

REPORT OF FINDINGS

CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION

BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37

STUDY AREA

ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY



Prepared by



January 22, 2024

ARH Project Number: 1500004.05

Prepared for





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- Daniel Jackson, Vice Chair
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The original of this document has been signed and sealed pursuant to N.J.S.A. 45:14A-12.

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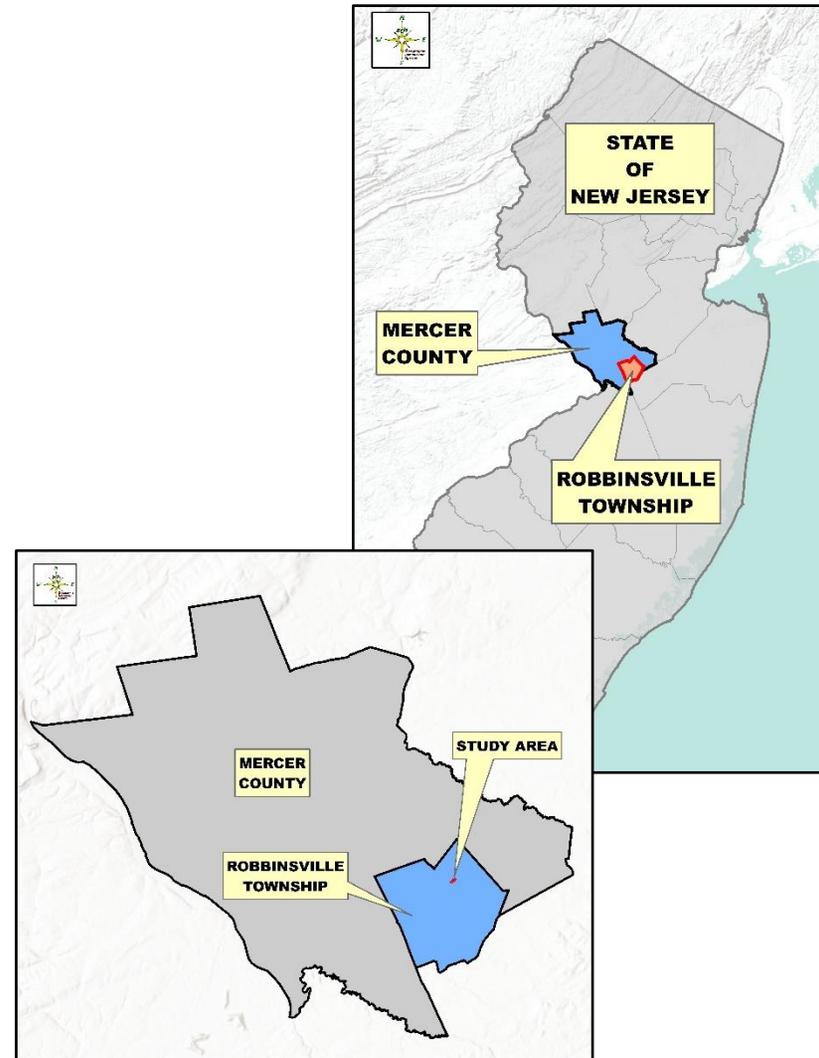
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BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37 STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

1.0 INTRODUCTION

1.1 BACKGROUND

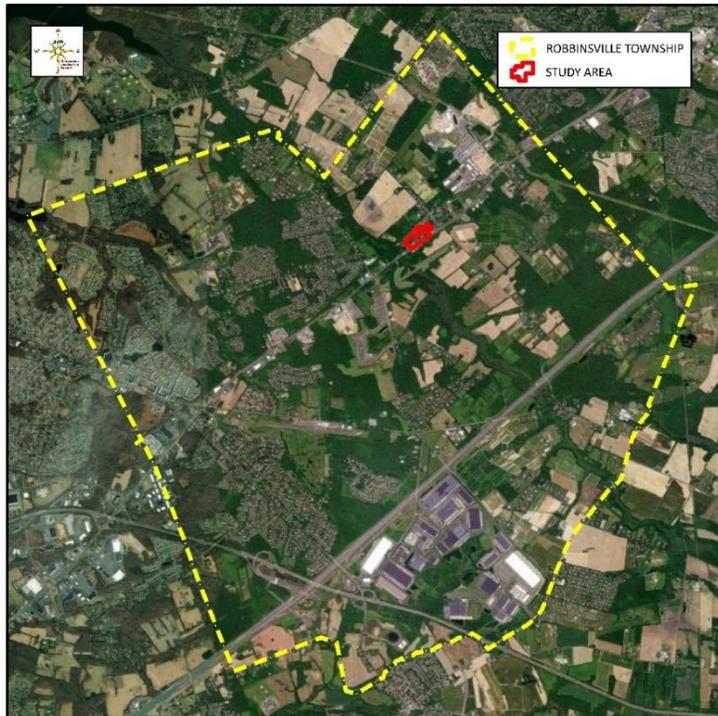
There exists in the Township of Robbinsville, Mercer County, New Jersey¹, a 7 lot / (approximately) 11.3-acre area consisting of lots that either front on U.S. Route 130 or on South Main Street. Such area consists of Block 11, Lots 15, 16, 20, 23, 24, 25 and 37².

The Study Area consists of unproductive and unutilized vacant lands as well as properties that appear to exhibit conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and a lack of proper development which result from forces which are amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.



¹ "Township"

² "Study Area"



1.2 LOCAL REDEVELOPMENT & HOUSING LAW

1.2.1 AUTHORIZING LEGISLATION

In 1992, the New Jersey Legislature empowered municipalities to address conditions as described by adopting the *Local Redevelopment & Housing Law*³, the purpose of which is to provide local officials with the tools and powers necessary to arrest and reverse such conditions and to promote the

advancement of community interests through programs of redevelopment and/or rehabilitation of such lands.

Utilizing the comprehensive set of tools and techniques available only under the *Redevelopment Law*, municipalities may modify land use and zoning controls; acquire property deemed necessary for redevelopment; clear or provide for the clearance of lands; install infrastructure and/or other site improvements; provide favorable tax and other financial incentives to facilitate redevelopment; and solicit for, negotiate / enter into partnerships with and transfer lands to public and private entities in order to accomplish certain defined goals and objectives.

³ N.J.S.A. 40A:12A-1 et. seq (“Redevelopment Law”)



1.2.2 REDEVELOPMENT PROCESS

The first step in the Redevelopment process is for a municipal Governing Body to direct the municipal Planning Board to undertake what the Redevelopment Law terms a “Preliminary Investigation” to determine if the conditions in a targeted area conform with any of the eight (8) Statutory Criteria under which lands may be declared to be “In Need of Redevelopment” under sections 5 and 6 of the *Redevelopment Law*.

On April 13, 2023, the Robbinsville Township Council adopted Township Resolution No. 2023-115⁴ thereby authorizing and directing the Robbinsville Land Use Board⁵ to conduct the necessary investigations and to undertake the necessary steps to determine whether or not Block 11, Lots 15, 16, 20, 23, 24, 25 and 37 on the official tax map of the Township of Robbinsville, or any part of parts thereof, qualify for designation as a Condemnation Area in Need of Redevelopment under the criteria and pursuant to the public hearing process set forth in N.J.S.A. 40A:12A-1, et seq. Such designation provides a municipality with the power to exercise eminent domain to acquire property in a Redevelopment Area.

Resolution No. 2023-115 further provided that, upon completion of the Preliminary Investigation and the public hearing thereon, the Land Use Board shall submit its findings and recommendations to the Township Council in the form of a Resolution with supportive documentation.

On April 18, 2023, the Land Use Board adopted Land Use Board Resolution No. LU2023-22⁴, accepting the directive of the Township Council and assigning **ARH ASSOCIATES**⁶, Licensed Professional Planners in the State of New Jersey and the Board’s appointed Planner, to undertake the Preliminary Investigation on the Board’s behalf. In satisfaction of N.J.S.A. 40A:12A-6 b(1), a Statement setting forth the Township’s Basis for this Preliminary Investigation and a map of the Study Area indicating all Blocks and Lots therein were placed on file with the Township Clerk.

1.2.3 NON-CONDEMNATION VS. CONDEMNATION REDEVELOPMENT AREAS

While the statutory criteria for qualifying as an Area In Need of Redevelopment, and the process to apply such criteria, are

⁴ On file with the Township Clerk and/or Land Use Board Secretary.

⁶ “ARH”

⁵ Acting in its capacity as the Township’s Planning Board.





the same for Non-Condemnation and Condemnation Redevelopment Area designations, N.J.S.A. 40A:12A-6 provides, in pertinent part:

... The resolution authorizing the Planning Board to undertake a Preliminary Investigation shall state whether the Redevelopment Area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the Redevelopment Area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area") ...

The Planning Board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a Redevelopment Area.

If the governing body resolution assigning the investigation to the Planning Board ... stated that the Redevelopment determination shall establish a Non-Condemnation Redevelopment Area, the notice of the hearing shall specifically state that a Redevelopment Area determination shall not

authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

If the resolution assigning the investigation to the Planning Board ... stated that the Redevelopment determination shall establish a Condemnation Redevelopment Area, the notice of the hearing shall specifically state that a Redevelopment Area determination shall authorize the municipality to exercise the power of eminent domain to acquire property in the delineated area ...

If the governing body resolution assigning the investigation to the Planning Board ... stated that the Redevelopment determination shall establish a Condemnation Redevelopment Area, the notice of the determination [that an area is In Need of Redevelopment] required pursuant to this paragraph shall indicate that:

- the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the Redevelopment Area, and*
- legal action to challenge the determination must be commenced within 45 days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.*



1.3 REPORT OF FINDINGS

This Report of Findings consists of a review of the Statutory Criteria under which an area may be determined to be In Need of Redevelopment, the findings of the Investigation as directed by the Governing Body, and an analysis of how these findings conform to the Statutory Criteria for Redevelopment Area designation. The report culminates in a final recommendation to the Land Use Board.

2.0 METHODOLOGY

2.1 OVERVIEW

A Preliminary Investigation of the type conducted herein makes no judgment as to the policy implications of any findings, recommendations or determinations that may be made. The analyses undertaken simply evaluate the existing conditions within the Study Area against the specific criteria enumerated in N.J.S.A. 40A:12A-5.

2.2 SOURCES

The analyses contained in this Report of Findings rely on:

- Township Parcel Mapping and associated data⁷ compiled by **ARH ASSOCIATES** as of April 2023;
- Visual inspections of the accessible sections of the Study Area conducted in August 2023;
- NJDEP, Google Earth & Bing Aerial Photography⁸ ;
- Georeferenced World Imagery (aerial photography) compiled and maintained by ESRI⁹ ;

- Georeferenced Environmental Mapping compiled and maintained by NJDEP; and
- Various Geographic Information System (G.I.S.) coverages generated for this assignment.

These sources were augmented by communications with Township officials and were used as the basis to compare Study Area conditions against the Statutory Criteria required for Redevelopment Area designation.

2.3 ACREAGE CALCULATIONS

Acreage calculations were developed from the Township's electronic Tax Maps and Township Tax Assessment records. Information is therefore deemed accurate to the source material. A Boundary Survey of the Study Area and the individual Lots therein, performed by a licensed Land Surveyor, is required for precise measurements.

⁷ Robbinsville Township Tax Assessment (MOD IV) attribute data obtained from the New Jersey Association of County Tax Boards (downloaded from the NJATCB website in April 2023).

⁸ <https://newjersey.maps.arcgis.com/home/item.html?id=8bf43d89c9754f55a09b3e0959d6b35c>

⁹ <https://www.arcgis.com/home/item.html?id=10df2279f9684e4a9f6a7f08febac2a9>



2.4 DISCLAIMERS

Assumptions, caveats, and data qualifications relevant to particular analyses are indicated as applicable.

The findings, conclusions and recommendations presented in this Report of Findings are the opinion of the authors and are based on a review of available records, interviews with knowledgeable individuals, physical inspections of the accessible sections of the Study Area and interpretation of data as cited herein.

Data collection is limited to sources cited herein. Unless otherwise stated, no primary research was conducted.

This Investigation does not include the collection or sampling of any soils, groundwater, surface water, or air, nor does it include any inspection of areas that would require an extraordinary effort to access.

While the authors have taken great care in compiling, checking and reviewing the information presented herein to ensure its accuracy and timeliness, the information cannot be guaranteed against errors, omissions or inaccuracies arising

from sources outside of the authors' control. Within this context, the analyses and findings presented herein are based on and rely upon the accuracy and completeness of the information supplied by or on behalf of the Township, its agents and representatives and/or other sources as cited.

The findings, conclusions and recommendations contained herein are expressly conditioned upon the completeness and accuracy of such information.

Neither **ARH ASSOCIATES** nor any affiliates related thereto has any present or contemplated future interest in the Study Area that would impair the authors' ability to perform an objective analysis. Further, neither future employment nor compensation above and beyond the cost to produce this Report of Findings have been promised to **ARH ASSOCIATES**, its employees, agents, officers, or affiliates for any particular result of this Preliminary Investigation.

3.0 DEFINITIONS

For the purposes of this Report of Findings, and in addition to any terms defined within the body of this document, the following terms shall have the meaning as set forth in this section. Terms not defined herein shall have the meaning set forth in Chapter 142 of the Township Code. Terms presented as singular or plural, masculine or feminine, shall be construed within the context in which they occur.

3.1 “Blight” shall mean¹⁰:

- ...something that impairs growth, withers hopes and ambitions, or impedes progress and prosperity; see New Oxford American Dictionary 177 (2nd ed. 2005) (defining “blight” as “an ugly, neglected, or rundown condition of an urban area”).
- ...an area in which deteriorating forces have obviously reduced economic and social values to such a degree that widespread rehabilitation is necessary to forestall the development of an actual slum condition.
- ...an area, usually in a city, that is in transition from a state of relative civic health to the state of being a slum, a breeding ground for crime, disease, and unhealthful living conditions.

The term presumes deterioration or stagnation that negatively affects surrounding areas.

3.2 “Block 11: Lot 15, 16, 20, 23, 24, 25 & 37 Study Area” shall mean the (approximately) 11.3-acre, 7 lot portion of Robbinsville Township that fronts on Route 130 or South Main Street, as further described in Township Resolution No. 202-115 and §1.0 herein, and which is the subject of this Preliminary Investigation.

3.3 “Chapter 142” shall mean Chapter 142 of the Robbinsville Township Municipal Code, as same may be amended from time-to-time.

3.4 “Dilapidate”, “Dilapidated” or “Dilapidation” shall mean (as defined in Webster’s¹¹)

- *(v) to bring into a condition of decay or partial ruin by use;*
- *(adj.) in very bad condition because of age or lack of care; decayed, deteriorated, or fallen into partial ruin especially through neglect or misuse.*

¹⁰ As defined by the New Jersey Supreme Court in Gallenthin Realty Development, Inc. v. Township of Paulsboro. 191 N.J. 344 (2007).

¹¹ www.merriam-webster.com/dictionary



- 3.5** “Governing Body” shall have the same meaning as Township Council¹².
- 3.6** “Land Use Board” shall mean the Robbinsville Township Land Use Board, established pursuant to the Municipal Land Use Law and operating pursuant to the various regulations of the Township Code and other relevant statutes, and acting in its capacity as the Township’s Planning Board under the *Local Redevelopment & Housing Law*.
- 3.7** “*Local Redevelopment & Housing Law*” shall mean N.J.S.A. 40A:12A-1 et seq.
- 3.8** “*Municipal Land Use Law*” shall mean N.J.S.A. 40:55D-1 et seq.
- 3.9** “NJDCA” shall mean the New Jersey Department of Community Affairs¹³.
- 3.10** “NJDEP” shall mean the New Jersey Department of Environmental Protection¹³.
- 3.11** “NJDOT” shall mean the New Jersey Department of Transportation¹³.

3.12 “Obsolete” or “Obsolescent” shall mean (as defined in Webster’s¹¹):

- (adj.) no longer in use or no longer useful; of a kind or style no longer current; indistinct or imperfect as compared with a corresponding part in related organisms.
- (adj.) going out of use; becoming obsolete

3.13 “Office of Planning Advocacy” (“OPA”) shall mean the successor to the New Jersey Office of Smart Growth (“OSG”) and the Office of State Planning (“OSP”); operating out of the office of the Secretary of State under the Lieutenant Governor.

As part of its Business Action Center, the OPA is charged with helping to spur economic growth in New Jersey.

3.14 “Preliminary Investigation” shall mean this instant process under which the conditions in the Block 11: Lot 15, 16, 20, 23, 24, 25 & 37 Study Area are analyzed to determine conformance with the Statutory Criteria for Redevelopment Area designation under the *Local Redevelopment & Housing Law*.

¹² Within the context of the various sections of this document, the terms “Township”, “Governing Body” and “Robbinsville” shall mean the Robbinsville Township Council.

¹³ including all divisions and agencies thereof.



- 3.15** “Publication” shall mean the date printed on the cover of this Report of Findings, which shall signify the date this Report was finalized for printing.
- 3.16** “Report of Findings” shall mean this instant document, along with additional narrative, graphics and presentation materials associated herewith.
- 3.17** “Redevelopment Law” shall have the same meaning as *Local Redevelopment & Housing Law*.
- 3.18** “Robbinsville” and “Robbinsville Township” shall mean the Township of Robbinsville, a body corporate and politic, and unless otherwise indicated, includes its Governing Body, elected officials, officers and staff.¹²
- 3.19** “Route 130” shall mean U.S. Route 130.
- 3.20** “State Plan” shall mean the New Jersey *State Development & Redevelopment Plan*, adopted March 2001.
- 3.21** “Study Area” shall have the same meaning as Block 11: Lot 15, 16, 20, 23, 24, 25 & 37 Study Area.

- 3.22** “Township” shall have the same meaning as Robbinsville Township.
- 3.23** “Township Council” shall mean the legislative arm of the Township of Robbinsville.

4.0 LOCAL REDEVELOPMENT & HOUSING LAW

4.1 PROCESS

The Redevelopment Law requires a multi-step, public process before a municipality may exercise the powers granted therein. Pursuant to N.J.S.A. 40A:12A-6:

4.1.1 A municipal Governing Body must direct the municipality's Planning Board ~ for Robbinsville, the Land Use Board ~ to undertake what the *Redevelopment Law* terms a Preliminary Investigation of an area in question to determine whether it meets the Statutory Criteria for Redevelopment designation. This was accomplished by Township Resolution No. 2023-115¹⁴.

Resolution No. 2023-115 stated that the investigation was in furtherance of a Condemnation Redevelopment Area designation.

4.1.2 The Land Use Board must prepare and post a map with the municipal clerk showing the boundaries of the area in question and the location of the various blocks and lots therein. Said map must be accompanied by a statement setting forth the Governing Body's basis for the Investigation.

The foregoing occurred prior to Publication of this Report of Findings. Actions subsequent to such date are prospective.

4.1.3 As part of the Investigation process, the Land Use Board must hold a duly noticed public hearing to discuss the findings of the Investigation and to hear persons who are interested in or would be affected by the contemplated action. The Board's finding(s) and recommendation(s) from said hearing are then referred (in the form of a Land Use Board Resolution) to the Governing Body for formal action.

4.1.4 Upon receipt of the finding(s) and recommendation(s) from the Land Use Board, the Governing Body may adopt a resolution designating the area in question, or any part thereof, as an Area in Need of Redevelopment.

4.1.5 Upon adoption of such resolution, the municipal clerk must transmit a copy thereof to the Commissioner of the New Jersey Department of Community Affairs. Whereupon:

¹⁴ On file with the Township Clerk and/or Land Use Board Secretary.



- A. If the area determined to be In Need of Redevelopment is located where State policy encourages (re)development, the determination shall take effect immediately.
- B. If the area determined to be In Need of Redevelopment is not located where State policy encourages (re)development, then the determination shall not take effect without the approval of the NJDCA Commissioner. If the Commissioner does not act within 30 calendar days, the determination is deemed to be approved.

4.1.6 Notice of the Redevelopment determination shall be served, within 10 days thereafter, upon all record owners of property located within the delineated area, those whose names are listed in the tax assessor's records, and upon each person who filed a written objection thereto and stated an address to which notice of determination may be sent.

Such notice shall specifically state that a Redevelopment Area determination shall authorize the Township to exercise the power of eminent domain to acquire property in any eventual Redevelopment Area.

4.1.7 Upon Redevelopment Area designation and approval by the NJDCA Commissioner (if applicable), the municipality may then prepare a Redevelopment Plan for the Redevelopment Area, establishing the goals and objectives of the municipality in designating the Area to be In Need of Redevelopment and outlining the actions to be taken to accomplish these goals and objectives.

4.1.8 Once prepared, the Redevelopment Plan is reviewed by the Land Use Board and, after public hearing, is referred to the Governing Body (in the form of a Land Use Board Resolution) with recommendation(s) regarding adoption.

4.1.9 Upon receipt of the Resolution and recommendation(s) from the Land Use Board, the Governing Body may adopt the Redevelopment Plan by Ordinance. The adopted Redevelopment Plan may become an explicit amendment to the municipality's Zoning District Map and Zoning Ordinance or may be treated as an overlay to existing zoning.

It is only after completion of this multi-step public process that a municipality is able to exercise the tools and powers available to it under the Redevelopment Law.



4.2 AREA IN NEED OF REDEVELOPMENT

4.2.1 STATUTORY CRITERIA

An 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 any of the following conditions is found to be present:

- A. *N.J.S.A. 40A:12A-5a:
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. *N.J.S.A. 40A:12A-5b:
The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least 2 consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.*
- C. *N.J.S.A. 40A:12A-5c:
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 10 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. *N.J.S.A. 40A:12A-5d:
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. *N.J.S.A. 40A:12A-5e:
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 underproductive 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. N.J.S.A. 40A:12A-5f:
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. N.J.S.A. 40A:12A-5g:
In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones 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 pursuant to (40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to... (40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to... (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... (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. N.J.S.A. 40A:12A-5h:
The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Crucial to the application of the aforementioned is the understanding that the presence of any one (1) of these Criteria is sufficient for a municipality to make a determination that an area is In Need of Redevelopment.

4.2.2 REDEVELOPMENT AREA DEFINITION

In addition to the Statutory Criteria, the *Redevelopment Law* provides¹⁵ that a Redevelopment Area:

...may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or

¹⁵ N.J.S.A. 40A:12A-3



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.

4.3 IMPLICATIONS FOR THE STUDY AREA

It is only upon a Redevelopment Area designation that the Township is able to bring to bear the comprehensive tools and powers available to it under the Redevelopment Law to address the conditions within the Study Area.

5.0 STUDY AREA PROFILE

5.1 STUDY AREA DELINEATION

5.1.1 As directed by the Governing Body via Township Resolution 2020-126¹⁶, the Study Area for this Preliminary Investigation consists of Block 11, Lots 15, 16, 20, 23, 24, 25 and 37 as depicted on the official tax map of the Township of Robbinsville. These lots are located in the Windsor Village section of Robbinsville.

5.1.2 The previously designated Route 130 South Redevelopment Area includes the entirety of the Route 130 Right-of-Way between the Township’s southern boundary line and Gordon Road. In order to permit any potential grant funding tied to Redevelopment Area designations to be utilized for Route 130, the Redevelopment Plans for the various portions of the Redevelopment Area extend to the centerline of Route 130.

For the same reasons, this Study Area extends to the centerline of Route 130 and to the entirety of the Main Street Right-of-Way where abutting Study Area Lots.

Accordingly, the Study Area contains approximately 11.86 acres in the form of Tax Lots and 2.52 acres in the form of Rights-of-Way, for a total of 14.38 acres.¹⁷

5.1.3 In satisfaction of the requirements of N.J.S.A. 40A:12A-6 b., the following map showing the boundaries of the Study Area and the location of all blocks and lots therein, as well as Township Resolution No. 2023-115, have been placed on file



¹⁶ On file with the Township Clerk and/or Land Use Board Secretary.

¹⁷ Acreage calculations were developed from the Township’s electronic Tax Maps and Tax Assessment records. Information is therefore deemed accurate to the source material. A Boundary Survey of the individual Lots, performed by a licensed Land Surveyor, is required for precise measurements.

with the Township Clerk. Collectively, these documents form the Township’s Statement for the Basis of this Investigation.

5.2 STUDY AREA ZONING

The Route 130-fronting Study Area lands are zoned (VC) Village Commercial and the Main Street-fronting lots are zoned (H-2) Windsor Historic - Residential. All Study Area lands are located within the (H-O) Historic Overlay .

The VC Zone is governed by §142-22 of the Township Code, the H-2 Zone is governed by §142-17 of the Code and the H-O is governed by §142-30.1. Pertinent to this Report of Findings:

5.2.1 SELECT VC ZONE REGULATIONS¹⁸

A. Purpose & Intent

The stated Purpose of the VC Zone is to foster:

a cohesive economic development plan intended to improve the primary commercial corridors within the Township and help to achieve a better balance between residential and commercial development.

... help the Township in its historic preservation efforts.



... take advantage of the surrounding historic communities and to help create a unique sense of place with office and retail uses for both residents and visitors to explore.

The stated Intent of the Zone is to:

provide commercial uses at a scale that is consistent with the adjacent Village of Windsor ... [T]he following types of uses are not the intended types of uses for the VC Zone:

- *New or used sales or rental of motor vehicles;*
- *Automotive repair facilities;*
- *Motels;*

¹⁸ *emphasis added*



- Gas stations;
- Adult book stores & adult movie theaters;
- Drug paraphernalia stores;
- Junkyards;
- Massage parlors; tattoo parlors;
- Kennels;
- Car washes; and
- Body piercing studios.

B. Permitted Principal & Conditional Uses

- Retail stores, provided there is no fabrication, manufacturing, converting, altering, finishing or assembly.
- Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry cleaners, provided no cleaning conducted on the premises, jewelry repair, and legal services.
- Business offices, including but not limited to medical offices, professional offices and governmental offices.
- Restaurants; excluding drive-through...
- Combination office service / retail sales.
- House of Worship (Conditional).

C. Select Area & Yard Requirements

- Minimum Lot Area: 10,000 s.f.
- Minimum Lot Width / Frontage: 100’.
- Minimum Lot Depth: 125’.
- Minimum Front Yard Setback: 35’.
- Minimum Side Yard Setback: 10’.
- Minimum Rear Yard Setback: 30’.
- Maximum Impervious Surface Ratio: 0.70.
- Minimum Gross Floor Area: 3,000 S.F.
- Maximum Floor Area Ratio: 0.30.
- Maximum Building Height: 25’ / 2½ Stories.

D. Performance & Design Standards

... are intended to provide a framework within which the designer of the site development is free to exercise creativity, invention, and innovation. Where a development involves an existing building or site upon which an existing building is located, **the existing building shall be repaired, renovated, and restored to comply with this section.**

... are not intended to restrict creativity...

All applications shall be submitted to the Robbinsville Township Historic Preservation Subcommittee for review.

E. Site Design / Spatial Requirements

*The organization of buildings, drives, parking areas, service areas, walks and other site components should have a functional relationship and be compatible with existing site features **and the adjacent historic Village of Windsor.***

Franchise architecture¹⁹ is discouraged. Franchise of national chains are encouraged to follow building design standards provided herein to create a unique building that is compatible with surrounding buildings.

*Architectural features, including but not limited to cornices, windows, door and trim, **should be typical of the growth period (1832-1875) of the Village of Windsor.***

*Materials for new construction should be similar to the types of and textures of materials in the area, **specifically the historic Village of Windsor.** Renovations, restoration and maintenance work should match existing materials.*

A human scale should be achieved at ground level and along street frontages and entryways through the use of windows, doors, columns, canopies and architectural details such as cornices, window and door trim, etc.

*All buildings shall be harmoniously related to the existing road network and other civic spaces. Pedestrian linkages to adjacent neighborhoods, **specifically the historic Village of Windsor,** are encouraged.*

5.2.2 SELECT H-2 ZONE REGULATIONS¹⁸

A. Purpose & Intent

The stated Purpose of the H-2 Zone is to

... maintain the historic character of the Village of Windsor through the **preservation of existing historic buildings** and to provide for new residential development consistent with the historic character of the Village”.

No Study Area buildings possess any historic significance or are worthy of preservation.

B. Permitted Principal & Conditional Uses

- *Single-family detached dwelling units.*
- *Public parks, conservation area and public purpose use areas.*
- *Public schools.*
- *Cemeteries (Conditional).*

¹⁹ Building design that is trademarked or identified with a particular chain or corporation and is generic in nature.



C. Select Area & Yard Requirements

- Minimum Lot Area: 15,000 s.f.²⁰
- Minimum Lot Width / Frontage: 100’.
- Minimum Lot Depth: 150’.
 - Minimum Front Yard Setback: 35’.
 - Minimum Side Yard Setback: 10’ one side / 25’ total.
 - Minimum Rear Yard Setback: 35’.

architecturally significant buildings, structures, site objects, hedgerows, vistas, and tree stands within the Township;

- Discourage the **unnecessary demolition of historic and cultural resources;**
- Manage change by **preventing alteration or new construction not in keeping with any historic district;** and
- Promote the **conservation of historic and cultural resources.**

5.2.3 SELECT H-O REGULATIONS¹⁸

A. Purpose & Intent

The stated Purpose of the H-O is to

*... implement the Historic Preservation Element of the Master Plan and to protect, enhance, and perpetuate **especially noteworthy examples or elements of the Township's historic character and environment** in order to, in pertinent part:*

- Safeguard the heritage of the Township by preserving resources which reflect elements of its cultural, social, economic, architectural and agrarian history;
- Encourage the continued use of **historic sites and facilitate** their appropriate use;
- Maintain and develop an appropriate and harmonious setting for the **historic and**

The Study Area does not contain:

- **Especially noteworthy examples or elements of the Township's historic character and environment;**
- **Buildings with historic significance or which are worthy of preservation;**
- **Resources which reflect elements of [the Township's] cultural, social, economic, architectural and agrarian history;**
- **Historic / architecturally significant buildings, structures, site objects, hedgerows, vistas or tree stands;**

²⁰ Usable lot area, excluding wetlands, 100-year floodplains & areas of slopes in excess of 10%.





- **Historic sites and facilitate worthy of continued use;**
- **Historic / cultural resources where demolition should be discouraged.;**
- **Alteration of existing structures worthy of prevention; or**
- **Historic / cultural resources worthy of conservation.**

5.3 PROPERTY TAX ANALYSIS

5.3.1 Property taxes in Robbinsville are the sum of the:

TAX	2023 TAX RATE
	PER \$100 OF ASSESSED VALUATION
Municipal (Local Purpose) Tax	0.577
Municipal Open Space Tax	0.065
Robbinsville School (Board of Education) Tax	1.723
County Tax	0.655
County Library Tax	0.068
County Open Space Tax	0.031
	3.119

Actual taxes to be paid on a particular piece of property are calculated as: Assessed Land Value + Assessed Improvement Value (= Total Assessed Value) x 3.119 / \$100.

5.3.2 Assessments for the individual Lots within the Study Area are:

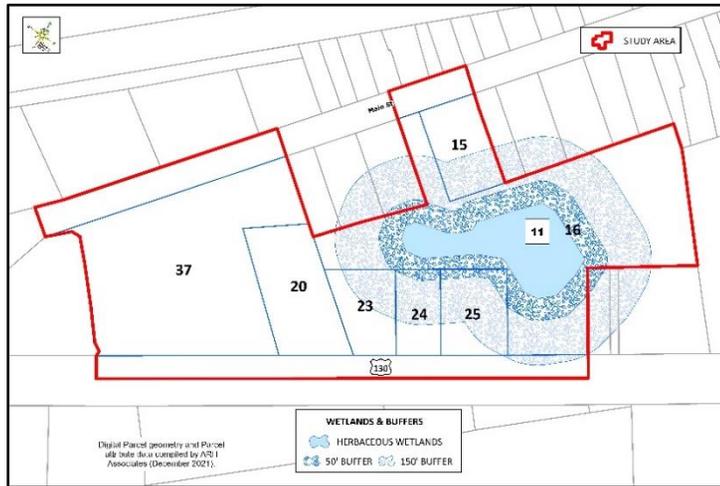
LOT	ADDRESS	LAND	IMPROVEMENT	TOTAL
15	37 S MAIN ST.	\$222,000	\$78,000	\$300,000
16	41 S MAIN ST.	\$285,000	\$0	\$285,000
20	1274 RTE. 130	\$500,000	\$341,600	\$841,600
23	1284 RTE. 130	\$200,000	\$47,400	\$247,400
24	1288 RTE. 130	\$175,000	\$55,000	\$230,000
25	1290 RTE. 130	\$225,600	\$82,000	\$307,600
37	1250 - 1266 RTE. 130	\$650,000	\$200,000	\$850,000

5.4 STUDY AREA ENVIRONMENTAL CONSIDERATIONS

5.4.1 LAND COVER / WETLANDS

NJDEP-mapping in (and around) the Study Area reveals the presence of wetlands and wetlands buffers. Except for certain specifically authorized activities, NJDEP prohibits development in such areas.

The site-specific analyses necessary to determine the permissibility of development within these wetlands and/or wetlands buffers are beyond the scope of this Report of Findings.



The permissible limit of development is authorized by NJDEP upon application to that agency.

²¹ NJDEP employs a species-based habitat method designed to associate each species with a specific set of Land Use / Land Cover (“LULC”) classes according to the habitat needs of the species. Detailed LULC class delineations allow for an accurate representation of imperiled and special concern species habitat by providing biologists with the ability to designate a specific set of LULC classes for each individual species-feature label combination.

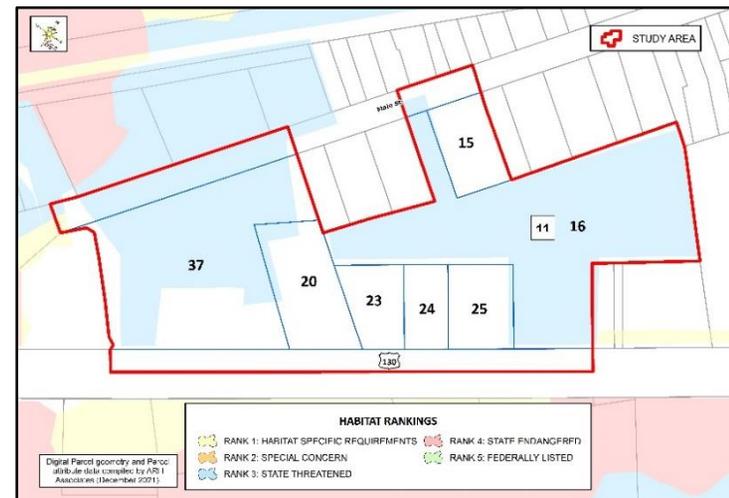
Each species-habitat association is developed by performing a review of scientific literature and/or from information obtained through research and expert opinion. In addition, a special analysis of the LULC for species and their feature label components was used to guide the selection of particular LULC classes for the creation of species-specific patches of habitat.

Habitat is valued only if it is appropriate for the species.
www.nj.gov/dep/gis/landscape.html

- Rank 1: species-specific habitat that meets habitat-specific suitability requirements such as minimum size or core area criteria for endangered, threatened or special concern wildlife species, but that do not intersect with any confirmed occurrences of such species. Rank 1 habitat without documented occurrences are not necessarily absent of imperiled or special concern species. Thus, the Rank 1 designation is used for planning purposes, such as targeting areas for future wildlife surveys.

5.4.2 HABITAT / THREATENED & ENDANGERED SPECIES

A. NJDEP classifies habitat value under a 5-tier ranking system²¹ which finds Habitat Ranks 2 Habitat to be present in the Study Area for Great Blue Heron²² and Rank 3 to be present in the Study Area for Wood Turtle²³.



Imperiled species are typically not abundant across the landscape, a single occurrence may therefore represent a significant portion of the local population and often indicates the presence of a larger population.

- Rank 2: species-specific habitat containing 1 or more occurrences of species considered to be “of special concern”.
- Rank 3: species-specific habitat containing 1 or more occurrences of State threatened species.
- Rank 4: species-specific habitat with 1 or more occurrences of State endangered species.
- Rank 5: species-specific habitat containing 1 or more occurrences of wildlife listed as endangered and threatened under the Federal Endangered Species Act of 1973.

²² *Ardea Herodias*. Foraging, last observed 2013.

²³ *Glyptemys insculpta*. Occupied habitat, last observed 2003.

While the site-specific analyses necessary to determine the actual presence of species is beyond the scope of this Report of Findings, habitat may significantly limit the developability of impacted Study Area lots.

- B. Additionally, the U.S. Fish & Wildlife Service IPaC website²⁴ has identified the Northern Long-eared Bat²⁵, Tricolored Bat²⁶, Bog Turtle²⁷ and Monarch Butterfly²⁸ at the Study Area²⁹.

A Natural Heritage Database Request and a request to the U.S. Fish & Wildlife Service are required to confirm the actual presence of species within or in proximity to the Study Area.

Development within habitat is subject to site-specific analyses and formal application to the Relevant Permitting Agencies. Once the presence of species is confirmed, a buffer may be required.

²⁴ <https://ipac.ecosphere.fws.gov/location/index>

²⁵ *Myotis septentrionalis*: Threatened Species

²⁶ *Perimyotis subflavus*: Proposed Endangered

²⁷ *Glyptemys muhlenbergii*: Threatened Species

²⁸ *Danaus plexippus*: Candidate

5.4.3 CONTAMINATION

NJDEP's "Geoweb" and "Data Miner" internet databases³⁰ find:

- A. Lot 15: Has mapped a "terminated" underground storage tank. The tank was removed in 1998.

The databases reveal a history of groundwater contamination dating to 1999, with its remedial efforts occurring in 2004. In 2005, the case was closed and given a No Further Action ~ Unrestricted Use classification.

In 2015 the case was reopened, although the databases do not reveal a current level or type of contamination. No Licensed Site Remediation Professional³¹ is listed as being assigned to oversee the contamination.

- B. While Lots 20 and 37 are NJDEP Environmental Management System sites, the databases do not reveal contamination.

²⁹ While not specifically identified in the Study Area, the Bald Eagle (*Haliaeetus leucocephalus*) warrants attention under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), (the species Breeds October 15 to August 31).

³⁰ <https://www13.state.nj.us/DataMiner>

³¹ "LSRP"

5.5 SMART GROWTH & REGULATORY ENVIRONMENT

5.5.1 SMART GROWTH

Smart Growth is a term given to planning theories and practices designed to combat the suburban sprawl experienced in New Jersey (and other states) in the post-World War II era.

Prior to the War, the nation's population generally lived in compact neighborhoods where people could walk from their homes to work, to shop or to go to school, or could take advantage of public transportation for these needs. The post-War emergence of the American middle-class, the privately-owned automobile and the interstate highway system provided the ability for people to retreat from cities to suburbia, with its larger lot sizes and cul-de-sac communities.

Over the decades, once-new suburbs became old and tired. Simultaneously, the reliance on the automobile caused increased traffic congestion, as public transportation was replaced by the need to drive from 'secluded' communities to office parks, strip malls and regional shopping centers.

Families, perceiving their quality-of-life diminishing, began to flee these older, congested suburbs for the less-dense, ever-greener hinterland. Suburbs became urban³², exurbs became suburban, and the open space that heretofore separated communities vanished. The result came to be known as **"SPRAWL"**.

To combat sprawl while recognizing the need to accommodate an ever-expanding population, planners have developed a series of principles known as Smart Growth. It is hoped that the application of these principles will redirect (re)development to the cities and other areas of existing infrastructure, and preserve green space while providing the new development required to service an expanding population.

Smart Growth principles are generally accepted by planners and lawmakers as guidelines for effective land use and design. They have been incorporated, explicitly or implicitly, into the body of state and local regulations adopted to combat sprawl.

³² Meanwhile, the traditional urban environment continued to deteriorate and decline, resulting in population flight, economic disinvestment and general physical decay.

Smart Growth Principles³³

No.
Date:

Mix Land Uses

Take Advantage of Compact, Clustered Community Design

Create a Range of Housing Opportunities and Choices

Create Walkable Neighborhoods

Foster Distinctive, Attractive Communities with a Strong Sense of Place

Preserve Open Space, Farmland, Natural Vistas (Scenic Resources) and Critical Environmental Areas

Strengthen and Direct Development Towards Existing Communities with Existing Infrastructure

Provide a Variety of Transportation Choices

Make Development Decisions Predictable, Fair and Cost Effective

Encourage Community and Stakeholder Collaboration in Development Decisions

While by no means an exhaustive list, the following and similar principles underscore the fundamentals of Smart Growth planning.

5.5.2 STATE DEVELOPMENT & REDEVELOPMENT PLAN

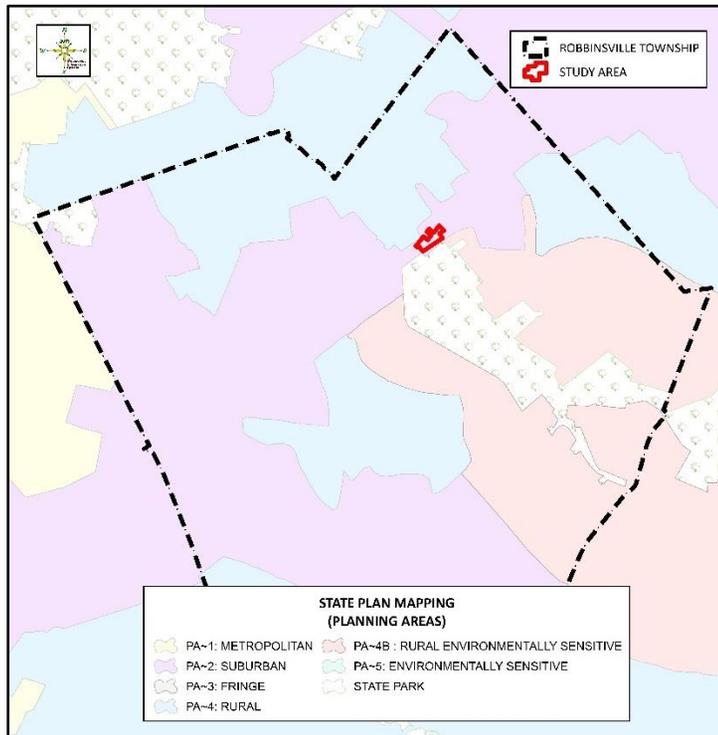
In New Jersey, these Smart Growth principles are embodied in the *State Development & Redevelopment Plan*, which is an outline of the State’s policies related to Smart Growth and planning principles.

Promulgated by the State Planning Commission as an interdepartmental effort between various State offices charged with managing the growth in New Jersey , the *State Plan* is the controlling policy guide regarding growth-related issues on a statewide level.

The *State Plan* classifies the section of Robbinsville³⁴ which includes the Study Area as a Village Center in a PA~2 (Suburban) Planning Area.

³³ <http://smartgrowth.org/smart-growth-principles/>

³⁴ As a 2001 document, the State Plan refers to Robbinsville under its former name of Washington Township.



A. ³⁵**CENTERS** are compact forms of development that ~ compared to sprawl development ~ consume less land, deplete fewer natural resources and are more efficient in the delivery of public services. The concept of Centers is the key organizing principle for development and redevelopment.

The amount of growth that should occur in any particular Center depends upon its capacity characteristics, and the unique opportunities and constraints presented by the Planning Area in which it exists.

VILLAGE CENTERS are primarily residential places that offer a small Core with limited public facilities, consumer services and community activities³⁶.

B. **PA~2 (SUBURBAN) PLANNING AREAS** are designed to 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.³⁷

To accomplish the State Plan's goals for the PA~2 Planning Area, the following Policy Objectives were established³⁸:

³⁵ State Plan: p. 10.

³⁶ State Plan: p. 230.

³⁷ State Plan: p. 186.

³⁸ State Plan: p. 198-199.



Pertinent to the Study Area³⁹:

LAND USE: *Guide development and redevelopment into more compact forms ~ Centers ... Plan and zone for a wide range of land uses and users, in order to achieve more balanced communities. Seek to better integrate different land uses, and remove or mitigate physical barriers between them ... Preserve the Environs as park land, farmland, or partially developed low-density uses without compromising the Planning Area's capacity to accommodate future growth.*

HOUSING: *Provide a full range of housing choices primarily in Centers at appropriate densities to accommodate the area's projected growth. Ensure that housing in general ~ and in particular affordable, senior citizen, special needs and family housing ~ is developed with maximum access to a full range of commercial, cultural, educational, recreational, health and transportation services and facilities. Focus multi-family and higher-density, single-family housing in Centers...*

ECONOMIC DEVELOPMENT: *Guide opportunities for economic development into Centers ... and target new jobs to these locations.*

TRANSPORTATION: *Maintain and enhance a transportation system that links Centers and existing large single-use areas to each other, to Metropolitan Planning Areas and to major highway and transit corridors. Emphasize the use of public transportation systems and alternative modes of transportation where appropriate and feasible, and maximize circulation and mobility options (including pedestrian and bicycle connections between developments) throughout ... Promote flexible (variable route) transit and support employer operated shuttle services...*

NATURAL RESOURCE CONSERVATION: *Conserve continuous natural systems, strategically locate open space, and buffer Critical Environmental Sites. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link into other Planning Areas.*

REDEVELOPMENT: *Encourage redevelopment efforts in existing Centers ... Redevelop at transit-supportive densities, while creating pedestrian-oriented environments. Take full advantage of the opportunities available under the state's redevelopment statutes to promote new Centers and retrofit existing areas with mixed-uses and higher densities.*

³⁹ Policy Objectives related to Agriculture, Recreation are eliminated for brevity.

HISTORIC PRESERVATION: *Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area’s ability to develop or redevelop. Coordinate historic preservation with tourism efforts.*

PUBLIC FACILITIES & SERVICES: *Phase and program the extension of public facilities and services to support development in Centers and ensure adequate levels of public and private services. Encourage jurisdictions to locate all public and private community facilities ~ schools, libraries, municipal buildings, government offices, post offices, civic, cultural and religious facilities, fire stations, etc. ~ in Centers or in proximity to (within walking distance of) Centers. Central facilities serving a wide population should be located in or near Cores.*

INTERGOVERNMENTAL COORDINATION: *Establish regional approaches to the planning and provision of facilities and services. Create public / public and public / private partnerships to locate, facilitate, coordinate and implement new development and redevelopment in Centers.*

5.5.3 IMPLICATIONS FOR THIS PRELIMINARY INVESTIGATION

The Smart Growth Planning Principles adopted by the *State Plan* are largely design- and process-based guidelines which become operationalized in the form of land use regulations and building controls. As such, application of these principles is not relevant to a Preliminary (Redevelopment) Investigation ~ which is, at its core, an existing conditions analysis.

Rather, such principles are appropriately instituted as part of a Redevelopment Plan.

Under the *Redevelopment Law*, a Redevelopment Plan is not statutorily authorized until an area has been formally designated to be In Need of Redevelopment or In Need of Rehabilitation. It is therefore not possible to know, at this (Preliminary Investigation) stage of the process, the extent to which the Smart Growth land use or design principles may be achieved within the Study Area ~ should such Area eventually be declared to be In Need of Redevelopment.

Regardless of the stage of the process, Robbinsville has a long history of Smart Growth planning. It is therefore anticipated that any Redevelopment Plan adopted under this



Redevelopment process will embrace, to the extent practicable, Smart Growth principles.

6.0 APPLICABILITY OF STATUTORY CRITERIA

6.1 BLOCK 11, LOT 15 (37 S. MAIN STREET)

Lot 15 is 0.67-acre parcel hosting 2 buildings fronting Main Street in the H-2-Zoned portion of the Study Area. Lot 15 is also within the Historic Overlay Zone.

The Windsor Post office is located in one building, while the other building houses a mechanical contractor with a fenced storage yard at the rear of the property.



6.1.1 REDEVELOPMENT CRITERION 'd'⁴⁰

A. Analysis: *Excessive Land Coverage*

The paved storage area at the rear of Lot 15 is located in a potential wetlands buffer⁴¹. While the site-specific analyses necessary to determine the extent of such buffer and impact on the lands in and around the Study Area are beyond the scope of his Report of Findings, 100% impervious cover on the lot is excessive under Criterion 'd'.

B. Analysis: *Obsolete Layout & Faulty Arrangement*

§142-42 states, “[u]nless otherwise specified..., no more than 1 principal ... building shall be permitted on any one lot”. The potential conflict between the traffic generated by the Post Office’s (generally) service use and the contractor’s vehicles represents a potential detriment to the safety of the community.

While the 2 unrelated and disparate uses on a single lot may have been acceptable in a bygone era, this situation represents an *obsolete layout* and *faulty arrangement* under Criterion 'd'.

C. Analysis: *Deleterious Land Use*

The stated purpose of the H-2 Zone is⁴²:

to maintain the historic character of the Village of Windsor through the preservation of existing historic buildings and to provide for new residential development consistent with the historic character of the Village [of Windsor].

Permitted uses in the Zone are:

- *Single-family detached dwelling units.*
- *Schools, public.*
- *Public parks, conservation area and public purpose use areas.*

A contracting business with open-air storage is not compatible with the surrounding historic residential neighborhood or with the stated purpose of the H-2 Zone. And while the Post Office may be considered historic, the contractor’s facility does not appear to possess any of the historic qualities referenced in §5.2 herein.

⁴⁰ 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.

⁴¹ §5.4.1 herein.

⁴² §142-17



Further, the potential conflict between the traffic generated by the Post Office’s (generally) service use and the contractor’s vehicles represents a safety hazard.

These conditions do not support the stated purpose of the H-2 Zone and are potentially dangerous to those using the post office; thereby representing a deleterious land use under Criterion ‘d’.

D. Analysis: *Other Factors (Excessive Land Coverage, Obsolete Layout, Faulty Arrangement & Deleterious Land Use)*

Should the conditions as described under §6.1.1 A., B. and C. herein not rise to the level of *excessive land coverage, obsolete layout, faulty arrangement* and/or *deleterious land use*, they are certainly other factors leading to the *detriment to the safety, health and welfare of the community*.

E. Analysis: *Other Factor (Contamination)*

As detailed in §5.4.3 herein, Lot 15 has an active (i.e., reopened) remediation case with NJDEP.

Although the level or type of contamination is not known, contamination in proximity to a wetlands buffer ~ with no LSRP assigned ~ suggests a *detriment to the safety, health and welfare of the community*.

While contamination is not specifically enumerated as a qualifying condition under Redevelopment Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the safety, health, welfare of the community*.

F. Analysis: *Other Factors (Un/Underutilization & Un/Underproductivity)*

Lot 15 is a 0.64-acre lot with (approximately) 132’ of Main Street frontage. In its current configuration, Lot 15 has a Land Value of \$222,000, an Improvement Value of \$78,000 and a Total Assessed Value of \$300,000; translating to a public sector revenue stream of:

2023 TAX RATES		EXISTING TAX REVENUE
Municipal (Local Purpose) Tax	0.577	\$1,731
Municipal Open Space Tax	0.065	\$195
Robbinsville School (Board of Education) Tax	1.723	\$5,169



REPORT OF FINDINGS
CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION
BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37 STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

2023 TAX RATES		EXISTING TAX REVENUE
County Tax	0.655	\$1,965
County Library Tax	0.068	\$204
County Open Space Tax	0.031	\$93
		\$9,357

While there are many permutations of how Lot 15 could be more productively utilized, one approach would be to replace the 2 existing buildings with a single-family home, which would have the added benefit of being more compatible with the surrounding neighborhood.

Block 11, Lot 12 (23 S. Main Street) is a 0.53-acre lot with (approximately) 110' of Main Street frontage. It is located 2 properties (approximately 150') north of Lot Study Area 15.

While Lot 12 is slightly smaller than Study Area Lot 15, it is one of the larger residential lots on this section of Main Street. As such, a similar development as that on Lot 12 could be developed on Lot 15.

Lot 12 has a Land Value of \$125,000, an Improvement Value of \$237,900 and a Total Assessed Value of \$362,900. Assuming the Land Value of Study Area Lot 15 does not change, adding the Improvement Value of Lot 12 to the Land Value of Study Area Lot 15 results in a Total Assessed Value of \$459,900; translating to a public sector revenue stream of:

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$1,731	\$2,654	\$923
Municipal Open Space Tax	\$195	\$299	\$104
Robbinsville School (Board of Education) Tax	\$5,169	\$7,924	\$2,755
County Tax	\$1,965	\$3,012	\$1,047
County Library Tax	\$204	\$313	\$109
County Open Space Tax	\$93	\$143	\$50
	\$9,357	\$14,344	\$4,987

In order to balance its budget as required by State law, the Township, in 2022, increased its Local Purpose Tax by \$0.02.



⁴³This was the first increase since 2014.

An increase of \$0.04 was required in 2023.

Had the Township not taken these steps, it would have had to reduce funding for municipal services and programs.

While an increase in the Lot 20 ratable would not ~ in and of itself ~ balance the Township’s budget and/or restore programs, the *underutilization / underproductivity* of the Lot limits the Township’s ability to maximize tax revenues from this property which might otherwise be available.

While similar analyses for the other components of Robbinsville’s tax base are beyond the scope of this Investigation, comparable results would endure to the Township’s Open Space program, the Robbinsville Board of Education, Mercer County, the County Library system and the County Open Space program.

While *underutilization / underproductivity* is not specifically enumerated as a qualifying condition under Redevelopment

Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the welfare of the community*.

G. Combined Analysis

Lot 15 is an *area with buildings or improvements* which exhibits a combination of *excessive land coverage, obsolete layout, faulty arrangement, deleterious land use and/or other factors* which are, individually and collectively, *detrimental to the safety, health and welfare of the community*.

Criterion ‘d’ applies.

6.1.2 REDEVELOPMENT CRITERION ‘h’⁴⁴

As mapped in §5.5.2 herein, Lot 15 is located within a PA~2 (Suburban) Planning Area, which is designed to 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.

Criterion ‘h’ applies.

⁴³ Other than what is described as a “de minimis rounding increase” in 2020 (0.001)

⁴⁴ The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

6.2 BLOCK 11, LOT 16 (41 S. MAIN STREET)

Lot 16 is a 4.86-acre parcel that is undeveloped and has frontage on Route 130 and a small extension to Main Street. The Lot is located in the VC-Zoned portion of the Study Area and the Historic Overlay Zone.



Route 130 View



Main Street View

6.2.1 REDEVELOPMENT CRITERION 'c'⁴⁵

A. Lot 16 is an unimproved vacant lot. NJDEP historic aerial photography⁴⁶ shows no development on the lot since at least 1977 ~ well within the 10-year threshold prior to adoption of Township Resolution 2023-115.



- B. As mapped in §5.4.1 herein, Lot 16 contains wetlands and wetland buffers which are located at the approximate center of the property and could potentially create a *lack of means of access* to the *more remote*, but developable portions of the Lot which do not have Route 130 or Main Street frontage.
- C. While the analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition creates uncertainty as to the *nature of the Lot's soils and the developability of the Lot.*

Absent this Redevelopment process whereby Lot 16 could be replanned within the context of a Redevelopment Plan, such conditions make it unlikely that Lot 16 would be *developed through the instrumentality of private capital.*

Criterion 'c' applies.

⁴⁵ 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 10 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.

⁴⁶ <https://newjersey.maps.arcgis.com/apps/mapviewer/>



6.2.2 REDEVELOPMENT CRITERION ‘d’⁴⁷

A. Analysis: *Faulty Arrangement*

As mapped in §5.4.1 herein, Lot 16 contains wetlands and wetland buffers which are located directly between the Lot’s Route 130 frontage and the interior of the parcel, thereby limiting (or prohibiting) access to the property.

Such access limitations represent a *faulty arrangement* of Lot 16 which are likely to result in the Lot remaining un/underutilized and un/underproductive. As detailed in 6.2.2 C. herein, Lot 16 could potentially host or contribute to meaningful development within the Study Area. The lost opportunity for such development represents a *detriment to the welfare of the community* under Criterion ‘d’.

B. Analysis: *Other Factors (Faulty Arrangement)*

Should the conditions as described under §6.2.2 A. herein not rise to the level of *faulty arrangement*, they are certainly an other factor leading to the *detriment to the welfare of the community*.

H. Analysis: *Other Factors (Un/Underutilization & Un/Underproductivity)*

Lot 16 is a 4.86-acre lot with (approximately) 180’ of Route 130 frontage and an (approximately) 50’-wide ‘dog-leg’ that provides Main Street access.

In its current configuration, Lot 16 has a Land Value of \$285,000, an Improvement Value of \$0.00 and a Total Assessed Value of \$285,000; translating to a public sector revenue stream of:

2023 TAX RATES		EXISTING TAX REVENUE
Municipal (Local Purpose) Tax	0.577	\$1,644
Municipal Open Space Tax	0.065	\$185
Robbinsville School (Board of Education) Tax	1.723	\$4,911
County Tax	0.655	\$1,867
County Library Tax	0.068	\$194
County Open Space Tax	0.031	\$88
		\$8,889

⁴⁷ 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.



REPORT OF FINDINGS
CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION
BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37 STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

Route 130 development on Block 13, Lot 12.01 (Robbinsville Bar & Grille) is a 2.1-acre lot with (approximately) 262' of Route 130 frontage. While this Lot is less than half as large as Study Area Lot 16 in terms of acreage⁴⁸, it is likely that the wetlands and wetlands buffers will reduce Lot 16's developable acreage.

A similar development as that on Lot 12.01 could be developed on 44% of Study Area Lot 16's land mass.

Lot 12.01 has a Land Value of \$527,500, a (projected)⁴⁹ Improvement Value of \$700,000 and a (projected) Total Assessed Value of \$1,227,500.

Assuming the Land Value of Study Area Lot 16 does not change, adding the (projected) Improvement Value of Lot 12.01 to the Land Value of Study Area Lot 16 results in a (projected) Total Assessed Value of \$985,000; translating to a public sector revenue stream of:

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$1,644	\$5,683	\$4,039
Municipal Open Space Tax	\$185	\$640	\$455
Robbinsville School (Board of Education) Tax	\$4,911	\$16,972	\$12,061
County Tax	\$1,867	\$6,452	\$4,585
County Library Tax	\$194	\$670	\$476
County Open Space Tax	\$88	\$305	\$217
	\$8,889	\$30,722	\$21,833

As discussed, in order to balance its budget as required by State law, the Township, in 2022, increased its Local Purpose Tax by \$0.02. ⁵⁰This was the first increase since 2014.

An increase of \$0.04 was required in 2023.

Had the Township not taken these steps, it would have had to reduce funding for municipal services and programs.

⁴⁸ But 68.7% the size in terms of Route 130 frontage.

⁴⁹ At time of this Report of Findings, the improvements were under construction and the Township's Tax Assessor had not updated the Improvement Value. The Tax Assessor provided a projected value of \$125 / s.f. At an estimated footprint of 5,600 s.f., a value of \$700,000 was calculated.

⁵⁰ Other than what is described as a "de minimis rounding increase" in 2020 (0.001)



While an increase in the Lot 16 ratable would not ~ in and of itself ~ balance the Township’s budget and/or restore programs, the *un/underutilization* and/or *un/under productivity* of the Lot limits the Township’s ability to maximize tax revenues from this property which might otherwise be available.

While similar analyses for the other components of Robbinsville’s tax base are beyond the scope of this Investigation, comparable results would endure to the Township’s Open Space program, the Robbinsville Board of Education, Mercer County, the County Library system and the County Open Space program.

While *un/underutilization* and *un/underproductivity* is not specifically enumerated as a qualifying condition under Redevelopment Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the welfare of the community*.

I. Combined Analysis

Lot 16 is an *area with buildings or improvements* which exhibits a combination of *faulty arrangement and other factors* which are, individually and collectively, *detrimental to the safety, health, morals and welfare of the community*.

Criterion ‘d’ applies.

6.2.3 REDEVELOPMENT CRITERION ‘e’⁵¹

A. Analysis: *Lack of Proper Utilization / Use Potential*

As detailed under §6.2.2 herein, Lot 16 is, in the language of Redevelopment Criterion ‘e’, *“potentially useful and valuable for contributing to and serving the public health, safety and welfare”*.

B. Analysis: *Stagnant & Underproductive Condition Negative Economic Impact*

As vacant, unutilized and unproductive land that serves no public or private purpose, supports no jobs, makes little⁵²

⁵¹ 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 underproductive 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.

⁵² With no improvements, property tax assessment on Lot 16 is limited to Land Value.

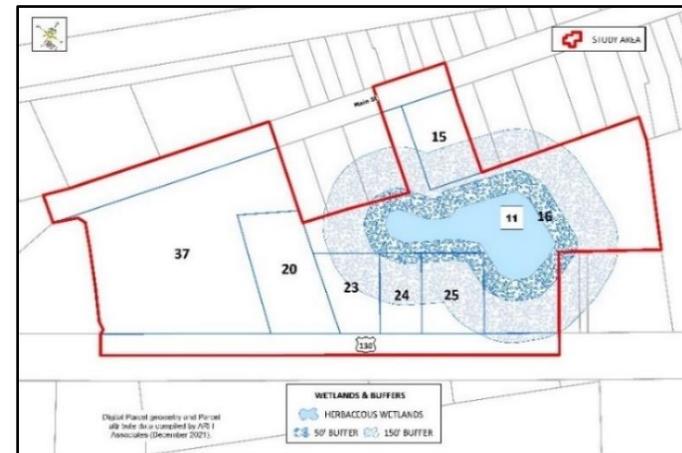
contribution to the public revenue (i.e., ratable base) and contributes nothing toward the community, Lot 16 clearly represents, in the language of Redevelopment Criterion ‘e’, a “stagnant and underproductive condition of land” and therefore is, under Criterion ‘e’, “presumed to have a negative economic impact or otherwise be detrimental to the welfare of the surrounding area or the community in general.

C. Cause of Conditions

Having determined that Lot 16 exhibits a *lack of proper utilization* resulting in a *stagnant and underproductive condition of land* which is *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*, Criterion ‘e’ requires a determination as to whether such conditions are *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.*

1. Analysis: *Diversity of Ownership*

The location of the wetlands and possible wetlands buffers cited under §5.4.1 and §6.2.1 B. herein results in a portion of Lot 16’s acreage being located behind (i.e., to the northwest of) Block 11, Lots 23, 24 and 25 within the Study Area.



Township Tax records show that lots 23, 24 and 25 are owned by N&M Shiv Hospitality LLC., which is different than the owner of Lot 16⁵³. The N&M Shiv Hospitality lots are in active use, thereby limiting the ability of Lot 16 to utilize their Route 130 frontage for access.

⁵³ Orban, Philip J. & Joan A.



The *diversity of ownership* between Lot 16 and lots 23, 24 and 25 effectively *impedes land assemblage* and bars access to the developed sections of Lot 16 as detailed under Criterion ‘c’ ~ thereby contributing to the *stagnant and underproductive condition* of Lot 16 and its *total lack of proper utilization*.

2. Analysis: *Other Similar Conditions*

Should the ownership pattern of Lot 16 and Lots 23, 24 and 25 not rise to the level of a *diversity of ownership*, it is certainly an *other condition impeding land assemblage* and barring access to the developed sections of Lot 16 ~ thereby contributing to the *stagnant and underproductive condition* of Lot 16 and its *total lack of proper utilization*.

Criterion ‘e’ applies.

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.

Criterion ‘h’ applies.

6.2.4 REDEVELOPMENT CRITERION ‘h’⁵⁴

As mapped in §5.5.2 herein, Lot 16 is located within a PA~2 (Suburban) Planning Area, which is designed to provide for

⁵⁴ The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.



6.3 BLOCK 11, LOT 20 (1274 ROUTE 130)

Lot 20 is a 1-acre lot housing a multi-tenant commercial building in the VC-Zoned portion of the Study Area. The Lot is also located in the Historic Overlay Zone.

Tenants are a fireplace sales and service contractor at the front of the lot and a fencing studio⁵⁵ and electrical contractor to the rear.



6.3.1 REDEVELOPMENT CRITERION 'd'⁵⁶

A. Analysis: *Obsolete Layout & Faulty Arrangement*

Chapter 142⁵⁷ states, “[u]nless otherwise specified..., no more than 1 principal ... building shall be permitted on any

⁵⁵ i.e., Saber, Foil & Epee. Open to students aged 6+.

⁵⁷ §142-42

⁵⁶ 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.



one lot”. While the 3 unrelated and disparate uses on a single lot may have been acceptable in a bygone era, this situation represents an *obsolete layout* under Criterion ‘d’.

The potential conflict between the traffic generated by the contractor’s vehicles and fencing students represents a safety hazard.

B. Analysis: Deleterious Land Use

The stated purpose and intent of the VC Zone is⁵⁸:

... part of a cohesive economic development plan intended to improve the primary commercial corridors within the Township and help to achieve a better balance between residential and commercial development ... and to help create a unique sense of place with office and retail uses for both residents and visitors to explore.

Permitted uses in the Zone are:

- Retail stores (no fabrication, manufacturing, converting, altering, finishing or assembly).
- Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry

cleaners (no cleaning conducted on the premises), jewelry repair, and legal services.

- Business offices, including but not limited to medical offices, professional offices and governmental offices.
- Restaurants (drive-through facilities not permitted).
- Combination office service and/or retail sales.

Contracting businesses are not compatible with the stated purpose of the VC Zone. Given the passion for neighborhood preservation that the residents of the Village of Windsor have expressed over time, such a use would appear to be detrimental to the welfare of the community.

And while the Post Office may be considered historic, the contractor’s facility does not appear to possess any of the historic qualities referenced in §5.2 herein.

C. Analysis: Other Factors (Obsolete Layout, Deleterious Land Use & Faulty Arrangement)

To the extent that the conditions described under A. and B. herein do not rise to the level of *obsolete layout*,

⁵⁸ §142-22



deleterious land use and/or faulty arrangement they are certainly *other factors* in considering application of Redevelopment Criterion 'd'.

D. Analysis: Other Factors (Un/Underutilization & Un/Underproductivity)

1. Lot 20 is a 1.07-acre property with (approximately) 168' of Route 130 frontage. It hosts an approximately 10,158 s.f., single-story building.

In its current configuration, Lot 20 has a Land Value of \$500,000, an Improvement Value of \$341,600 and a Total Assessed Value of \$841,600; translating to a public sector revenue stream of:

2023 TAX RATES		EXISTING TAX REVENUE
Municipal (Local Purpose) Tax	0.577	\$4,856
Municipal Open Space Tax	0.065	\$547
Robbinsville School (Board of Education) Tax	1.723	\$14,501
County Tax	0.655	\$5,512
County Library Tax	0.068	\$572
County Open Space Tax	0.031	\$261
		\$26,250

2. While there are many permutations of how Lot 20 could be more productively utilized, one approach would be a simple increase in the height of the existing building to 2 stories. Under this scenario, the Land Value for Lot 20 would remain the same, while the Improvement Value would grow to \$683,200; thereby increasing the Lot's Total Assessed Value to \$1,183,200.

Under 2023 Tax Rates, this scenario would result in the following public sector revenues increases:

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$4,856	\$6,827	\$1,971
Municipal Open Space Tax	\$547	\$769	\$222
Robbinsville School (Board of Education) Tax	\$14,501	\$20,387	\$5,886
County Tax	\$5,512	\$7,750	\$2,237
County Library Tax	\$572	\$805	\$232
County Open Space Tax	\$261	\$367	\$106
	\$26,250	\$36,904	\$10,655



3. In 2022, in order to balance its budget as required by State law, the Township increased its Local Purpose Tax by \$0.02. ⁵⁹This was the first increase since 2014.

An increase of \$0.04 was required in 2023.

Had the Township not taken these steps, it would have had to reduce funding for municipal services and programs.

While an increase in the Lot 20 ratable would certainly not ~ in and of itself ~ balance the Township’s budget and/or restore programs, the underutilization of the Lot limits the Township’s ability to maximize tax revenues from this property which might otherwise be available.

While similar analyses for the other components of Robbinsville’s tax base are beyond the scope of this Investigation, comparable results would endure to the Township’s Open Space program, the Robbinsville Board of Education, Mercer County, the County Library system and the County Open Space program.

While *un/underutilization* and/or *un/underproductivity* is not specifically enumerated as a qualifying condition under Redevelopment Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the welfare of the community*.

E. Combined Analysis

Lot 20 is an *area with buildings or improvements* which exhibits a combination of *obsolete layout, faulty arrangement, deleterious land use and other factors which, individually and collectively are detrimental to the safety, health and welfare of the community*.

Criterion ‘d’ applies.

6.3.2 REDEVELOPMENT CRITERION ‘h’⁶⁰

As mapped in §5.5.2 herein, Lot 20 is located within a PA~2 (Suburban) Planning Area, which is designed to 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;

⁵⁹ Other than what is described as a “de minimis rounding increase” in 2020 (0.001)

⁶⁰ The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.



redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.

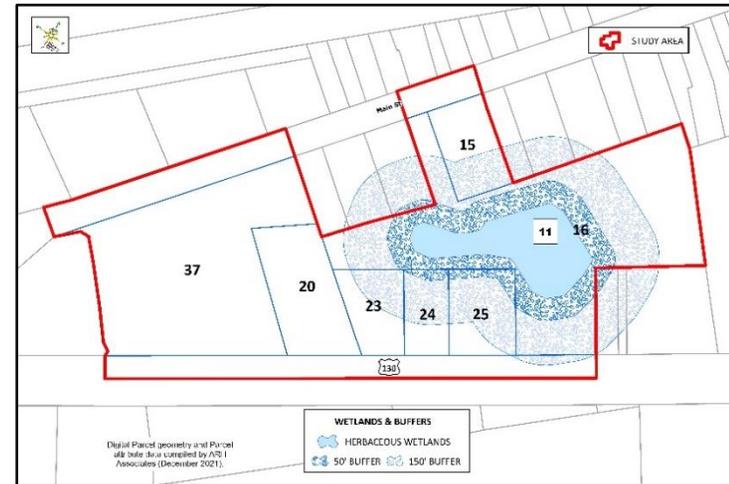
Criterion 'h' applies.

6.3.3 REDEVELOPMENT AREA DEFINITION⁶¹

As mapped in §5.4.1 and detailed in §6.2.1 B. herein, Lot 16 contains wetlands and wetland buffers which are located directly between the Lot's Route 130 frontage and the interior of the parcel, thereby limiting (or prohibiting) access to the property. Such access limitations represent a *faulty arrangement* of Lot 16 which are likely to result in the Lot remaining un/underutilized and un/underproductive.

It is possible that a potential means of access to Lot 16 could be made through a portion of Lot 20, via subdivision or easement.

Accordingly, it is recommended that the inclusion of Lot 20 in any eventual Redevelopment Area is *deemed necessary, with or without change in its condition, for the effective redevelopment of the Area.*



⁶¹ 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.

6.4 BLOCK 11, LOT 23, 24 & 25 (1284, 1288 & 1290 ROUTE 130)

While separate tax lots with multiple structures, Lots 23, 27 and 25 are in common ownership. Township Tax records show all lots as the [former] Colonial Windsor Motel, however, on-site signage shows the uses as the Windsor Motel on Lot 24 and the Budget Inn on Lot 25.

A visual survey conducted for this Report of Findings found “For Sale” signs on each Lot. The Real estate listing stated “[t]e Seller will sell all 3 properties in ONE negotiable deal...”⁶².

All Lots are located in the VC-Zoned portion of the Study Area and the Historic Overlay Zone.

Given these commonalities, this Report of Findings describes each lot individually but treats all Lots as a single parcel for conformance with the various Redevelopment Criteria.



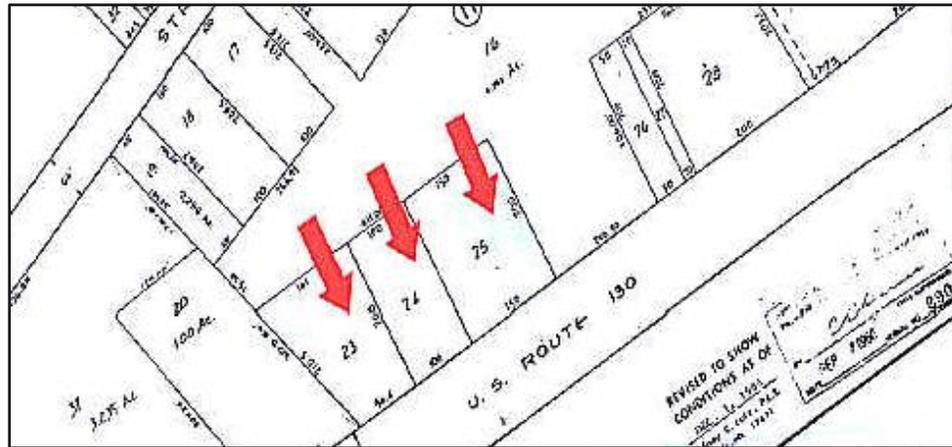
At Publication of this Report of Findings, the Lots were no longer listed on these sites.

⁶² Three adjoining parcels of total 1.74 Acres approximate:
(A) Approximate 0.56-acre lot with 3 BR house which need TLC.
(B) Approximate 0.60-Acre lot with non-functioning Motel which needs TLC to operate.
(C) Approximate 0.60-Acre lot with fully renovated and functional 9 room Motel and 2 Apts.

Approximately 350' on highly-traveled Route 130 South.

(<https://www.loopnet.com/Listing/1284-1290-Rte-130-Windsor-NJ/28589172/>)
(https://www.coldwellbankerhomes.com/nj/windsor/1290-route-us-130-s/pid_53587165/)

The following graphics are taken from the real estate listings⁶².



A. Lot 23⁶³

Lot 23 is a 0.57-acre lot which hosts a 3-bedroom single-family structure as well as a portion of the Windsor Motel.

The residence is in need of repair. This office has not been able to determine whether the dwelling is occupied.

The portion of the motel is non-functioning and is in need of repair.

There is an interconnected driveway between Lot 23 and Lot 24.



⁶³ <https://www.loopnet.com/Listing/1284-1290-Rte-130-Windsor-NJ/28589172/>
https://www.coldwellbankerhomes.com/nj/windsor/1290-route-us-130-s/pid_53587165/

B. Lot 24⁶³

Lot 24 is a 0.46-acre lot which hosts a portion of the Windsor Motel and associated parking.

The portion of the motel is non-functioning and is in need of repair.

There is an interconnected driveway between Lot 24 and Lot 23.



C. Lot 25⁶³

Lot 25 is a 0.69-acre parcel hosting the 9-unit Budget Inn motel, 2 apartments and associated parking.

The Robbinsville Police Department reports that the motel units are used as primary residences (essentially apartments), but have no kitchens or cooking facilities.





While the motel has purportedly been renovated, all photographs appear to be from the apartments.





6.4.1 REDEVELOPMENT CRITERION 'a'⁶⁴

A. Analysis: Dilapidated & Unsanitary

The exterior site inspections⁶⁵ of Lots 23 and 24 conducted for this Preliminary Investigation found deteriorated roofing and siding, and hanging gutters. Deteriorated foundations we also found for Lot 24.

Collectively, these conditions suggest possible water intrusion, which can cause further deterioration as well as mold and vermin infestation.

The buildings on Lot 24 are boarded and non-functional. They have been marked by the Township's Construction Code Officials as being unfit for occupancy.



Lot 23



Lot 24

⁶⁴ 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.

⁶⁵ No interior inspection of the buildings were conducted.



Lot 24

The Township's Construction Official / Code Enforcement Officer reports that 11 of the units in the Lot 25⁶⁶ portion of the motel are uninhabitable.

Mold is associated with chronic and serious respiratory and other health issues. Infestation can be a breeding ground for West-Nile Virus, Lyme's Disease and other vectored pathogens.

Such conditions combine to create a *generality of buildings* whose *dilapidated* conditions result in an *unsanitary* environment.

B. Analysis: *Substandard & Obsolescence*

Measurements of aerial photograph of the Windsor Motel and the Budget Inn finds:

- Windsor Motel

An analysis of the aerial photography suggests:

- One motel leg at (approximately) 20' deep by (approximately) 47' long with 4 units, resulting in an (approximately) 235 s.f. per unit;
- One motel leg at (approximately) 15' deep by (approximately) 20' long with (estimated) 2 units, resulting in an (approximately) 150 s.f. per unit;
- One motel leg at (approximately) 17' deep by (approximately) 55' long with 4 units, resulting in an (approximately) 234 s.f. per unit; and
- One motel leg at (approximately) 17' deep by (approximately) 38' long with (estimated) 4 units, resulting in an (approximately) 162 s.f. per unit.

⁶⁶ Interior photographs not available.



- **Budget Inn**

The motel at (approximately) 23' deep by (approximately) 123' long with 9 units, resulting in an (approximately) 314 s.f. per unit.

The Windsor Motel is not in operation. Other than cable television, the sign at the Budget Inn did not show even basic guest services or amenities when the motel was operating.

Calls to the Budget Inn to determine room rates for this Investigation⁶⁷ went directly to voicemail. Other than limited references on lodging websites⁶⁸, the Budget Inn has no internet presence.

According to Hospitality experts⁶⁹:

Room size, like all other factors in hotel ratings criteria has changed dramatically in the past few years, and indeed continues to change. This is true not just at the 4 and 5 Diamond / Star level; even budget and economy class hotel rooms have evolved from cubicle size to what was only recently considered luxury level.

Most of us can easily recall when a 300-400 square foot room was seen only rarely and then only at the newer properties... That room size is now becoming quite commonplace as a standard room at mid-range hotels and even economy motels.

In addition to spacious rooms, our client has been very diligent and creative in the choice of FFE.⁷⁰ The rooms are large enough to accommodate all the luxurious equipment and amenities expected... and still project an uncluttered, spacious, and comfortable atmosphere....

Lodgings with room sizes below (or just over) 300 s.f. and lacking even basic guest services and amenities are considered *substandard* and *obsolescent*.

C. Analysis: Safety

Township records obtained from Robbinsville Police Department reveal 126 calls for service to the Windsor Motel and the Budget Inn between 2013 and December 4, 2023.

⁶⁷ October 16 & 17, 2023. An internet search for the motel's phone number conducted in January 2023 was unsuccessful.

⁶⁸ Expedia.com, etc.

⁶⁹ Harry Nobles, Hospitality Consulting. Does Hotel Room Size Matter? (September 2006). <http://www.hotel-online.com/Trends/Harry+Nobles/index.html>

⁷⁰ Furniture, fixtures & equipment.



Eliminating calls which are not clearly emergency- or criminally-based and not based on the condition of the property⁷¹ finds 102 calls for service as follows:

CALL	COUNT											TOTAL
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023 ⁷²	
911 Verification		1		1							3	5
Ambulance Needed	1	4		2	2	1					9	19
Assist Other Agency					1	1						2
Attempt To Serve			1									1
Burglary	1	1	1									3
Civil Matter			1									1
Criminal Mischief	1	1										2
Dispute (Child Custody, Customer, Domestic, Neighbor)		6	1	1							4	12
Disturbance (Disorderly Persons)	1		1								1	3
Fire Call	4	5	1		1							11
Follow-Up		2			1						2	5
Harassment		1										1
Investigation		1									1	2
Missing Person / Runaway											1	1

⁷¹ Burglar Alarm, Disabled Vehicle, Lockout (Residential or Motor Vehicle), Motor Vehicle Stop, Non-Criminal Complaint, Parking Complaint, Radio Issue, Unfounded Event.

⁷² 1/1/2023 to 12/4/2023

CALL	COUNT											TOTAL	
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023		
Mental Illness					2								2
Motor Vehicle Repossession Order									1				1
Narcotic Investigation		1											1
Noise Complaint		1									1		2
Police Information			1	1								3	5
Sexual Assault / Rape / Criminal Sexual Contact											1		1
Suicide					1	1							2
Suspicious Activity / Person / Vehicle	2	5	1		1						3		12
Theft			1										1
Unattended Death		1											1
Warrant Arrest / Ror'd	1		1										2
Welfare / Residence Business Check				2	1						1		4
TOTAL	11	30	10	7	10	3	0	0	1	0	30		102

Not only do these statistics evidence an *unsafe* environment for Lots 23, 24 and 25, they demonstrate an overutilization of emergency municipal resources which could lead to delays in responding to calls elsewhere in the Township; thereby leading to potential unsafe conditions in other sections of Robbinsville.

The Lots 23, 24 and 25 buildings exhibit characteristics of being *dilapidated, unsanitary, substandard, unsafe and obsolescent.*

Criterion 'a' applies.

6.4.2 REDEVELOPMENT CRITERION 'b'⁷³

Lot 24 hosts vacant buildings whose commercial use (Windsor Motel) has been discontinued. As demonstrated in §6.4.1 A. herein, the buildings have fallen into such a great state of disrepair as to be untenable.

The use of 14 of the motel units on Lots 23, 24 and 25 has been discontinued. These units are untenable.

Criterion 'b' applies.

6.4.3 REDEVELOPMENT CRITERION 'd'⁷⁴

A. Analysis: *Dilapidation, Obsolescence, Substandard, Unsafe & Unsanitary*

The discussions of *dilapidation; obsolescence; substandard, unsanitary and unsafe conditions; and their resultant detriment* detailed in the Criterion 'a' analysis⁷⁵ are applicable to Criterion 'd'.

B. Analysis: *Faulty Arrangement, Deleterious Land Use & Obsolete Layout*

As detailed in §5.4.1 herein, Lots 23, 24 and 25 are located within a wetlands buffer.

While the site-specific analyses necessary to determine the impact of the described uses within the buffer is beyond the scope of this Report of Findings, such development represents a combination of *faulty arrangement, deleterious land use and obsolete layout, which are detrimental to the health and safety of the community.*

C. Analysis: *Deleterious Land Use*

1. The calls for service to Lots 23, 24 and 25 evidence an *unsafe* environment for the Lots and potential unsafe conditions in other sections of Robbinsville.

⁷³ The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least 2 consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

⁷⁴ 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.

⁷⁵ §6.4.1 A. herein.

2. The stated purpose and intent of the VC Zone is⁷⁶:

... part of a cohesive economic development plan intended to improve the primary commercial corridors within the Township and help to achieve a better balance between residential and commercial development ... and to help create a unique sense of place with office and retail uses for both residents and visitors to explore.

Permitted uses in the Zone are:

- Retail stores (no fabrication, manufacturing, converting, altering, finishing or assembly).
- Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry cleaners (no cleaning conducted on the premises), jewelry repair, and legal services.
- Business offices, including but not limited to medical offices, professional offices and governmental offices.
- Restaurants (drive-through facilities not permitted).
- Combination office service and/or retail sales.

Motels are not compatible with the stated purpose or permitted uses of the VC Zone.

D. Analysis: *Faulty Arrangement*

As detailed in §6.4 herein, there is driveway connecting Lots 23 and 24, but no such interconnection between Lots 24 and 25. No sidewalks connect these properties.

While the Windsor Motel is currently non-functional, efficiency would suggest that the Windsor and adjacent Budget Inn be operated together if the Windsor rooms are ever reactivated.

The lack of interconnection between these facilities would require people to utilize Route 130 to get from property to property. Such a situation represents a *faulty arrangement* that would be *detrimental to the safety* of the guests and operational staff of the motels, as well as drivers motoring southbound on Route 130.

E. Analysis: *Substandard & Obsolescence*

As detailed in §6.4.1 B. herein, lodgings lacking even basic guest services and amenities are considered *substandard* and *obsolescent* by modern standards.

⁷⁶ §142-22



Additionally, is it logical to assume that the extensive number of fire calls at Lots 23, 24 and 25 are the result of hotplates and other make-shift cooking facilities, which are a fire hazard and represent a danger to the safety of the motel's occupants and the community.

F. Analysis: *Other Factors (Dilapidation, Obsolescence, Unsafe & Unsanitary Conditions, Deleterious Land Use & Faulty Arrangement)*

To the extent that the conditions described under A. through E. hereinabove do not rise to the level of *dilapidation; obsolescence; unsafe and unsanitary conditions; deleterious land use and/or faulty arrangement*, they are certainly *other factors* in considering application of Redevelopment Criterion 'd'.

G. Analysis: *Other Factors (Substandard & Illegal Residences)*

Chapter 142⁷⁷ defines Dwelling Unit, in pertinent part, as:

*A room or series of connected rooms containing living, **cooking**, sleeping and sanitary facilities for one housekeeping unit... [emphasis added]*

and further defines Dwelling, Multi-Family as:

*A building containing more than 2 residential dwelling units each with its own sleeping, **cooking** and sanitary facilities and one or more outside walls. Such term shall not include motels. [emphasis added]*

To the extent that the Budget Inn is used for long-term residential dwelling units (essentially apartments), the lack of proper cooking facilities renders it substandard for residential use. Further, the use of the motel for Multi-Family Dwelling use is a prima-fascia violation of Chapter 142.

H. Analysis: *Other Factors (Un/Underutilization & Un/Underproductivity)*

Collectively, Lots 23, 24 and 25 is a 1.7-acre tract with (approximately) 350' of Route 130 frontage. In its current configuration, the tract has a Land Value of \$600,600, an Improvement Value of \$184,400 and a Total Assessed Value of \$785,000; translating to a public sector revenue stream of:

⁷⁷ §142-10



REPORT OF FINDINGS
CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION
BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37 STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

2023 TAX RATES		EXISTING TAX REVENUE
Municipal (Local Purpose) Tax	0.577	\$3,774
Municipal Open Space Tax	0.065	\$425
Robbinsville School (Board of Education) Tax	1.723	\$11,270
County Tax	0.655	\$4,284
County Library Tax	0.068	\$445
County Open Space Tax	0.031	\$203
		\$24,484

While there are many permutations of how the tract could be more productively utilized, the real estate listing for the combined property⁷⁸ states, in pertinent part:

Strategic chance to build Hotel / Motel, Retail Stores or Businesses, Banks, Health and Recreational, Medical, Dental, Day Care, Pharmacy.

All properties sold As Is Condition, no repairs. Financials available for running business for serious buyers. Buyers to do due diligence. Sellers may part finance good buyers.

As detailed in §5.2.1 A. herein, hotels / motels are not permitted in the VC Zone.

Route 130 development on Block 13, Lot 12.01 (Robbinsville Bar & Grille) is a 2.1-acre lot with (approximately) 262' of Route 130 frontage. While this Lot is larger than Lots 23, 24 and 25 in terms of area, it is smaller in terms of frontage. A similar development as that on Lot 12.01 could be developed on Lots 23, 24 and 25.

Lot 12.01 has a Land Value of \$527,500, a (projected)⁷⁹ Improvement Value of \$700,000 and a (projected) Total Assessed Value of \$1,227,500.

Assuming the Land Value of Lots 23, 24 and 25 does not change, adding the (projected) Improvement Value of Lot 12.01 to the Land Value of Lots 23, 24 and 25 results in a (projected) Total Assessed Value of \$1,300,600; translating to a public sector revenue stream of:

⁷⁸ https://www.coldwellbankerhomes.com/nj/windsor/1290-route-us-130-s/pid_53587165/

⁷⁹ At time of this Report of Findings, the improvements were under construction and the Township's Tax Assessor had not updated the Improvement Value. The Tax Assessor provided a projected value of \$125 / s.f. At an estimated footprint of 5,600 s.f., a value of \$700,000 was calculated.



REPORT OF FINDINGS
CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION
BLOCK 11: LOT 15, 16, 20, 23, 24, 25 & 37 STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$3,774	\$7,504	\$2,975
Municipal Open Space Tax	\$425	\$845	\$335
Robbinsville School (Board of Education) Tax	\$11,270	\$22,409	\$8,884
County Tax	\$4,284	\$8,519	\$3,377
County Library Tax	\$445	\$884	\$351
County Open Space Tax	\$203	\$403	\$160
	\$24,484	\$40,566	\$16,082

Alternatively, Route 130 development on Block 11, Lot 21⁸⁰ is a 1.5-acre lot with (approximately) 313' of Route 130 frontage located directly adjacent to the Study Area.

While this Lot is slightly smaller than Lots 23, 24 and 25 in terms of area and frontage, a similar development as that on Lot 21 could be developed on Lots 23, 24 and 25.

Lot 21 has a Land Value of \$285,000, an Improvement Value of \$764600 and a Total Assessed Value of \$1,050,000.

Assuming the Land Value of Lots 23, 24 and 25 does not change, adding the Improvement Value of Lot 21 to the Land Value of Lots 23, 24 and 25 results in a Total Assessed Value of \$1,35,200; translating to a public sector revenue stream of:

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$3,774	\$7,877	\$3,348
Municipal Open Space Tax	\$425	\$887	\$377
Robbinsville School (Board of Education) Tax	\$11,270	\$23,522	\$9,997
County Tax	\$4,284	\$8,942	\$3,800
County Library Tax	\$445	\$928	\$395
County Open Space Tax	\$203	\$423	\$180
	\$24,484	\$42,581	\$18,096

As discussed, in order to balance its budget as required by State law, the Township, in 2022, increased its Local Purpose Tax by \$0.02. ⁸¹This was the first increase since 2014.

An increase of \$0.04 was required in 2023.

⁸⁰ Buttoni Plaza at 1240 Route 130 (Nina Pandya Photography, Open Heart Dance, Halo Realty, Yoga, Five Fountains Spa, et al.)

⁸¹ Other than what is described as a "de minimis rounding increase" in 2020 (0.001).

Had the Township not taken these steps, it would have had to reduce funding for municipal services and programs.

In addition to property tax revenue, Lots 23, 24 and 25, in its current operation, can support few jobs, contribute little to the public sector in terms of sales tax revenue, and contribute nothing to the economic vitality of Route 130. While *un/underutilization* and/or *un/underproductivity* is not specifically enumerated as a qualifying condition under Redevelopment Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the welfare of the community*.

I. Combined Analysis

Collectively, Lots 23, 24 and 25 is an *area with buildings or improvements* which exhibits a combination of *dilapidation; obsolescence; substandard, unsafe and unsanitary conditions; faulty arrangement; deleterious land use, obsolete layout; and other factors* which are, individually and collectively, *detrimental to the safety, health, morals and welfare of the community*.

Criterion ‘d’ applies.

6.4.4 REDEVELOPMENT CRITERION ‘h’⁸²

As detailed in §5.5.2 herein, Lots 23, 24 and 25 are located within a PA~2 (Suburban) Planning Area, which is designed to 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.

Criterion ‘h’ applies.

6.4.5 REDEVELOPMENT AREA DEFINITION⁸³

As detailed in §6.4 herein, Lots 23, 24 and 25 constitute an assemblage of properties under common ownership and common usage that separate Route 130 from a likely developable portion of Lot 16.

⁸² The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

⁸³ 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.



It is possible that potential means of access to this portion of Lot 16 could be made through one or more portions of Lots 23, 24 and 25 via subdivision or easement.

Accordingly, it is recommended that the inclusion of Lots 23, 24 and 25 in any eventual Redevelopment Area is *deemed necessary, with or without change in their condition, for the effective redevelopment of the Area.*

6.5 BLOCK 11, LOT 37 (1250 - 66 ROUTE 130)

Lot 37 is 3.5-acre parcel housing a vacant commercial building. The Lot is located in the VC-Zoned portion of the Study Area and the Historic Overlay Zone.



6.5.1 REDEVELOPMENT CRITERION 'b'⁸⁴

Lot 37 hosts a vacant building whose commercial use has been discontinued.

Criterion 'b' applies.



⁸⁴ The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least 2 consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.



6.5.2 REDEVELOPMENT CRITERION 'd'⁸⁵

Lot 37 consists of (approximately) 25,100 s.f. of impervious coverage and (approximately) 5,210 s.f. of building coverage. These figures translate into (approximately) 16.5% impervious coverage and (approximately) 3.4% building coverage.

Under VC Zoning regulations, 70% impervious coverage and 30% Floor Area Ratio are permitted. Maximum Building Height is 25' and 2½ Stories.

Lot 37 is a 3.5-acre property with (approximately) 400' of Route 130 frontage. It hosts an approximately 3,600 s.f., single-story [former] commercial building and a 1,610 s.f. two-story residential building. These figures calculate to an Impervious Coverage figure of (approximately) 16.5% and a Floor Area Ratio of (approximately) 0.05.

While there are many permutations of how Lot 37 could be more productively utilized, a development of (approximately) 4 times the current impervious coverage could potentially be constructed.

Four times the existing building floor area would result in a FAR of 0.20, which is well within what is permitted under VC Zoning.

In its current configuration, Lot 37 has a Land Value of \$650,000, an Improvement Value of \$200,000 and a Total Assessed Value of \$850,000; translating to a public sector revenue stream of:

2023 TAX RATES		EXISTING TAX REVENUE
Municipal (Local Purpose) Tax	0.577	\$4,905
Municipal Open Space Tax	0.065	\$553
Robbinsville School (Board of Education) Tax	1.723	\$14,646
County Tax	0.655	\$5,568
County Library Tax	0.068	\$578
County Open Space Tax	0.031	\$264
		\$26,512

Under the (x 4) growth scenario detailed herein, the Land Value for Lot 37 would remain the same, while the

⁸⁵ 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.



Improvement Value would grow to \$800,000; thereby increasing the Lot’s Total Assessed Value to \$1,450,000.

Under 2023 Tax Rates, this scenario would result in the following public sector revenues increases:

2023 TAX RATES	EXISTING TAX REVENUE	GROWTH TAX REVENUE	ADDED REVENUE
Municipal (Local Purpose) Tax	\$4,905	\$8,367	\$3,462
Municipal Open Space Tax	\$553	\$943	\$390
Robbinsville School (Board of Education) Tax	\$14,646	\$24,984	\$10,338
County Tax	\$5,568	\$9,498	\$3,930
County Library Tax	\$578	\$986	\$408
County Open Space Tax	\$264	\$450	\$186
	\$26,512	\$45,226	\$18,714

Again, in 2022, in order to balance its budget as required by State law, the Township increased its Local Purpose Tax by \$0.02.

⁸⁶This was the first increase since 2014.

An increase of \$0.04 was required in 2023.

Had the Township not taken these steps, it would have had to reduce funding for municipal services and programs.

While an increase in the Lot 37 ratable would certainly not ~ in and of itself ~ balance the Township’s budget and/or restore programs, the underutilization of the Lot limits the Township’s ability to maximize tax revenues from this property which might otherwise be available.

While similar analyses for the other components of Robbinsville’s tax base are beyond the scope of this Investigation, comparable results would endure to the Township’s Open Space program, the Robbinsville Board of Education, Mercer County, the County Library system and the County Open Space program.

While *un/underutilization* and/or *un/underproductivity* is not specifically enumerated as a qualifying condition under Redevelopment Criterion ‘d’, it is certainly an *other factor* leading to the *detriment to the welfare of the community*.

Criterion ‘d’ applies.

⁸⁶ Other than what is described as a “de minimis rounding increase” in 2020 (0.001)



6.5.3 REDEVELOPMENT CRITERION 'h'⁸⁷

As mapped in §5.5.2 herein, Lot 37 is located within a PA~2 (Suburban) Planning Area, which is designed to 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.

Criterion 'h' applies.

⁸⁷ The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

6.6 REDEVELOPMENT AREA DEFINITION⁸⁸

As mapped in §5.4.1 and detailed in various sections of this Report of Findings, the Study Area is encumbered by wetlands and wetland buffers that may significantly limit the developability of the Area or the individual lots therein.

NJDEP rules regarding isolated and non-resource-significant wetlands and their related buffers provide for Transitional Area Waivers, Buffer Averaging, select Filling and other development-friendly methods in certain circumstances.

While the site-specific analyses necessary to determine the applicability of these and other permitting devices is beyond the scope of this Report of Findings, including all lots in the Study Area within any eventual Redevelopment Area would permit a larger resource within which to apply these (and other) methodologies.

It is therefore recommended that the inclusion of all Study Area Lots in any eventual Redevelopment Area is deemed

necessary, with or without change in their condition, for the effective redevelopment of the Area.

⁸⁸ 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.

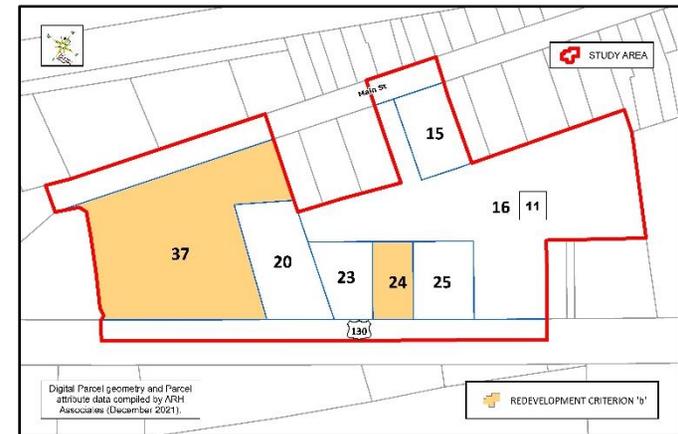
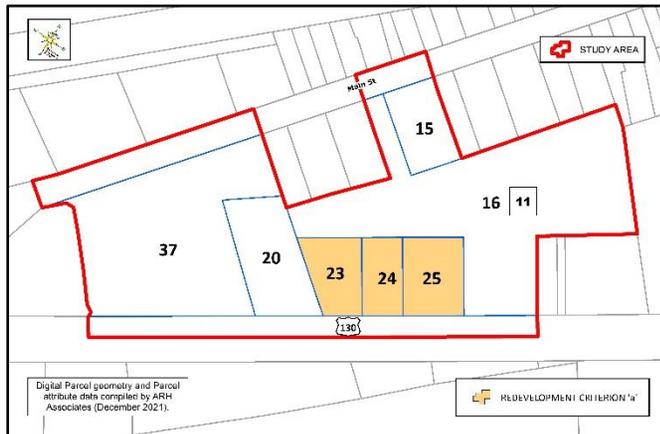
7.0 SUMMARY, CONCLUSIONS & RECOMMENDATIONS

7.1 SUMMARY OF FINDINGS

Critical to the application of the *Redevelopment Law* is the understanding that a Study Area may be declared to be In Need of Redevelopment if it is determined that **any (1) of the Statutory Criteria** under N.J.S.A. 40A:12A-5 are found to exist.

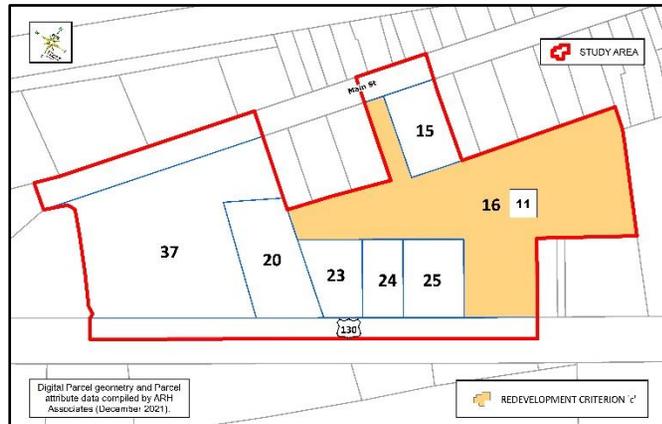
As detailed herein, this Preliminary Investigation finds:

- 3 Study Area Lots⁸⁹ (representing 42.9% of Study Area lots and 14.3% of Study Area land mass) conform with Redevelopment Criterion ‘a’.
- 2 Study Area Lots (representing 28.6% of Study Area lots and 34% of Study Area land mass) conform with Redevelopment Criterion ‘b’.

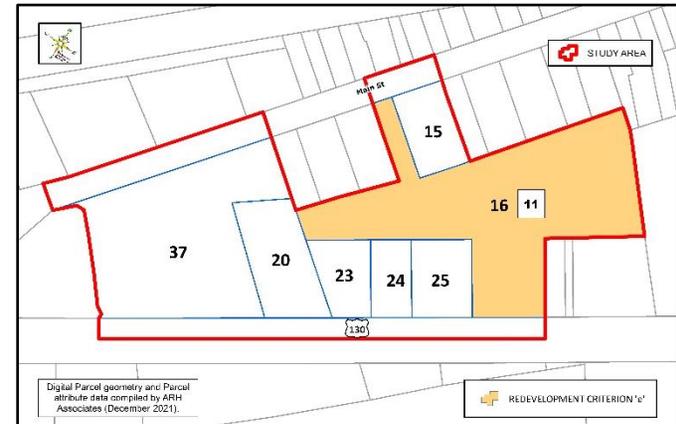


⁸⁹ Treated as a single parcel for conformance analysis purposes (\$6.4 herein).

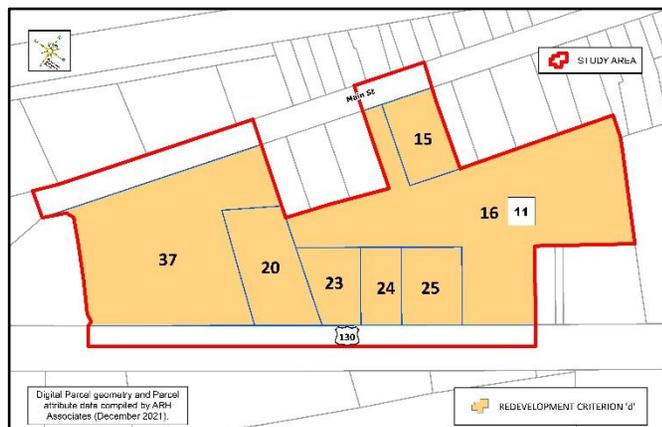
- 1 Study Area Lot (representing 14.3% of Study Area lots and 41% of Study Area land mass) conforms with Redevelopment Criterion 'c'.



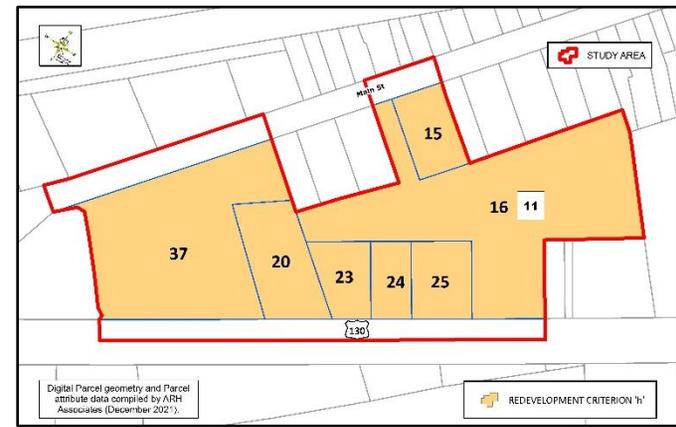
- 1 Study Area Lot (representing 14.3% of Study Area lots and 41% of Study Area land mass) conforms with Redevelopment Criterion 'e'.



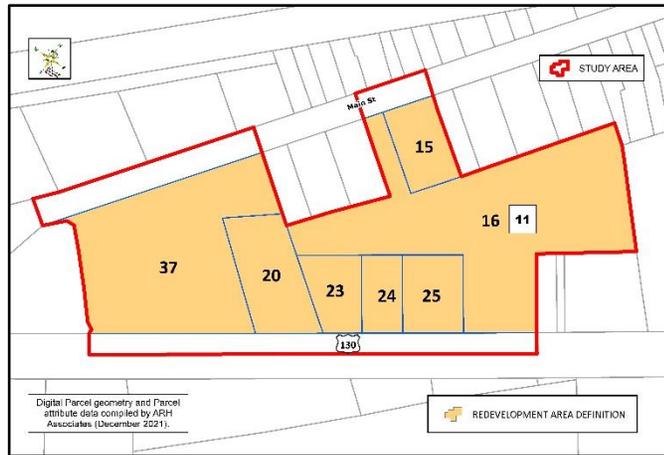
- All Study Area Lots (representing 100% of Study Area lots and 100% of Study Area land mass) conform with Redevelopment Criterion 'd'.



- All Study Area Lots (representing 100% of Study Area lots and 100% of Study Area land mass) conform with Redevelopment Criterion 'h'.



- All Study Area Lots (representing 100% of Study Area lots and 100% of Study Area land mass) conform with the definition of a Redevelopment Area.



7.2 CONCLUSIONS

Based upon the foregoing findings, the conditions in the Study Area exhibit, in the pertinent language of the *Local Redevelopment & Housing Law*:

- 7.2.1** A generality of buildings that are dilapidated, substandard, unsafe, unsanitary and obsolescent; **thereby satisfying Redevelopment Criterion ‘a’**.

- 7.2.2** A discontinuance of the use of buildings previously used for commercial purposes, with a portion of the same being allowed to fall into so great a state of disrepair as to be untenable; **thereby satisfying Redevelopment Criterion ‘b’**.

- 7.2.3** Unimproved vacant land that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2023-115, and that by reason of the nature of its soils, is not likely to be developed through the instrumentality of private capital; **thereby satisfying Redevelopment Criterion ‘c’**.

- 7.2.4** An area with buildings or improvements which, by reason of a combination of dilapidation, obsolescence, faulty arrangement excessive land coverage, deleterious land use, obsolete layout, and/or other factors, are detrimental to the safety, health, morals, or welfare of the community; **thereby satisfying Redevelopment Criterion ‘d’**.

- 7.2.5** A lack of proper utilization of areas caused by diverse ownership of the real properties therein or other similar conditions which impede land assemblage, resulting in a stagnant and underproductive 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; **thereby satisfying Redevelopment Criterion 'e'.***

7.2.6 Lands within a PA~2 (Suburban) Planning Area, the *(re)development of which is consistent with smart growth planning principles adopted pursuant to law or regulation; **thereby satisfying Statutory Criterion 'h'.***

7.2.7 *Lands, buildings and improvements which of themselves may not be 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 Study Area; **thereby satisfying the Statutory definition of lands deemed eligible for inclusion in a Redevelopment Area.***

7.3 RECOMMENDATIONS

7.3.1 Based on the totality of the foregoing, it is herewith recommended that the Robbinsville Land Use Board find, and upon such finding recommend to the Robbinsville Township

Council, that the Block 11: Lot 15, 16, 20, 23, 24, 25 & 37 Study Area, as depicted herein, be declared to be a Condemnation Area in Need of Redevelopment in accordance with N.J.S.A. 40A:12A-5 and 6.

7.3.2 Should the Land Use Board make such a recommendation and should the Township Council designate the Study Area, or any part or parts thereof, to be a Condemnation Area In Need of Redevelopment, it is hereby recommended that the Township Council authorize the preparation of a Redevelopment Plan for such lands.