely impact the environmental quality of the Site. They include:



- **Resource Conservation and Recovery Act** – Conditionally Exempt Small Quantity Generators (RCRA-CESQG) Casale Industries and Silliker Laboratories at 400 South Avenue are listed on the RCRA-CESQG Report. No RCRA violations are reported for Casale Industries, although several manifest-related RCRA violations from the 1990's are listed under Silliker Laboratories which reportedly conducted food related testing on the subject property. Manifest data in the Silliker Laboratories listing indicated that chlorinated volatile organics (including tetrachloroethene and trichloroethene, etc) were used at the property.
- **USEPA & State Brownfields Database**

The Site is not listed in the *US Brownfields Database*, however there are thirteen *State Brownfields* sites and no *US Brownfields* sites listed within a 0.5-mile radius of the Site. The nearest upgradient site listed is Petro Plastics Co, was once a portion of the subject property and was operated by ALCOA. According to the EcolSciences report, Beckley Corporation located at 315 North Avenue (located approximately 0.09-mile northeast of the site) which is listed under NJDEP PI# 027389 and received an entire site no further action (NFA) determination from the NJDEP on January 7, 2004 is also listed and is upgradient of the property. The next closest upgradient sites are the Diamond Communication Products Inc. site at 500 North Avenue (located approximately 0.14-mile northwest of the site) which is listed under NJDEP PI# and the Widin R Peter site at 518-714 North Avenue (approximately 0.15-mile northwest of the site) which is listed under NJDEP PI# 000145 and 030562. Both of these sites are listed with groundwater classification exception areas (CEAs) that do not encroach on the subject property according to the NJDEP geoweb mapping tool. Given the proximity of these sites to the subject site and the industrial history of the surrounding area, regional groundwater impacts are possible beneath the subject property.

#### ASBESTOS

According to the EcolSciences report potential asbestos containing materials observed within accessible areas of the Site include vinyl floor tiles, dumped 'dusty' material in the southwestern corner of the Lot 2 building, wallboard materials and roofing materials. An Asbestos Survey of the subject buildings is being conducted by Environmental Health Investigations, Inc. (EHI) under a separate contract with Russo Acquisitions.

#### CRITERIA RECOMMENDATION

The property at Block 401, Lot 4 meets redevelopment criteria "a" and "h."

**A Criteria.** 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.

**H Criteria.** Smart Growth Consistency (N.J.S.A. 40A:12A-5.h) – "The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to



law or Area in Need of Redevelopment Study for South Avenue.” Designation of the area delineated is consistent with smart growth planning principles pursuant to law and regulation.

#### **CRITERIA APPLICABILITY**

Having been built in 1936, the building is outdated, in poor overall condition and partially abandoned as there are only two tenants in the building, both with no current leases. The use of the space by the tenants is haphazard as the segmentation of old office spaces and new layout created rooms leave storage and placement of material and machinery haphazard.

Significant investment would need to be made to the building to modernize and convert it to another office or additional use appropriate for the area. Due to its age, condition and obsolete design, the building would need to be completely gutted to consider re-use options for the property.

Some of the problem areas include:

- The roof leaks in various locations, as evidenced by the cracks and bubbles on the plaster walls. Water leaks from the 2<sup>nd</sup> floor all the way into the basement according to the tenant.
- There are HVAC problems in the building as there is no heating or AC in working condition.
- The building is very inefficient from an energy use perspective.
- There is only one freight elevator to serve all three floors of each building.
- All of the windows are single-pane and energy inefficient.
- Some of the plumbing is old.
- The windows leak.
- There is no ADA access to the facility.
- There is no on-site parking, parking is located across South Avenue.
- There have been few improvements to the building over the last 50 years besides a 200 Amp Electrical Service added in 2008.

The "h" Criterion addresses smart growth consistency and provides that municipalities can designate an area in need of redevelopment if the designation is consistent with smart growth planning principles adopted pursuant to law or regulation. The area lacks in any distinctive or attractive design that would contribute to the sense of place in Garwood's proposed transit village area. The area is located at the Borough's center and is a gateway property for the Borough, which has the possibility of contributing to the Borough's sense of place, walkability and creating a destination location around an active rail line. The area is in a location with existing water and sewer utilities, as well as frontage on an existing County Road road. Designation of the area as an area in need of redevelopment is consistent with smart growth planning principles adopted pursuant to law or regulation.

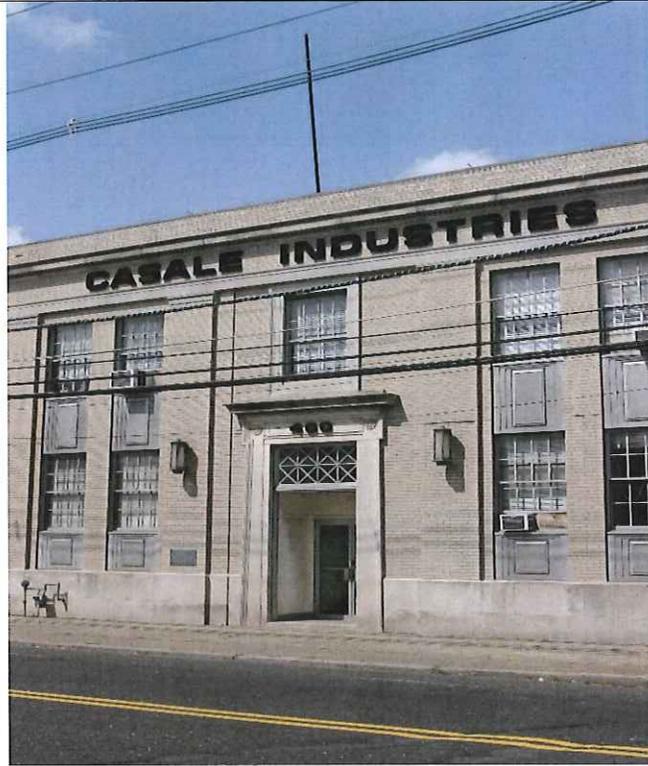


The Office of Planning Advocacy defines smart growth as “well-planned, well managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources. Smart growth supports livable neighborhoods with a variety of housing types, price ranges and multi-modal forms of transportation.” Smart growth is epitomized by compact, transit-accessible, pedestrian-oriented, and environmentally sustainable development. Smart growth may exhibit one or more of the following characteristics:

- Mixed land uses.
- Compact, clustered community design.
- A wide range of housing choices and opportunities.
- Walkable neighborhoods. • Distinctive, attractive communities offering a sense of place.
- Open space, farmland, and scenic resource preservation.
- Development directed to existing communities and infrastructure.
- Sustainable design
- A variety of transportation options.

The 2009 Master Plan on page 9 of the Land Use Element suggests the study area be designated a Transit Oriented Development District that should include a mixture of residential and commercial uses that would benefit from proximity to the rail station. According to Garwood36.com, on February 29th 2012, NJ Transit presented the results of a Transit Village Study could potentially shape the future of Garwood for decades to come on multiple fronts including its viability as a commuter destination, potential for residential growth in the future, and even the direction of the town's commercial core in Downtown.





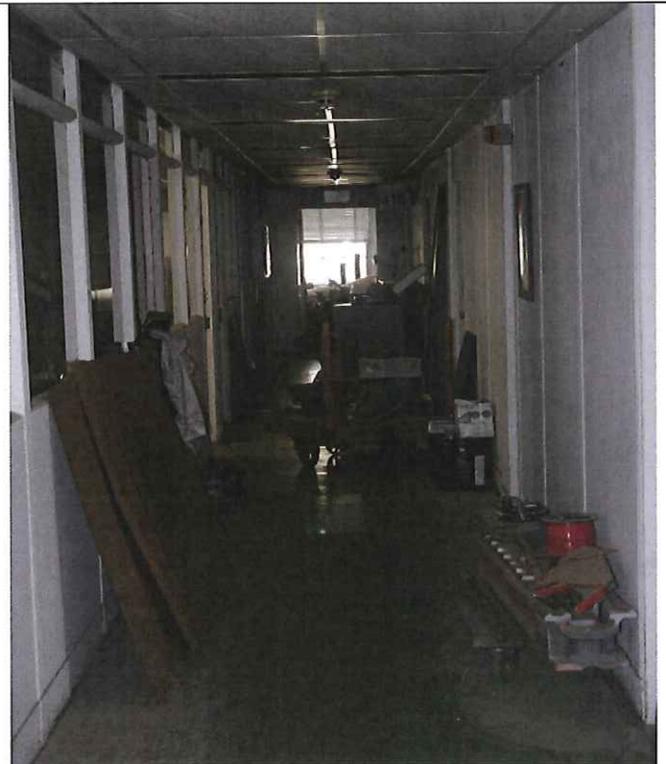
Entrance to Casale office building along South Avenue



View of rear façade and material stockpiled along basement windows and access.



Basement storage area for piano and organ company



Storage of material in 1<sup>st</sup> Floor hallway





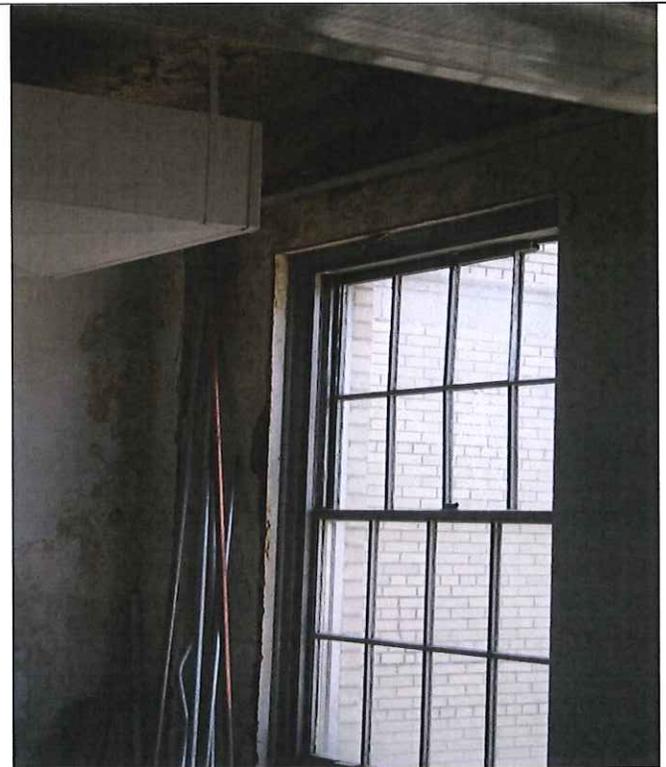
Typical water damage around window sill in staircase between 1<sup>st</sup> and 2<sup>nd</sup> floors



Water damage on ceiling and around window sill



Heavy woodworking machinery on 2<sup>nd</sup> floor organ company



Water damage around window from leaking roof. Water travels down to 1<sup>st</sup> floor as well.





1st floor wood working and cabinet making workshop



	<b>Block 401, Lot 5</b> <b>70 Center Street</b>
<b>OWNER</b>	Casale, Edward & Susan 1460 S Ocean Blvd Apt 1001 Lauderdale By The Sea, Fl. 33062
<b>ACREAGE</b>	0.0356 acres
<b>YEAR BUILT</b>	
<b>TAX CLASS</b>	4A- Commercial
<b>ZONE DISTRICT</b>	LI- Light Industrial
<b>PERMITTED USE</b>	No

**PROPERTY DESCRIPTION**

Lot 5 is a small commercial lot located on the northwest corner of the intersection of South Avenue and Center Street, across the street from municipal building. The building is an old converted bank that currently houses a successful fitness/gym business called Personal Best, founded in 2002. The building is a tall one story brick structure that maintains a lot of the exterior design elements of the original bank.



The property maintains a one way entrance at the corner of Center Street, with a one way exit on the corner of South Avenue. There are four dedicated parking spots for the business on the lot entrance side of the building.

**ZONING**

The site is within Garwood’s LI – Light Industrial District. The commercial use (gym) is not a permitted use in the LI Zone. The LI Zone was developed to support large scale industrial and light industrial uses, with large lot sizes and bulk requirements, as such the site is deficient in all the required bulk standards for the zone. The Borough does not provide parking standards for personal training facilities or gyms, however typical Health/sports club parking ratios are: 1 space/250 sf of non-storage floor area. If we assume the building is roughly 50 x 31 feet (as shown in the tax map) or 1550 sqft, then the facility would require approximately 6 spaces, two short of the existing 4 spaces.

**RECENT INVESTMENT**

- 1998 – Installation of 3 x 6’2 ¾” illuminated sign
- 2001 – Sign alteration 28” x 72”



## **VIOLATIONS**

### *CONSTRUCTION DEPARTMENT*

- 2001 Working without a permit

Requests for records from the municipal, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

### **ENVIRONMENTAL**

An OPRA (Open Public Records Act) request was made to the New Jersey Department of Environmental Protection (NJDEP) to determine if there are environmental issues or records of contamination associated with the site. The NJDEP response indicated that there are no current active files associated with the site.

### **CRITERIA RECOMMENDATION**

It is recommended that Block 401 Lot 5 be included within the Area in Need of Redevelopment designation under Criteria 3 of the Local Redevelopment and Housing Law, as the property is needed for the effective redevelopment of the area.

Under Section 3 of the Redevelopment Law, 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.

### **CRITERIA APPLICABILITY**

Block 401 Lot 5, known as Personal Best Fitness is an undersized parcel that is strategically located and provides frontages on the major intersection of Center Street and South Avenue. Currently the property has limited parking and only one way ingress and egress to access the site, both which are located within fifty feet (50') from the busy intersection. This creates difficulty in entering the site on Center Street based on the traffic backup at the intersection. Any future redevelopment of the property should eliminate these access point to create either building frontage or public space that ties into the design of the block. Leaving this parcel out of the redevelopment plan would cause conflicts with any proposed transit village development. From an urban design perspective corner properties should be built with architectural and design features that creates a sense of place and draws the visitors' eye into a space. Leaving this parcel out of the plan would not allow for the proper design of the area.

For these reasons, the Personal Best Fitness Site should be included within the area according to Section 3 of the redevelopment law.

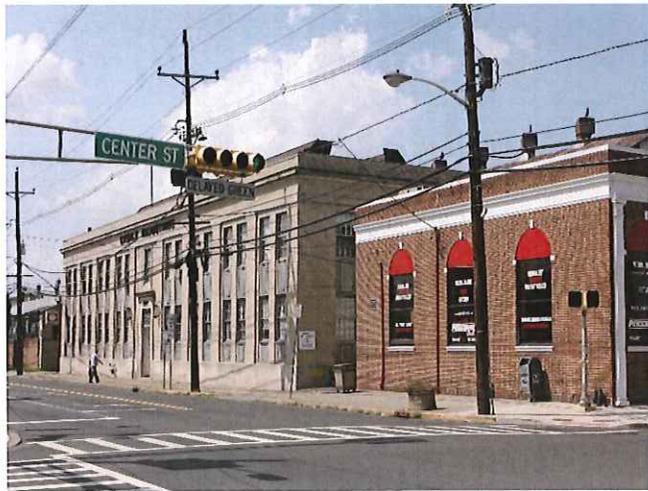




Looking at the corner of South and Center Street and the existing Personal Best Fitness



Side yard parking for Fitness center. Four parking spaces. One way entrance to fitness and Casale loading dock



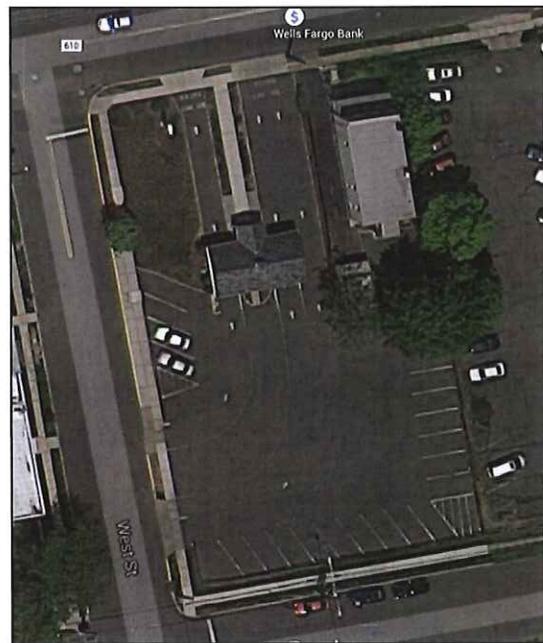
Side façade looking down South Avenue. One way exist behind brick structure



	<b>Block 403, Lots 1 &amp; 2 453 &amp; 451 South Avenue</b>
<b>OWNER</b>	1 <sup>st</sup> Union Nat Bank PO Box 2609 Carlsbad, CA 92018
<b>ACREAGE</b>	0.4588 acres total
<b>YEAR BUILT</b>	NA
<b>TAX CLASS</b>	4A-Commercial
<b>ZONE DISTRICT</b>	R-B & GB
<b>PERMITTED USE</b>	Yes*see zoning description

**PROPERTY DESCRIPTION**

Lots 1 & 2 located at the corner of West Street and South Avenue is a 0.458 acre site containing the Wells Fargo Bank. The bank consists of a small commercial building with two drive thru windows, and a walk up ATM. The main entrance is located along West Street with two exit lanes on South Avenue. The majority of Lot 1 contains the drive thru access and the parking lot for the bank that contains twenty two parking stalls located along the rear of the property and the property line shared with the Petro Plastics parking lot. Lot 2 fronts on South Avenue and contains one of the exits and a portion of the bank building.



**ZONING**

The property in question is located in a split zone according to the most current zoning map. The location of the actual structure is located within the GB –General Business zone, while the parking and access to the site are located within Garwood’s R2 – Two Family Residential District. The bank use is a permitted use in the GB zone however it is not a permitted use in the R2 zone. According to Section 106-114, Off Street Parking Standards of the Garwood Code, financial institutions are required to maintain 1 parking space per 300 sqft of Gross Floor Area (GFA). The current bank structure is approximately 900 sqft, which results in the need for 3 cars on site, resulting an extremely over parked lot.

**RECENT INVESTMENT**

- 1996 – alteration
- 2003 – Sign alteration
- 2012 – Addition of two light pole bases



**VIOLATIONS**

Requests for records from the municipal building, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

**ENVIRONMENTAL**

An OPRA (Open Public Records Act) requested was made to the New Jersey Department of Environmental Protection to determine if there are environmental issues or records of contamination associated with the site. The NJDEP response indicated that there are no Department records associated with the site.

**CRITERIA RECOMMENDATION**

It is recommended that Block 403, Lots 1 & 2 be included within the Area in Need of Redevelopment designations under Section 3 of the Local Redevelopment and Housing Law, as the property is needed for the effective redevelopment of the area.

**CRITERIA APPLICABILITY**

The Wells Fargo Bank site located within the study area provides frontages along South Avenue and West Street occupies the entire corner of the property from to back. The underutilization of at least half of the property for excessive parking coupled with its anchoring position on the corner of West and South Avenue in the study area and connective street frontages, makes it a necessary piece of the study area to facilitate the effective redevelopment of the area. The inclusion of these parcels would allow for continuity of development and the continuous development of all street frontages within the study area. The current bank is an auto oriented use where there is no walk in customer space. The design is for drive through use and not pedestrian activity, which is opposite of the guidelines and criteria for transit village type zoning. For these reasons, the site should be included within the area according to Section 3 of the Redevelopment Law.

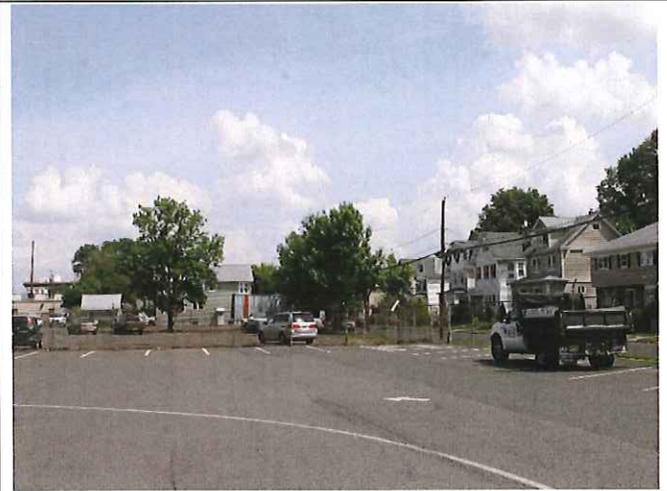




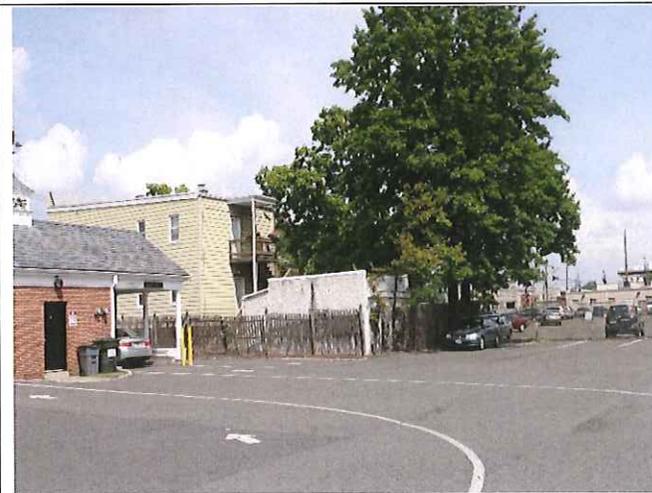
Front Façade of Wells Fargo Bank along South Avenue.  
2 Family home along left property line



View of main entrance along Clifton Street



View of rear of property on lot 1 and marked travel lane



Drive thru entrance. Looking towards 2 family home rear yard and garage and Petro Plastic parking lot



Rear of property line and chain link fence that runs along entire rear property line



	<b>Block 403, Lot 3 447 South Avenue</b>
<b>OWNER</b>	Christopher F. Taglia 447 South Avenue Garwood, NJ 07204
<b>ACREAGE</b>	0.0918 acres
<b>YEAR BUILT</b>	NA
<b>TAX CLASS</b>	2- Residential
<b>ZONE DISTRICT</b>	GB-General Business
<b>PERMITTED USE</b>	No

**PROPERTY DESCRIPTION**

Lot 3 is an interior tax lot of 3,998 square feet (per Tax Map) containing a two -family dwelling. This is the only residential property on Block 401 & 403 in the study. It is located on the northerly side of South Avenue, adjacent to the Well Fargo Bank to the west, surface parking lots to the east and south and directly across the street from the Petro Plastics site on Blk 401 Lot 1. The driveway, which leads to a one car garage is in the rear of the property, and is directly adjacent to the bank exit driveway. The driveways are separated by shrubs and a new 6 foot wooden fence.

The two-story residential dwelling has a converted/enclosed front porch on the front facade and two story wooden staircase access on the rear façade. It has a concrete block foundation, aluminum/vinyl siding, and a flat roof. The structure appears to be in decent condition from an exterior insoection

**ZONING**

The site is within Garwood’s GB-General Business District with the R-B Residence “B” Two Family zone directly behind on Willow Avenue. The General business District is designed for retail businesses, offices, and commercial uses that are auto dependent. Single or Two family homes are not permitted in the GB Zone.

The required lot area of properties in the zone are 7,000 sqft, where lot 3 maintains 3,998 sqft. Where the GB Zone requires a minimum width of 70 feet, Lot 7 has a lot width of 40 feet at the right-of-way line and is therefore deficient. The R-2 Zone also requires minimum front and rear yard setbacks of 25 feet and minimum side yard setbacks of 6 and 10 feet. The site appears to be deficient in the required front and side yard setbacks.

If the property where zoned for Two Family it would still not meet the requirements of the zone for area, front yard setback, lot width, side yard setback and possibly the open space and impervious coverage requirements of 40% and 60%.



**RECENT INVESTMENT**

- 2003 – New Roof
- 2011 – 200 Amp installation
- 2015 – New 6' Wooden fence

**VIOLATIONS**

Requests for records from the municipal building, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

**ENVIRONMENTAL**

An OPRA (Open Public Records Act) request was made to the New Jersey Department of Environmental Protection (NJDEP) to determine if there are environmental issues or records of contamination associated with the site. The NJDEP response indicated that there are no Department records associated with the site.

**CRITERIA RECOMMENDATION**

- It is recommended that Block 403 Lot 3 be included within the Area in Need of Redevelopment designation under Criteria D.

**CRITERIA APPLICABILITY**

The property is non-conforming relative to the underlying zoning. Its continued use as a detached two family residential dwelling in a General Business Zone and future Transit Zone area, is in conflict with the desired Transit Village type development proposed and suggested in the master plan for the surrounding properties. While the exterior of the structure is in generally fair condition, the two family home has a negative influence and impact on the South Avenue corridor in this location. As a prospective redevelopment site, it has the potential along with the surrounding properties to more suitably contribute to the public welfare by strengthening the Garwood's vision for a Transit Village Designation and the creation of a mixed use transit corridor.





Front Facade of 2 family home



Side faced taken from Petro Plastic parking lot



Front steps of 2 family home looking at Petro Plastics parking lot right along property line



Residential driveway to single car garage, Adjacent to bank driveway exit

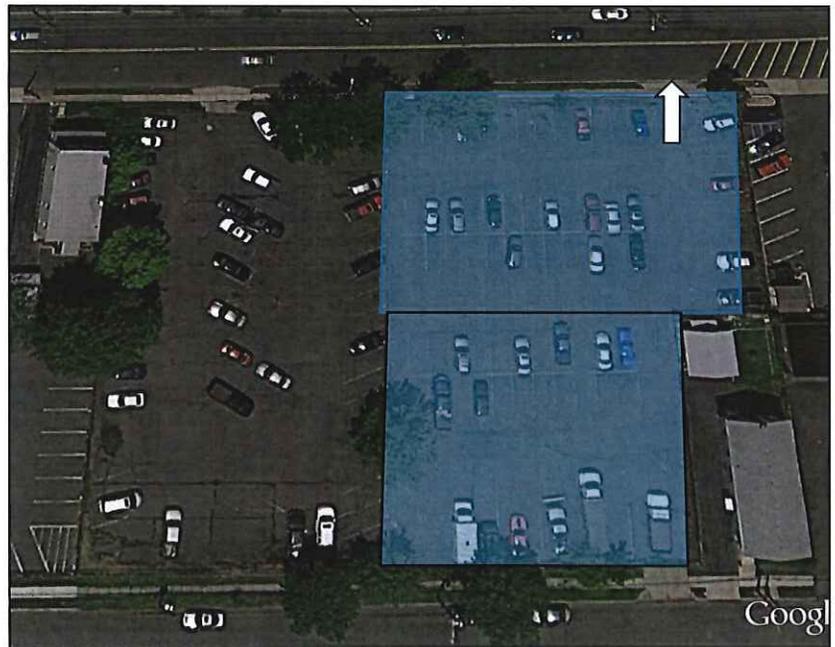


	<b>Block 403, Lots 5, 6, 19, 20 435 &amp; 423 South Avenue; 424 &amp; 432 Willow Avenue</b>
<b>OWNER</b>	Casale Industries Inc. 50 Center Street Garwood, NJ 07027
<b>ACREAGE</b>	0.8263 acres total
<b>YEAR BUILT</b>	
<b>TAX CLASS</b>	4B-Industrial
<b>ZONE DISTRICT</b>	GB-General Business & R-B Residence Two Family
<b>PERMITTED USE</b>	No

**PROPERTY DESCRIPTION**

Lots 5, 6, 19, 20 comprised of .8263 acres are surface area parking lots located between Willow Avenue and South Avenue, once served as the principle parking lot for the employees of the Casale facilities across the street. The parking lot is currently used by the employees of the Garwood police, fire and municipal departments as well as the residents of the neighborhood on Willow Avenue. The parking lot is also used to store cars, trailers and boats for extended periods of time.

The parking lot is served by a single ingress/egress located on South Avenue that does not meet current engineering requirement. The entire parking lot perimeter is surrounded by a 6 foot high barbed wire topped chain linked fence in different stages of condition. The fence separating the adjacent parking lot is a 3 foot chain linked fence. The perimeter fence and interior fence are in poor condition as sections are rusting, broken or missing. The parking lot itself is in extremely poor condition and there are cracks, potholes and surface degradation. In addition the designated parking spots are barely recognizable as the parking spot and directional paint have worn off and is unrecognizable while in a vehicle.





## ZONING

The lots are located within Garwood's LI- Light Industrial (lots 5&6) & R-B Residence Two Family (19, 20) zones. Both zones do not permit surface parking lots are principal permitted uses. These parking lots once served as accessory uses for the Casale and Petro companies across the street.

## RECENT INVESTMENT

- 6/16/2011 - FDC Connection
- 4/24/1998 – Repaired fence(no barbed wire added to new section along Willow Avenue

## VIOLATIONS

Requests for records from the municipal building, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

## ENVIRONMENTAL

A Preliminary Assessment Report (PA) was prepared for Casale Industries, Inc. (Casale) by Ransom Environmental on May 13, 2014. The report was prepared pursuant to ISRA obligations triggered at the cessation of Casale's operations on Lots 2 and 4 on August 1, 2013. A separate PA was filed for the Casale industrial buildings on Lot 401. The PA identified the properties as they currently exist (asphalt paved parking lots) and did not identify any areas of concern (AOCs) in connection with these properties. An Unrestricted Use entire site response action outcome was issued by Mr. Kenneth Goldstein (LSRP# 573788) of Ransom on June 20, 2014 (amended on July 2, 2014).

## CRITERIA RECOMMENDATION

The property at Block 403, Lots 5, 6, 19, and 20 meets redevelopment criteria "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.*

## CRITERIA APPLICABILITY

Surface parking lots have also become largely obsolete as downtown parking facilities. The use of surface parking is an outdated solution in areas where pedestrian-oriented activity and development is encouraged, as well as in areas that are proximate to transit facilities. Structured parking, often in combination with some form of mixed residential and retail use, is becoming the "standard" for downtown development in lieu of large, surface parking lots. For all of these reasons, the use of the



subject property exclusively as a surface parking lot is detrimental to the overall welfare of the community.

Off-street surface parking is not a permitted principal use within the LI or GB zoning districts. This policy reflects a recognition that surface parking located in a proposed transit area lacks the efficiency to satisfy the demands of a growing and vibrant transportation hub. From a design perspective, the continuation of the “street wall” within a district provides visual and spatial continuity that supports businesses and economic development by promoting more walkable streets and increasing opportunities of patronage of businesses.

An analysis of the area determined that the property meets the “d” criteria for obsolete layout and design as the parking lot situated on this site does not comply with modern design standards set forth in publications such as the Institute of Transportation Engineers Parking Generation or the American Planning Associations Off-Street Parking Standard and the following conditions have been observed:

- Motor vehicle aisles and driveways are not channelized sufficiently
- Pedestrian circulation is not separated from motor vehicle circulation.
- The entire perimeter of the parking lot is either uncontained, or contained simply through a chain link fence as opposed to curbing and/or a buffer area. The lack of curbing poses a concern for proper storm water management control.
- Vehicular circulation is unsafe. Adequate controls for turning radii are nonexistent (no striping, directional arrows or concrete islands).
- There is no safe pedestrian access to the site as it is all controlled through one undersized vehicular entrance.
- Parking lot lighting has not been provided, creating an unsafe condition.
- There are no identified handicap parking spaces.
- There is only one Ingress/Egress to the parking lot located on South Avenue, which is undersized and does not meet current engineering standards, thus creating an unsafe condition for pedestrians and vehicles. The entrance is approximately 12-14 feet wide, while current standards for parking lot entrances should be 24 feet wide that would provide for two vehicles entering and exiting at the same time, thus current conditions create an obsolete and faulty configuration.

Additionally, the property improvements are dilapidated, including the cracks, pot holes and surface degradation in the pavement. This poor pavement condition can exacerbate pollution concerns with storage of vehicles (cars, trailers and boats) on site. As a result of the dilapidated parking area, the property promotes the release of sediment and vehicle fluids into the soil and/or surface waters.

There is currently no buffering that exists along South Avenue or Willow Avenue. The lack of buffering creates a condition whereby the undesirable visual character of the parking lot, including headlight glare, is not screened from public view or from adjacent uses.

In addition, there are standards within Garwood’s land development ordinance that the parking lots do not meet:



#### 106-118 Fences

All off-street parking areas containing six or more vehicles, and all off-street loading areas shall be adequately and properly lighted in accordance with § 106-133 of this chapter in order to provide for public safety and security. All lighting used to illuminate commercial or industrial uses shall be directed away from residential uses

#### 106-118 Fences

B. Fences or walls are not permitted in required front yards except in residential zones where a wall or fence is permitted in required front yards, provided they do not exceed four feet in height and are not chain link, stockade, board on board or similar closed fencing

D. No fence or wall shall be constructed or installed with barbed wire, metal spikes, or topped with concertina or razor wire, broken bottles or similar materials so as to be dangerous to humans or animals

G. A six-foot closed fence is required to be installed as a buffer between all nonresidential uses and residential zones

Parking lots are not a principally permitted use in any of the study area zones and are therefore non-conforming. According to 106-114 Off Street Parking Regulations of the Garwood Land Use Code, all parking areas in the Community Commercial and Light Industrial Zones shall be located behind the principle structure or, at a minimum, behind the front yard setback line of the principle structure.

As detailed herein, this surface parking can be characterized as having a deleterious impact upon the ultimate vision for the development of Garwood's Transit Village, such that it impedes conforming development, and the municipal land use policies and development vision that seek to implement them. The property' has a faulty arrangement and design in that it puts pedestrians and motorists at risk and has an undesirable visual impact on the public. Moreover, the use of open lot surface parking in this context is largely obsolete from a design and use standpoint, as a result, property is detrimental to the health, safety and welfare of the community.





Casale parking lot entrance. Only entrance/exit 12-14 feet wide. Does not meet standards,



Broken up asphalt and old tree root and trunk



Broken and cracked asphalt looking towards Willow Street. No visible parking lot striping.



Truck and trailer storage. Broken up asphalt along rear of property and fence line.



No visible parking spaces, travel lanes or separation of vehicular and pedestrian space



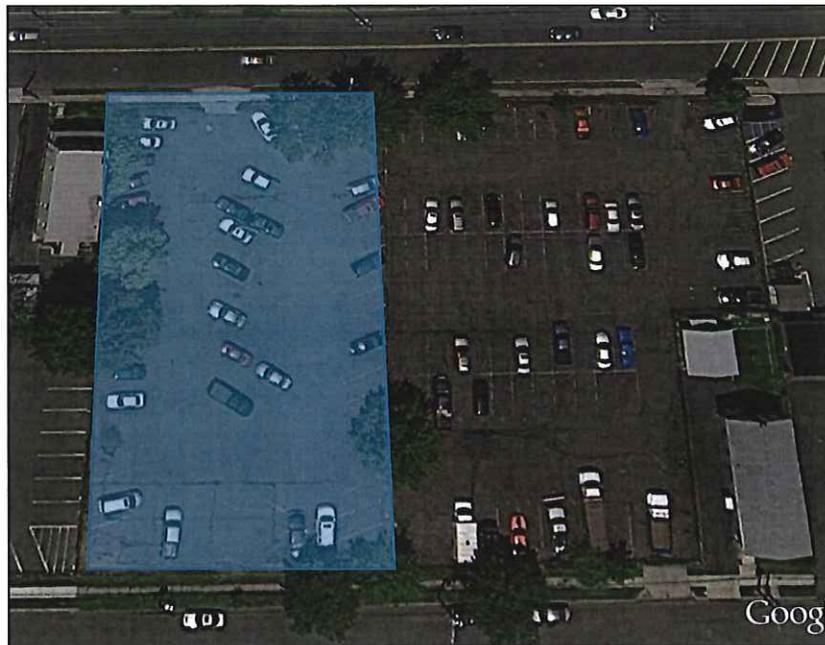
Rear fence line opened for residents to access parking lot. Old entrance/exit to site now blocked by fence and over growth.



	<b>Block 403, Lots 4, 21,22 438, 439 &amp; 440 Willow Avenue</b>
<b>OWNER</b>	Petro Plastics PO Box 167 Garwood, NJ 07027
<b>ACREAGE</b>	0.3674 acres
<b>YEAR BUILT</b>	NA
<b>TAX CLASS</b>	4B-Industrial
<b>ZONE DISTRICT</b>	GB-General Business & R-B Residence Two Family
<b>PERMITTED USE</b>	No

**PROPERTY DESCRIPTION**

Lots 4, 21 & 22, comprised of .3674 acres are surface area parking lots located between Willow Avenue and South Avenue, which once served as the principle parking lot for the employees of the Petro Plastic facilities across the street. The parking lot is currently used by the residents of the neighborhood on Willow Avenue and surrounding streets. The parking lot is also used to store cars, trailers and boats for extended periods of time. The parking lot is served by one small



ingress/egress located on South Avenue that does not meet code requirements. The entire parking lot exterior is surrounded by a 6 foot chain linked fence with barbed wire. The fence separating the adjacent parking lot is a 3 foot chain linked fence. The perimeter fence and interior fence are in poor condition as sections are rusting, broken or missing. The parking lot itself is in extremely poor condition and there are cracks, potholes, tree roots and surface degradation. In addition the designated parking spots are barely recognizable as the parking spot and directional paint have worn off and is unrecognizable. Monitoring wells are located on site to monitor potential groundwater contamination from the adjoining industrial site across South Avenue.

**ZONING**

The lots are located within Garwood’s LI- Light Industrial (lot 4) & R-B Residence Two Family (21, 22) zones. Both zones do not permit surface parking lots are principal permitted uses.



**RECENT INVESTMENT**

No recent investment in the property in the past 10 years

**VIOLATIONS**

Requests for records from the municipal building, zoning, health, and fire departments did not return any records of code enforcement issues, incidents or violations associated with this property.

**ENVIRONMENTAL**

An OPRA (Open Public Records Act) requested was made to the New Jersey Department of Environmental Protection to determine if there are environmental issues or records of contamination associated with the site. The NJDEP response indicated that there are no Department records associated with the site.

**CRITERIA RECOMMENDATION**

The property at Block 403, Lots 5, 6, 19, and 20 meets redevelopment criteria "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.*

**CRITERIA APPLICABILITY**

Surface parking lots have also become largely obsolete as downtown parking facilities. The use of surface parking is an outdated solution in areas where pedestrian-oriented activity and development is encouraged, as well as in areas that are proximate to transit facilities. Structured parking, often in combination with some form of mixed residential and retail use, is becoming the "standard" for downtown development in lieu of large, surface parking lots. For all of these reasons, the use of the subject property exclusively as a surface parking lot is detrimental to the overall welfare of the community.

Off-street surface parking is not a permitted principal use within the LI or GB zoning districts. This policy reflects a recognition that surface parking located in a proposed transit area lacks the efficiency to satisfy the demands of a growing and vibrant transportation hub. From a design perspective, the continuation of the "street wall" within a district provides visual and spatial continuity that supports businesses and economic development by promoting more walkable streets and increasing opportunities of patronage of businesses.

An analysis of the area determined that the property meets the "d" criteria for obsolete layout and design as the parking lot situated on this site does not comply with modern design standards set forth in



publications such as the Institute of Transportation Engineers Parking Generation or the American Planning Association's Off-Street Parking Standard and the following conditions have been observed:

- Motor vehicle aisles and driveways are not channelized sufficiently
- Pedestrian circulation is not separated from motor vehicle circulation.
- The entire perimeter of the parking lot is either uncontained, or contained simply through a chain link fence as opposed to curbing and/or a buffer area. The lack of curbing poses a concern for proper storm water management control.
- Vehicular circulation is unsafe. Adequate controls for turning radii are nonexistent (no striping, directional arrows or concrete islands).
- There is no safe pedestrian access to the site as it is all controlled through one undersized vehicular entrance.
- Parking lot lighting has not been provided, creating an unsafe condition.
- There are no identified handicap parking spaces.
- There is only one Ingress/Egress to the parking lot located on South Avenue, which is undersized and does not meet current engineering standards, thus creating an unsafe condition for pedestrians and vehicles. The entrance is approximately 12-14 feet wide, while current standards for parking lot entrances should be 24 feet wide that would provide for two vehicles entering and exiting at the same time, thus current conditions create an obsolete and faulty configuration.

Additionally, the property improvements are dilapidated, including the cracks, pot holes and surface degradation in the pavement. This poor pavement condition can exacerbate pollution concerns with storage of vehicles (cars, trailers and boats) on site. As a result of the dilapidated parking area, the property promotes the release of sediment and vehicle fluids into the soil and/or surface waters.

There is currently no buffering that exists along South Avenue or Willow Avenue. The lack of buffering creates a condition whereby the undesirable visual character of the parking lot, including headlight glare, is not screened from public view or from adjacent uses.

In addition, there are standards within Garwood's land development ordinance that the parking lots do not meet:

#### 106-118 Fences

All off-street parking areas containing six or more vehicles, and all off-street loading areas shall be adequately and properly lighted in accordance with § 106-133 of this chapter in order to provide for public safety and security. All lighting used to illuminate commercial or industrial uses shall be directed away from residential uses

#### 106-118 Fences

B. Fences or walls are not permitted in required front yards except in residential zones where a wall or fence is permitted in required front yards, provided they do not exceed four feet in height and are not chain link, stockade, board on board or similar closed fencing



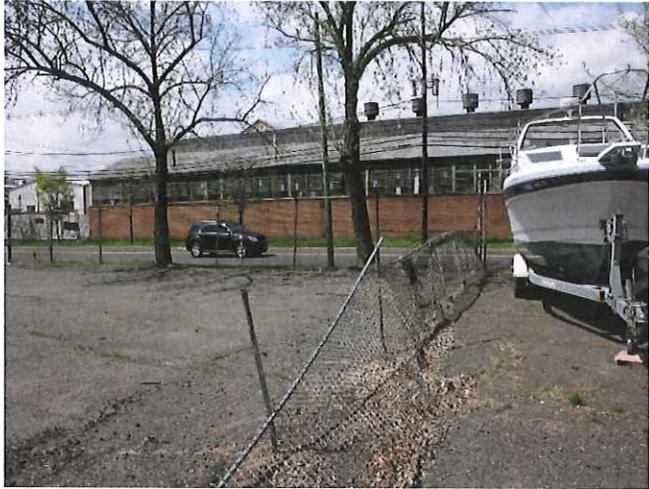
D. No fence or wall shall be constructed or installed with barbed wire, metal spikes, or topped with concertina or razor wire, broken bottles or similar materials so as to be dangerous to humans or animals

G. A six-foot closed fence is required to be installed as a buffer between all nonresidential uses and residential zones

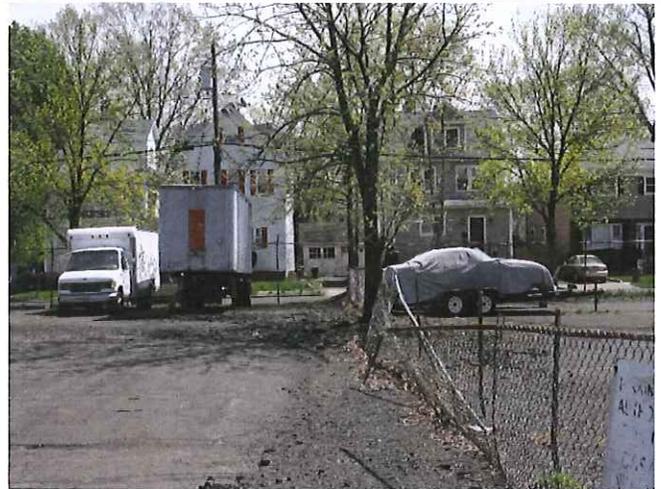
Parking lots are not a principally permitted use in any of the study area zones and are therefore non-conforming. According to 106-114 Off Street Parking Regulations of the Garwood Land Use Code, all parking areas in the Community Commercial and Light Industrial Zones shall be located behind the principle structure or, at a minimum, behind the front yard setback line of the principle structure.

As detailed herein, this surface parking can be characterized as having a deleterious impact upon the ultimate vision for the development of Garwood's Transit Village, such that it impedes conforming development, and the municipal land use policies and development vision that seek to implement them. The property' has a faulty arrangement and design in that it puts pedestrians and motorists at risk and has an undesirable visual impact on the public. Moreover, the use of open lot surface parking in this context is largely obsolete from a design and use standpoint, as a result, property is detrimental to the health, safety and welfare of the community.





Looking towards South Avenue at broken fence separating Casale and Petro parking lots. Car and boat storage.



Looking towards Willow Street at broken fence separating Casale and Petro parking lots. Car and trailer storage. Pavement in poor condition.



Rear of lots 21 & 22. Broken up pavement, grass growing through cracks. Rear fencing with barbed wire along residential street



Looking at parking lot towards two family house. Tree trunk growing through barb wire topped chain link fence.





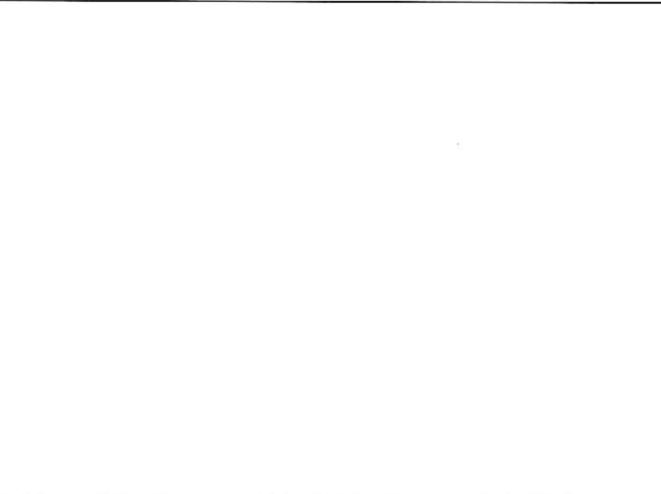
Only entrance and exit to parking lot. Entrance approximately 12-14 feet, which only allows one car at a time and does not meet engineering standards



Barbed wire entrance gate



View of rear of parking lot. Boat storage.





## VIII. RECOMMENDATIONS SUMMARY

The deeming of an area to be in need of redevelopment is an area wide determination. As such, the statutory charge for a positive determination of redevelopment eligibility requires a demonstration, on an area wide basis versus an individual lot basis, that existing conditions meet redevelopment criteria.

The results of the redevelopment area investigation reveal that the majority of the properties and the bulk of the acreage within the study area meet one or more of the statutory conditions for redevelopment area designation.

Further, the remaining properties that do not in and of themselves meet any of the statutory criteria may be properly included as part of the designated redevelopment area, in accordance with Section 3 of N.J.S.A. 40A:12A. This is in recognition of the fact that the study area boundaries were logically drawn to include large contiguous areas that can suitably accommodate redevelopment activity.

It is further recognized that the exclusion of these smaller "out-parcels" will be an impediment to an appropriate redevelopment scheme. From an overall planning standpoint, inclusion of all of the study area properties can be considered essential and necessary for the effective redevelopment of the area. More particularly, the inclusion of these four properties, three on South Avenue (Blk 403 Lots 1,2,3) and on the corner of South Avenue and Center Street (Block 401 Lot 5) is necessary to provide sufficient lot depth and uninterrupted frontage so as to effectuate an appropriate redevelopment scenario.

For all the reasons expressly set forth above we conclude that the South Avenue study area qualifies as "an area in need of redevelopment" in accordance with N.J.S.A. 40:12A.



## IX. NEXT STEPS

Upon receipt of this preliminary investigation, the Planning Board is required to hold a public hearing. Notices for the hearing are required to be published in the newspaper of record in the municipality once each week for two consecutive weeks and a copy of the notice mailed to the last owner of record of each property within the proposed Redevelopment Area. Once the hearing has been completed, the Planning Board may make a recommendation to the Council that the delineated area, or any part, should or should not be determined to be a Redevelopment Area. The governing body may then adopt a resolution determining that the delineated area, or portion, is a Redevelopment Area. Notice of such a determination is then sent to each objector, if any, who has sent in a written protest. The next part of the process is the creation of a Redevelopment Plan to guide development within the delineated area. As previously stated, the creation of a Redevelopment Plan is the second planning document in the redevelopment process. The Redevelopment Plan is required to be adopted by an ordinance of the Council before any project is initiated.

Under N.J.S.A. 40A-7.a, the Redevelopment Plan is required to address the following: 1. The plan's relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. 2. Proposed land uses and building requirements in the project area. 3. Adequate provisions for temporary and permanent relocation, as necessary, of residents in the project area. 4. Identification of any property within the Redevelopment Area which is proposed to be acquired. 5. The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan. 6. Pursuant to N.J.S. 40A:12A-7c, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations.



APPENDIX A  
Resolution # 14-220



**BOROUGH OF GARWOOD**  
**UNION COUNTY, NEW JERSEY**  
**MUNICIPAL BUILDING**  
**403 SOUTH AVENUE**  
**GARWOOD, NJ 07027**

**RESOLUTION NO. 14-220**

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law (LRHL), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, by L.2013, c. 159, the LRHL was amended to provide for an Area in Need of Redevelopment ("Redevelopment Area") to be delineated as a Condemnation Redevelopment Area (CRA) where the use of eminent domain is to be authorized by the municipality or as a Non-Condemnation Redevelopment Area (NCRA) where the use of eminent domain is not to be authorized by the municipality; and

WHEREAS, the LRHL provides a procedure for the investigation of whether a delineated area is an area in need of redevelopment; and

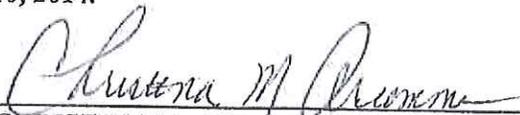
WHEREAS, the Governing Body of the Borough of Garwood deems it advisable to investigate whether the area fronting on South Avenue and Willow Avenue known and designated as Block 401, Lots 1,2,3,4, and 5 and Block 403, Lots 1,2,3,4,5,6,19, 20, 21, and 22 on the tax maps of the Borough of Garwood is an area in need of redevelopment as a CRA, in accordance with N.J.S.A. 40A:12A-1, et seq.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Garwood that the Planning Board of the Borough of Garwood be and is hereby authorized to undertake a preliminary investigation to determine whether the area in the Borough of Garwood, known and designated as Block 401, Lots 1,2,3,4, and 5 and Block 403, Lots 1,2,3,4,5,6,19, 20, 21, and 22 on the Tax Map of the Borough of Garwood is an Area in Need of Redevelopment to be so delineated according to the criteria set forth in N.J.S.A. 40A:12A-1, et seq., as amended; and

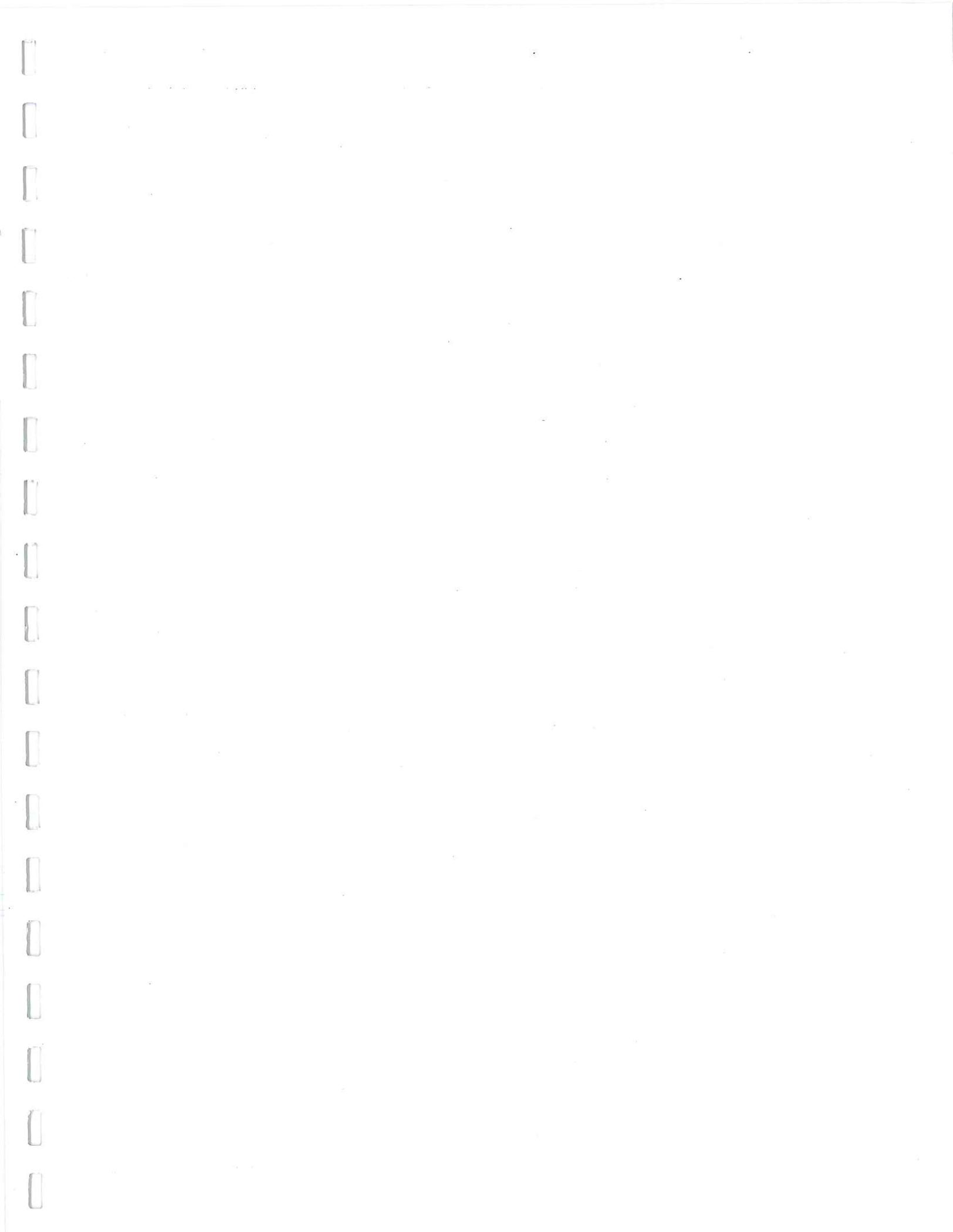
BE IT FURTHER RESOLVED that use of eminent domain is to be authorized by the municipality and that if so delineated, the delineated area shall be deemed a Condemnation Redevelopment Area (CRA) in accordance with L.2013, c. 159; and

BE IT FURTHER RESOLVED that the Planning Board be and is hereby authorized to undertake said investigation in accordance with N.J.S.A. 40A:12A-1, et seq., and is hereby directed that the notice of hearing shall specifically state that a redevelopment area determination shall authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

*I, Christina M Ariemma, Municipal Clerk of the Borough of Garwood hereby attest that this Resolution was adopted by the Council of the Borough of Garwood on June 10, 2014.*

  
CHRISTINA M. ARIEMMA, Municipal Clerk







H2M Associates, Inc.  
119 Cherry Hill Rd, Suite 200, Parsippany, NJ 07054  
tel 862.207.5900 fax 973.334.0507  
[www.h2m.com](http://www.h2m.com)

