

# In Need of Redevelopment Study: Block 5105 Lot 14.01

Prepared for:

**Bloomingtondale Borough  
Passaic County, New Jersey**

**February 13, 2018**

Prepared by:



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Howell, New Jersey 07731  
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## **Acknowledgements**

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Richard Dellaripa, Councilman  
John D'Amato, Councilman  
Ray Yazdi, Councilman  
Dawn Hudson, Councilwoman  
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The original of this report was signed and sealed in accordance with N.J.S.A  
45:14A-12



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Malvika Apte, AICP, PP #6056

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## INTRODUCTION

### **Purpose of Study**

This preliminary investigation and redevelopment study report has been prepared pursuant to the provisions of the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A., 40A:12A-1 et seq. The Bloomingdale Borough Council adopted a resolution dated October 3, 2017, included within Appendix A, directing the Borough Planning Board to undertake a preliminary investigation to determine whether the following area meets the statutory criteria to be designated a “Non-Condensation Area in Need of Redevelopment” pursuant to the LRHL:

### **Study Area:**

Block 5105, Lot 14.01 (formerly Block 5105, Lot 14)

This report serves to formally assess whether the study area meets the statutory criteria of an Area in Need of Redevelopment, pursuant to N.J.S.A. 40A: 12A-5, the New Jersey Local Redevelopment Housing Law (LRHL). A particular parcel or area qualifies for redevelopment if it meets one or more of the eight (8) statutory criteria listed in Section 5 of the LRHL. These criteria and the degree to which the parcel within the Study Area meets these criteria are outlined in detail within the Redevelopment Analysis section herein.

The following records and documents were reviewed as part of this investigation:

- Official Tax Maps of Bloomingdale Borough;
- Tax records for the Study Area properties;
- Aerial photos of the Study Area;
- Ownership and sales information;
- Bloomingdale Borough Master Plan; and
- Zoning Map and Ordinances of Bloomingdale Borough.

CME Associates also completed an on-site inspection and reviewed the land use, occupancy, and physical conditions of the Study Area to support the findings herein. An individual analysis of the property and representative photographs of the property are included in the Redevelopment Analysis section herein.

Ultimately the study concludes that this subject site is an area in need of redevelopment and meets the statutory criterion “c” per N.J.S.A. 40A: 12A-5. **It is our recommendation that the site may be designated as a Non-Condensation Area in Need of Redevelopment.**

## **REDEVELOPMENT PROCESS**

The following process must be followed in order to designate an area in need of redevelopment (N.J.S.A. 40A:12A-6)

- a. The Governing Body adopts a resolution authorizing the Planning Board to undertake a preliminary investigation of a proposed area to determine if the area is in need of redevelopment. The resolution must designate whether the area being considered is proposed as a “Condemnation Redevelopment Area” or a “Non-Condemnation Redevelopment Area.” The only difference between the two is that the Condemnation Redevelopment Area permits the Governing Body to use the power of eminent domain in a designated redevelopment area. The Governing Body forwards a map of the proposed study area to the Planning Board.
- b. The Planning Board “prepares” a map of the redevelopment area and appends a statement setting forth the basis for the investigation. This must be on file with the Municipal Clerk.
- c. A study of the proposed area in need of redevelopment is prepared for review by the Planning Board.
- d. The Planning Board sets a date for a public hearing on the study and provides notice and opportunity for the public and those that would be affected by the determination to provide input on the study. The hearing notice must identify the general boundaries of the area and that a map is on file with the municipal clerk. The hearing notice must also identify whether the area is being considered as a Condemnation or Non-Condemnation Area. Notice must be published for two weeks prior to the hearing in the newspaper of record. Notice must also be mailed to all property owners in the study area and anyone who has expressed interest in the designation.
- e. After completing the hearing, the Planning Board makes a recommendation to the Governing Body whether the area, in whole or in part, should be designated as an area in need of redevelopment.
- f. The Governing Body, after receiving recommendation from the Planning Board, may adopt a resolution determining that the delineated area, in whole or in part, is designated as an area in need of redevelopment.
- g. The Clerk must transmit a copy of the resolution to the Commissioner of the State Department of Community Affairs (NJDCA) for review and approval. NJDCA has 30 days to approve or disapprove the designated area as an area in need of redevelopment as set forth in the resolution. If NJDCA does not respond in 30 days, the designation of the delineated area as an area in need of redevelopment as set forth in the resolution is approved.
- h. Notice of the determination must be provided to all property owners within the delineated area within 10 days of the determination.

- i. Following the 45 day appeal period and approval or no comment from NJDCA, then the area is designated as a redevelopment area and the municipality may exercise all of the powers set forth in the Redevelopment Law.
- j. In order to carry out a redevelopment of the site, a redevelopment plan must be adopted by the Governing Body. The plan may be prepared by the Governing Body and adopted pursuant to an ordinance with a referral to the Planning Board. Alternatively, the Governing Body may ask the Planning Board to prepare the plan, after which the Governing Body may adopt the plan pursuant to an ordinance.
- k. The Redevelopment Plan, once adopted, acts as the zoning on the site.

## **STUDY AREA DELINEATION AND DESCRIPTION**

### **Study Area: Block 5105 Lot 14.01**

#### *Study Area Description*

The Study Area is approximately 33.81 acres (1,472,766 sq. ft.) in area and is located in the southeastern portion of the Borough. This parcel has been created as a result of a recent subdivision dividing the former lot identified as Block 5105 Lot 14 into two (2) lots, comprised of Block 5105 Lot 14.01 (study area) and Lot 14.02, the larger lot of approximately 146.18 acres.

The study area is an irregularly shaped lot, identified in the attached map within Appendix C. The site has access from Union Ave (Route 511). The site is a vacant parcel of land with steep slopes and thick rock formations spread throughout the area. The land contains a mixture of heavy and light vegetation.

#### *Surrounding Land Use*

The Study Area is surrounded by a number of uses, which include residential, public, commercial, and farm (agricultural). To the east of the property lies a large piece of vacant land that is followed by a large parcel designated for industrial uses. To the south lies more vacant land with a smaller parcel labeled as public property, which is located along Brandt Lane off of Hamburg Turnpike. Just west of the Study Area lies residential, agricultural, public, and commercial uses, while to the north the subject property is bounded by additional residential, commercial, and public uses.

#### *Study Area Zoning Classification*

Per Section 92-61, the Study Area is located solely within the AH (Affordable Housing) Zone. The purpose of the AH (Affordable Housing) Zone is to implement the Superior Court Order in the matter of D.R. Horton, Inc.- New Jersey and Bloomingdale Joint, Joint Venture Partners v. Borough of Bloomingdale and Planning Board of the Borough of Bloomingdale, to assist the Borough in addressing its constitutional low and moderate income housing obligation.

The following sections of Chapter 92, set forth by Ordinance Number 5-2017, stated that the purpose of this land is to facilitate the construction of an inclusionary development consisting of a maximum of 360 multi-family units, including 72 units of low and moderate income for-sale

housing which shall comply with all requirements of N.J.A.C. 5:94-1 (COAH's rules) and N.J.A.C. 5:80-26, et seq. (Uniform Housing Authority Controls).

The following uses are permitted in the AH Affordable Housing Zone:

Principal Uses:

- Multi-family buildings, containing maximum of sixty (60) dwelling units per multifamily building.

Permitted Accessory Uses:

- Clubhouse.
- Swimming Pool.
- Recreation facilities, including tot lots and sitting and picnic areas.
- Stormwater basins.
- Fencing.
- Signage.
- Retaining walls.
- Sales and construction trailers.
- Dumpsters and trash enclosures.
- Other subordinate structures customarily incidental and subordinate to the principal buildings or use on the lot.

The bulk requirements of the AH zone are outlined in the tables 1 and 2 below.

<b>TABLE 1 Tract Standards</b>	
<b>Type</b>	<b>Requirement</b>
Maximum yield	360 <sup>a</sup>
Maximum number of multi-family buildings	6
Maximum lot coverage (%)	60
Maximum building coverage (%)	30
Minimum graded area along the rear length of any building (ft.)	36
Minimum building setback from the perimeter property line (ft.)	50
Maximum building height (ft.)	73
Minimum parking setback from the perimeter property line	15
<sup>b</sup> Accessory buildings and/or structures:	
Minimum setbacks from property line	25
Building height	35 <sup>c</sup>



Minimum floor area ratio	N/A
<small><sup>a</sup> 360 rental or for-sale units, or any combination thereof, at the option of the developer. The permitted yield shall be constructed within the restricted area of disturbance. (Ord. No. 16-2011).</small> <small><sup>b</sup> A maximum of 35 feet and not exceeding two (2) stories. A story shall not include a crawl space or a basement, which may be constructed as a walk-out basement, nor shall a walk out basement be considered in the calculation of building height. For purposes of this section only, the building height of any accessory building and/or structure shall be measured from main floor grade level to the peak of the building.</small> <small><sup>c</sup> Accessory buildings and structures in the AH Zone shall be exempt from §92-17 of this chapter.</small> <small>* Perimeter setback standards shall not apply to certain site improvements including retaining walls, detention basins, signs and fencing, unless otherwise required by this section.</small>	

<b>TABLE 2 Multi-family Building Standards</b>	
<b>Type</b>	<b>Requirement</b>
Maximum number of units per building (ft.)	60
Maximum length of building (ft.)	220
Maximum depth of building (ft.)	160
Minimum building setback from internal street or parking (ft.)	10
Minimum building setback from parking (ft.)	10
Maximum building height (residential)(ft.)	73
Minimum distance between residential buildings (ft.)	50

*State Planning Area Classification*

The State Plan Policy Map and State Development and Redevelopment Plan (SDRP) classifies the study area as an Environmentally Sensitive Planning Area (PA5). According to the State Plan, the Environmentally Sensitive Planning Area should protect environmental resources through the protection of large contiguous areas of land; accommodate growth in Centers; protect the character of existing stable communities; confine programmed sewers and public water services to Centers; and revitalize cities and towns.

The Study Area contains a large vacant lot and is located proximate to Interstate Highway 287, which can be accessed via Union Avenue. Through field investigations and review of sources such as GIS mapping, NJDEP GEOWEB layers, and Google Earth aerial imagery, it has been determined that the site contains moderate to severe slopes. The photographs in Appendix B display the rugged terrain of the Study Area. These pictures show steep slopes, heavy vegetation, and thick rock formations. Two (2) smaller wetland areas are also noted along the southwestern/eastern border of the property, which will not interfere with any proposed development. No additional environmental constraints are noted on the site.

Although the site is encumbered with moderate to severe slopes, with suitable project design, it is anticipated that the site can be efficiently developed, especially since no additional environmental constraints encumber the site. With development of this site, which is in an upland area, the site will be consistent with the PA5 planning area goals, which is to protect large contiguous areas with critical natural resources.

Located adjacent to the Study Area lies an existing suburban area characteristic of the Suburban Planning Area (PA2). According to the State Plan, the Suburban Planning Area should provide for much of the State’s future development; promote growth in Centers and other compact forms; protect the character of existing stable communities; protect natural resources; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns. These planning areas share similar objectives and goals. Both the PA2 and PA5 planning areas promote protecting environmental and natural resources, accommodate and

promote growth in Centers, protect the character of existing stable communities, and revitalize cities and towns. Since the subject property lies adjacent to, meets most of the criteria, and aligns with several of the goals of the PA2 planning area, as well as being situated in an upland area, Lot 14.01 is suitable for redevelopment.

## **MASTER PLAN CONSISTENCY**

A redevelopment area designation for the Study Area promotes the following goals from the 2015 Master Plan Amendment. These are:

- #1- Guide appropriate use or development of land to protect health, safety, convenience, and welfare.
- #2- Promote development that does not conflict with the general welfare of the adjoining communities.
- #3- Establish appropriate population density that contributes to the well-being of the community and region.
- #5- Identify opportunities for development and redevelopment.

Therefore, the redevelopment of Block 5105, Lot 14.01 is consistent with the Borough's Master Plan.

## **STATUTORY CRITERIA**

According to N.J.S.A. 40A:12A-5, a delineated area or any portion thereof may be declared in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality, by resolution, concludes that one or more of the following conditions are found:

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

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

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

Furthermore, the LRHL permits the inclusion of parcels that do not meet the statutory criteria to be designated in need of redevelopment if they are necessary for the effective redevelopment of the redevelopment area:

A redevelopment area may include lands, buildings, or improvements, which 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 (N.J.S.A. 40A:12A-3).

## **REDEVELOPMENT ANALYSIS**

CME Associates conducted a site visit on April 21, 2017, to document existing conditions within the Study Area. CME also reviewed Borough tax records, historical imagery, and GIS data as part of the analysis. The New Jersey Department of Environmental Protection's NJ-GeoWeb mapping tool was also used to identify any environmental considerations within the study areas, including the presence of wetlands, known contaminated sites, natural heritage sites, designated open space, and threatened or endangered species habitat.

The analysis indicates that the Study Area met one or more of the statutory criteria to be designated as an "area in need of redevelopment" pursuant to the LRHL. The condition of the Study Area and how the property meets the statutory criteria to be designated in need of redevelopment are outlined in the following subsections. The analysis was based upon surveys of use and the site visit to document the existing conditions.

### **"A" Criteria Assessment**

The Study Area does not meet "A" Criteria.

### **"B" Criteria Assessment**

The Study Area does not meet the "B" Criteria.

### **"C" Criteria Assessment**

The Study Area situated within Block 5105, Lot 14.01 appears to have been vacant for ten years or more, based on historical imagery. Further, the tax records of more than 10 years show the site has remained vacant. A copy of the tax records for the past 10 years is attached in the appendices. Please note the tax records attached are of the former site Block 5105, Lot 14. Due to the recent subdivision, the tax record of the new site Block 5105, Lot 14.01 is not available. However, it can clearly be established that the site has remained vacant for the past ten years with no developments on the entire site.

Typically when a tract has remained vacant for ten or more years, it is usually due to conditions that make the property unmarketable, such as location, topography, size and shape of the parcel, and access issues. Clearly, existing environmental constraints, such as steep slopes and the limited site frontage, have made it difficult for the site to be developed without public intervention.

### **"D" Criteria Assessment**

The Study Area does not meet the "D" Criteria.

### **“E” Criteria Assessment**

The Study Area did not include any properties that fell within the “E” Criteria.

### **“F” Criteria Assessment**

The Study Area did not include any properties that fell within the “F” Criteria.

### **“G” Criteria Assessment**

The Study Area did not include any properties that fell within the “G” Criteria.

### **“H” Criteria Assessment**

The Study Area did not include any properties that fell within the “H” Criteria.

## **FINDINGS**

Based upon our analysis, the Study Area meets one of the statutory criteria required to designate the site as an “area in need of redevelopment”. This site meets the **“C” criteria of the Land Use Redevelopment Law**. The Study Area has remained vacant for a period of more than 10 years, showing clear signs of underutilization of the property. The site has remained vacant due to various reasons, including topography, unique property configuration and limited site frontage, which limit its usefulness or stymie a well planned development or redevelopment of the area. By designating the area in need of redevelopment and adopting a redevelopment plan for the area, a municipality can use the powers granted by LRHL to reduce or eliminate these impediments and create a sound and rational land use plan for the area to ensure that the area more effectively contributes to the general welfare of the community.

## **CONCLUSIONS AND RECOMMENDATION**

As noted above, the Study Area meets one of the statutory criteria to be designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law. Therefore, it is our recommendation that Study Area be designated as an Area in Need of Redevelopment pursuant to applicable provisions of the LRHL.

**APPENDIX A: Resolution Authorizing Preliminary Investigation and Redevelopment Study**

**RESOLUTION #2017-10.3  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

*Amending Resolution 2017-6.13 Authorizing review by the Planning Board of a  
Redevelopment Study of Main Street and Redevelopment Study of the Meer Tract by  
CME Associates dated May 2017*

**WHEREAS**, the Governing Body of the Borough of Bloomingdale by way of Resolution 2017-6.13 requested the Planning Board to undertake a preliminary investigation to determine whether certain properties in said resolution meet the statutory criteria to be designated a “Non-Condensation Area in Need of Redevelopment” pursuant to the Local Redevelopment Housing Law; and

**WHEREAS**, the Redevelopment Needs Study included the property known as the “Meer Tract” identified as Block 5105, Lot 14 on the Tax Map of the Borough of Bloomingdale; and

**WHEREAS**, the Planning Board has recently authorized the subdivision of Block 5105, Lot 14 into two separate lots: Block 5105, Lot 14.01 which is approximately 33 acres in size and has been identified as a property for a potential affordable housing site within the Borough; the other lot from this subdivision is known as Block 5105, Lot 14.02 which is approximately 145 acres in size which the Council does not believe such land should be considered for a Redevelopment Study.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Bloomingdale that Resolution 2017-6.13 which requests the Planning Board to undertake a preliminary investigation to determine whether the following areas meet the statutory criteria to be a designated “Non-Condensation Area in Need of Redevelopment” pursuant to the local redevelopment housing law be amended as follows:

- a. Block 5105, Lot 14 is hereby removed from the Redevelopment Need Study/Meer Tract in that the property has been subdivided and the Block and Lot no longer exists on the Tax Map;
- b. Block 5105, Lot 14.01 (formerly a portion of Block 5105, Lot 14) is hereby requested to be part of the preliminary investigation of the Planning Board known as the Redevelopment Needs Study; and
- c. Block 5105, Lot 14.02 (formerly a portion of Block 5105, Lot 14) is hereby omitted from the Redevelopment Needs Study.

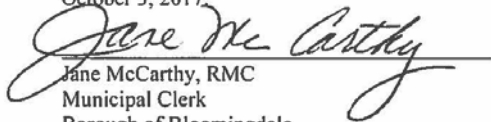
**BE IT FURTHER RESOLVED** that all other direction set forth in the resolution 2017-6.13 hereby remains in full force and effect.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Planning Board for their consideration.

*Record of Council Vote on Passage*

COUNCILPERSON	AYE	NAY	Abstain	Absent	COUNCILPERSON	AYE	NAY	Abstain	Absent
Sondermeyer	X				Dellaripa	X			
D'Amato	X				Costa	X			
Hudson	X				Yazdi	X			

Adopted at a meeting of the Borough Council of the Borough of Bloomingdale on Tuesday, October 3, 2017.

  
Jane McCarthy, RMC  
Municipal Clerk  
Borough of Bloomingdale



## **APPENDIX B: Photographs of Study Area**



Viewing southeast within study area off of Union Avenue.



Viewing southwest within study area off of Union Avenue.



Viewing northwest within the study area looking out towards Union Avenue.



Viewing south within study area off of Union Avenue.



Viewing northeast within study area along its western border.



Viewing south of the study area along Union Avenue.



Viewing south of the study area along its eastern border.



Viewing southwest within study area



Viewing south within the middle of the study area.



Viewing east along the northern border of the study area off of Union Avenue.



Viewing south of the study area looking out towards its eastern border.



Viewing south within the middle of the study area.



Viewing north within the middle of the study area.



Viewing north of the study area along its eastern border.

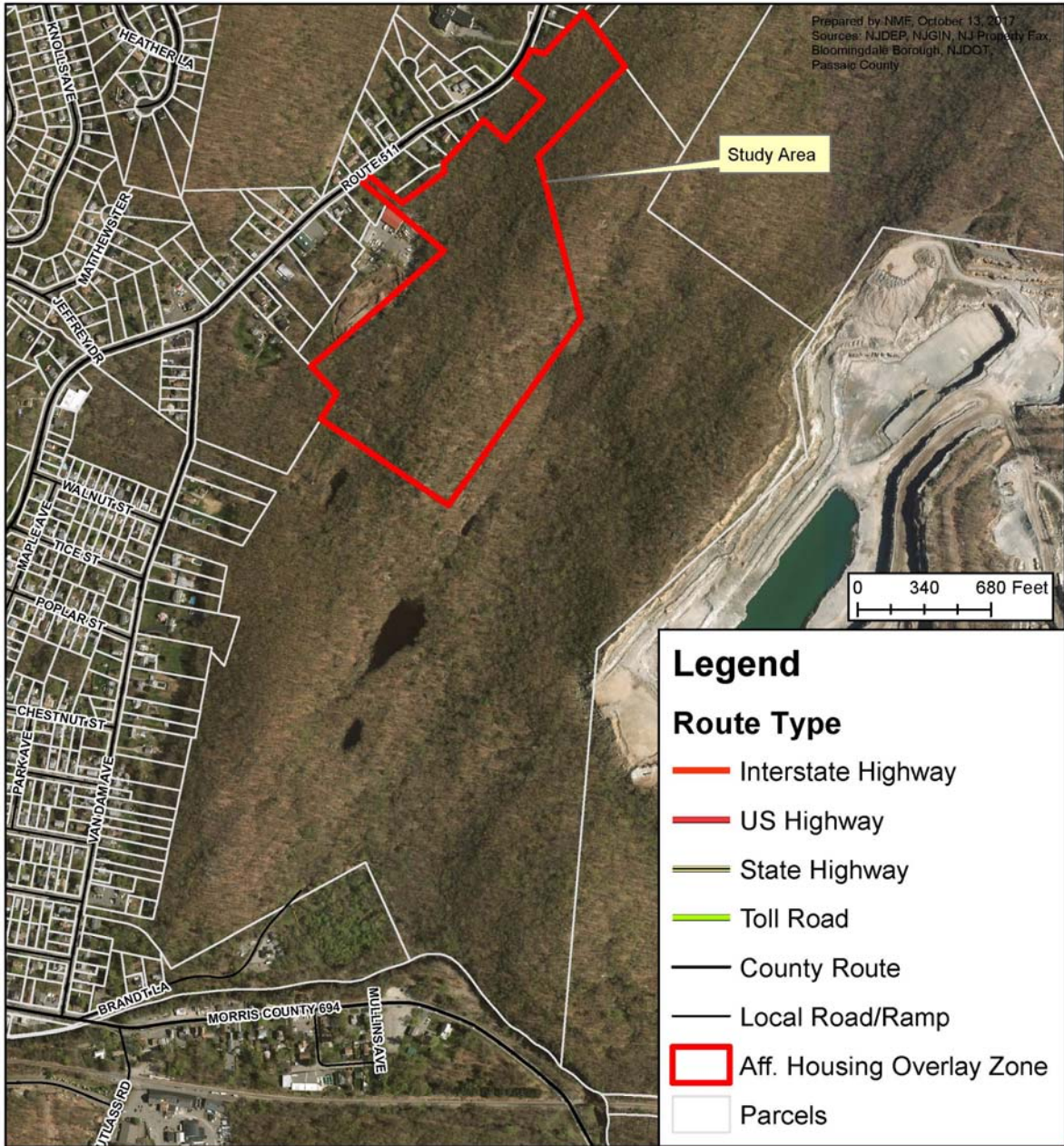


Viewing northeast of the study area along its southern border.



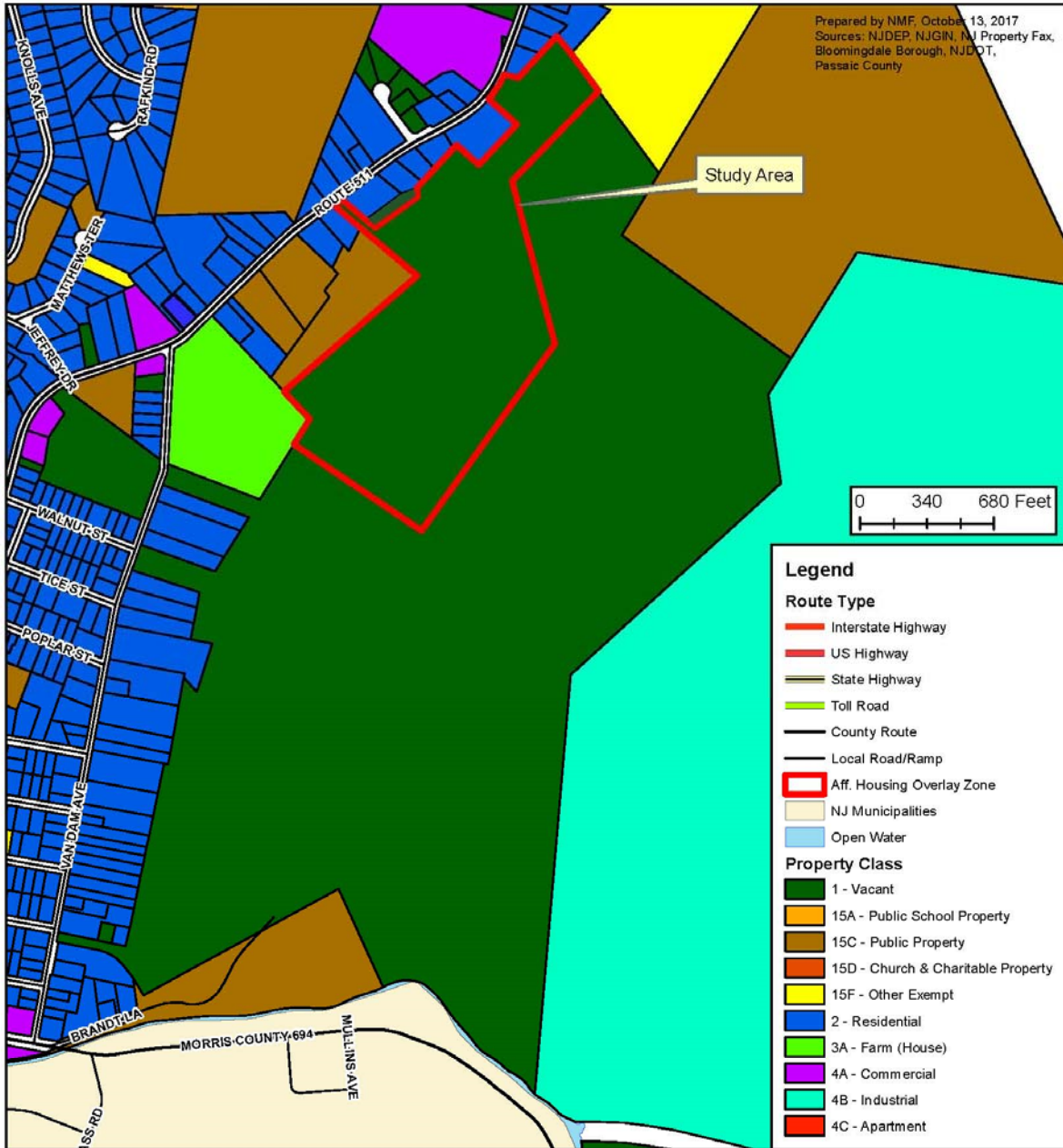
Viewing north of the study area along its southern border.

## **APPENDIX C: Site Maps**



**Map  
 Aerial**  
 Block 5105, Lot 14.01  
 Borough of Bloomingdale  
 Passaic County, New Jersey



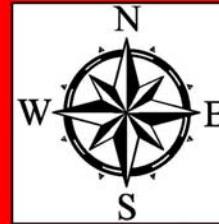


**Map  
Land Use**  
Block 5105, Lot 14.01  
Borough of Bloomingdale  
Passaic County, New Jersey

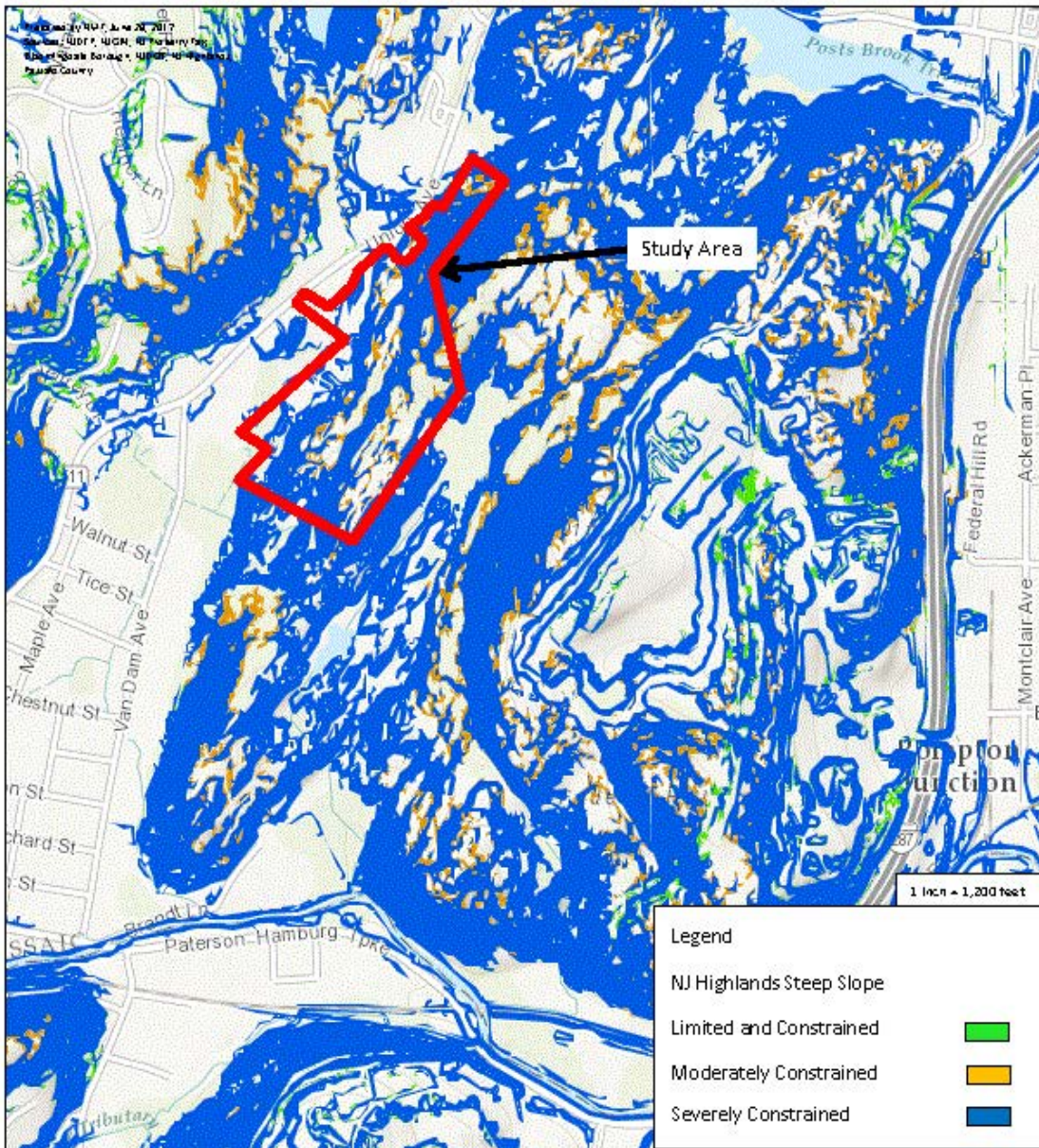




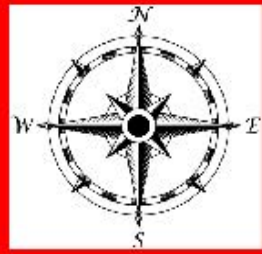
**Map**  
**Wetlands**  
 Block 5105, Lot 14.01  
 Borough of Bloomingdale  
 Passaic County, New Jersey







**Map**  
**Steep Slopes**  
Block 5105, Lot 14.01  
Borough of Bloomingdale  
Passaic County, New Jersey



## **APPENDIX D: Tax Records**

June 27, 2017  
08:39 AM

Borough of Bloomingdale  
Assessed Value Listing

Page No: 1

Block/Lot/Qual: 5105. 14.  
Property Location: OFF VAN DAM & UNION AVE

Owner: FINBAR EQUITY I LLC C/O TILCON

Year	Land Value	Impr Value	----- Limited Exemptions -----				Net Value	Special Tax Codes
2008	1,445,400	0	0	0	0	0	1,445,400	
2009	1,445,400	0	0	0	0	0	1,445,400	
2010	1,445,400	0	0	0	0	0	1,445,400	A01
2011	1,445,400	0	0	0	0	0	1,445,400	A01
2012	11,160,000	0	0	0	0	0	11,160,000	A01
2013	11,160,000	0	0	0	0	0	11,160,000	A01
2014	11,160,000	0	0	0	0	0	11,160,000	A01
2015	11,160,000	0	0	0	0	0	11,160,000	A01
2016	11,160,000	0	0	0	0	0	11,160,000	A01
2017	11,160,000	0	0	0	0	0	11,160,000	
2018	11,160,000	0	0	0	0	0	11,160,000	