

2019

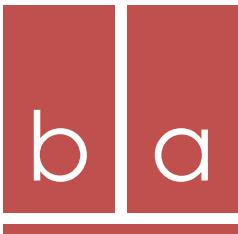
Route 1 Penns Neck

Area in Need of Redevelopment Study

Draft Version 1.0 (07/03/19)

Township of West Windsor | Mercer County, New Jersey





Community Planning
Land Development and Design
Landscape Architecture

Principals:

Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

BURGIS
ASSOCIATES, INC.

Route 1 Penns Neck

Area in Need of Redevelopment Study

Township of West Windsor
Mercer County, New Jersey

Prepared for the Township of West Windsor
Planning Board

BA# 3442.16

The original document was appropriately signed and sealed on _____ in accordance with
Chapter 41 of Title 13 of the State Board of Professional Planners

Joseph H. Burgis, AICP, PP
Professional Planner #2450

David Novak, AICP, PP
Professional Planner #6269

Members of the Township of West Windsor

Gene O'Brien, Chair
Michael Karp, Vice Chair
Hemant Marathe, Mayor
Sue Appelget, Class IV
Linda Geevers, Class III
Curtis Hoberman, Class II
Michael Huey, Class IV
Andrea Mandel, Class IV
Simon Pankove, Class IV
Allen Schectel, Alternate
Anis Baig, Alternate

Planning Board Attorney

Gerald Muller, Esq.

Recording Secretary

Terri Jany

Administrative Secretary

Lisa Komjati

Manager, Division of Land Use

Samuel J. Surtees

Township Engineer

Francis Guzik, PE

Township Landscape Architect

Daniel Dobromilsky, PLA, PP, LTE

Borough Planning Consultant

Joseph H. Burgis PP, AICP

David Novak PP, AICP

Burgis Associates, Inc.

Contents

Section 1: Introduction	1
Section 2: LRHL Background	3
2.1: Redevelopment Process.....	4
2.2: Statutory Criteria.....	6
Section 3: Study Area	9
3.1: Study Area Overview.....	9
3.2 Existing Land Uses.....	9
3.3 Ownership.....	11
3.4 Property Tax Records.....	11
3.5 Surrounding Properties	12
3.6: Site Specific Information.....	15
Section 4: Master Plan	75
Section 5: Zoning	77
Section 6: Compliance with the Statutory Criteria	79
6.1: Block 38 Lot 1.....	80
6.2: Block 38 Lot 2.....	81
6.3: Block 38 Lot 3.....	82
6.4: Block 38 Lot 25	84
6.5: Block 38 Lot 45	85
6.6: Block 39 Lot 4	86
6.7: Block 39 Lot 5.....	88
6.8: Block 39 Lot 7	90
6.9: Block 39 Lot 16.....	91
6.10: Block 39 Lot 27	92
Section 7: Planning Conclusion and Recommendation	95

Tables

Table 1: Existing Land Uses	10
Table 2: Ownership Information	11
Table 3: R-20 District Permitted and Conditional Uses	77
Table 4: R-20 Bulk Standards.....	77
Table 5: Summary of Compliance with Statutory Criteria.....	79

Figures

Figure 1: Summary of Redevelopment Process.....	5
Figure 2: Existing Land Uses.....	10
Figure 3: Bird's Eye Aerial of Site and Surrounding Properties, Looking South.....	12
Figure 4: Overview of Study Area.....	13
Figure 5: Existing Land Use.....	14
Figure 6: Block 38 Lot 1 (Scale: 1"=200')	15
Figure 7: Block 38 Lot 2 (Scale: 1"=200')	19
Figure 8: Block 38 Lot 3 (Scale: 1"=200')	25
Figure 9: Block 38 Lot 25 (Scale: 1"=200')	29
Figure 10: Block 38 Lot 45 (Scale: 1"=200')	33
Figure 11: Block 39 Lot 4 (Scale: 1"=200')	37
Figure 12: Block 39 Lot 5 (Scale: 1"=200').....	47
Figure 13: Block 39 Lot 7 (Scale: 1"=200').....	51
Figure 14: Block 39 Lot 16 (Scale: 1"=200').....	57
Figure 15: Block 39 Lot 27 (Scale: 1"=200')	61
Figure 16: CEA Area.....	74
Figure 17: Existing Land Use Plan Map	76
Figure 18: Existing Zoning Map	78
Figure 19: Block 38 Lot 1 (Scale: 1"=200')	80
Figure 20: Block 38 Lot 2 (Scale: 1"=200')	81
Figure 21: Block 38 Lot 3 (Scale: 1"=200')......	82
Figure 22: Block 38 Lot 25 (Scale: 1"=200').....	84
Figure 23: Block 38 Lot 45 (Scale: 1"=200')	85
Figure 24: Block 39 Lot 4 (Scale: 1"=200').....	86
Figure 25: Block 39 Lot 5 (Scale: 1"=200')	88
Figure 26: Block 39 Lot 7 (Scale: 1"=200')	90
Figure 27: Block 39 Lot 16 (Scale: 1"=200')	91
Figure 28: Block 39 Lot 27 (Scale: 1"=200').....	92
Figure 29: Recommended Redevelopment Area	94

1: Introduction

On April 15, 2019, the West Windsor Township Council authorized the Township Planning Board to conduct a preliminary investigation to determine if the Penns Neck area along the Route 1 Corridor between Mather Ave and Washington Road (hereinafter referred to as the "Study Area") constitutes an "area in need of redevelopment" under the New Jersey Local Redevelopment Housing Law (LRHL). The Planning Board subsequently directed Burgis Associates, Inc. to prepare the planning analysis contained herein for its review and subsequent recommendation to the Township Council.

As identified in the Township Council's authorizing resolution (See Appendix A), the Study Area consists of ten (10) lots which are identified by the Official Tax Map of the Township of West Windsor as Block 38 Lots 1, 2, 3, 25, and 45, and Block 39 Lots 4, 5, 7, 16, and 27. Altogether, the Study Area encompasses an area of approximately 5.71 acres, inclusive of the right-of-way.

The April 15, 2019 resolution also declares that the preliminary investigation of the Study Area shall be undertaken within the context of a "condemnation" redevelopment procedure. That is, if the Study Area or a portion thereof is determined to be an Area in Need of Redevelopment pursuant to the LRHL, it shall be designated a Condemnation Redevelopment Area. Such a designation would authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area, including eminent domain.

Accordingly, the following study examines whether the Study Area qualifies as a redevelopment area pursuant to the requirements and criteria set forth by the LRHL. It is based upon: an examination of the Study Area's existing development pattern; site inspections; a review of historical data; an assessment of the Study Area's surrounding development pattern; a review of the Township's master plan goals, objectives, policy statements, and land use recommendations; a review of the Study Area's zoning provisions and its compliance thereto; and an evaluation of the statutory "area in need of redevelopment" criteria.

Ultimately, this study offers the following conclusions:

1. Three (3) of the lots within the Study Area (Block 38 Lot 2; Block 39 Lot 5; and Block 39 Lot 27) displayed characteristics that satisfy the statutory criteria and consequently justify their designation as a redevelopment area.
2. In addition, the planning analysis determined that it was appropriate to include two (2) additional lots (Block 38 Lot 3 and Block 39 Lot 4) within the redevelopment area, as their inclusion is necessary for the effective redevelopment of the area of which they are a part.

3. In addition to and in conjunction with the above, it is recommended that the Township consider rezoning the remainder of the Study Area. These properties are presently residentially zoned. However, this designation is no longer appropriate due to the site's immediate proximity to the US Route 1 corridor which serves as a gateway opportunity for the Township. As such, it is recommended the Township rezone these properties into a new zone which will be complementary to and integrated with the Redevelopment Area.

The remainder of this Area in Need of Redevelopment Study is divided into the following sections:

1. **Section 2: LRHL Background**

This section discusses the background of the LRHL as well as the redevelopment process and the statutory criteria for determining whether a site qualifies as an Area in Need of Redevelopment.

2. **Section 3: Study Area**

The third section provides an overview of the Study Area. It includes detailed property descriptions as well as an analysis of the area's surrounding development pattern.

3. **Section 4: Township Master Plan**

Section 4 discusses the relationship of the Township's master planning documents to the Study Area.

4. **Section 5: Existing Zoning**

Next, Section 5 discusses the existing zoning of the Study Area and how it relates to the Master Plan.

5. **Section 6: Compliance with the Statutory Criteria**

The penultimate section analyzes the Study Area's compliance with the LRHL statutory criteria.

6. **Section 7: Planning Conclusions and Recommendations**

Finally, Section 7 offers the study's planning conclusions and recommendations.

2: LRHL Background

In 1992, the New Jersey Legislature enacted a new statute which revised and consolidated the State's various redevelopment statutes. Known as the Local Redevelopment and Housing Law (LRHL), this new statute rescinded a number of prior redevelopment statutes and replaced them with a single comprehensive statute governing local redevelopment activities throughout the State.

Ultimately, the LRHL was designed by the State Legislature to assist municipalities in the process of redevelopment and rehabilitation. As explained by the Legislature in the preamble to the LRHL:

"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."

The LRHL provides the statutory authority for municipalities to engage in a number of redevelopment activities, including: designating an "area in need of redevelopment"; preparing and adopting redevelopment plans; and implementing redevelopment projects. It is essentially a planning and financial tool that allows an area to be overlain with specific zoning and other incentives to stimulate its redevelopment or rehabilitation.

More specifically, a redevelopment designation allows a municipality to:

1. Adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use and intensity of use;
2. Issue bonds for the purpose of redevelopment;
3. Acquire property;
4. Lease or convey property without having to go through the public bidding process;
5. Collect revenue from a selected developer; and/or
6. Grant tax exemptions and abatements.

2.1: Redevelopment Process

As outlined by the LRHL, the first step of the redevelopment process is for the governing body to direct the planning board to undertake a preliminary investigation to determine whether or not an area is in need of redevelopment. As required by recent amendments to the LRHL, the governing body must also indicate whether it is seeking to designate the area as a "Non-Condemnation Redevelopment Area" or a "Condemnation Redevelopment Area." Pursuant to the resolution adopted on April 15, 2019, the West Windsor Township Council has initiated this process as a "condemnation" Study Area (see Appendix A).

An area qualifies as being in need of redevelopment if it meets at least one (1) of the eight (8) statutory criteria listed under Section 5 of the LRHL. These criteria, which are described in detail later in this section, are the same regardless of whether a governing body seeks to designate a study area as a "Non-Condemnation Redevelopment Area" or a "Condemnation Redevelopment Area."

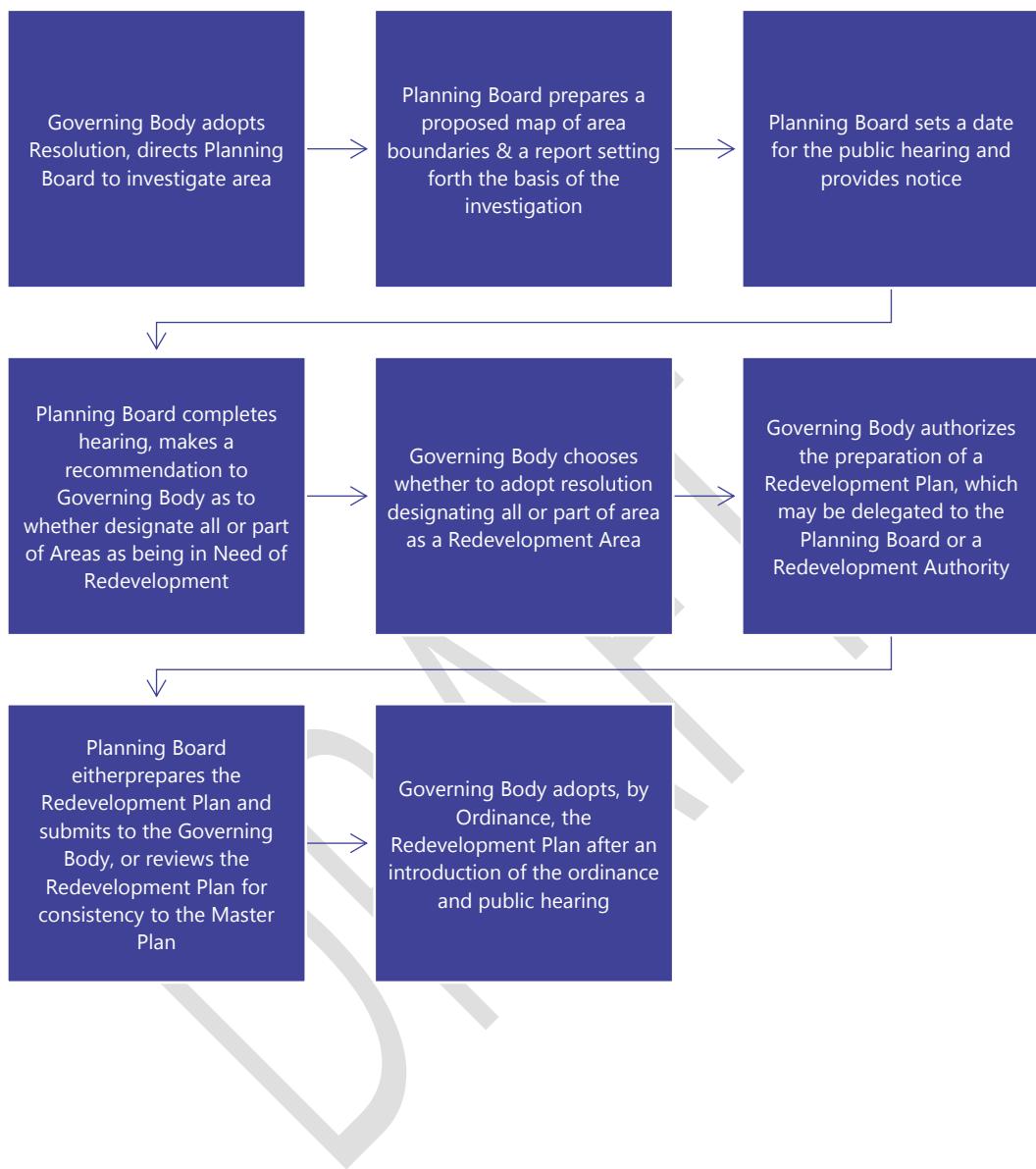
The statute also specifically establishes that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety, or welfare, provided that the inclusion of those lands is necessary for the effective redevelopment of the area.

After it conducts its investigation, the planning board must hold a public hearing on the proposed redevelopment area designation. Based on the planning board's recommendation, the governing body may designate all or a portion of the area as an "Area in Need of Redevelopment." The governing body will then prepare a redevelopment plan for the area, or alternatively will direct the planning board to prepare such a plan.

Following the adoption of the redevelopment plan, the governing body or another public agency/authority designated by the governing body as the "redevelopment entity" will oversee the implementation of the redevelopment plan. This redevelopment entity is responsible for selecting a redeveloper to undertake the redevelopment project which implements the plan.

In summary, the LRHL essentially establishes a two-fold process in which a site is designated as an Area of Need of Redevelopment (Step 1), and a plan is prepared based on that designation (Step 2). The accompanying figure provides a summary of this process, beginning with the adoption of a resolution by the governing body to the preparation and adoption of a redevelopment plan.

Figure 1: Summary of Redevelopment Process



2.2: Statutory Criteria

The LRHL establishes eight (8) statutory criteria to determine if an area qualifies as being in need of redevelopment. The statute provides that a delineated area may be determined to be in need of redevelopment if "after investigation, notice and hearing...the governing body of the municipality by resolution concludes that within the delineated area" any one of the eight criteria are present.

The criteria area as follows:

- | | |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The "a" Criterion:
Deterioration | The generality of buildings in the area 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. |
| 2. The "b" Criterion:
Abandoned Commercial
and Industrial Buildings | 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. |
| 3. The "c" Criterion: Public
and Vacant Land | 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. |
| 4. The "d" Criterion:
Obsolete Layout and
Design | 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. |

5. The "e" Criterion: Property Ownership and Title Issues.	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.
6. The "f" Criterion: Fire and Natural Disasters.	Areas in excess of five (5) 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.
7. The "g" Criterion: Urban Enterprise Zones.	In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zone Act," 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
8. The "h" Criterion: Smart Growth Consistency	The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. Smart growth principles include a focus on mixed land use arrangements; compact building design; the creation of a range of housing opportunities and choices; fostering of walkable neighborhoods; promotion of distinctive, attractive communities with a strong sense of place; preservation of open space, farmland and critical environmental areas; strengthening and encouraging growth in existing communities; provision of a variety of transportation choices; making development decisions predictable, fair and cost-effective; and, encouraging citizen and stakeholder participation in development decisions.

In regard to the "h" criterion above, there are ten (10) principles of smart growth. These principles are established as follows:

1. Mix of land uses
2. Take advantage of compact design
3. Create a range of housing opportunities and choice
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Direct development toward existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective
10. Encourage community and stakeholder collaboration in development decisions

DRAFT

3: Study Area

The following section provides a general overview of the Study Area, including an analysis of its existing land uses, ownership records, property tax records, and surrounding development pattern. Detailed information for each lot within the Study Area is also provided.

3.1: Study Area Overview

The Study Area is located in the northerly portion of the Township, near the intersection of US Route 1 and Washington Road. Inclusive of the right-of-way, the Study Area encompasses an area of approximately 5.71 acres. It consists of ten (10) separate lots: Block 38 Lots 1, 2, 3, 25, and 45; and Block 39 Lots 4, 5, 7, 16, and 27

The entirety of the Study Area has approximately 880 feet of frontage along the US Route 1 Corridor, as measured between Mather Avenue to the southwest and Washington Road to the northeast. It is bisected by Varsity Avenue which intersects with US Route 1. Block 38 and Block 39 have approximately 387 feet and 438 feet of frontage along US Route 1, respectively.

The depth of the Study Area varies between 237 feet to 300 feet as measured from Route 1. The depth of Block 38 varies between approximately 270 feet and 288 feet, while the depth of Block 39 varies between approximately 237 feet to 300 feet.

3.2 Existing Land Uses

The following table and accompanying figure provide an overview of the existing land uses within the Study Area.

As shown, three (3) of the lots within the Study Area are presently developed with single-family dwellings. An additional property (Block 39 Lot 5) was developed with a single-family dwelling and a home office; however, this structure was significantly damaged by a fire and is no longer inhabitable. One (1) property, Block 39 Lot 7, is a two-family dwelling.

Two (2) properties within the Study Area are vacant and undeveloped: Block 38 Lot 1 and Block 38 Lot 3. The former lot was previously developed with an office building which was demolished in 2017. Lot 3 has no records of any development ever existing on site. Furthermore, two (2) properties within the Study Area are presently unoccupied. These include Block 38 Lot 2 and the aforementioned Block 39 Lot 5.

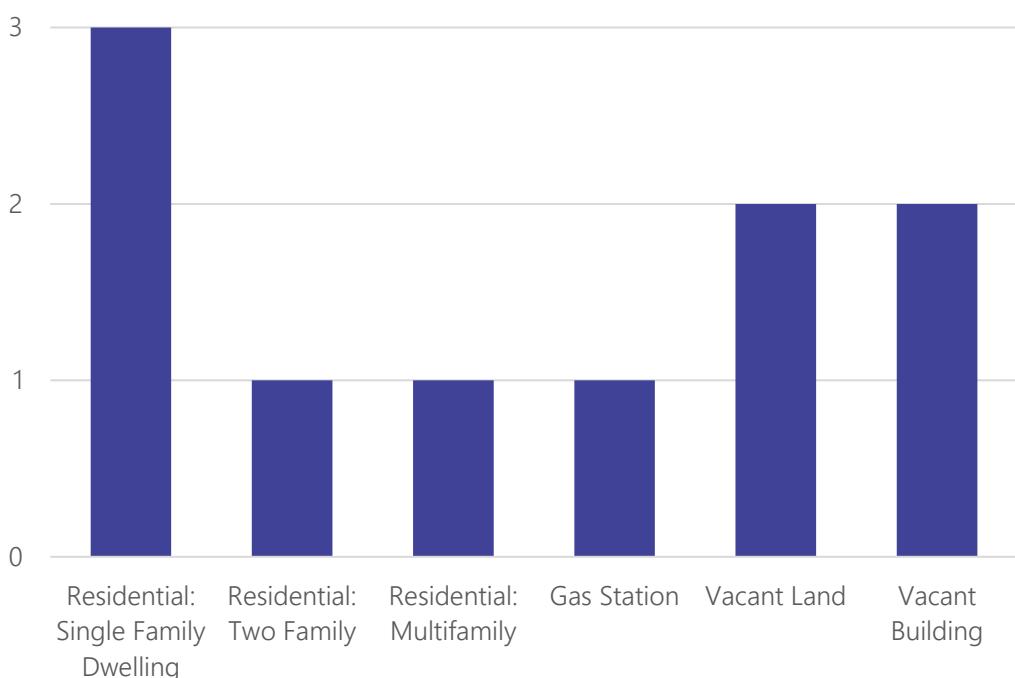
Finally, two (2) properties are developed with pre-existing nonconforming uses. One (1) property is developed with a multifamily apartment consisting of six (6) units, while one (1) property is developed with a gas station.

Table 1: Existing Land Uses

Block	Lot	Address	Area	Land Use
38	1	3700 Brunswick Pike	0.57	Vacant Land
	2	3702 Brunswick Pike	0.53	Vacant Building
	3	3704 Brunswick Pike	0.60	Vacant Land
	25	26 Varsity Ave	0.52	Residential: Single Family
	45	265 Mather Ave	0.48	Residential: Single Family
39	4	3706 Brunswick Pike	0.64	Residential: Multifamily
	5	262 Washington Road	0.36	Vacant Building
	7	258 Washington Road	0.56	Residential: Two Family
	16	265 Varsity Road	0.54	Residential: Single Family
	27	264 Washington Road	0.62	Gas Station
Total Area			5.41	

Figure 2: Existing Land Uses

4



3.3 Ownership

The following table identifies the owners of each lot within the Study Area. This information was obtained from online Mod IV Tax data which is publicly available from the Department of the Treasury's Division of Taxation.

Table 2: Ownership Information

Block	Lot	Address	Owner
38	1	3700 Brunswick Pike	Penns Neck Plaza, LLC
	2	3702 Brunswick Pike	Penns Neck Access LLC
	3	3704 Brunswick Pike	Penns Neck Plaza LLC
	25	26 Varsity Ave	Varsity 266 LLC
	45	265 Mather Ave	Martin D. Kahn
39	4	3706 Brunswick Pike	Sharley Chaung
	5	262 Washington Road	Vanara Properties, LLC
	7	258 Washington Road	Washington Road, LLC
	16	265 Varsity Road	Felice J. Weiner
	27	264 Washington Road	Trinetra Realty Holdings PA LP

3.4 Property Tax Records

The following table provides the land, improvement, and total values of each property within the Study Area. Improvement-to-land-value ratios were also calculated for each lot. This information was obtained from online Mod IV Tax data which is publicly available from the Department of the Treasury's Division of Taxation.

Block	Lot	Land Value	Improvement Value	Total Value	Improvement to Land Value Ratio
38	1	\$171,400	\$100	\$171,500	0:1
	2	\$169,900	\$3,700	\$173,600	0:1
	3	\$172,100	\$0	\$172,100	0:1
	25	\$225,500	\$197,700	\$423,200	0.9:1
	45	\$179,200	\$111,100	\$290,300	0.6:1
39	4	\$232,000	\$346,500	\$578,500	1.5:1
	5	\$174,400	\$52,600	\$227,000	0.3:1
	7	\$171,000	\$177,400	\$348,400	1:1
	16	\$226,500	\$148,600	\$375,100	0.7:1
	27	\$372,000	\$162,700	\$534,700	0.4:1

3.5 Surrounding Properties

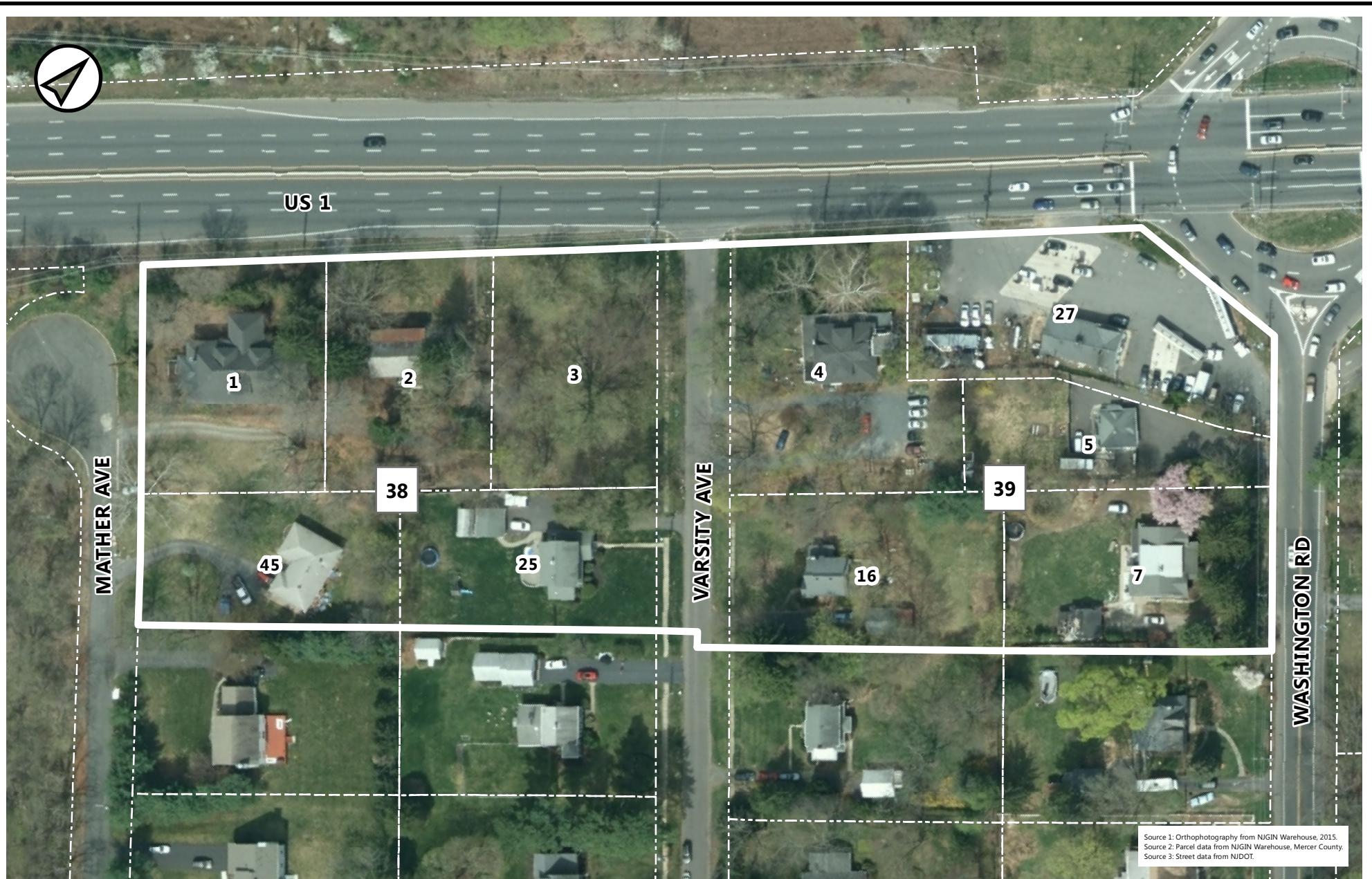
Surrounding land uses are varied and consist of:

1. Farmland and an abandoned gas station to the northwest and north;
2. Single-family dwellings and the SRI office campus to the northeast;
3. Single-family dwellings to the east;
4. And single-family dwellings and the University Square (Black Rock Building) office development to the southwest.

Figure 3: Bird's Eye Aerial of Site and Surrounding Properties, Looking South



Source: Google Maps (Note: Boundary Line Approximate, N.T.S.)



Dwg. Title

Overview of Study Area



BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
25 Westwood Avenue
Westwood, New Jersey 07675
p: 201.666.1811
f: 201.666.2599

Project Title

Area in Need of Redevelopment Study

TOWNSHIP OF WEST WINDSOR | MERCER COUNTY, NEW JERSEY

Project No.

3442.16

Date

05.22.19

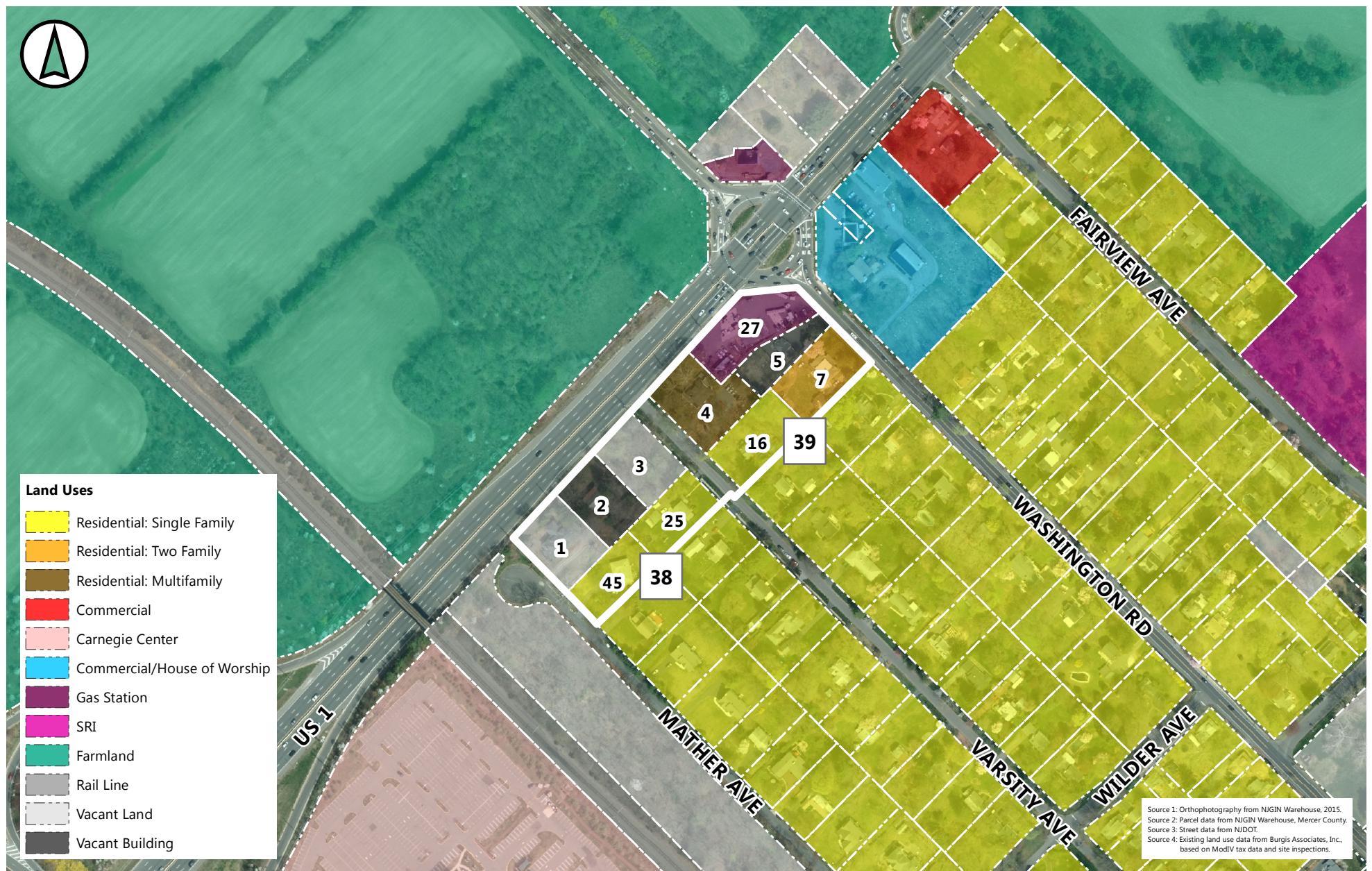
Drawn

DN

Legend



2019 COPYRIGHT BA - NOT TO BE REPRODUCED



Dwg. Title

Existing Land Uses



BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
25 Westwood Avenue
Westwood, New Jersey 07675
p: 201.666.1811
f: 201.666.2599

Project Title

Area in Need of Redevelopment Study

TOWNSHIP OF WEST WINDSOR | MERCER COUNTY, NEW JERSEY

Project No.	Date	Drawn
3442.16	06/10/19	DN
Scale: 1 " = 300'	Dwg. No.: elu	

Legend

- Parcels
- Study Area

2019 COPYRIGHT BA - NOT TO BE REPRODUCED

3.6: Site Specific Information

The following subsection provides site specific information for each lot within the Study Area. This information will serve as the basis for the analysis and opinions offered in Section 6 of this Study.

3.6.1: Block 38 Lot 1

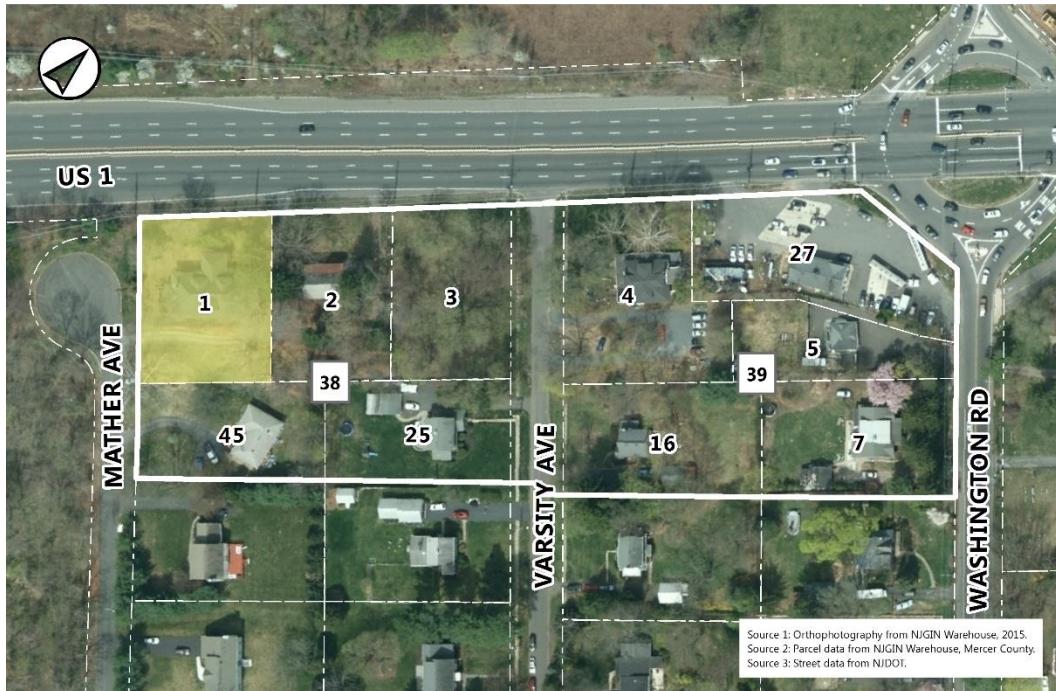


Figure 6: Block 38 Lot 1 (Scale: 1"=200')

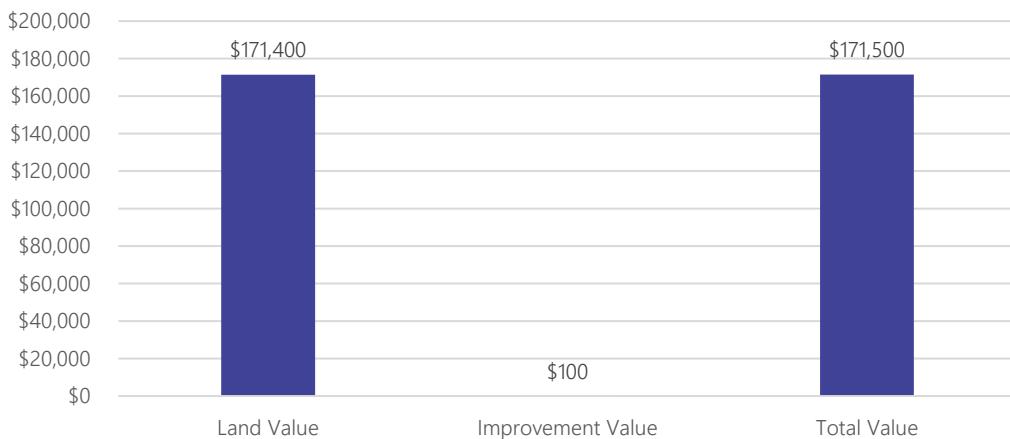
Summary

Block 38 Lot 1 is located at the southwesterly corner of the Study Area and has frontage along both Mather Ave and US Route 1. The site previously received approval in 1961 to convert a former community club into an office. This building was later demolished in 2017. The site is now vacant and undeveloped.

Property Information Overview

Address:	3700 Brunswick Pike
Owner(s):	Penns Neck Plaza, LLC
Area (ac):	0.57
Property Classification:	1 (Vacant)
Zoning District:	R-20
Property Use:	Vacant Land
Building Description:	Not Applicable
Permitted Use(s):	Not Applicable
Exterior Condition:	Not Applicable

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
03/23/65	1613	Building	Construction of a loading platform 8'0" wide by 13'4" long within the confines of the existing building. Installation of an oiled gravel driveway 12'0" wide to the loading platform. Installation of a 4'0" wide sidewalk to the front entrance of the building.
05/03/66	1778	Building	To build an office partition on the first floor
02/28/67	1872	Building	Remove existing wall between garage and living room, remove garage door, install wood floor in garage to match height of present living room floor
09/09/69	2375	Building	Install sliding glass doors in existing porch
02/21/73	3257	Building	Remove and replace shingles sheathing
12/09/74	0506	Board of Health Sewage Disposal System	35' by 20' bed design for 15 persons. 225 gallons per day.
05/16/80	856	Application to Locate a Sewer Line Lateral	Tied in 05/20/80
04/24/87	2885	Construction Permit	Alteration of office building.
06/28/90	00-7079	Construction Permit	Water service connection
07/26/93	93-0997	Construction Permit	Remodel bathroom
04/24/17	2017-0585	Demolition	No self-luminous exit signs found. All asbestos material removed. Rodent control conducted

Application/Approval Summary

Date	App. #	Description	Notes
08/03/61	n/a	Variance approval	Recommendation made to the Township Committee that the application to alter, convert, and use the Penns Neck Community Club for a research laboratory with offices and space for warehousing, assembling and distribution scientific instruments
01/27/62	n/a	Certificate of Occupancy	Approved
02/01/62	n/a	Zoning	Sign approved
04/06/17	n/a	Mercer County Soil Erosion and Sediment Control Plan	Approved

Complaints/Violations

Date	Department	Complaint/Issue	Description
08/16/74	Health	Septic overflow	Inspection showed overflow on Route 1 and Mather Ave.
10/9/74	Health	Septic Overflow	Letter from Health Officer documenting three (3) separate occasions (08/16/74, 09/20/74, 09/27/74) of receiving complaints of overflowing septic
12/10/74	Health	Septic Overflow	From Techne Incorporated requesting confirmation from Board of Health that all issues are taken care of.



Photograph 1: Block 38 Lot 1 Southerly Corner, Looking North



Photograph 2: Block 38 Lot 1 Easterly Corner, Looking West

3.6.2: Block 38 Lot 2

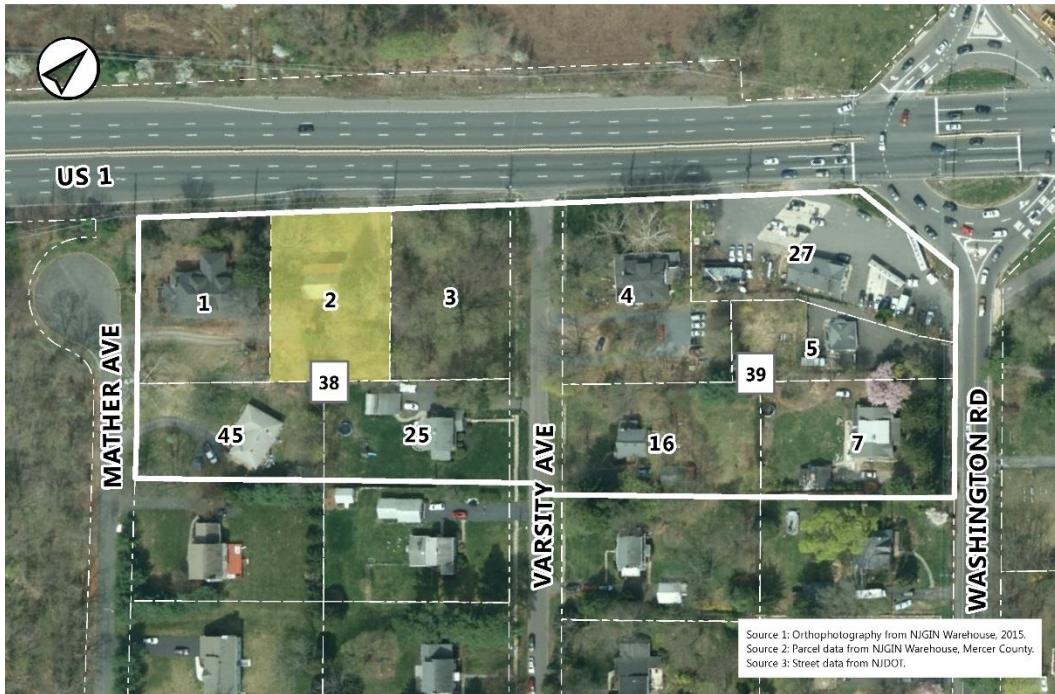


Figure 7: Block 38 Lot 2 (Scale: 1"=200')

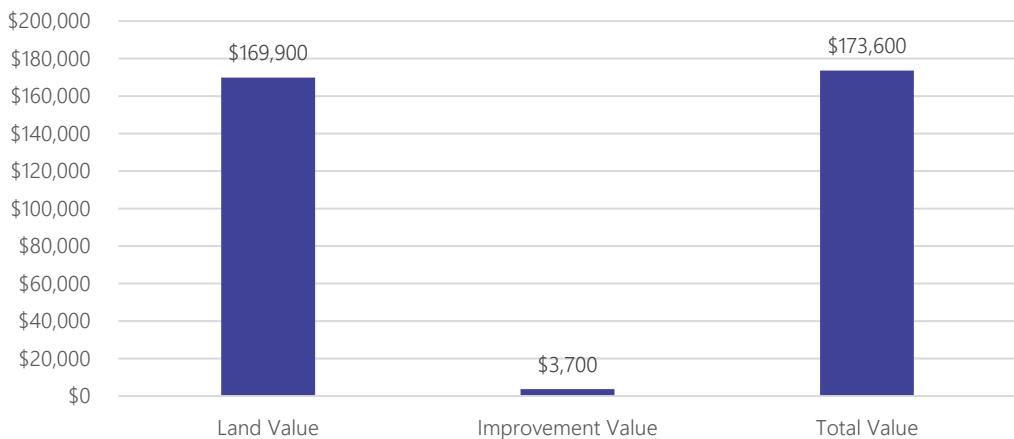
Summary

Block 38 Lot 2 is located near the southwesterly portion of the Study Area and has frontage solely along US Route 1. The site is developed with a dilapidated and uninhabitable single-family dwelling. Pursuant to Mod IV Tax records, the structure was constructed in 1902.

Property Information Overview

Address:	3702 Brunswick Pike
Owner(s):	Penns Neck Access, LLC
Area (ac):	0.53
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Vacant Dwelling
Building Description:	Dilapidated 2-Story Residential and Remnants of Garage
Permitted Use(s):	Yes
Exterior Condition:	Very Poor

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
10/02/79	486	Sewer line lateral	Tied in 04/30/80
04/13/83	5835	Electrical	Electrical alterations
08/17/83	n/a	Tree Removal Permit	Possible diseased sycamore tree

Applications/Approval Summary

None.

Complaints/Violations

No complaints/violations



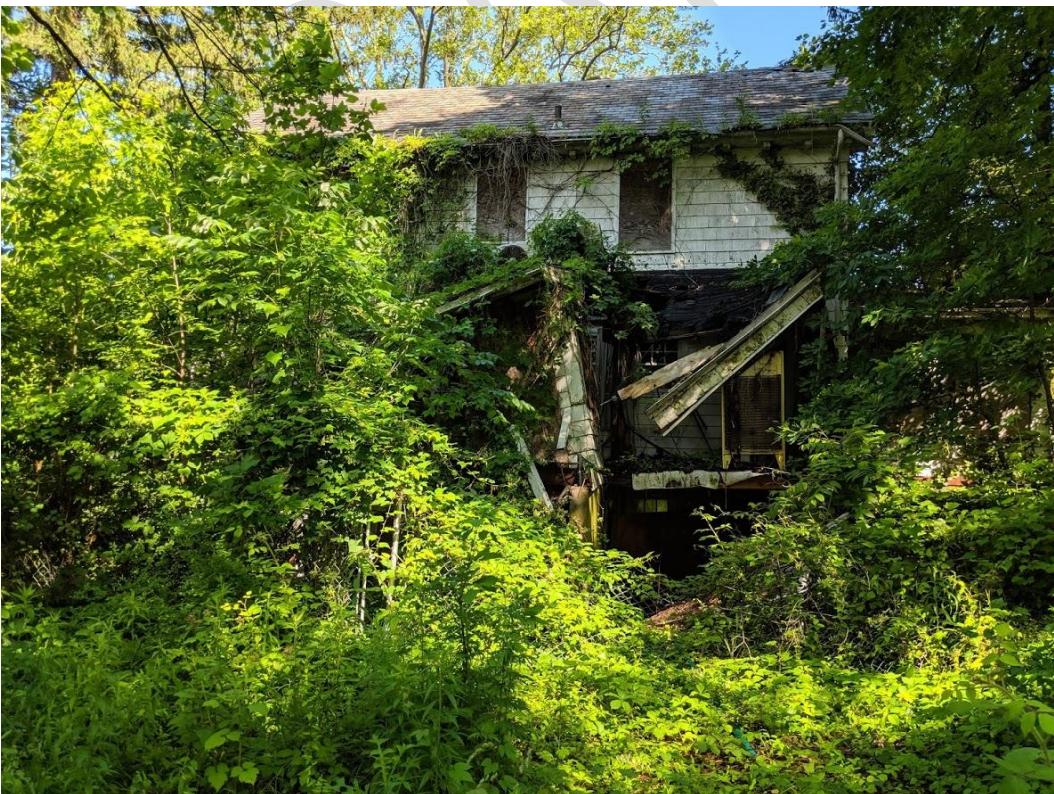
Photograph 3: Block 38 Lot 2 Northerly Corner, Looking South



Photograph 4: Block 38 Lot 2 Front Facade of Abandoned Dwelling



Photograph 5: Block 38 Lot 2 Westerly Side Facade of Dwelling



Photograph 6: Block 38 Lot 2 Rear Facade of Dwelling



Photograph 7: Block 38 Lot 2 Rear Facade of Dwelling



Photograph 8: Block 38 Lot 2 Rear Yard



Photograph 9: Block 38 Lot 2 Rear Yard

3.6.3: Block 38 Lot 3

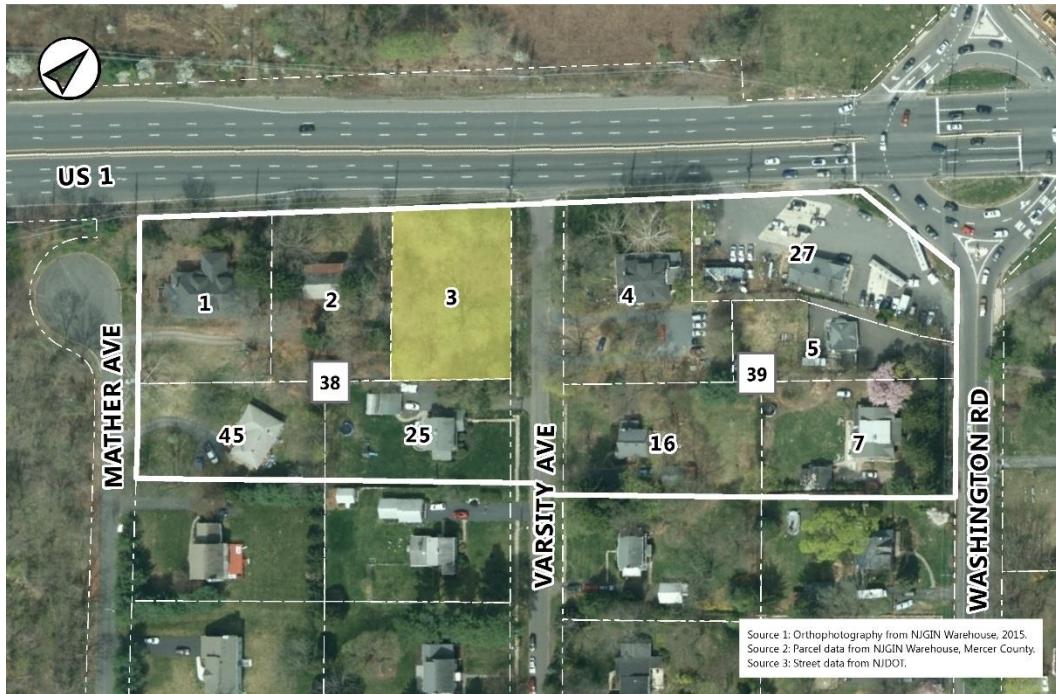


Figure 8: Block 38 Lot 3 (Scale: 1"=200')

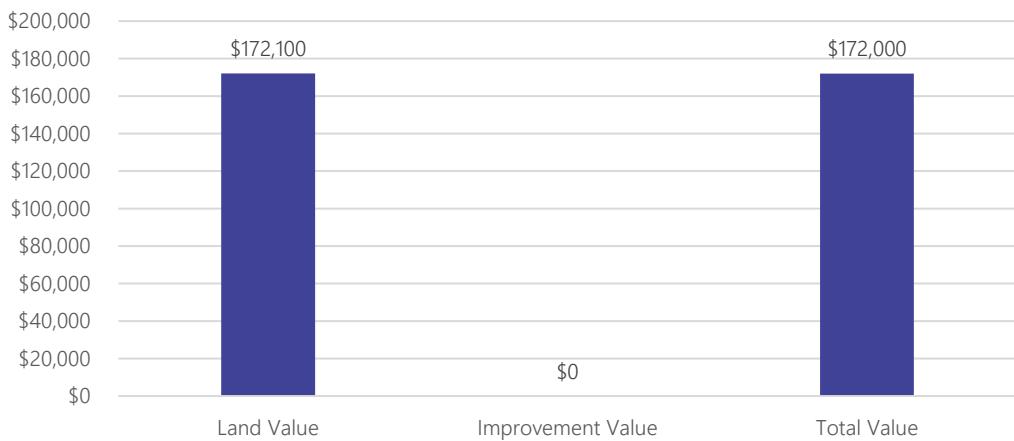
Summary

Block 38 Lot 3 is in the westerly portion of the Study Area and has frontage along both Mather Ave and US Route 1. The site is vacant and undeveloped. There is no history of development on this lot.

Property Information Overview

Address:	3704 Brunswick Pike
Owner(s):	Penns Neck Plaza, LLC
Area (ac):	0.56
Property Classification:	1 (Vacant)
Zoning District:	R-20
Property Use:	Vacant Land
Building Description:	Not Applicable
Permitted Use(s):	Not Applicable
Exterior Condition:	Not Applicable

Valuation Information (Mod IV Tax Data)



Permits

None.

Application/Approval Summary

None.

Complaints/Violations

None.



Photograph 10: Block 38 Lot 3 Easterly Corner, Looking West



Photograph 11: Block 38 Lot 2 Northerly Corner, Looking South



Photograph 12: Block 38 Lot 3 Southerly Corner, Looking North



Photograph 13: Block 38 Lot 3 Westerly Corner, Looking Northeast

3.6.4: Block 38 Lot 25



Figure 9: Block 38 Lot 25 (Scale: 1"=200')

Summary

Block 38 Lot 25 is located in the east-central portion of the Study Area and has frontage solely along Varsity Ave. The site is developed with a single-family dwelling. Pursuant to Mod IV Tax records, the structure was constructed in 1965.

Property Information Overview

Address:	266 Varsity Ave
Owner(s):	Varsity 266 LLC
Area (ac):	0.51
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Single Family Residential
Building Description:	2-Story Dwelling and Garage
Permitted Use(s):	Yes
Exterior Condition:	Good

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
06/27/72	3065	Building Permit	Roof and siding
08/20/79	1193	Sewer Line Lateral	Tied in 04/30/80
10/13/94	94-1214	Construction Permit	Steam boiler
08/11/00	2000-1355	Building Permit	Remove shingles and re-roof
09/24/01	2001-1614	Building Permit	360 sf deck
09/24/01	2001-1615	Building Permit	Siding, windows, French doors
03/04/02	2002-0342	Building & Electrical Permit	Air conditioning unit in attic
09/24/03	2003-1361	Electrical	Fixtures, receptacles, amp service (work due to storm)
10/07/03	2003-1361-1	Electrical	Oven surface unit
03/05/04	04-22	Fence Permit	6' and 4' cedar stockade
10/04/04	2004-1445	Building Permit	Shed 10'x20'
11/09/05	2005-1787	Building Permit	Install chimney liner to existing gas boiler
08/07/13	2013-1389	Electrical and Plumbing	Replace AC unit

Applications/Approvals Summary

None.

Complaints/Violations

None.



Photograph 14: Block 38 Lot 25 Easterly Corner, Looking Southwest



Photograph 15: Block 38 Lot 25 Northerly Corner, Looking Southwest



Photograph 16: Block 38 Lot 25 Northwesterly Side Façade of Dwelling



Photograph 17: Block 38 Lot 25 Rear Facade of Dwelling

3.6.5: Block 38 Lot 45

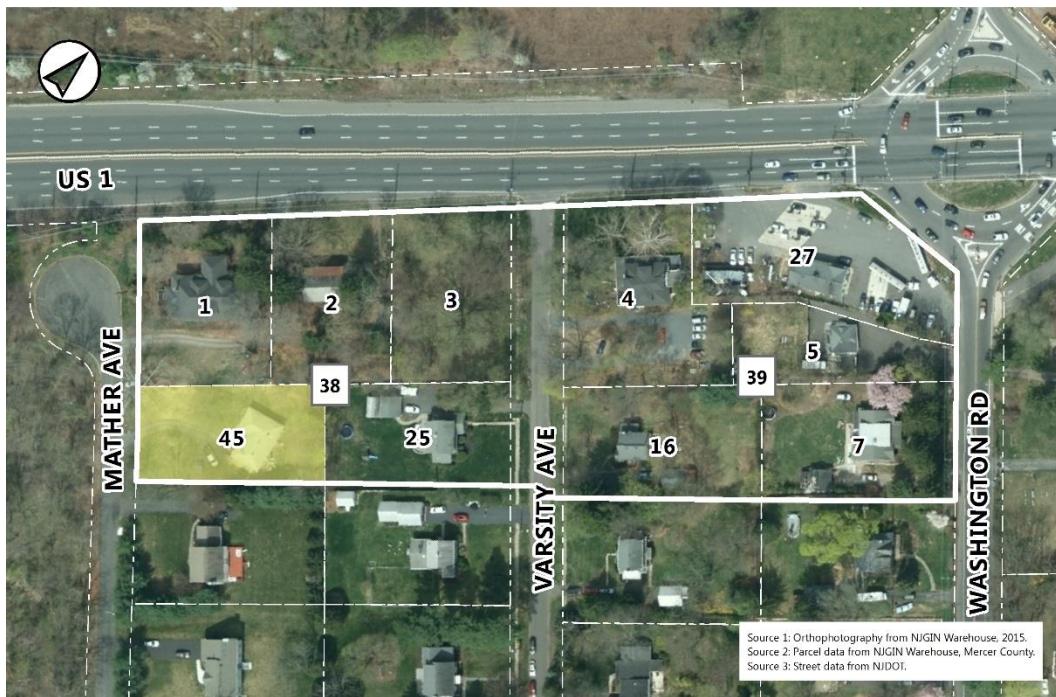


Figure 10: Block 38 Lot 45 (Scale: 1"=200')

Summary

Block 38 Lot 45 is located at the southeast corner of the Study Area and has frontage solely along Mather Ave. The site is developed with a single-family dwelling. Pursuant to Mod IV Tax records, the structure was constructed in 1966.

Property Information Overview

Address:	265 Mather Ave
Owner(s):	Kahn, Martin D.
Area (ac):	0.48
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Single Family Residential
Building Description:	1-Story Dwelling
Permitted Use(s):	Yes
Exterior Condition:	Good

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
10/13/61	1044	Building/Zoning Permit	For a 50' x 36' x 24' ranch type house consisting of 3 bedrooms, 1 living room, 1 kitchen, 1 bathroom, 1 lounge
05/06/80	857	Sewer Line Lateral	Tied in 05/22/80
05/28/80	4655	Plumbing	Water service
12/31/80	5043	Plumbing	Inside sewer connect
06/20/83	5905	Residential	Re-roof
09/30/02	202-1405	Electrical	200 amp service
11/03/10	ZP10-459	Zoning	10'x10' storage shed
08/28/13	2013-1534	Electrical	Associated with wireless alarm system
04/04/14	2013-1534	Certificate of Approval	For a self-contained wireless alarm system

Applications/Approval Summary

None.

Complaints/Violations

None.



Photograph 18: Block 38 Lot 45 Front Facade of Dwelling



Photograph 19: Block 38 Lot 45 Side Facade of Dwelling



Photograph 20: Block 38 Lot 45 Rear Facade of Dwelling



Photograph 21: Block 38 Lot 45 Northerly Side Facade of Dwelling

3.6.6: Block 39 Lot 4



Figure 11: Block 39 Lot 4 (Scale: 1"=200')

Summary

Block 39 Lot 4 is located in the west-central portion of the Study Area at the northwest corner of Varsity Ave and US Route 1. The site is presently developed with a multifamily residential dwelling consisting of six (6) units. This development is an existing nonconforming use. The majority of the lot is located in a Classification Exception Area (CEA) which is associated with adjoining Block 39 Lot 27. Pursuant to Mod IV Tax records, the structure was constructed in 1932.

Property Information Overview

Address:	3706 Brunswick Pike
Owner(s):	Sharley Chuang
Area (ac):	0.64
Property Classification:	4C (Apartment)
Zoning District:	R-20
Property Use:	Multifamily Residential
Building Description:	2.5-Story Building
Permitted Use(s):	Existing nonconforming
Exterior Condition:	Fair

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit. #	Description	Notes
06/02/80	1261	Sewer Line Lateral	Tied in 06/02/80
11/04/80	4990	Construction	Remove slate roof, replace with asphalt roof shingles
03/24/81	5119	Electrical	Install 6 smoke detectors
03/05/99	99-0298	Building	Remove UST 550 Gallon Oil Tank
04/19/99	99-0454	Building	Repair vinyl soffits, gutters, basement window, sill plate and joist
04/21/99	99-0540	Building & Plumbing	Gas piping
03/23/99	99-0606	Building, Plumbing, Electrical, Fire	Replace Hot water boiler and install two basement tanks (275 gallon each)
03/18/03	2003-0327	Building	New roof
06/09/08	2008-1164	Building, Electrical, Plumbing, Mechanical	Boiler replacement and chimney liner (emergency) and two 275 gallon oil tanks removed

Applications/Approvals Summary

Date	Department	Complaint/Issue	Description
12/11/74	n/a	Transmittal sheet	Regarding lot consolidation re: 4, 5, 6
03/06/91	n/a	Letter regarding Jo Anne Lee, real estate broker	Questioning whether there is a zoning violation for apartment
03/08/91	n/a	Letter from Sam Surtees, Director of Community Dev. & Charles Hunt, Zoning Officer	Letter indicating that six-family apartment is "grandfathered"

Complaints/Violations

Date	Department	Complaint/Issue	Description
03/17/99	N/A	Letter from Tenants	<p>Complaints focused on:</p> <ul style="list-style-type: none"> • Construction resulting in large exterior cracks, reaching from the base of apartment 2 to the top of apartment floor. Cement used to cover these cracks, but it too is now cracking. In addition, extensive cracks have appeared on the interior walls . • Disruption of service including hot/cold water, gas, phone, cable • Construction beginning before 8:00 am
03/18/99	Construction	N.J.A.C. 5:23-214.(a) Work Performed Without a Permit	Owner/Agent has conformed with requirements, all outstanding penalties satisfied
03/23/99	Construction	Violation of N.J.A.C. 5:23-2.14(A) Worked Performed Without Required Permit	In regard to tanks. Owner/Agent has conformed with requirements, all outstanding penalties satisfied



Photograph 22: Block 39 Lot 4 Front Façade of Building



Photograph 23: Block 39 Lot 4 Southwesterly Side Façade of Building



Photograph 24: Block 39 Lot 4 Southwesterly Side Façade of Building (showing patchwork of cracks)



Photograph 25: Block 39 Lot 4 Southwesterly Side Façade of Building (showing patchwork of cracks)



Photograph 26: Block 39 Lot 4 Rear Façade of Building



Photograph 27: Block 39 Lot 4 Rear Façade of Building



Photograph 28: Block 39 Lot 4 Northeasterly Side Façade of Building



Photograph 29: Block 39 Lot 4 Roof above Northeasterly Side Façade of Building



Photograph 30: Block 39 Lot 4 Parking Lot



Photograph 31: Block 39 Lot 4 Parking Lot



Photograph 32: Block 39 Lot 4 Westerly Side Yard



Photograph 33: Block 39 Lot 4 Monitoring Well



Photograph 34: Block 39 Lot 4 Monitoring Well



Photograph 35: Block 39 Lot 4 Monitoring Well

3.6.7: Block 39 Lot 5

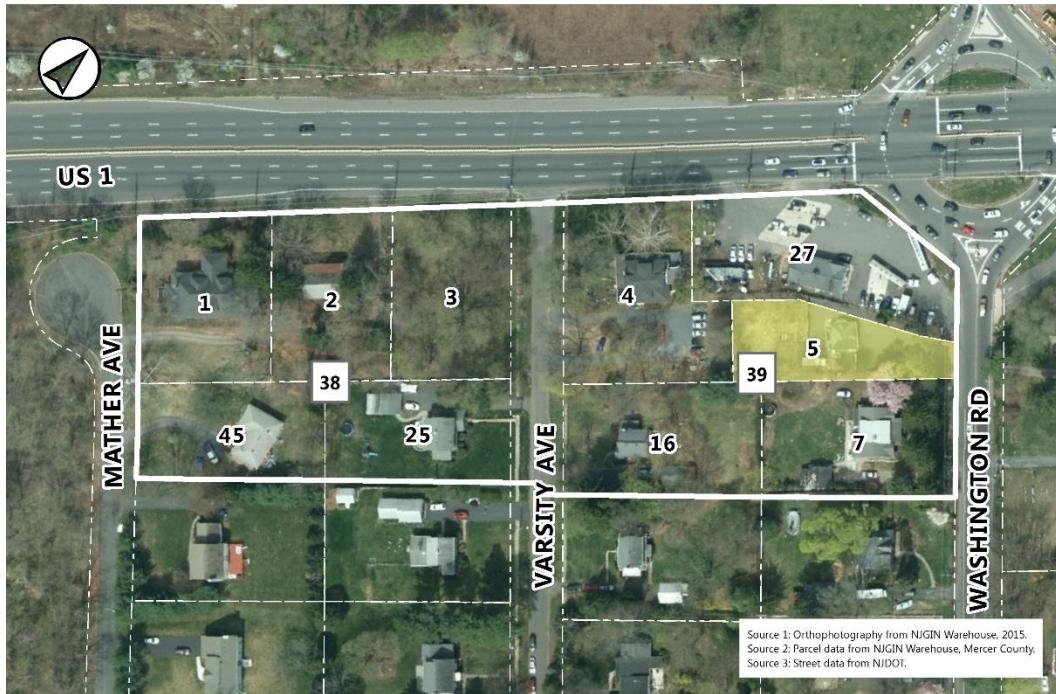


Figure 12: Block 39 Lot 5 (Scale: 1"=200')

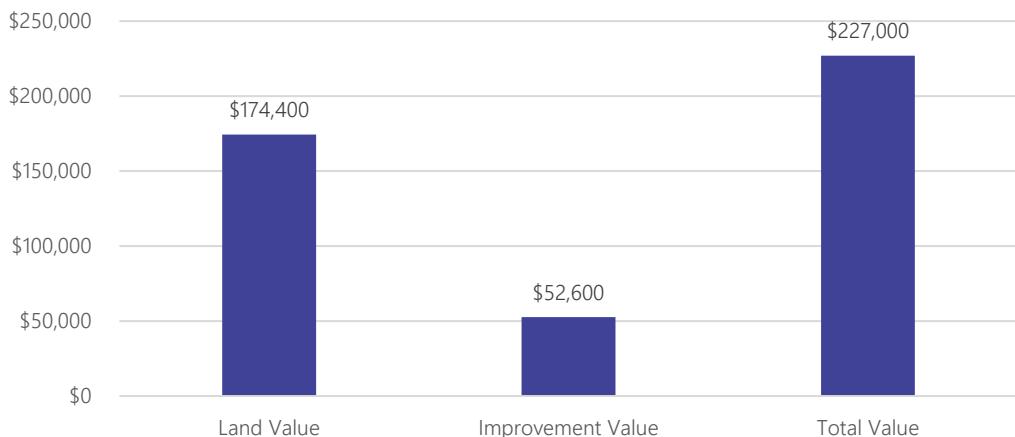
Summary

Block 38 Lot 5 is located near the northernmost portion of the Study Area and has frontage solely along Washington Road. The site is presently developed with a dilapidated and uninhabitable single-family dwelling which contained a home office for IT consulting. A fire significantly damaged the building in January of 2019, and a Notice of Unsafe Structure was issued that same month. The site is located in a CEA which is associated with adjoining Block 39 Lot 27. Pursuant to Mod IV Tax records, the structure was constructed in 1950.

Property Information Overview

Address:	262 Washington Road
Owner(s):	Vanara Properties, LLC
Area (ac):	0.36
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Dwelling and Home Office (Uninhabitable)
Building Description:	Dilapidated 1-Story Dwelling
Permitted Use(s):	Yes
Exterior Condition:	Very Poor

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit. #	Description	Notes
10/29/80	n/a	West Windsor Sewer Department	Exemption from tying into WW Sewer System
10/24/88	5040	Plumbing	Water and sewer utility connection
09/19/03	2003-1440	Electrical and Plumbing	2 275 Gallon AST Installation and 1 550 Gallon UST Removal
06/16/06	06-02	Home Occupation Permit	Home Office for IT Consulting

Applications

None.

Complaints/Violations

Date	Description	Notes
04/18/06	Zoning Violation	<p>Commercial truck advertising a business use was observed. In violation of:</p> <ul style="list-style-type: none"> • Section 200-32c(2) – Prohibited signs • Section 200-32A(1)(b) – Sign illumination • Section 200-171A – Permitted uses in district • Section 200-171B – Conditional uses in district
01/07/19	Notice of Abatement	<p>Violations:</p> <ul style="list-style-type: none"> • Occupying an addition w/o obtaining a CO • Installed wood burning furnace at rear of building • Work w/o a permit performed
01/07/19	Notice of Unsafe Structure	Rear wall was partially burned away due to an illegal furnace. Ordered to vacate by 01/07/19



Photograph 36: Block 39 Lot 5 Front Façade of Building, from Washington Road



Photograph 37: Block 39 Lot 5 Southerly Side Façade, Showing Fire Damage (photo taken from Lot 7)



Photograph 38: Block 39 Lot 5 Southerly Side Façade, Showing Fire Damage (photo taken from Lot 7)



Photograph 39: Block 39 Lot 5 Rear Façade and Rear Yard, Showing Fire Damage (photo taken from Lot 7)

3.6.8: Block 39 Lot 7

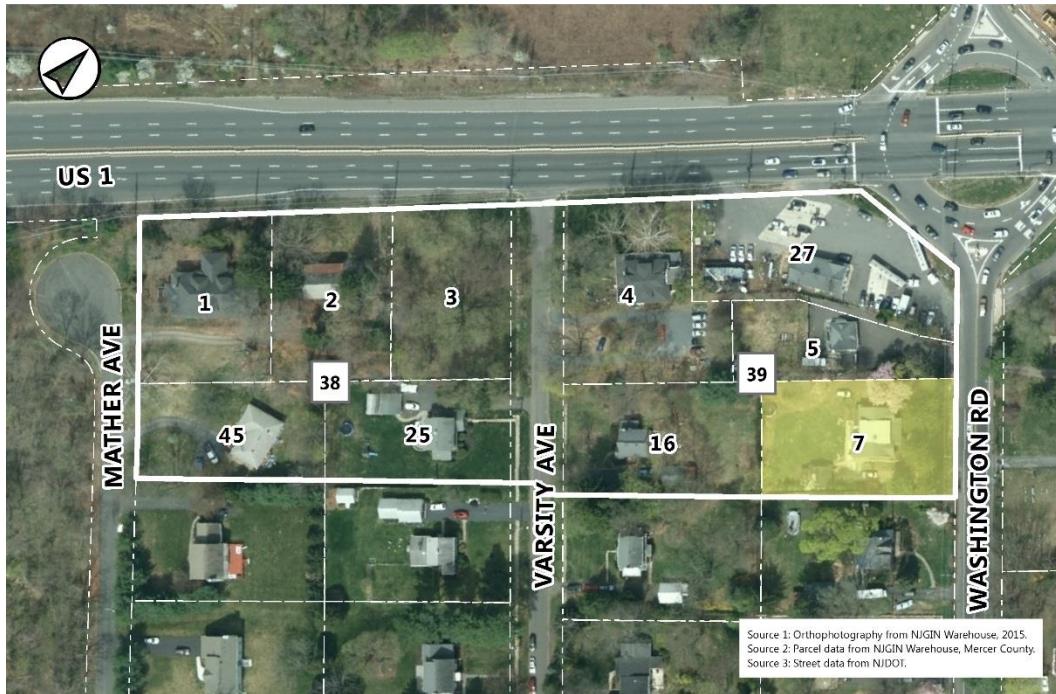


Figure 13: Block 39 Lot 7 (Scale: 1"=200')

Summary

Block 38 Lot 7 is located at the northeast corner of the Study Area and has frontage solely along Washington Road. The site is presently developed with a two-family dwelling. A portion of the lot is located in a CEA which is associated with adjoining Block 39 Lot 27. Pursuant to Mod IV Tax records, the structure was constructed in 1935.

Property Information Overview

Address:	258 Washington Road
Owner(s):	Washington Road, LLC
Area (ac):	0.56
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Two-Family Residential
Building Description:	1.5-Story Dwelling and Garage
Permitted Use(s):	Yes
Exterior Condition:	Good

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit. #	Description	Notes
04/18/74	3635	Building Permit	Re-roof
09/17/74	3565	Certificate of Occupancy	Approved
07/16/80	4724	Plumbing Permit	Inside sewer connection. Inspected OK 08/13/80
06/24/98	98-0671	Building	Roof
07/15/05	2005-1057	Plumbing	Re-pipe water for 2 nd water meter
10/31/05	2005-1774	Building	Roof
12/26/18	2019-0131	Plumbing	Water heater
03/07/19	N/a	Certificate of Clearance	Lead abatement

Applications

None.

Complaints/Violations

Date	Description	Notes
Undated	Smoke Detector Inspection	Failed for upstairs apartment



Photograph 40: Block 39 Lot 7 Front Façade of Dwelling



Photograph 41: Block 39 Lot 7 Front Façade of Dwelling



Photograph 42: Block 39 Lot 7 Rear Façade and Rear Yard



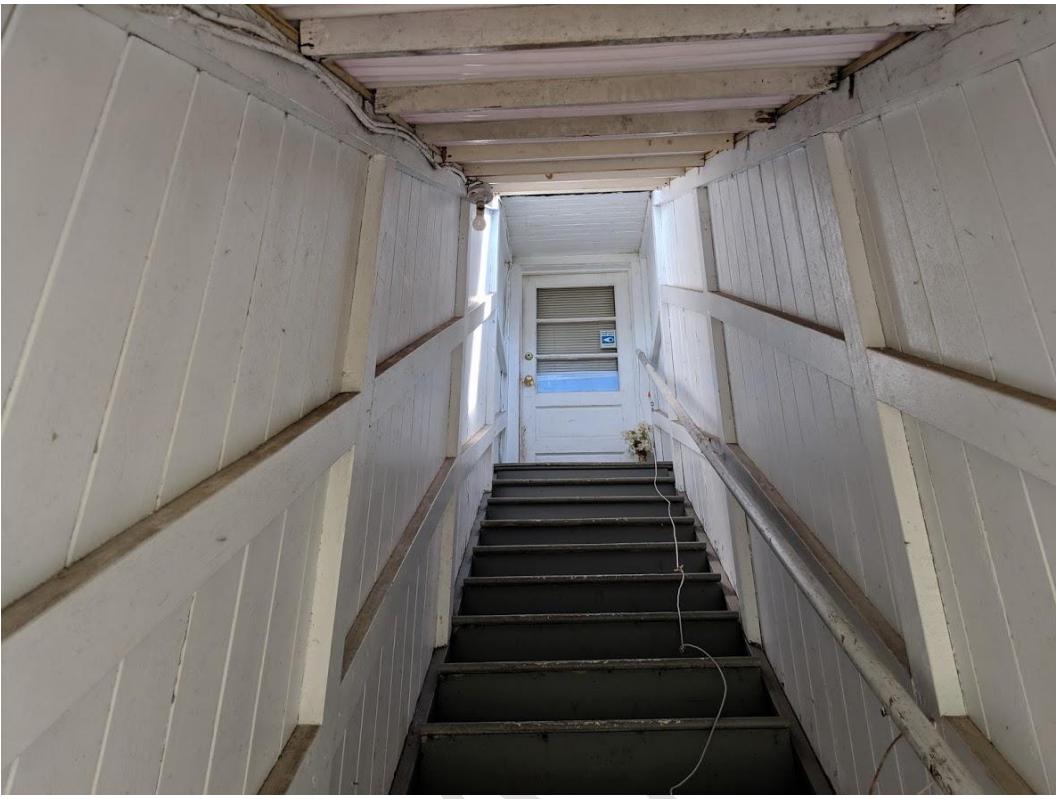
Photograph 43: Rear Yard



Photograph 44: Block 39 Lot 7 Garage



Photograph 45: Block 39 Lot 7 Garage (Rear)



Photograph 46: Block 39 Lot 7 Entrance to Second Story Apartment

3.6.9: Block 39 Lot 16



Figure 14: Block 39 Lot 16 (Scale: 1"=200')

Summary

Block 38 Lot 16 is located in the east-central portion of the Study Area and has frontage solely along Varsity Ave. The site is presently developed with a single-family dwelling. Pursuant to Mod IV Tax records, the structure was constructed in 1929.

Property Information Overview

Address:	265 Varsity Road
Owner(s):	Felice J. Weiner
Area (ac):	0.53
Property Classification:	2 (Residential)
Zoning District:	R-20
Property Use:	Single Family Residential
Building Description:	2-Story Dwelling with Garage
Permitted Use(s):	Yes
Exterior Condition:	Good

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit. #	Description	Notes
08/20/79	1194	Sewer line lateral	Tied in 05/05/80
11/14/91	00-9021	Building, Electrical, Plumbing	Radon mitigation
01/03/06	2006-0077	Building	Emergency roofing
05/25/06	2006-1187	Building & Plumbing	Replace water heater
11/05/15	2015-1939	Electrical	Paddle fan

Applications

None.

Complaints/Violations

None.



Photograph 47: Block 39 Lot 16 Front Façade of Dwelling



Photograph 48: Southerly Side Façade of Dwelling



Photograph 49: Rear Façade of Dwelling



Photograph 50: Northerly Side Facade of Dwelling

3.6.10: Block 39 Lot 27



Figure 15: Block 39 Lot 27 (Scale: 1"=200')

Summary

Block 39 Lot 27 is located in the northwest corner of the Study Area and has frontage along US Route 1 and Washington Road. The site is developed with a gas station which is an existing nonconforming use. The site is in a CEA and has an active remediation program.

Property Information Overview

Address:	264 Washington Road
Owner(s):	Tinetra Realty Holdings PA LP
Area (ac):	0.62
Property Classification:	4A (Commercial)
Zoning District:	R-20
Property Use:	Gasoline Service Station
Building Description:	1-Story Station with Four Pumps
Permitted Use(s):	Existing Nonconforming Use
Exterior Condition:	Poor

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
09/08/70	A-48	Certificate of Occupancy	Approved
11/21/77	009	Fire Inspector's Office Application for Permit	For the storage of flammable liquids in stationary tanks. Approved 12/1/77
06/30/78	1218	Board of Health Sewage Disposal System	1,000-gallon Septic
08/18/80	1750	Sewer line lateral	Tied in 08/19/80
10/06/83	n/a	Letter of request	New signage for Getty
10/14/83	6027	General Construction	New signs and façade. All work completed
10/21/83	6051	General Construction	Board up 3 existing garage door openings
05/06/88	n/a	Temporary approval	Request from the Marine Corps League to sell flowers on 05/07/88 for one day
01/23/89	5330	Building	Vapor Recovery System
10/24/95	95-1148	Building & Fire	Removal of one 550 Waste Oil UST Sample
12/09/04	2005-0793	Building, Electrical, Plumbing, Fire	Remove three (3) 6,000 UST and Pump Island. Install four new pump islands, two gasoline UST & one (1) new kiosk.
08/22/05	2005-0743	Electrical	200 AMP Service
08/22/05	2005-0743 (2)	Building	Remove (2) 750 gallon. (3) 4,000 gallon UST found during construction
11/02/09	2010-0036	Building, Electrical	Placement of treatment system with concrete pad and fence for Getty Station

Date	Permit #	Description	Notes
01/09/14	NJG0171662	Individual NJPDES/DSW General Permit Authorization	Allows for the discharge of treated groundwater through the discharge outfall
10/05/15	09-0080a	TWA	Approved to construct and operate a holding tank (T1) with circulation and transfer pumps, a settling tank (T2) with transfer pump, 3-autmoated iron filters in series with circulation pump % a backwash storage tank (T4), 2-cartridge filters in series, a low profile air stripper, 2- 1,000 pound capacity carbon absorption units, 1-zeolite filter, 1-bioreactor tank (T5) and trickling filter (T6) with circulation and transfer pumps, and effluent discharge pump for groundwater remediation system
07/27/16	09-0080a	TWA	Granted 1-year extension. New expiration date is 06/30/17
06/08/17	CEA No. 21708	Highway Occupancy Permit issued by NJDOT	Installation of six flush-mounted monitoring wells in the shoulder of southbound US 1 in the vicinity of Brunswick Pike and Varsity Ave
12/13/17	2018-0074	Building, Electrical	Change existing Getty sign to a Gulf sign
Undated	2018-0074	Field Revision	Switched from double-pole sign footing to old footing dimensions
07/31/18	2018-1060	Plumbing	Removed bathroom
08/29/18	FP 18-31	Fence Permit	Approved
09/07/18	2018-1060 B	Mechanical	Replacement of B vent on roof

Application/Approval Summary

Date	App. #	Description	Notes
05/28/69	341	Subdivision plat	Consolidated two (2) lots into one (1) and expand gas station operation
02/10/75	Unknown	Application to erect portable 4'x8' advertising sign	Board denied the application after finding the applicant failed to provide a special reason
03/27/79	n/a	Letter from construction official/zoning officer to applicant	Notes that a d(2) variance would be required for additional signage
11/3/87	n/a	Letter from Jamieson, Moore, Peskin & Spicer	Filing an application seeking zoning approval for the operation of a truck rental business on the premises.
12/22/87	n/a	Letter from Director of Community Development to Township Administrator	Notes that a use variance has been filed by the Princeton Circle Getty in order to conduct truck rental operation. Result of the Zoning Officer's action in filing a complaint in Municipal Court.
05/05/88	87-33	Zoning Board of Adjustment Resolution	Applicant's request for a truck rental business was not approved by the Board
11/04/88	n/a	Letter from Zoning Officer to Zoning Board of Adjustment Chairman	Indicates that automotive detailing would require d(2) variance relief
05/31/90	n/a	Letter from Zoning Officer	Indicates that d(2) variance relief is required to operate a propane re-fill station
11/20/08	n/a	Letter from Zoning Officer to David S. Hodulik	Informs applicant that, after consulting with Planning Board attorney, it has been determined that a d(2) variance will be required for a treatment facility building
02/05/09	n/a	Letter from David S. Hodulik to Zoning Officer	Requests that zoning officer issue permit for a remediation system w/o need for d-2 variance relief
10/28/09			d(2) variance application to implement a groundwater remediation system for gasoline contaminants.

Complaints/Violations

Date	Department	Complaint/Issue	Description
12/12/85	n/a	Zoning Violation	Letter from administrative secretary. Three unpermitted signs: two cigarette signs and one Master Card/Visa sign.
04/03/86	n/a	Zoning Violation	Notes that two cigarette signs and Master Card/Visa sign have not been removed
08/05/87	n/a	Zoning Violation	Truck rental not permitted on site
12/09/87	n/a	Zoning Violation	Complaint filed regarding excessive signage. Inspection revealed two cigarette signs and 3 credit card signs.
09/15/88	n/a	Zoning Complaint	Routine inspection revealed presence of temporary real estate signs. These signs are only permitted between 12 noon and 6 p.m. Saturday and Sunday. Note in file indicates these signs were later removed.
09/27/88	n/a	Use Violation	Letter from the Zoning Officer notes that a routine inspection revealed automotive detailing shop in operation, which is not a permitted use
05/23/90	n/a	Zoning	Complaint received regarding presence of "Getty" pennants. Site inspection confirmed the pennants, noted that these signs are prohibited.
04/25/91	n/a	Housing and Public Health Nuisance Violation	Joint inspection conducted by Zoning and Health Departments revealed: (1) trash and debris accumulated in the alley behind the building; (2) an area adjacent to the restroom was observed to be contaminated with sewers; (3) mobile trailer being used for sleeping and cooking purposes by an employee
04/29/91	n/a	Zoning Complaint	Letter from Director of Community Development. Complaint was received concerning storage and use of mobile home trailer. Not a permitted use, would require a use variance.
03/10/92	n/a	Zoning Complaint	Received a complaint regarding "overhead streamers." Site inspection confirmed existence. Noted that this was a violation.

Date	Department	Complaint/Issue	Description
02/03/00	n/a	Zoning Violation	Letter from the Zoning Officer notes that a complaint was registered regarding the storage (and alleged leading) of U-Hal trucks. Application to do so was denied 03/03/88
08/29/06	n/a	Zoning Violation	Received a complaint regarding a Marlboro cigarette ground sign, wrap-around pole signs on light fixtures, and banners over garage doors. Signs are not permitted.
02/21/07	n/a	Zoning Violation	Received a complaint regarding operation of a propane filling business. Not a permitted use
07/09/18	2018-0023/0	Notice of Abatement – removed an existing restroom and capped off and sealed plumbing without a permit.	Matter closed. Conformed with all NJ Administrative Code. All outstanding penalties have been abated.
08/20/18	2018-0030	Failure to comply with Violation #2108-0023 re: removal of restroom	

Inspections

Date	Complaint/Issue	Description
11/04/77	Fire Inspector's Office – Loss Prevention Survey Report	Requested to clean up small accumulation of oily substance on floor in heating room; drive should be cleaned up
08/31/79	Fire Inspector's Office – Loss Prevention Survey Report	Issued no smoking sign for gas island
09/15/05	Certificate of Identification	Only one failed item, due to fire extinguisher warning signs not being installed
06/15/05	Checklist for Closure of UST 2005-0793	Found 3 ghost tanks. Contaminated soil to be stockpiled on site. Pending DEP Investigation.
06/15/05	Electrical Subcode	Approved

Contamination

Date	Complaint/Issue	Description
04/18/05	NJDEP Remedial Investigation	<ul style="list-style-type: none"> October 2004: six monitoring wells installed in site Getty proposed to install one or more wells downgradient of MW-1 to MW-6. Dept. concurred Getty proposed that aqueous samples be analyzed for VO+10, calibrated for total xylenes, MTBE and TBA using an approved EPA method on a quarterly basis. Dept. approves of ground water sampling schedule Getty proposed a capital upgrade to be conducted on site in 2005. Accessible contaminated soil was to be excavated and disposed. Dept. concurred with remediation of contaminated soils and remedial action of groundwater while the site is closed and before the new UST system is installed Outlines timeframes and requirements for remedial activities
02/28/06	NJDEP review of Remedial Action Workplan (RAW) Report	<ul style="list-style-type: none"> Approved as a partial RAW Established guidelines for remediation <ul style="list-style-type: none"> Outlines cleanup levels of volatile organics pursuant to GWQS Established areas of concern: <ul style="list-style-type: none"> Soils: former waste oil area of concern (AOC #3) has Thallium at 3.98 ppm in soil sample WO-2. NJDEP's cleanup criteria is at 2 ppm Groundwater: high levels of dissolved gasoline contamination has been noted on site ranging from historical free product conditions to highest VO concentrations at 41,580 ppb Remediation proposal/conditions of approval: <ul style="list-style-type: none"> Utilizing a Soil Vapor Extraction (SVE) system Proposing to recapture on-site dissolved ground water contaminant plume. Pump contaminated ground water → treated ground water to be pumped into a low-profile air stripper for treatment Will have quarterly ground water sampling and reporting CEA includes: Block 39 Lot 27; portions of Block 39 Lots 5 and 7; Block 40 Lots 4, 5, 7, and 12; parts of Washington Road CEA originally set at 12 years CEA established on page 15
04/24/07 (date stamped received)	NJDEP Progress Report Approval (PR)	<ul style="list-style-type: none"> Response to PR received on 01/04/07 and supplemental email dated 03/28/07. Determined that the PR is in compliance with technical requirements for site remediation

Date	Complaint/Issue	Description
07/18/07	NJDEP Progress Report Approval	<ul style="list-style-type: none"> Response to PR received on 06/07/07 and supplemental email dated 07/03/07. Determined that the PR is in compliance with technical requirements for site remediation
03/31/08 (date stamped received)	NJDEP Progress Report Approval	<ul style="list-style-type: none"> Response to PR received on 12/06/07 and 03/20/08 Determined that the PR is in compliance with technical requirements for site remediation
04/16/08	Biennial CEA Certification Report	<ul style="list-style-type: none"> Weekly limited withdrawals of groundwater (LWG) and Liquid Phase Hydrocarbons (LPH) List of contaminants on page 8 Identifies limits of CEA on page 11
05/27/08	NJDEP Biennial Report for CEA Approval	<ul style="list-style-type: none"> Review of the Biennial Reports received on 04/24/08 and 05/15/08 Determined reports to be in compliance with the technical requirements for site remediation
08/08/08	NJDEP General Permit Authorization	Allows for the discharge of treated groundwater through a discharge outfall
09/16/08	NJDEP Progress Report Approval	<ul style="list-style-type: none"> Response to PR received on 09/11/08 Determined that the PR is in compliance with technical requirements for site remediation
01/22/09	NJDEP Progress Report Approval	<ul style="list-style-type: none"> Response to PR received on 01/08/09 Determined that the PR is in compliance with technical requirements for site remediation
03/20/09	NJDEP Treatment Works Approval No. 09-0080	Granted permission to construct and operate a holding tank, an oil/water separator, two sediment filters, a low profile air stripper and two 1,000-pound capacity carbon absorption units for groundwater remediation
11/24/09	NJDEP Remedial Action Progress Report (RAPR) Approvals and Public Notification Approval	<ul style="list-style-type: none"> NJDEP completed review of the RAPRs received 03/26/09 and 11/28/09 NJDEP received public notification on 11/24/09 Determined that RAPRs and Public Notice are in compliance with the technical requirements for site remediation
01/14/10	NJDEP letter re: LSRP	<ul style="list-style-type: none"> Required operator/owner to hire a temporary LSRP within 180 days after effective date of Site Remediation Reform Act 05/07/12 deadline to submit a written remedial action progress report No longer required to file PRs
03/04/11	Receptor Evaluation Form	Contaminants present in ground water exceed vapor intrusion ground water screening levels

Date	Complaint/Issue	Description
06/20/12	Letter from Environmental Compliance Brigade, Corp.	<ul style="list-style-type: none"> • Letter addressed to Township and owner • Indication that Environmental Compliance Brigade, Corp. may file an action in NJ Superior Court pursuant to Environmental Rights Act seeking an order compelling the current property owner to comply with the statutory and regulatory requirements to hire a LSRP to investigate and remediate the property • Notes that current property owner/operator has failed to timely submit to the NJDEP an LSRP notification form • Contaminant in the CEA exceed the current ground water screening levels in the NJDEP Vapor Intrusion Guideline (pg. 5)
02/23/13	Biennial CEA Certification Report	<ul style="list-style-type: none"> • Contamination concentrations did not decrease to or below applicable standards (pg. 6) • List of contaminants on page 10 • Identifies limits of CEA on page 14
03/25/13	Public Notification and Outreach Letter	<ul style="list-style-type: none"> • Work prompted by the presence in soil and/or groundwater of the following compounds associated with gasoline: benzene, toluene, ethylbenzene, total zylenes, methyl tertiary butyl ether (MTBE), tertiary butyl alcohol (TBA) and total tentatively identified compounds (TICs) • Receptor evaluation has been completed, and impact to the public has been minimized
11/01/16	Classification Exception Area/Well Restriction Area Fact Sheet Form	<ul style="list-style-type: none"> • Revision to CEA • List of contaminants on page 2 include Benzene, MTBE, TBA • Revised CEA limits to include adjoining Lot 4, portion of 262

Miscellaneous

Date	Complaint/Issue	Description
04/24/97 (stamped received)	Letter from NJDOT to owner/operator	Will remove the existing egress driveway from property to Route 1 and only maintain driveway from Washington Road



Photograph 51: Gas Station from US Route 1 (Source: Google Maps)



Photograph 52: Gas Station (Photo Taken from Across from Washington Road)



Photograph 53: Westerly Corner, Looking Northeast (Photo Taken from Lot 4)



Photograph 54: Treatment Area (Photo Taken from Lot 4)



Photograph 55: Treatment Area (Photo Taken from Lot 4)



Photograph 56: Block 39 Lot 27 Easterly Corner, Looking Northwest (Photo Taken from Washington Road)



Photograph 57: Block 39 Lot 27 Corner, Looking West (Photo Taken from Washington Road)

Figure 16: CEA Area

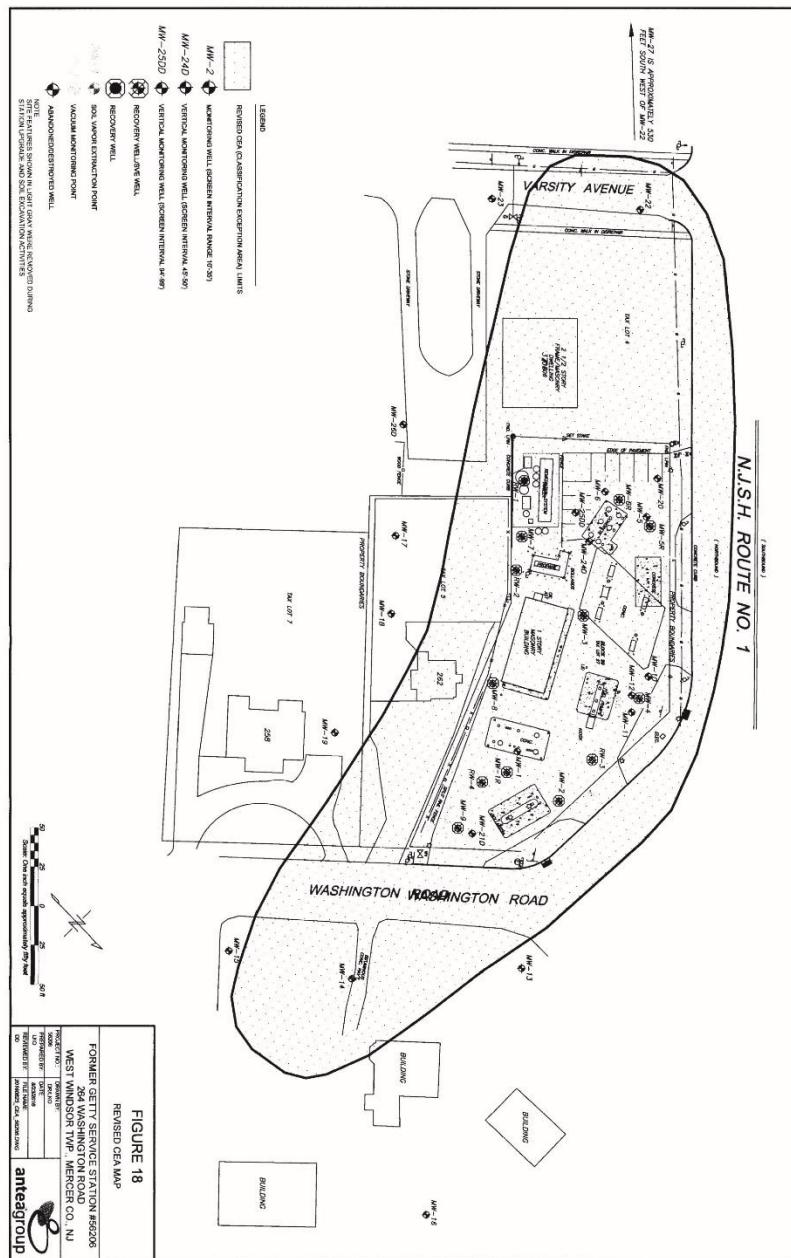


FIGURE 18

FIGURE 18
REVISED SEA MAP

4: Master Plan

As per the Township's most recent Land Use Plan, which was adopted in 2002, the entirety of the Study Area is located in the Low Density Residential (R-2) land use category. As noted by the Land Use Plan, the purpose of this category is to recognize residential areas where conventional single-family lots of one-acre have been developed. See the accompanying land use plan map.

In addition to the above, the Land Use Plan includes the following land use recommendations which are pertinent to the Study Area.

Goal A:

Achieve a desirable balance of nonresidential, residential, open space, recreational, cultural, civic and agricultural uses.

Policy 3: Pursue opportunities to achieve a greater balance of nonresidential to residential land use in appropriate areas of the Township.

Policy 6: Promote adequacy, variety, and convenience of shopping for local residents by providing for community scale neighborhood/village business centers and convenience service areas. Where practical, improve opportunities for local retail and services, particularly in the southeast portion of the Township, in existing centers or designated locations along arterial roadways.

Goal C:

Provide for a wide range of housing densities and housing types to meet the varied income and age level needs as well as to preserved established residential areas.

Policy 1: Continue to develop land use strategies to encourage development of a range of residential densities and building types appropriate to local needs.

Policy 2: Encourage residential development policies that provide a balanced residential character in the community, providing a range of life-cycle housing types.

The Township adopted its most recent Reexamination Report of the Master Plan on May 23, 2018. While the 2018 Reexamination Report did not specifically address the Study Area, it did recommend that the Township prepare a new and updated land use plan, including detailed planning goals, objectives, and policies statements. In addition, it noted that a new plan should clearly identify the basis for the Township's various land use categories.



Dwg. Title

Existing Land Use Plan Designations

Project No.	Date	Drawn
3442.16	06/19/19	DN

Legend

- Parcels
- Study Area



BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
25 Westwood Avenue
Westwood, New Jersey 07675
p: 201.666.1811
f: 201.666.2599

Project Title

Area in Need of Redevelopment Study

TOWNSHIP OF WEST WINDSOR | MERCER COUNTY, NEW JERSEY

Scale:	1 " = 300 '	Dwg. No.:
		Iup

2019 COPYRIGHT BA - NOT TO BE REPRODUCED

5: Zoning

As shown on the accompanying Existing Zoning Map, the entirety of the Study Area is located in the R-20 Low-/Medium-Density Residential District. This zoning designation is slightly inconsistent with the Township's Land Use Plan, which places the Study Area in the Low Density Residential (R-2) land use category.

The following table summarizes the principally and conditionally permitted uses allowed in the R-20 Residence District.

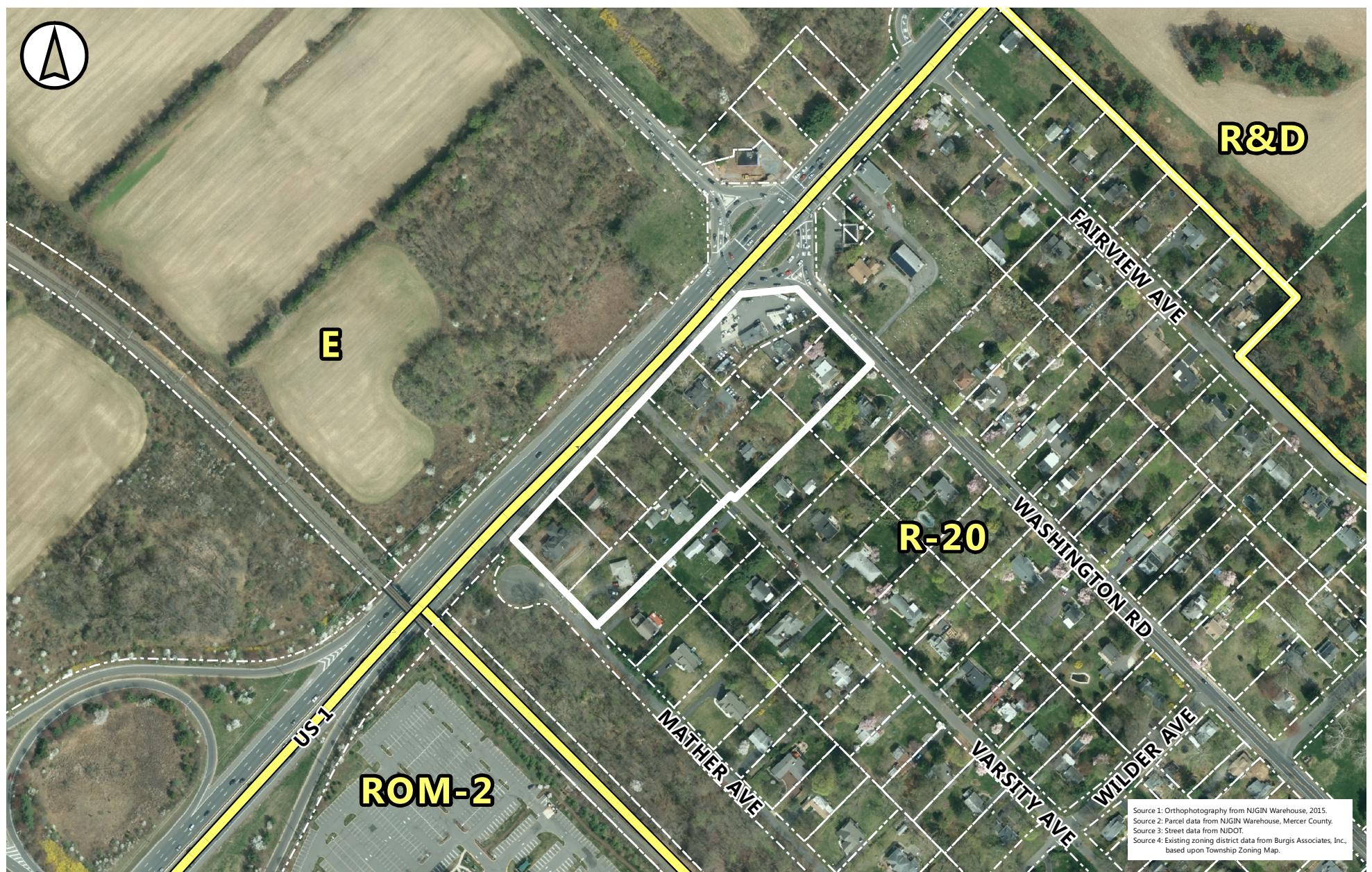
Table 3: R-20 District Permitted and Conditional Uses

Permitted Uses	Conditional Uses
1. Single-family detached dwellings	1. Places of worship
2. Home occupations	2. Public or private schools
3. Parks, playgrounds, athletic fields, recreation, and community buildings	3. Public libraries and museums
4. Farm and agricultural uses of land	4. Social clubs
5. The sale/processing of agricultural products	5. Water infrastructure
6. Temporary buildings associated with construction	6. Substations and public utilities
7. Accessory uses and buildings	7. Transmission lines, antennas, aerials
8. Community residences	8. Child care centers, day camps, kindergartens, and preschools
9. Municipally owned buildings/structures/uses	9. The taking of non-transient boarders or roomers

The following table identifies the bulk standards for the R-20 District:

Table 4: R-20 Bulk Standards

Area & Bulk Regulations	R-20	Code
Minimum Lot Area (ft)	20,000	200-173.2.A
Minimum Lot Width (ft)	100	200-173.2.B
Minimum Front Yard (ft)	40	200-173.2.C.(1)
Minimum Rear yard (ft)	30	200-173.2.C.(2)
Minimum Side Yard (ft)	15	200-173.2.C.(3)
Maximum FAR (%)	13	200-173.2.D
Maximum Imp. Cov. (%)	20	200-173.2.E
Max. Building Height (ft/st)	2.5/35	200-173.2.F



Source 1: Orthophotography from NJGIN Warehouse, 2015.
Source 2: Parcel data from NJGIN Warehouse, Mercer County.
Source 3: Street data from NJDOT.
Source 4: Existing zoning district data from Burgis Associates, Inc.,
based upon Township Zoning Map.

Dwg. Title

Existing Zoning Map



BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
p: 201.666.1811
f: 201.666.2599
25 Westwood Avenue
Westwood, New Jersey 07675

Project Title

Area in Need of Redevelopment Study

Project No.	Date	Drawn
3442.16	06/19/19	DN

Scale:	Dwg. No.:
1 " = 300 '	zone

2019 COPYRIGHT BA - NOT TO BE REPRODUCED

Legend

- Parcels
- Study Area
- Existing Zoning

6: Compliance with the Statutory Criteria

This section offers an analysis of how each lot in the Study Area conforms to the statutory criteria identified in Section 2.2 of this Study.

The following table summarizes the findings of this section. As shown, three (3) of the properties within the Study Area (Block 38 Lot 2; Block 39 Lot 5; and Block 39 Lot 27) displayed characteristics that satisfy the statutory criteria and consequently justify their designation as a redevelopment area. In addition, the planning analysis also determined that it was appropriate to include two (2) additional lots (Block 38 Lot 3 and Block 39 Lot 4) within the redevelopment area, as their inclusion is necessary for the effective redevelopment of the area of which they are a part.

Table 5: Summary of Compliance with Statutory Criteria

Block	Lot	Statutory Criteria Compliance	Recommended Inclusion
38	1	Does not meet criteria	No
	2	Meets Criterion "A" and Criterion "B"	Yes
	3	Does not meet criteria	Yes
	25	Does not meet criteria	No
	45	Does not meet criteria	No
39	4	Does not meet criteria	Yes
	5	Meets Criterion "A", Criterion "B" and Criterion "D"	Yes
	7	Does not meet criteria	No
	16	Does not meet criteria	No
	27	Meets Criterion "D"	Yes

6.1: Block 38 Lot 1

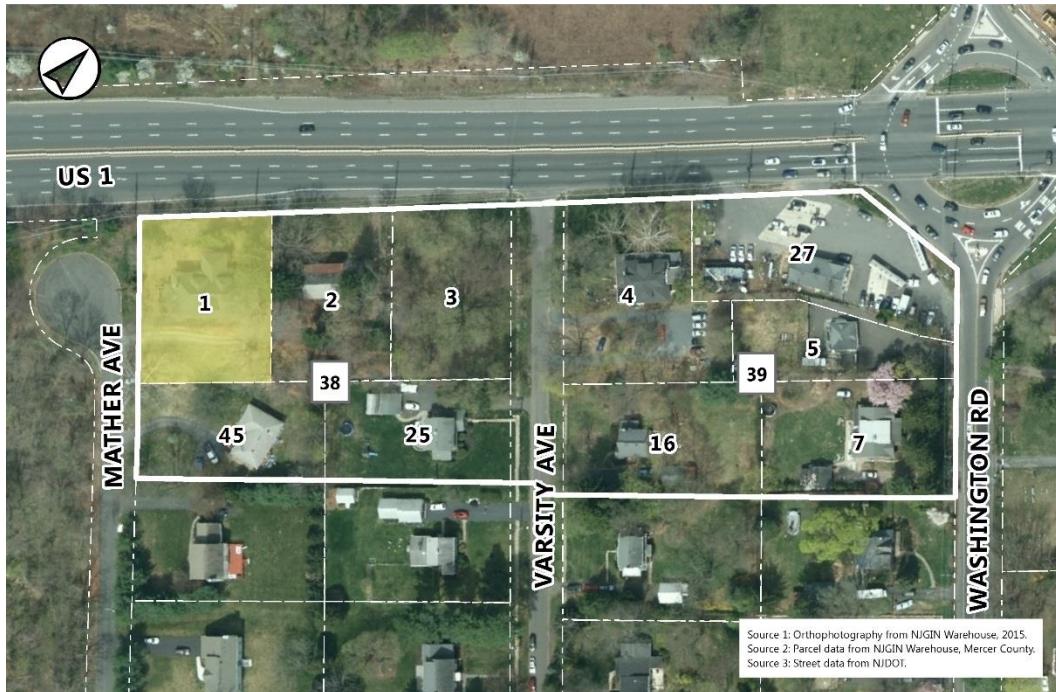


Figure 19: Block 38 Lot 1 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.1, this lot is presently vacant. It was previously developed with an office building which later was demolished in 2017.

The "c" Criterion pertains to vacant lands. However, as established by this Criterion, such lands are required to have been vacant ten (10) years prior to the adoption of the resolution initiating the Area in Need of Redevelopment Study. In addition, the site does not appear to have any constricting factors in regard to its location, remoteness, lack of means of access to developed section or portions of the municipality, topography, or nature of its soil.

As such, this site does not meet the redevelopment criteria.

Recommendation

In consideration of the above, this site **should not** be included in the area in need of redevelopment area.

6.2: Block 38 Lot 2



Figure 20: Block 38 Lot 2 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.2, this lot is presently developed with a vacant and dilapidated building. The rear portion of the building is collapsed, and the vegetation on site is overgrown. The principal building is uninhabitable in its present state. The garage area located to the rear of the building is also in disrepair.

In consideration of the above, this site meets the "a" Criterion. The existing building is clearly substandard, unsafe, and dilapidated. The site also meets the "d" Criterion, as the existing dilapidated building in its present state represents a detriment to the safety, health, morals, and welfare of the community.

Recommendation

In consideration of the above, this site **should** be included in the area in need of redevelopment designation.

6.3: Block 38 Lot 3



Figure 21: Block 38 Lot 3 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.3, this lot is vacant. No development history for this lot has been found.

The "c" Criterion pertains to vacant lands. However, while the property has been vacant for more than ten (10) years prior to the adoption of the resolution initiating the Area in Need of Redevelopment Study, it does not appear to have any constricting factors in regard to its location, remoteness, lack of means of access to developed section or portions of the municipality, topography, or nature of its soil.

Recommendation

Although this property does not meet the redevelopment criteria, the LRHL permits the inclusion of land which may not meet the above criteria, but which otherwise is necessary for redevelopment. Under Section 3 of the LRHL, "redevelopment area" is defined as follows:

"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" (N.J.S.A. 40A:12-3).

This site provides an essential physical linkage between those properties which meet the Area in Need of Redevelopment designations in Block 38 and Block 39. Without this site, the totality of the Study Area which meets the Area in Need of Redevelopment designation would not be contiguous, which would limit the potential of any unified and comprehensive redevelopment project.

The inclusion of this lot in the redevelopment area is there necessary for the effective redevelopment of those properties in the Study Area which do meet the criteria.

In consideration of the above, this site **should** be included in the area in need of redevelopment area.

DRAFT

6.4: Block 38 Lot 25



Figure 22: Block 38 Lot 25 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.4, this lot is presently developed with a single-family dwelling. While the improvement value of the lot is lower than its land value, the dwelling is in good condition and is occupied. There were no records of any complaints or violations.

As such, the site does not meet the redevelopment criteria.

Recommendation

In consideration of the above, this site **should not** be included in the area in need of redevelopment area.

6.5: Block 38 Lot 45



Figure 23: Block 38 Lot 45 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.5, this lot is presently developed with a single-family dwelling. While the improvement value of the lot is lower than its land value, the dwelling is in good condition and is occupied. There were no records of any complaints or violations.

As such, the site does not meet the redevelopment criteria.

Recommendation

In consideration of the above, this site **should not** be included in the area in need of redevelopment area.

6.6: Block 39 Lot 4



Figure 24: Block 39 Lot 4 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.6, this lot is presently developed with a multifamily dwelling containing six (6) units. While the property has received numerous complaints throughout the past several years, the records suggest that these complaints have largely been addressed.

Recommendation

Although this property does not meet the redevelopment criteria, the LRHL permits the inclusion of land which may not meet the above criteria, but which otherwise is necessary for redevelopment. Under Section 3 of the LRHL, "redevelopment area" is defined as follows:

"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" (N.J.S.A. 40A:12-3).

This site provides an essential physical linkage between those properties which meet the Area in Need of Redevelopment designations in Block 38 and Block 39. Without this site, the totality of the Study Area which meets the Area in Need of Redevelopment designation would not be contiguous, which would limit the potential of any unified and comprehensive redevelopment project.

The inclusion of this lot in the redevelopment area is necessary for the effective redevelopment of those properties in the Study Area which do meet the criteria.

Furthermore, the site is included in a CEA. The source of this contamination is from adjoining Block 39 Lot 27.

In consideration of the above, this site **should** be included in the area in need of redevelopment area.

DRAFT

6.7: Block 39 Lot 5

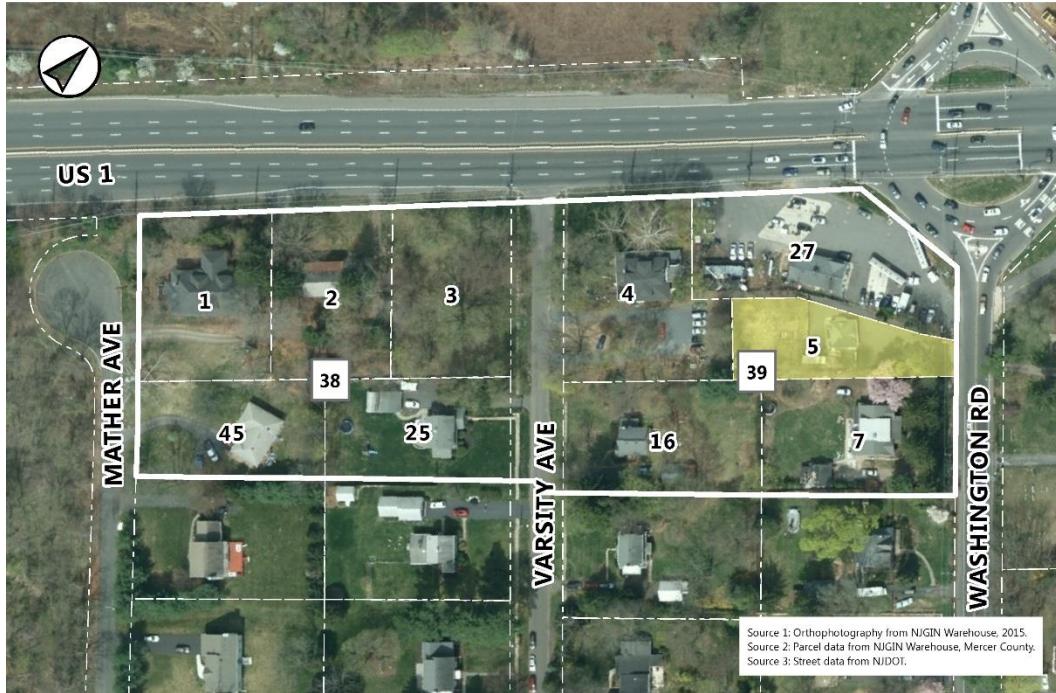


Figure 25: Block 39 Lot 5 (Scale: 1"=200')

Application of Criteria

As noted in Section 3.6.7, this site was damaged by a fire in January 2019. While the "f" Criterion pertains to fire damaged properties, it specifically requires such properties to have a contiguous area of five (5) acres. As such, this criterion cannot be applied to this property.

However, the "a" Criterion is applicable, as it pertains to buildings which are substandard, unsafe, unsanitary, dilapidated, or possess any such characteristics, or are so lacking in light, air, or space as to be conducive to unwholesome living or working conditions. In its present condition, the building is presently dilapidated, substandard, and unsafe. This is particularly evident by the Notice of Unsafe Structure issued to the site, which ordered that the building be vacated.

Furthermore, the "b" Criterion is also applicable. This criterion pertains to 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. As previously noted, the site was approved as a home office and consequently was utilized for commercial purposes. As a result of the January 2019, the building has been vacated and has fallen into a state of disrepair as to be untenable.

In addition, the "d" Criterion is applicable, as it pertains to 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. The building is presently in a dilapidated state and is uninhabitable.

Recommendation

In consideration of the above, this site **should** be included in the area in need of redevelopment area.

DRAFT

6.8: Block 39 Lot 7

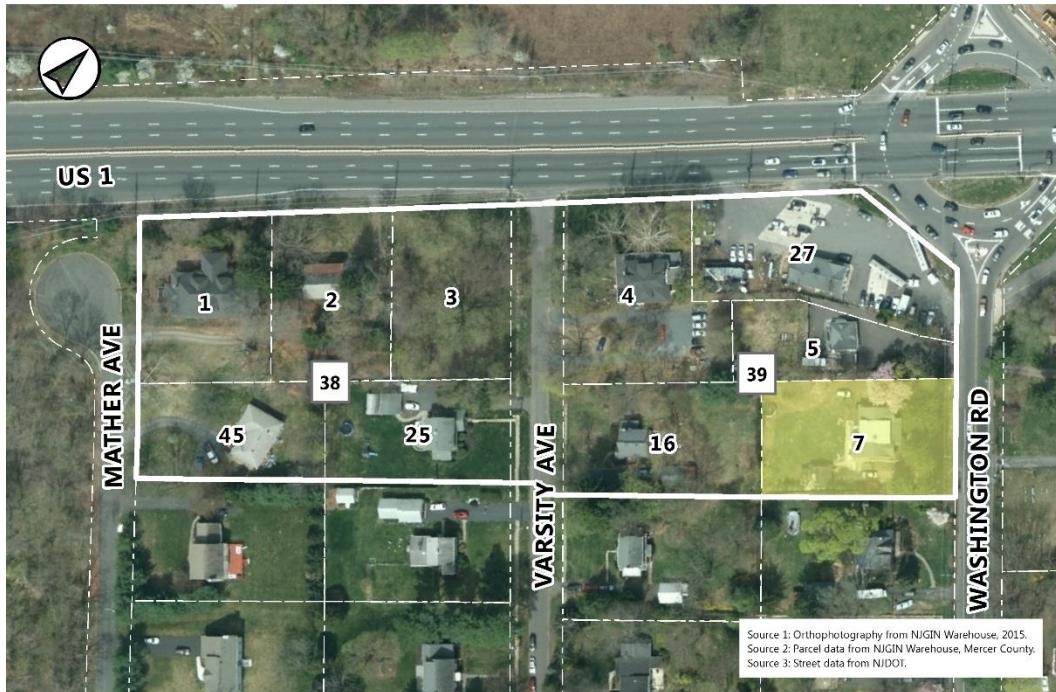


Figure 26: Block 39 Lot 7 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.8, this lot is presently developed with a two-family dwelling. This building is in good condition and is occupied. It recently received a certificate of clearance for lead abatement. There was only one (1) record of a violation; however, this violation was minor in nature.

As such, the site does not meet the redevelopment criteria.

Recommendation

In consideration of the above, this site **should not** be included in the area in need of redevelopment area.

6.9: Block 39 Lot 16

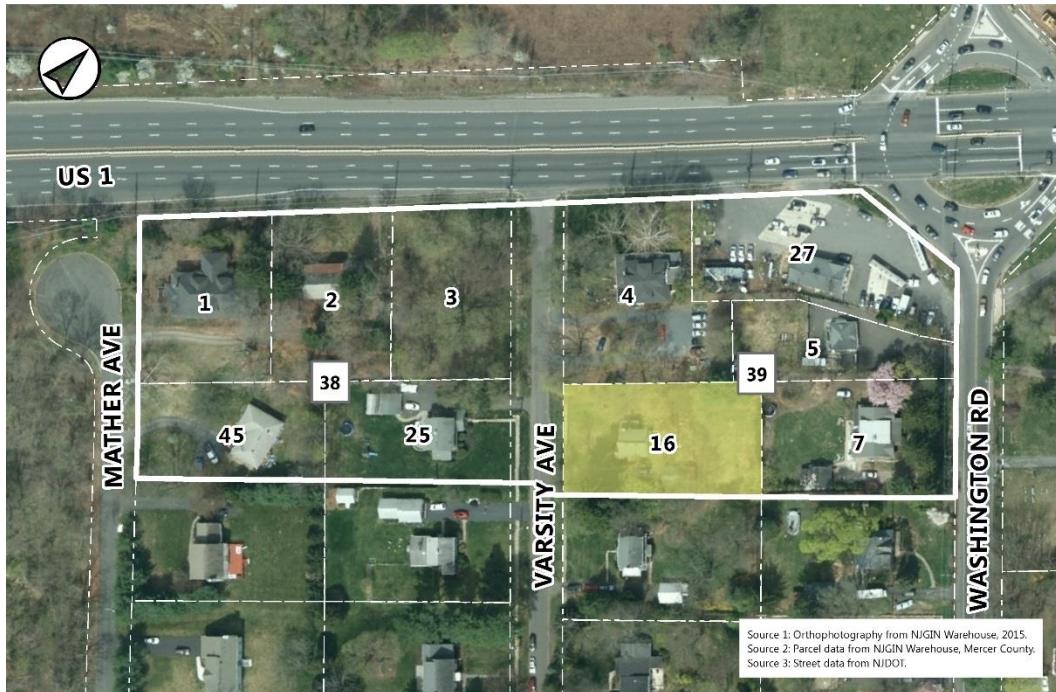


Figure 27: Block 39 Lot 16 (Scale: 1"=200')

Application of Criteria

As detailed in Section 3.6.9, this lot is presently developed with a single-family dwelling. While the improvement value of the lot is lower than its land value, the dwelling is in good condition and is occupied. There were no records of any complaints or violations.

As such, the site does not meet the redevelopment criteria.

Recommendation

In consideration of the above, this site **should not** be included in the area in need of redevelopment area.

6.10: Block 39 Lot 27

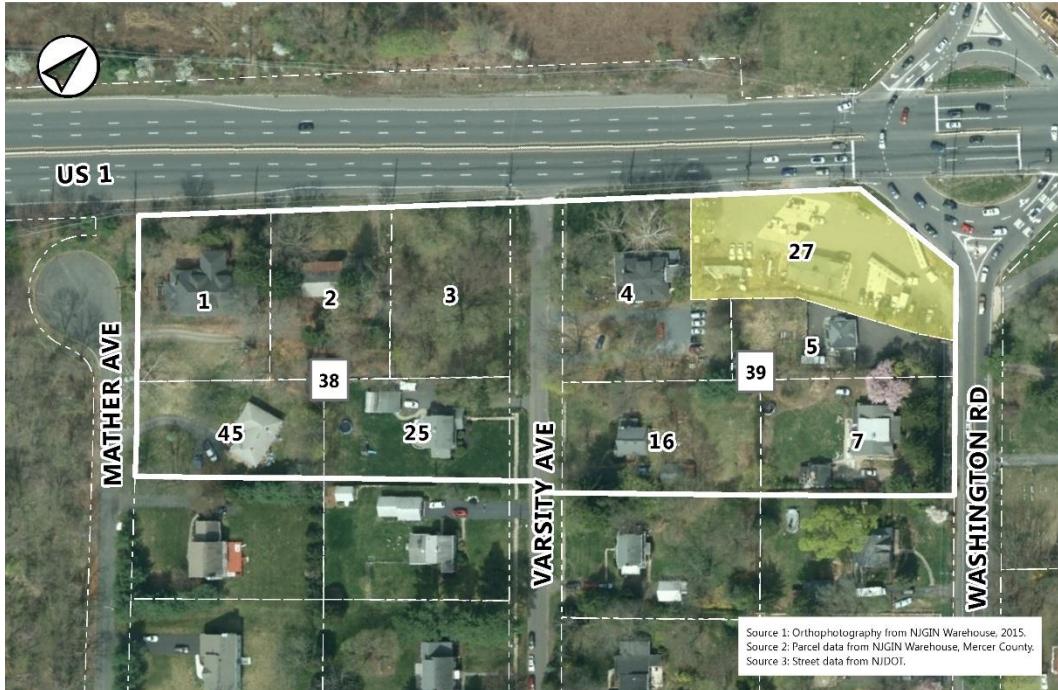


Figure 28: Block 39 Lot 27 (Scale: 1"=200')

Application

As detailed in Section 3.6.10, this lot is presently developed with a gas station which is an existing nonconforming use.

The property presently contains a groundwater CEA. Monitoring wells were installed on site in 2005 in order to analyze the presence of xylenes, MTBA, and TBA. A Remedial Action Workplan (RAW) was partially approved in 2006, which focused on both soil and groundwater remediation. The RAW outlined the utilization of a Soil Vapor Extraction (SVE) system which was to recapture the on-site groundwater contaminated plume. Originally, the CEA included Block 39 Lot 27, as well as: portions of Block 39 Lots 5 and 7; Block 40 Lots 4, 5, 6, and 12; and parts of Washington Road. Since that time, the CEA has been expanded to include adjoining Lot 4.

In addition to the above, Lot 27 has an outdated and inefficient layout. The site features four (4) curb cuts providing ingress and egress: two (2) curb cuts are located directly along US Route 1, one (1) curb cut is located on the US Route 1/Washington Road circle, and one (1) curb cut is located directly on Washington Road. These curb cuts are uncontrolled and do not feature any directional signage or arrows, which ultimately makes vehicular ingress into and out of the site an unregulated "free-for-all." This condition is exacerbated due to the immediate proximity of this site next to US Route 1 and the US Route 1/Washington Road circle. The site also contains undefined circulation aisles and does not offer any proper direction for on-site traffic and circulation.

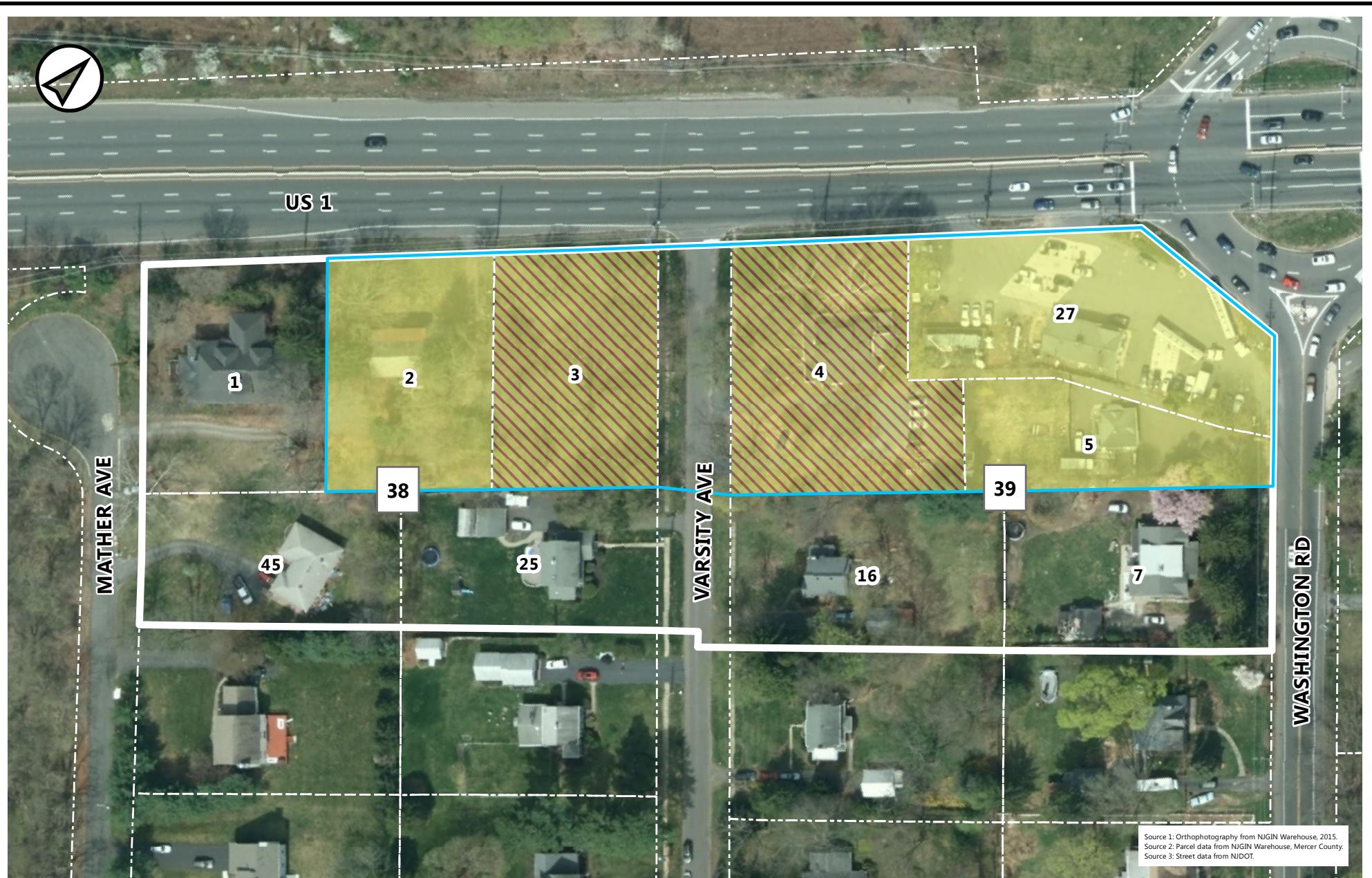
Furthermore, the northernmost gas pump is located approximately twenty (20) feet from the property boundary line, and approximately sixteen (16) feet away from the nearest grass island. The northernmost gas pumps are also situated adjacent to an ingress and egress driveway. Likewise, the southernmost gas pump is located approximately fourteen (14) feet from the sidewalk located on the northerly and easterly sides of the existing one-story masonry building on site. Consequently, the placement of the gas pumps on site and their proximity to the highway and to the existing building do not permit a safe and efficient circulation.

Finally, the site lacks any substantive landscape buffer along either of its front yards. It also contains storage areas immediately adjacent to residential properties.

In consideration of the above, the site meets the "d" Criterion, which includes 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.

Recommendation

In consideration of the above, this site **should** be included in the area in need of redevelopment area.



Dwg. Title

Recommended Redevelopment Area

Project No. 3442.16 Date 06/20/19 Drawn DN

Legend

	Study Area		Meets LRHL Statutory Criteria
	Recommended Redevelopment Area		Inclusion Necessary for Effective Redevelopment



BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
 25 Westwood Avenue
 Westwood, New Jersey 07675
 p: 201.666.1811
 f: 201.666.2599

Project Title

Area in Need of Redevelopment Study

TOWNSHIP OF WEST WINDSOR | MERCER COUNTY, NEW JERSEY

2019 COPYRIGHT BA - NOT TO BE REPRODUCED

7: Planning Conclusion and Recommendation

The planning analysis contained herein concluded that three (3) of the lots within the Study Area (Block 38 Lot 2; Block 39 Lot 5; and Block 39 Lot 27) displayed characteristics that satisfy the statutory criteria and consequently justify their designation as a redevelopment area. In addition, the planning analysis also determined that it was appropriate to include two (2) additional lots (Block 38 Lot 3 and Block 39 Lot 4) within the redevelopment area, as their inclusion is necessary for the effective redevelopment of the area of which they are a part.

It should be noted that a determination to designate a redevelopment area simply defines and delineates the area in which the municipality intends to pursue an active role in furthering redevelopment. This redevelopment identification can include alternative approaches to upgrade and revitalize the area.

The following recommendations are offered for the Township's consideration:

1. The statute provides that "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 "the applicable Laws of the State of New Jersey". Such determination shall be made after public notice and public hearing.

The Governing Body authorized the Planning Board to conduct a redevelopment investigation. This report concludes that portions of the Study Area satisfies several criteria for an "area in need of redevelopment" designation and serves as the basis for the Planning Board recommendation to the Governing Body.

2. Based on our analysis, we recommend that the following properties be considered for designation as "an area in need of redevelopment": Block 38 Lot 2; Block 38 Lot 3; Block 39 Lot 4; Block 39 Lot 5; Block 39 Lot 27.
3. Upon completion of a hearing on this matter, the Planning Board is required to forward its recommendation regarding whether the delineated area, or any part thereof, should be designated, or not designated, by the Governing Body as a redevelopment area.
4. After receiving the recommendation of the Planning Board, the Governing Body may adopt a resolution designating the delineated site for redevelopment.
5. The Governing Body, after adopting a resolution to delineate the redevelopment area, should direct the Planning Board to prepare a redevelopment plan pursuant to the applicable redevelopment statute. The plan may be prepared by the Planning

Board and then forwarded to the Governing Body for adoption. The redevelopment plan is required to include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- a. The relationship to define local objectives as to appropriate land uses, population density, traffic, public transportation, utilities, recreation and community facilities, and other public improvements;
 - b. Proposed land uses and building requirements in the study area;
 - c. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available in the existing local housing market;
 - d. Identify any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan;
 - e. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities, County Master Plan and State Development and Redevelopment Plan.
6. Following the adoption of the Redevelopment Plan, the Governing Body should appoint a redevelopment entity to oversee the redevelopment of the area.

In addition to and in conjunction with the above, it is recommended that the Township consider rezoning the remainder of the Study Area. These properties are presently residentially zoned. However, this designation may no longer be appropriate due to the site's immediate proximity to the US Route 1 corridor which serves as a gateway opportunity for the Township. As such, it is recommended the Township rezone these properties into a new zone which will be complementary to and integrated with the Redevelopment Area.

Appendix A

DRAFT

RESOLUTION

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment;

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Local Redevelopment and Housing Law, the Township Council (the “Council”) of the Township of West Windsor (the “Township”) must authorize the Planning Board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Council; and

WHEREAS, the Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property identified as Block 38, Lots 1, 2, 3, 25 and 45, and Block 39, Lots 4, 5, 7, 16 and 27 on the Official Tax Map of the Township (collectively, the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment and the Township so designates the Study Area, then the Township shall be authorized to use all the powers provided under the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of West Windsor, County of Mercer, State of New Jersey, that the Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A- 5 to be designated as an area in need of redevelopment under the Local Redevelopment and Housing Law.

BE IT FURTHER RESOLVED that as part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing in accordance with the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Township to exercise the power of eminent domain to acquire any property in the delineated area, as the Study Area is being investigated as a possible Condemnation Redevelopment Area.

BE IT FURTHER RESOLVED that the Planning Board, following said preliminary investigation and hearing, is further authorized and directed to make a recommendation to the governing body of the Township, pursuant to N.J.S.A. 40A:12A-6, as to whether the Study Area should or should not be determined by the governing body to be a Condemnation Redevelopment Area.

BE IT FURTHER RESOLVED that in the event the governing body shall designate the Study Area as a Condemnation Redevelopment Area, the Township shall be authorized to use all the powers provided under the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain.

Adopted: April 15, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 15th day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township