

REPORT OF FINDINGS

NON-CONDEMNATION PRELIMINARY REDEVELOPMENT INVESTIGATION

ROUTE 130 SOUTH STUDY AREA

ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY



Prepared by:

Prepared for:



JANUARY 22, 2021

ARH Project Number: 1500001.04





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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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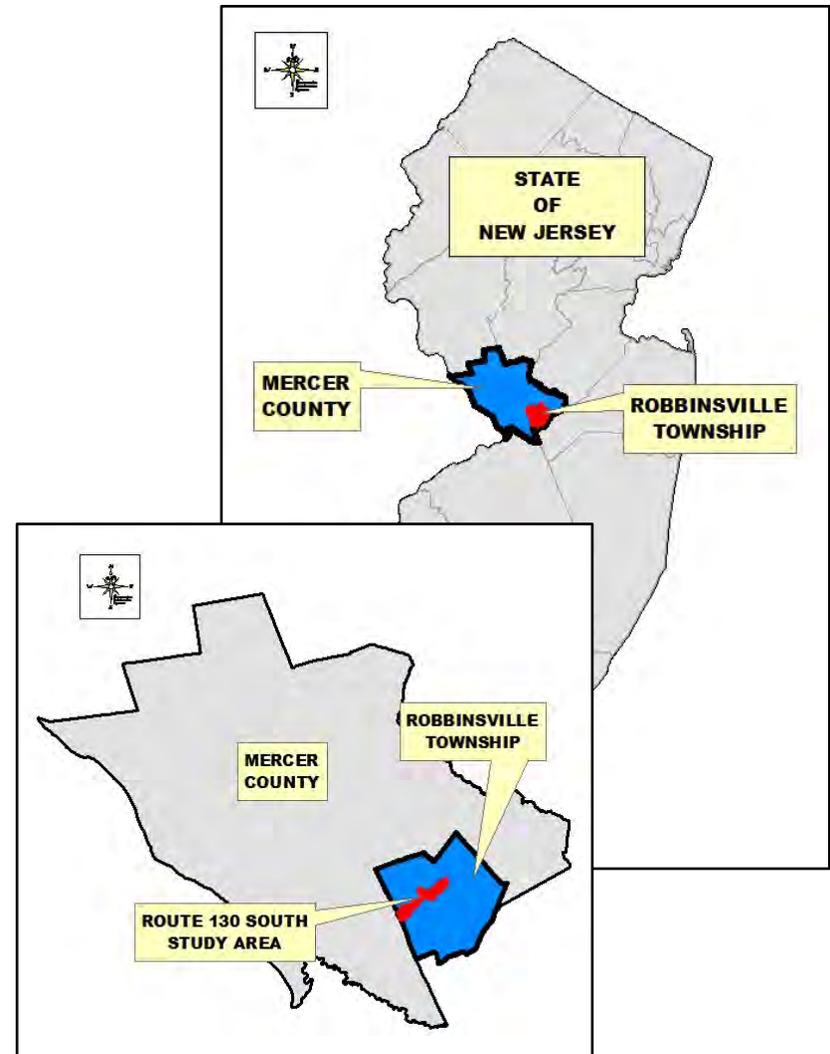
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1.0 INTRODUCTION

1.1 BACKGROUND

There exists in the Township of Robbinsville, Mercer County, New Jersey¹, a 124 lot / (approximately) 430-acre (not including rights-of-way) area consisting of lots that either front on or are adjacent to U.S. Route 130² between the Township’s southern municipal boundary line and certain lots abutting the northerly line of Gordon Road.³

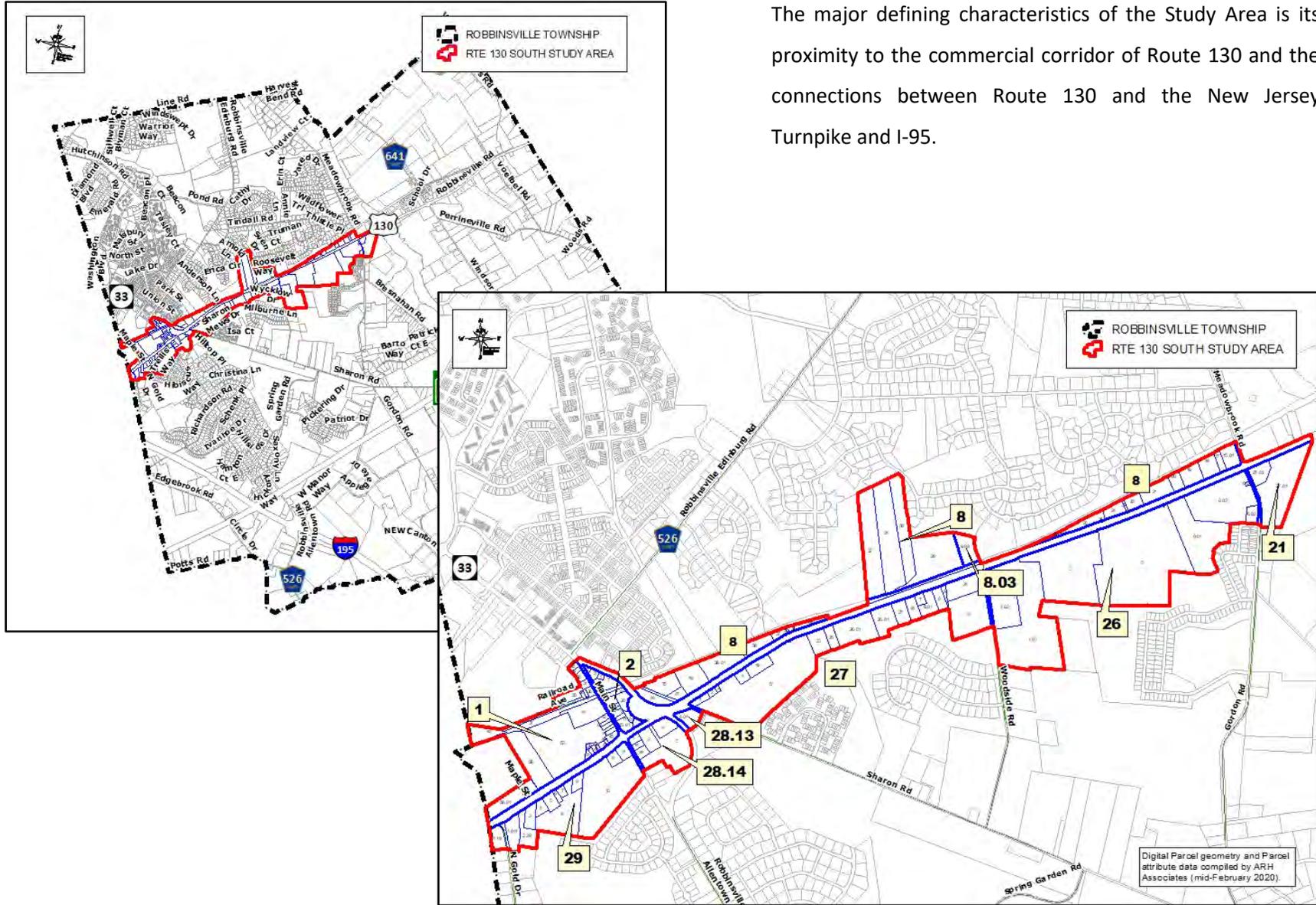
The Study Area consists of unproductive and unutilized vacant lands as well as properties that appear to exhibit conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and a lack of 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 "Route 130"

The major defining characteristics of the Study Area is its proximity to the commercial corridor of Route 130 and the connections between Route 130 and the New Jersey Turnpike and I-95.





1.2 LOCAL REDEVELOPMENT & HOUSING LAW

1.2.1 AUTHORIZING LEGISLATION

In 1992, the New Jersey Legislature empowered municipalities to address conditions as described for the Study Area by adopting the *Local Redevelopment & Housing Law*⁴, 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 such 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 municipal goals and objectives.

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 (“Study 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 February 27, 2020, the Robbinsville Township Council adopted Township Resolution No. 2020-68⁵; thereby authorizing and directing the Robbinsville Planning Board to conduct the necessary investigations and to undertake the necessary steps to determine whether or not lands then-designated as the Route 130 Study Area, more particularly described as:

⁴ N.J.S.A. 40A:12A-1 et seq. ~ “*Redevelopment Law*”

⁵ On file with the Township Clerk and/or the Planning Board Secretary.



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BLOCK	LOT(S)
1	42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 56, 57.01, 58.01 & 63.
2	10, 11, 12, 13, 14, 15.01, 15.02, 17.01 & 20.
8	15.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 37, 38, 38.01, 46, 47, 48 & 72.
8.03	9.03
21	27.01 & 27.02.
26	1.01, 1.02, 3, 5, 6.02, 6.03, 6.04 & 9.01.
27	1, 2, 3, 4, 5, 6.47, 7, 8, 8.01, 9, 11, 18, 19, 20.01, 21, 23, 25, 26 & 27.
28.13	4.01
28.14	1, 2, 3, 4, 59 & 60.
29	1.011, 1.19, 2.39, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12.

on the official tax map of the Township of Robbinsville, or any part of parts thereof, and including all bounding and internal rights-of-way, or any part or parts thereof, qualify for designation as an 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.

Resolution No. 2020-68 further provided that, upon completion of the Preliminary Investigation and the public hearing thereon, the Planning Board shall submit its findings

and recommendations to the Township Council in the form of a Resolution with supportive documentation.

1.2.3 On May 20, 2020, the Robbinsville Planning Board adopted Planning Board Resolution No. PB2020-17⁵, accepting the directive of the Township Council embodied in Township Resolution No. 2020-68 and assigning **ARH Associates**,⁶ Licensed Professional Planners in the State of New Jersey and the Planning Board’s appointed Planner, to undertake the Preliminary Investigation on the Board’s behalf.

1.2.4 On May 28, 2020, the Township Council adopted Resolution No. 2020-126, thereby amending Resolution No. 2020-68 to expand the Study Area to include the following Blocks and Lots:

BLOCK	LOT(S)
1	27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 37.01, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 56, 57.01, 58.01, 62& 63.
2	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15.01, 15.02, 17.01 & 20.
8	15.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 37, 38, 38.01, 46, 47, 48 & 72.
8.03	9.03

⁶ “ARH”





BLOCK	LOT(S)
21	27.01 & 27.02.
26	1.01, 1.02, 3, 5, 6.02, 6.03, 6.04 & 9.01.
27	1, 2, 3, 4, 5, 7, 8, 8.01, 9, 11, 18, 19, 20.01, 21, 23, 25, 26.01 & 27.
28.13	4.01
28.14	1, 2, 3, 4, 59 & 60.
29	1.011, 1.19, 2.39, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12.

and all bounding and internal rights-of-way, or any part or parts thereof.

While not addressed in Resolution No. 2020-68, Resolution No. 2020-126 authorized the Township to use all those powers provided by the Legislature for use in a Redevelopment Area *except the use of eminent domain*. Accordingly, this Preliminary Investigation shall be in furtherance of a "**Non-Condemnation Redevelopment Area**" designation.

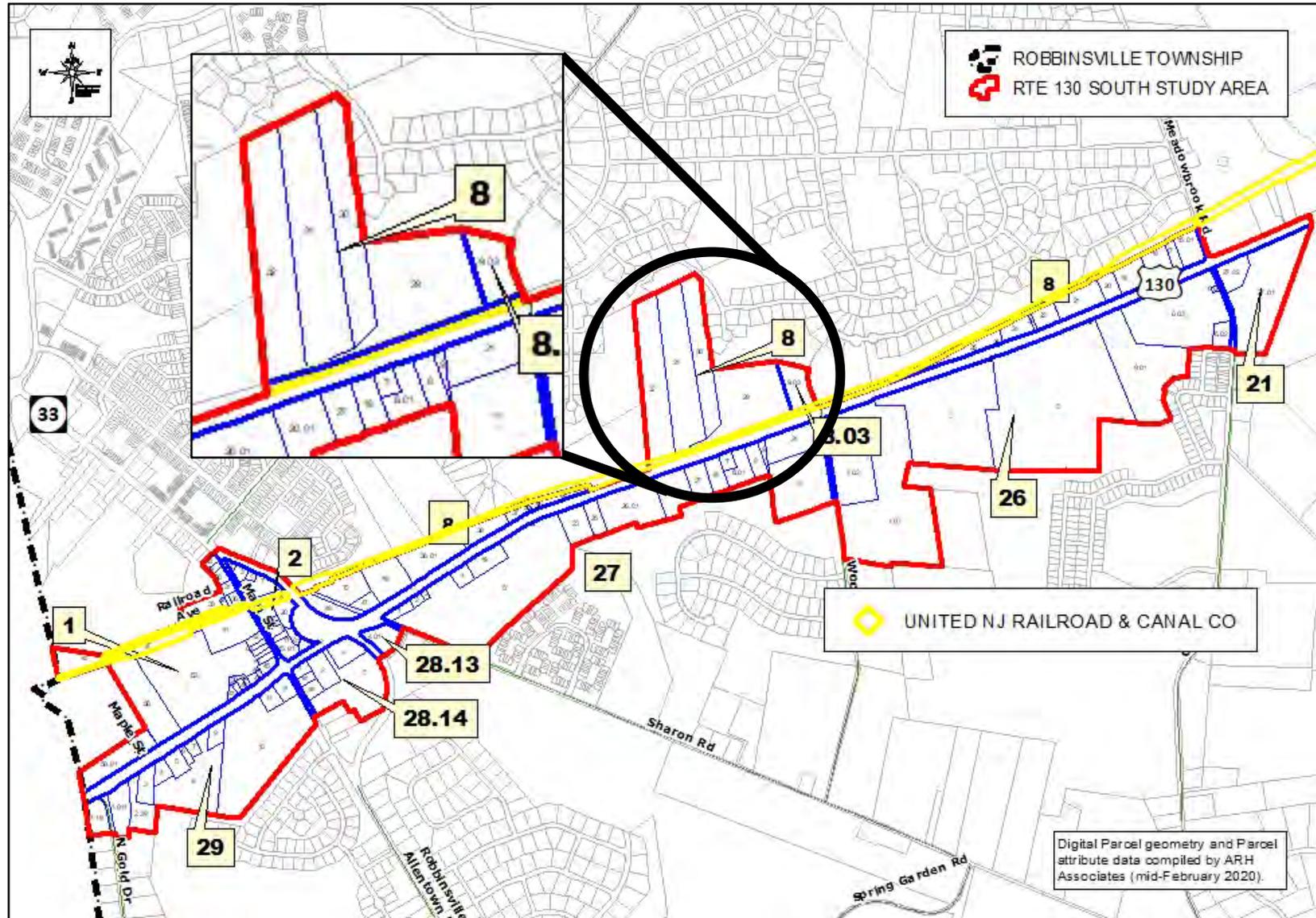
1.2.5 On June 17, 2020, the Robbinsville Planning Board, via Resolution No. PB2020-17A,⁵ accepted the directives embodied in Township Resolution No. 2020-126 and assigned **ARH** to undertake the Preliminary Investigation on the Board's behalf.

In satisfaction of N.J.S.A. 40A:12A-6 b(1), Resolution No. PB2020-17A ~ 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.

1.3 UNITED NJ RAILROAD & CANAL CO. RIGHT-OF-WAY

A railroad right-of-way belonging to the United NJ Railroad & Canal Co. extends through Robbinsville in an east / west direction. What was believed to be the extent of this right-of-way within the Study Area was included in Resolution No. 2020-126 as Block 1, Lots 37 and 37.01 and Block 2, Lot 9. The rail line is located to the north (i.e., rear) of these parcels.

During the course of this Preliminary Investigation, this office discovered that a portion of this right-of-way ~ designated as Block 8, Lot 14 ~ meanders to the front (i.e., south) of a cluster of properties designated as Block 8, Lots 29, 30, 31 & 32 and Block 8.03, Lot 9.03. Lot 14 is therefore geographically located within the Study Area.





While inadvertently omitted as a **Lot** in Resolution No. 2020-126, the portion of Lot 14 within the Study Area is captured in Resolution No. 2020-126 as being part of an **internal right-of-way**.

1.4 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 Planning 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

2.2.1 The analyses contained in this Report of Findings rely on:

- Township Parcel Mapping⁷ and associated data⁸ compiled by **ARH ASSOCIATES** as of mid-February 2020;
- Visual inspections of the accessible sections of the Study Area conducted between August and September 2019 and between March and July 2020;
- NJDEP Aerial Photography⁹;

- Georeferenced World Imagery (aerial photography) compiled and maintained by ESRI¹⁰;
- Georeferenced Environmental Mapping compiled and maintained by NJDEP; and
- Various Geographic Information System (G.I.S.) coverages generated for this assignment.

2.2.2 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

Acreeage calculations were developed from the Township's electronic Tax Maps and Township Tax Assessment records.

⁷ Mercer County (G.I.S.-based) Parcel maps for Robbinsville (downloaded from the Mercer County GIS website in February 2019) ~ based on Township Tax Maps maintained by Remington & Vernick Engineer (believed to be current through February 2019).

⁸ Robbinsville Township Tax Assessment (MOD IV) attribute data obtained from the New Jersey Association of County Tax Boards (downloaded from the NJATCB website in February 2020).

⁹ <https://newjersey.maps.arcgis.com/home/item.html?id=8bf43d89c9754f55a09b3e0959d6b35c>

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



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.

2.4 TAX MAPS & ASSESSMENT DATA

2.4.1 As is common in municipalities throughout New Jersey, the Robbinsville Tax Assessor merged contiguous non-conforming tax lots under common ownership in order to reduce the number of line-items in the Assessor's database; thereby streamlining the tax billing process. Under this practice, the statistical attributes of each individual tax Lot (acreage, tax assessments, etc.) are combined under a single tax lot line item.

Certain merged lots appear as single properties on the tax maps while others retain their individual lot configurations.

2.4.2 While new tax lots are created (via subdivision) or eliminated (via consolidation) periodically, the Township's tax maps are updated less regularly. As such, there is a gap between the creation / consolidation of lots, their entry in the Assessor's database and the time they appear on the official tax maps.

2.4.3 There is typically a delay between the purchase of a property and when it is formally entered into the Tax Assessor's database and updated at the NJATCB website.

2.4.4 The issues raised in §2.4.1, §2.4.2 and §2.4.3 impact the properties specified for this Investigation as follows:

- Block 1, Lots 44 and 45 are assessed as a single line item in the Tax Assessor's database but are mapped as individual lots on the Township's Tax Maps.
- Block 1, Lots 46 and 47 are assessed as a single line item in the Tax Assessor's database but are mapped as individual lots on the Township's Tax Maps.
- Block 8, Lots 72 and 73 are assessed as a single line item in the Tax Assessor's database and mapped as single Lot 72 on the Township's Tax Maps. For this reason, Lot 73 is not included in Resolution Nos. 2020-68 or 2020-126 but must be included in this Preliminary Investigation.
- Block 26, Lots 1.01 and 2 are assessed as a single line item in the Tax Assessor's database and mapped as single Lot



1.01 on the Township’s Tax Maps. For this reason, Lot 2 is not included in Resolution Nos. 2020-68 or 2020-126 but must be included in this Preliminary Investigation.

- Block 27, Lot 6.47 no longer appears in the Tax Assessor’s database or on the Township’s Tax Maps. Lot 6.47 is therefore excluded from this Preliminary Investigation.
- Block 27, Lot 26 no longer appears in the Tax Assessor’s database or on the Township’s Tax Maps. It has apparently been renumbered as Lot 26.01 on both the database and the Tax Maps. Lot 26.01 is therefore included in this Preliminary Investigation.
- Block 28.14, Lots 1, 59 and 60 are assessed as a single line item in the Tax Assessor’s database but are mapped as individual lots on the Township’s Tax Maps.
- The following properties are billboards that appear on both the Assessor’s database and the Township’s Tax Maps as duplicate Block and Lot numbers within larger “parent lots”. For the purposes of this Preliminary Investigation, they are treated as a single property.

BLOCK	LOT(S)
8	32
26	3, 5
27	5

2.4.5 The analyses contained in this Report of Findings utilize the most current tax assessment data and mapping available at the time this assignment was undertaken. However, as a result of the foregoing, at any point in time there may be a discrepancy between the Assessor’s database, the tax maps and actual conditions. Any discrepancy between the data and/or graphics presented herein and actual conditions are attributed to errors in the source materials.

2.4.6 **ARH**, through its subsidiary **Civil Solutions**, provides mapping services to Mercer County. While undertaking our duties for the County, our staff has observed misalignments between the block and lot lines on the Township’s electronic tax (Parcel) Maps (provided to **ARH** for this assignment) and the high resolution orthoimage (aerial photography) and other mapping sourced from NJDEP and other official sites. **ARH** has taken such discrepancies into consideration in conducting these analyses.



2.5 RELEVANT COURT DECISIONS

Over the years, municipal activities related to the Redevelopment process have been the subject of intense controversy and numerous court decisions. As relates to this Preliminary Investigation, the more significant of these decisions have centered on the interpretation of the various statutory Criteria for Redevelopment Area designation and how such Criteria may appropriately be applied.

While a comprehensive review of these decisions is beyond the scope of this Preliminary Investigation, the analyses contained herein are guided by the following:

2.5.1 LEVIN V. TOWNSHIP OF BRIDGEWATER¹¹

In Levin, the New Jersey Supreme Court addressed Redevelopment designations in general, and Redevelopment Criterion ‘e’ in particular. In offering an in-depth analysis of Criterion ‘e’, the Court upheld the application of this Criterion as relates to condition of title, diverse ownership of real property, obsolete layout and like and similar conditions,

impeding “proper development” and thereby resulting in a stagnant and unproductive condition of the land.

Levin is instructive to this Preliminary Investigation largely because of the similarities between the Area under investigation in Bridgewater and the Route 130 South Study Area in Robbinsville. As determined by the Court:

[In adopting Criterion ‘e’], lawmakers intended that land areas should be deemed blighted¹² and made available for redevelopment when from the community standpoint ‘proper development’ thereof was being prevented or impeded by title problems, diverse ownership, obsolete and impractical street and lot layouts and the like, any of which have resulted in a stagnant and unproductive condition of the land.

... the Legislature intended by means of [Criterion] ‘e’ to encourage the proper and sound growth of suburban and rural land, particularly open areas which because of the conditions described therein were stagnant and unproductive but which, in the judgment of the municipal authorities, were potentially useful and valuable.

¹¹ 57 N.J. 506 (1971) (“Levin”). Internal citations deleted for brevity.

¹² See §3.1 herein for definition of Blight”.





[The redevelopment laws] show a purpose to make possible a comprehensive, coordinated and scientific approach to eliminate the conditions retarding public use and to develop or redevelop the area involved in a unified and integrated manner. The lawmakers recognized that where an undeveloped land area was burdened with defective, questionable or unusual conditions of title, unsuitable lot layouts, diverse ownership, and outmoded and undeveloped street patterns, serious difficulties stood in the way of a unified development which would serve the health, welfare, social and economic interests, and sound growth of the community. They knew that fractionalization could be eliminated and the area dealt with as a whole if it could be treated as blighted and if the municipal power (of eminent domain¹³) could be exercised to expeditiously bring it into such ownership as would permit realization of its maximum potential as part of an orderly community growth. The conclusion is inescapable that subsection 'e' was added to the blighted area statute in order to make such a result possible.

...[The Legislature's] aim is the redevelopment of areas that qualify as blighted so as to restore or to apply them to uses which will serve the community benefit. More specifically, the Legislature recognized that at times, usually over a long period, potentially useful land reaches a stage of stagnation and unproductiveness through one or

more causes. Consequently, it declared that where parcels of vacant land are characterized by lack of proper utilization resulting from obsolete platting, diversity of ownership, retardation or arrest of development of the lots for the purposes originally planned because of lack of demand for that use,... the area is blighted. The Legislature, therefore, authorized the revitalization of the area so that it could be made to serve the community welfare, and it sanctioned remedial action either by the municipality alone or with the aid of private developers or by private development alone.

2.5.2 GALLENTHIN REALTY DEVELOPMENT, INC. V. BOROUGH OF PAULSBORO¹⁴

In Gallenthin, the New Jersey Supreme Court provided guidance as to issues related to the application of Redevelopment Criterion 'e'. Significantly, the Gallenthin Court refined, but did not overrule or in any way repudiate its prior holdings in Levin. As determined by the Court:

...[Redevelopment Criterion 'e'] applies only to areas that, as a whole, are stagnant and unproductive because of issues of title, diversity of ownership, or other similar conditions.

¹³ Not applicable to the Route 130 South Study Area.

¹⁴ 191 N.J. 344 (2007) ("Gallenthin"). Internal citations deleted for brevity.





The [New Jersey State] Constitution expressly authorizes municipalities to engage in redevelopment of “blighted areas...”¹²

The Blighted Areas Clause [of the Constitution] enabled municipalities to intervene, stop further economic degradation, and provide incentives for economic investment. Although the meaning of “blight” has evolved, the term retains its essential characteristic: deterioration or stagnation that negatively affects surrounding properties.

...the Court concludes that the Legislature intended [‘e’] to apply only to property that has become stagnant because of issues of title, diversity of ownership, or other similar conditions.

In sum, Gallenthin upheld the ‘expanded’ interpretation of “blight” contained in the New Jersey Constitution and provided guidance as to the application of Redevelopment Criteria ‘e’.

2.5.3 In 2013, the New Jersey Legislature adopted revisions to the *Redevelopment Law* to codify certain aspects of Gallenthin and other Court rulings.

2.5.4 While the analyses contained herein are guided by the principals in Levin and Gallenthin ~ as codified by the 2013

amendments to the Redevelopment Law ~ this Report of Findings recognizes that:

- A. Gallenthin focused on a specific section of the *Redevelopment Law*;
- B. There are sections of Gallenthin which are less than fully definitive; and
- C. Other Courts may have reached conclusions that differ from Gallenthin based on the specific issues involved in each individual case;
- D. Levin, while focusing on the same Criterion as Gallenthin (Criterion ‘e’), is more instructive to this Preliminary Investigation than is Gallenthin because the Area under investigation in Bridgewater was substantially similar to the Route 130 South Study Area; similarities which do not exist in the single property at issue in Paulsboro.

That being said, these competing decisions inject a certain amount of uncertainty into the analysis process.



E. There are other cases in various stages of the court process and other bills pending in the Legislature which may ultimately change the way Preliminary Investigations are conducted.

As such, neither Levin, Gallenthin or the 2013 amendments to the *Redevelopment Law* are likely to be the ‘last word’ in the Redevelopment process. Accordingly, the approach to this Preliminary Investigation is grounded in an understanding of the Levin, Gallenthin and the version of the *Redevelopment Law* in place at the Publication of this Report of Findings.

2.6 DISCLAIMERS

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

2.6.2 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.

2.6.3 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.



REPORT OF FINDINGS
NON-CONDEMNATION
PRELIMINARY REDEVELOPMENT INVESTIGATION
ROUTE 130 SOUTH STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

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 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 mean¹⁵

...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 “Dilapidate”, “Dilapidated” or “Dilapidation” shall mean (as defined in Webster’s^{16,17})

(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.

¹⁵ As defined by the New Jersey Supreme Court in Gallenthin Realty Development, Inc. v. Township of Paulsboro, 191 N.J. 344 (2007).

¹⁶ www.merriam-webster.com/dictionary

¹⁷ A full discussion of the historical definitions and evolutionary utilizations of this term in the urban context is found in §2.5 herein.

This term, read in conjunction with the introductory language of the *Local Redevelopment & Housing Law* and the various Redevelopment Criteria contained therein, as well as the discussion detailed in §2.5 herein, underscores this office’s interpretation of the conditions found to exist in the Study Area and support our conclusions derived from these analyses.



3.3 “Gore” shall mean a (typically) narrow, shallow and/or unusually-shaped piece of land situated between otherwise traditionally-sized and/or shaped lots. The size / shape of a Gore is typically the result of how such Gore was created.

Most Gores are essentially gaps between adjacent lots resulting from errors in the land survey and/or deed description used to originally create one or both of such adjacent lots. Some Gores are surplus lands created when less than 100% of a property is utilized for a specific project (e.g. a public agency acquires lands for a roadway project, but not all of the lot is needed for the road. The unutilized portion of the lot may become a Gore).

3.4 “Governing Body” shall have the same meaning as Township Council.¹⁸

3.5 “Local Lands and Buildings Law” shall mean N.J.S.A. 40A:12-1 et seq., under which a municipality may dispose ~ by sale or lease ~ of municipally-owned property. Said law requires such sale or lease to be made to the highest bidder at public auction.

3.6 “Local Redevelopment & Housing Law” shall mean N.J.S.A. 40A:12A-1 et seq.

3.7 “Municipal Land Use Law” shall mean N.J.S.A. 40:55D-1 et seq.

3.8 “NJDCA” shall mean the New Jersey Department of Community Affairs.¹⁹

3.9 “NJDEP” shall mean the New Jersey Department of Environmental Protection.¹⁹

3.10 “NJDOT” shall mean the New Jersey Department of Transportation.¹⁹

3.11 “Obsolete” or “Obsolescent” shall mean (as defined in Webster’s^{16,17})

(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

¹⁸ Within the context of the various sections of this document, the terms “Township”, “Governing Body” and “Robbinsville” shall mean the Robbinsville Township Council.

¹⁹ and shall include all divisions and agencies thereof.





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ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY

- 3.12** "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.
- 3.13** "Planning Board" shall mean the Robbinsville Township Planning Board, established pursuant to section 23 of the *Municipal Land Use Law* and operating pursuant to the various regulations of the Township Code and other relevant statutes, including the *Local Redevelopment & Housing Law*.
- 3.14** "Preliminary Investigation" shall mean this instant process under which the conditions in the Route 130 South Study Area are analyzed to determine conformance with the Statutory Criteria under the *Local Redevelopment & Housing Law*.
- 3.15** "Publication" shall mean the date printed on the cover of this Report of Findings, which shall signify the date front 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.¹⁸
- 3.19** "Route 130" shall mean U.S. Route 130.
- 3.20** "Route 130 South Study Area" shall mean the (approximately) 430-acre, 124-lot portion of Robbinsville Township that either front on or are adjacent to Route 130 between the Township's southern municipal boundary line and certain lots abutting the northerly line of Gordon Road, along with all bounding and internal rights-of-way, or any part or parts thereof, as further described in Township Resolution 2020-126 and §1.0 herein, and which is the subject of this Preliminary Investigation.



- 3.21** “State Plan” shall mean the New Jersey *State Development and Redevelopment Plan*, adopted march, 2001.
- 3.22** “Study Area” shall have the same meaning as Route 130 South Study Area.
- 3.23** “Township” shall have the same meaning as Robbinsville Township.¹⁸
- 3.24** “Township Code” shall mean Chapter 142 of the Robbinsville Township Municipal Code, as same may be amended from time-to-time.

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:

- A. A municipal Governing Body must direct the municipality's Planning 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 Nos. 2020-68 and 2020-126.²⁰
- B. The Planning 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.

- C. As part of the Investigation process, the Planning Board must hold a duly noticed public hearing in order to discuss the findings of the Investigation and to hear persons who are interested in or would be affected by the contemplated action. The Board's findings(s) and recommendation(s) from said hearing are then referred (in the form of a Planning Board Resolution) to the Governing Body for formal action.
- D. Upon receipt of the findings and recommendation(s) from the Planning Board, the Governing Body may adopt a resolution designating the area in question, or any part thereof, as an Area in Need of Redevelopment.

²⁰ On file with the Township Clerk and/or Planning Board Secretary.



E. 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:

1. If the area determined to be In Need of Redevelopment is located where State policy²¹ encourages (re)development, the determination shall take effect immediately.
2. 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.

F. 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.

- G. 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.
- H. Once prepared, the Redevelopment Plan is reviewed by the Planning Board and, after public hearing²², is referred to the Governing Body (in the form of a Planning Board Resolution) with recommendation(s) regarding adoption.
- I. Upon receipt of the Resolution and recommendation(s) from the Planning Board, the Governing Body may adopt the Redevelopment Plan by Ordinance. The adopted

²¹ Principally articulated through the State Plan.

²² Direct Public Notice not statutorily required.





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 STATUTORY CRITERIA:
AREA IN NEED OF REDEVELOPMENT²³**

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 within the delineated (Study) area:

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.*

²³ N.J.S.A. 40A:12A-5





- 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... rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. ²⁴

- 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. ²⁴

²⁴ Criterion 'g' relates to the location of a property within an Urban Enterprise Zone and, absent a finding of (negative) conditions affecting the property, limits the powers afforded municipalities under this Criterion to tax abatement and tax exemption.

Accordingly, while not statutorily recognized, this Preliminary Investigation employs the terms "Substantive Criteria" for those which are based on the condition of a property (i.e., Criteria 'a', 'b', 'c', 'd', 'e' & 'f') and "Locational Criteria" for Criteria 'g' and 'h'.

While the *Redevelopment Law* permits municipalities to rely solely on Criterion 'h' as determinative of a property's Need of Redevelopment, such Criterion is based on the location of a property within an area designated for growth ~ and not the actual condition of the property.





Crucial to the application of the aforementioned is the understanding that the presence of **any one (1)** of the **six (6)** **Substantive Criteria**²⁴ is sufficient for a municipality to make a determination that an area is In Need of Redevelopment.

4.3 STATUTORY DEFINITION: AREA IN NEED OF REDEVELOPMENT

In addition to the Statutory Criteria, the *Redevelopment Law*²⁵ provides that 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.

4.4 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.

²⁵ N.J.S.A. 40A:12A-3





5.0 STUDY AREA PROFILE

5.1 STUDY AREA DELINEATION

5.1.1 As directed by the Governing Body via Township Resolution 2020-126,²⁶ the Study Area for this Preliminary Investigation consists of:

BLOCK	LOT(S)
1	27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 37.01, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 56, 57.01, 58.01, 62& 63.
2	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15.01, 15.02, 17.01 & 20.
8	15.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 37, 38, 38.01, 46, 47, 48 & 72.
8.03	9.03
21	27.01 & 27.02.
26	1.01, 1.02, 3, 5, 6.02, 6.03, 6.04 & 9.01.
27	1, 2, 3, 4, 5, 7, 8, 8.01, 9, 11, 18, 19, 20.01, 21, 23, 25, 26.01 & 27.
28.13	4.01
28.14	1, 2, 3, 4, 59 & 60.
29	1.011, 1.19, 2.39, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12.

and all bounding and internal rights-of-way, or any part or parts thereof as depicted on the official tax map of the

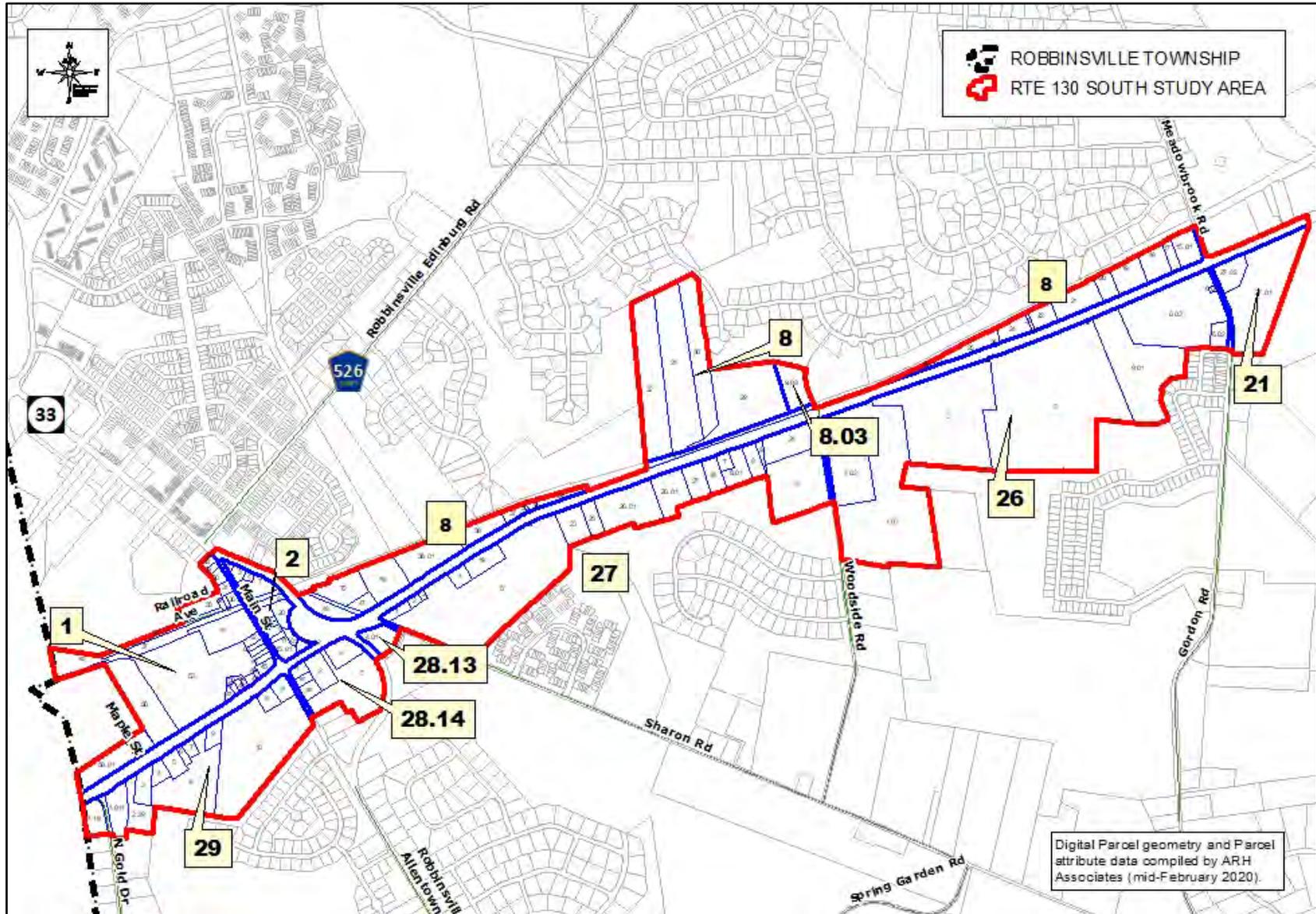
Township of Robbinsville, and includes all bounding and internal rights-of-way.²⁷

The Study Area contains approximately 430 acres in the form of Tax Lots and approximately 54.6 acres in the form of municipal and other rights-of-way for a total of 484.6 acres.

5.1.2 As directed by Planning Board Resolution No. PB2020-17A²⁶ in satisfaction of the requirements of N.J.S.A. 40A:12A-6 b., following map showing the boundaries of the Study Area and the location of all blocks and lots therein, as well as Township Resolution No. 2020-126, have been placed on file with the Township Clerk. Collectively, these documents form the Township’s Statement for the Basis of this Investigation.

²⁶ On file with the Township Clerk and/or the Planning Board Secretary.

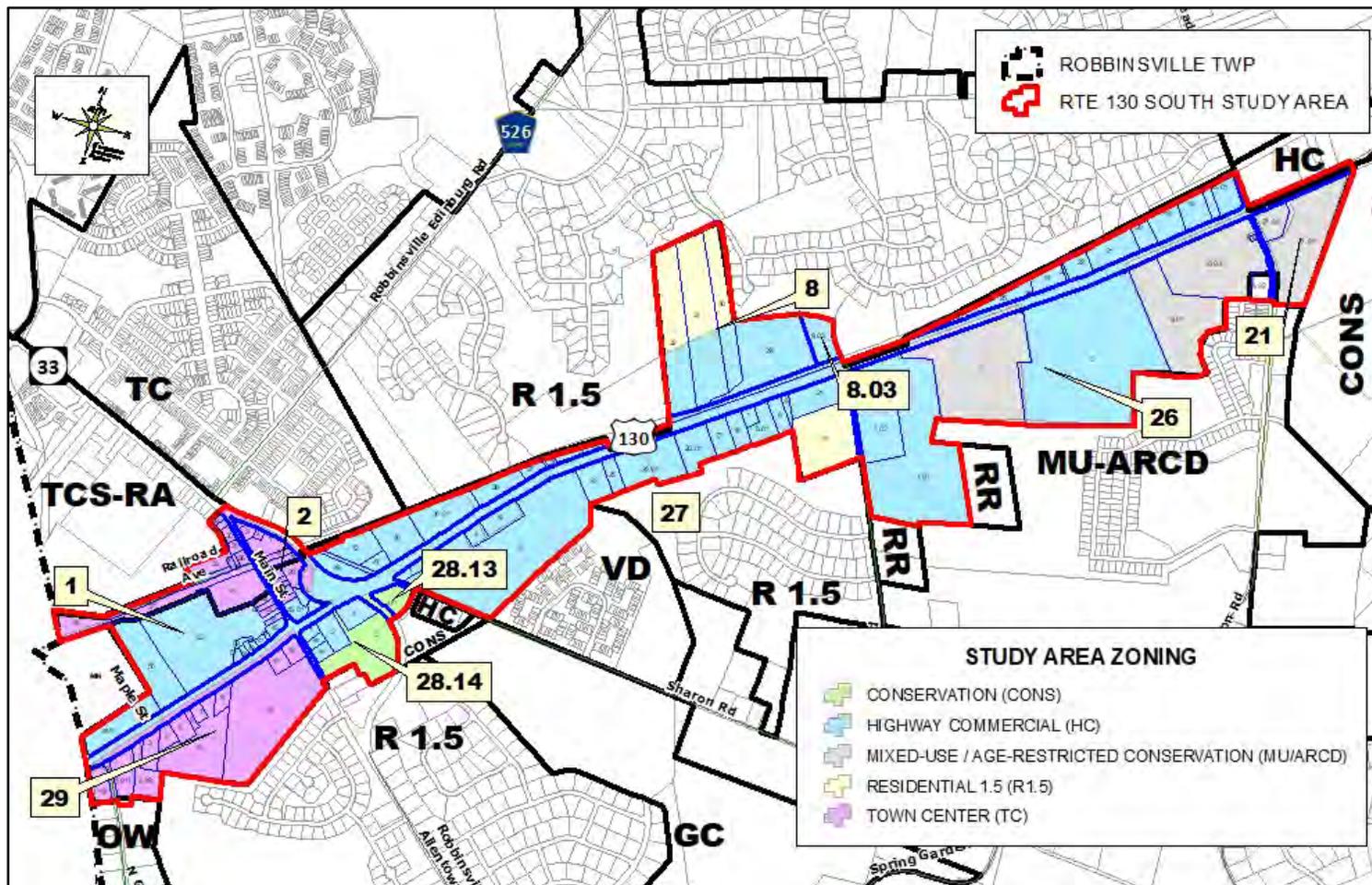
²⁷ See §1.2.6 herein.



5.2 STUDY AREA ZONING

Lands within the Study Area are Zoned, variously, Conservation (CONS), Highway Commercial (HC), Mixed-Use / Age-Restricted Conservation (MU/ARCD), Residential (R1.5)

and Town Center (TC). Purposes, Permitted Uses and Bulk Standards for these Districts are embodied in Chapter 142 of the Township Code.





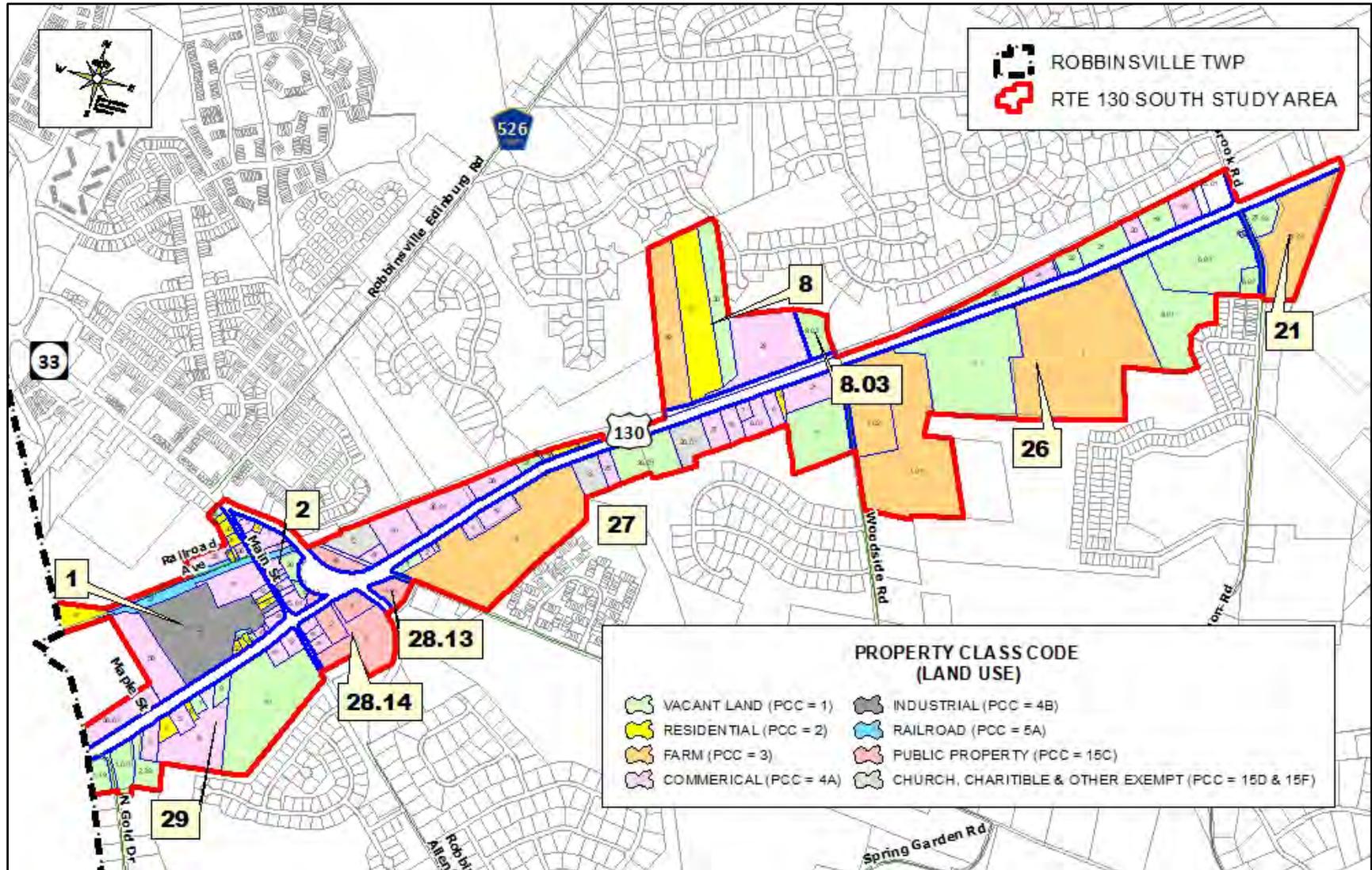
5.3 STUDY AREA LAND USES

The data made available for this assignment²⁸ finds the following land uses in the Study Area:

LAND USE	PROPERTY CLASS CODE	LOTS	% OF STUDY AREA
VACANT LAND	1	32	25.8%
RESIDENTIAL	2	17	13.7%
FARM	3B	6	4.8%
COMMERCIAL	4A	49	39.5%
INDUSTRIAL	4B	1	0.8%
RAILROAD	5A	4	3.2%
PUBLIC USE PROPERTY	15C	9	7.3%
CHURCH, CHARITABLE & OTHER EXEMPT	15D & 15F	4	3.2%
UNKNOWN	NO DATA	2	1.6%
VACANT LAND	1	127.68	22.8%
RESIDENTIAL	2	21.88	4.8%
FARM	3B	138.74	24.3%
COMMERCIAL	4A	87.89	16.9%
INDUSTRIAL	4B	18.16	4.0%
RAILROAD	5A	8.07	1.8%
PUBLIC USE PROPERTY	15C	17.29	3.8%
CHURCH, CHARITABLE & OTHER EXEMPT	15D & 15F	9.59	2.2%
UNKNOWN	NO DATA	3.16	0.7%

28

²⁸ §2.0 herein





5.4 STUDY AREA OWNERSHIP

The data made available for this assignment²⁸ finds the Study Area’s 124 Lots owned by 81²⁹ separate entities as follows:

OWNERS NAME	LOTS OWNED
1095 ROUTE 130 LLC	1
1124 ROUTE 130 ASSOCIATES, LLC	1
1124 RT 130 ASSOCS, LLC	1
1153 ROUTE 130, LLC	1
1167 ROUTE 130 LLC	1
1186 RT 130 LLC	1
69 BRITTON LANE LLC	1
ACOLIA JEFFREY	1
ADVANTAGE FINANCIAL PROPERTIES LLC	1
AMIN, MAYANK G.C	1
BCI IV 7A DC, LLC	1
BETH EGAN LODGE, LLC	2
CELAURO JOSEPH C/O CARLOS WALTER	1
CELENTANO ANTHONY & GUIDOTTI T	1
CENTRAL REAL ESTATE GROUP, LLC	1
CHIANESE CARMEN JR	1
CHIU MING YEE	2
DILIP BEEPYATA	1
EISENBERG CONST. CORP C/O DORON	1
ELITE DENTAL CARE	1

OWNERS NAME	LOTS OWNED
EZ AUTO SERVICE INC	1
FIRST BAPTIST CHURCH	1
FRIEDMAN, JACOB	1
GOLDSTEIN DAVID W	1
HAMILTON DEVELOPMENT, LLC	1
HARRIS THOMAS & WILMA ETAL	1
HEE KOO JA LEE	1
IMI PROPERTY HOLDINGS, LLC	1 ³⁰
INTERSTATE OUTDOOR ADVERTISING LP	3 ³¹
J.T. HOLDINGS LLC	1
JAT PROPERTIES, LLC	1
JIMA PROPERTIES LLC	1
KADCO INC	1
KALAMARAS GEORGE C/O DHALIWAL	2
MAEJAN PROPERTIES LLC	1
MAPP GENEVIEVE & SHARP HARVEY	2
MARCINKUS, ROBERT	2 ³⁰
MARTINO WILLIAM J JR	1
MCCANN HOMES, LLC	1
MERCER HOLDINGS LLC	1

²⁹ Similar names combined. 2 Lots have no ownership data listed.

³¹ 3 Billboards, 2 Lots.

³⁰ + billboard.





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OWNERS NAME	LOTS OWNED
MERCER MHC, LLC	2
MORTON EDNA & SAMUEL AMES JR	1
MPAMA PROPERTIES, LLC	1
NATIONWIDE AUTO COOL INC	3
NJ NATIONAL BK C/O WACHOVIA BANK	1
NJ STATE INTERSCHOLASTIC ATHL ASN	1
PALSHO ERNEST & CATHERINE	3
PEOPLE FOR ANIMALS INC	2
PRAJOY REALTY LLC	1
RANU GURJEET	1
ROBBINSVILLE SDF, LLC	1
ROUTE 130 NORTH GOLD LLC	1
RRSI ASSOCIATES LLC	1
SATYA OUTDOOR LLC	1
S-BNK ROBBINSVILLE TRAMMEL CROW CO	2
SCHEIDELER JAMES J, FAMILY TRUST	2
SCHWARTZ JAMES	1
SERINESE ANTHONY & VINCENT & TIMOTH	3
SFM HOLDINGS LLC	1
SHARBELL DEVELOPMENT CORP	1
SHARBELL GORDON, L.L.C	7
SIR ARROW, LLC	1
SKOPAS POTOULA P	1
SLOPOSKY ROBERT J & BROWN HENRY	1
STATE OF NJ DOT	3
SUBURBAN PROPANE LP	1

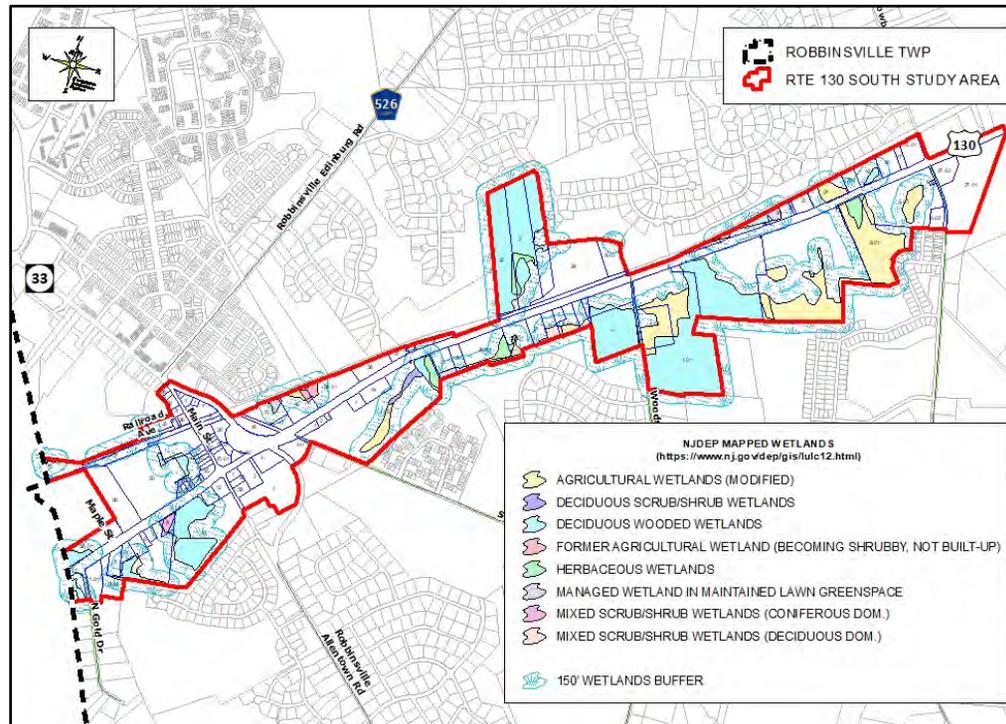
OWNERS NAME	LOTS OWNED
SWIDERSKI EDWARD R	2
T GROUP, LLC	2
TAMMARO BROS LLC C/O JODY WINTHROP	4
THE PALSHO FAMILY LTD PARTNERSHIP	2
TOLLE LOREAIN	1
TOWNSHIP OF ROBBINSVILLE	7
UNITED NJ RAILROAD & CANAL CO	4
UNKNOWN	2
USMIANI JOHN I & ANITA	1
WASHINGTON STORAGE OF NJ LLC	1
WIRTH BARBARA	1
WOODSIDE PLAZA, LLC	1
WOW PLAZA X LLC	1
XYAX INC	3
ZARISH, VICTOR W	1

5.5 STUDY AREA ENVIRONMENTAL CONSIDERATIONS

5.5.1 LAND COVER / WETLANDS

- A. NJDEP-mapping in (and around) the Study Area reveals wetlands and wetlands buffers³² as follows:
- B. Except for certain specifically authorized activities, NJDEP prohibits development in wetlands and wetlands buffers.

While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, wetlands and wetlands buffers may significantly limit the developability of impacted Study Area lots.



³² Depending on the site-specific resource value (i.e., quality) of the wetland, wetland buffers can range from 0' to 150'.



5.5.2 HABITAT / THREATENED & ENDANGERED SPECIES

A. NJDEP classifies habitat value under a 5-tier ranking system:³³

- *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.

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.

³³ 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.

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.

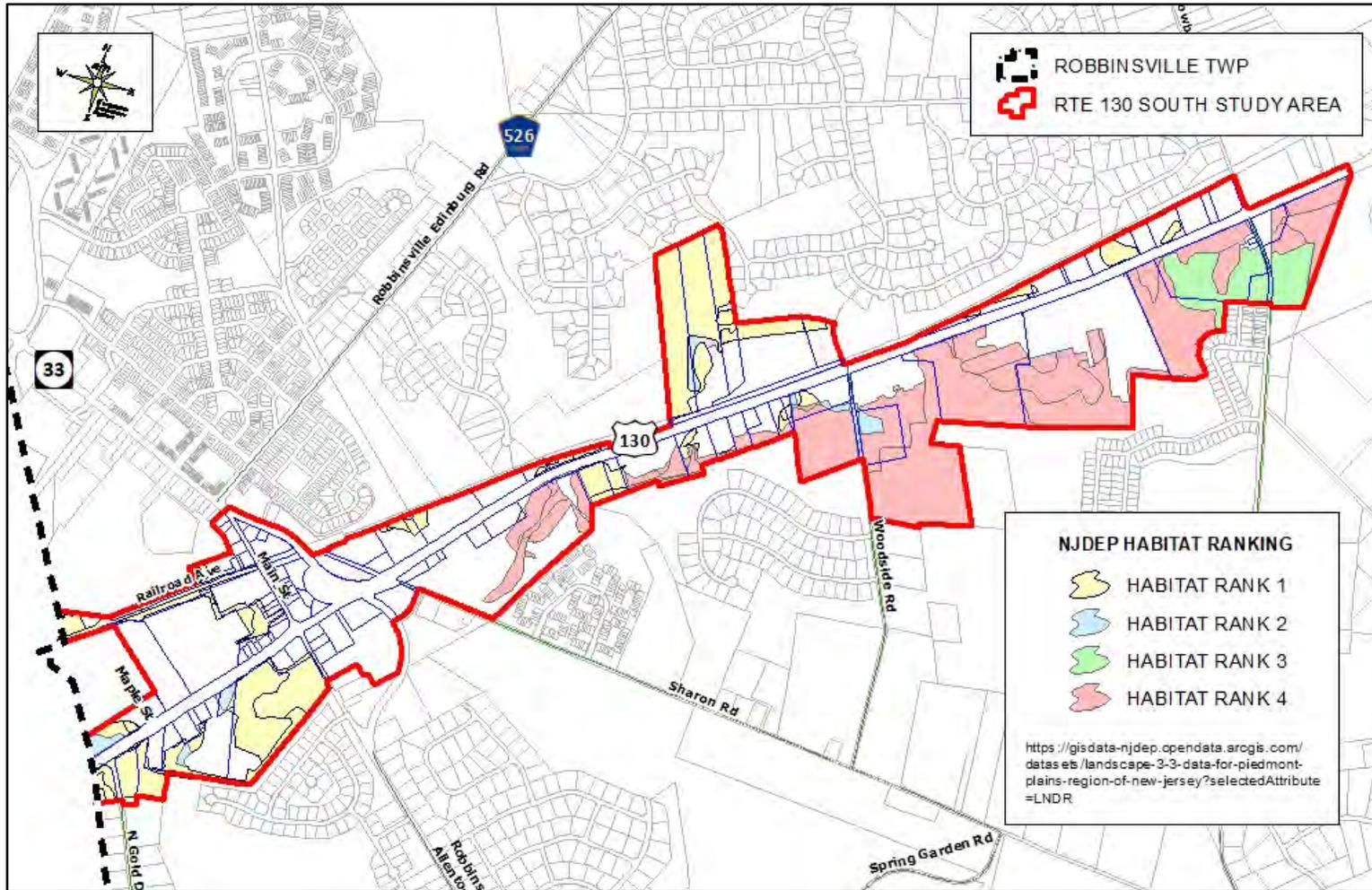
(www.nj.gov/dep/gis/landscape.html)

Each species-habitat association is developed by performing a review of scientific literature



B. NJDEP mapping finds Habitat Ranks 1, 2, 3 and 4 to be present in and around the Study Area. 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.





5.5.4 CONTAMINATION

NJDEP’s “Geoweb” and “Data Miner” internet databases³⁴ list the following Lots as having been identified with known contamination.

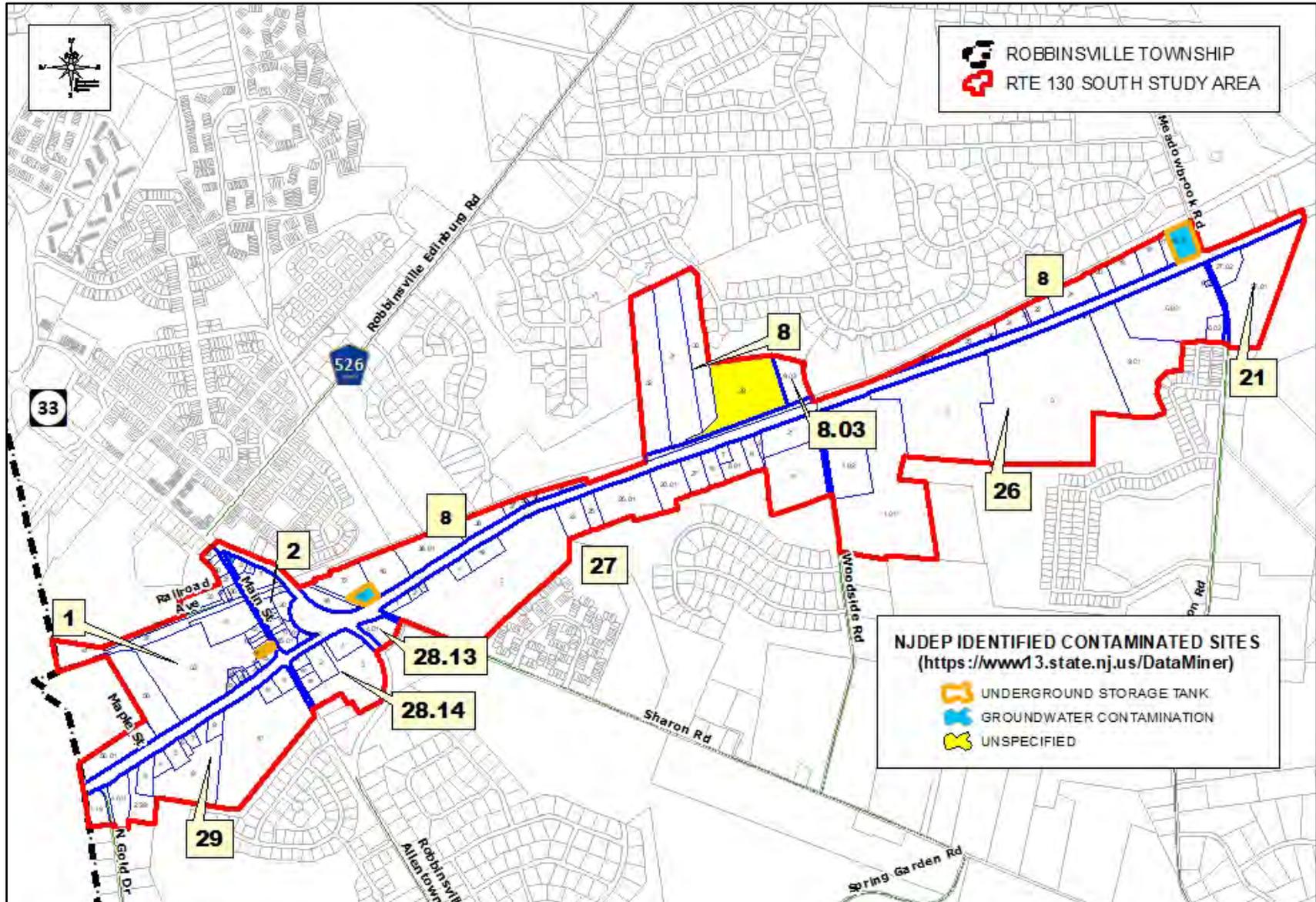
- Block 1, Lot 44: identified groundwater contamination with an underground storage tank.
- Block 2, Lot 2: identified groundwater contamination.
- Block 8, Lot 15.01: identified groundwater contamination with an underground storage tank.
- Block 8, Lot 29: identified groundwater and soils contamination.
- Block 8, Lot 47: identified groundwater contamination with an underground storage tank. At Publication of this Report of Findings, the contamination was being remediated.

scope of this Report of Findings, such contamination may significantly limit the developability of impacted Study Area lots either for specific types of uses or for development at all.

While the site-specific analyses necessary to determine the level of contamination and present status is beyond the

³⁴ <https://www13.state.nj.us/DataMiner>





6.0 APPLICABILITY OF STATUTORY CRITERIA

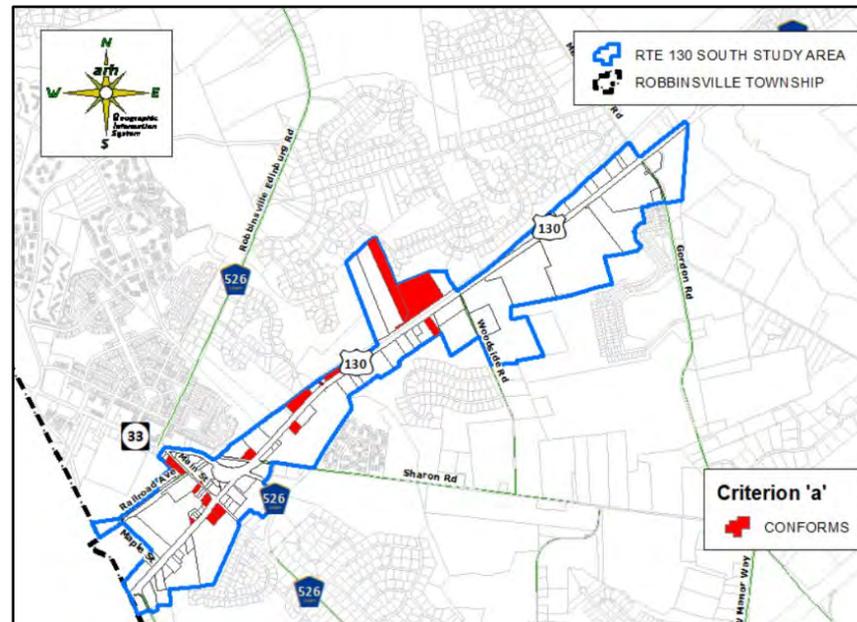
6.1 REDEVELOPMENT CRITERION 'a'³⁵

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment if:

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.

As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 17 Study Area Lots (representing 32.07 acres of land) that are either substandard, unsafe, unsanitary, dilapidated, or obsolescent.

Accordingly, 14.28% of the Study Area's Lots, representing 7.5% of the Study Area's land mass, qualifies under Criterion 'a'.



³⁵ N.J.S.A. 40A:12A-5a

6.2 REDEVELOPMENT CRITERION ‘b’³⁶

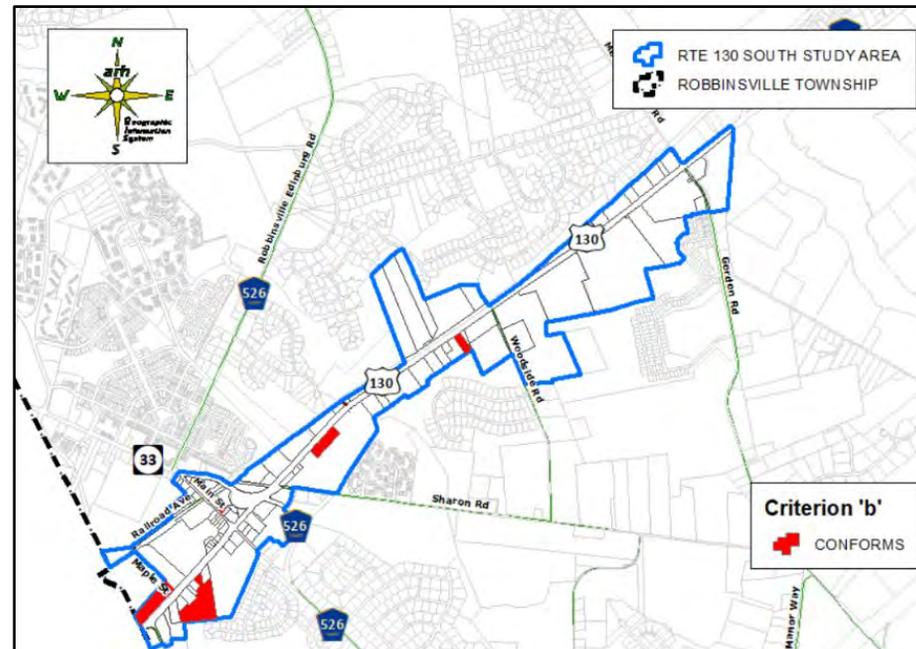
The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment where there is:

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.

As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 7 Study Area Lot (representing 18.2 acres of land) hosting a vacant commercial building.

Accordingly, 5.8% of the Study Area’s Lots and 4.2% of the Study Area’s land mass qualifies under Criterion ‘b’.



³⁶ N.J.S.A. 40A:12A-5b

6.3 REDEVELOPMENT CRITERION 'c'³⁷

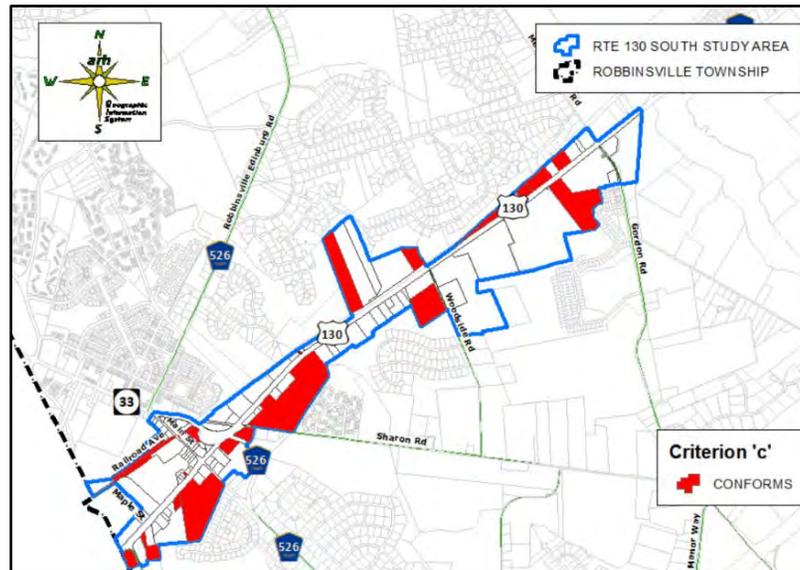
The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment where there is:

Land that is owned by the municipality, the County, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to the 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.

As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 24 lots (representing 116.2 acres of land) that by reason of location, lack of means of access or nature of the soil, are not likely to be developed through the instrumentality of private capital.

Accordingly, 20.2% of the Study Area's Lots, representing 27% of the Study Area's land mass, qualifies under Criterion 'c'.



³⁷ N.J.S.A. 40A:12A-5c



6.4 REDEVELOPMENT CRITERION 'd'³⁸

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment where there is:

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.

- A. As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 58 Study Area Lots (representing 186.37 acres of land) that are either 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.

- B. Many of the lots included in this Study Area contain improvements that are located in wetlands or fall into wetlands buffers under the Freshwater Wetlands Protection Act³⁹ of 1988.

While such improvements may have been considered acceptable in a prior era, they would not be permitted if proposed today. Accordingly, such improvements may be considered an obsolete layout or faulty arrangement or design that could have negative effects for environmentally sensitive lands in or near such lands.

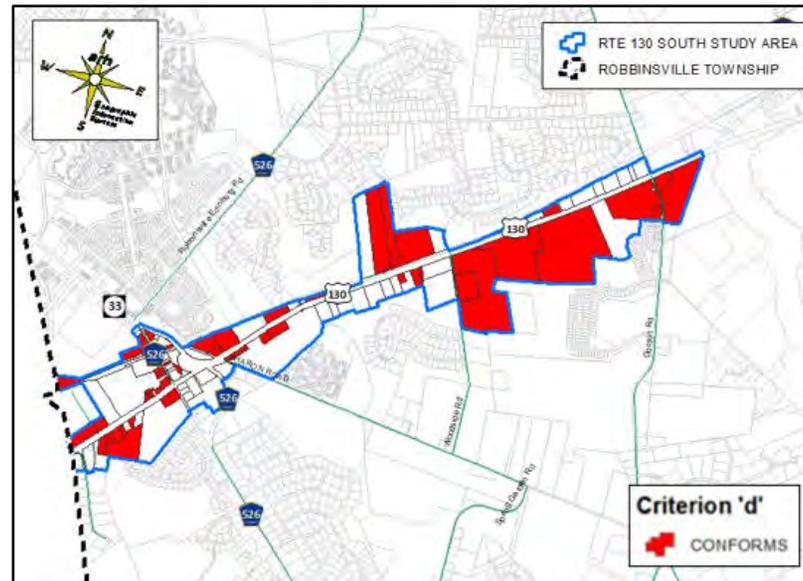
As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 44 Study Area Lots (representing 200.36 acres of land) that have some form of improvement(s) and are either located within the 150' wetlands buffer, or have been found to contain wetlands.

³⁸ N.J.S.A. 40A:12A-5d

³⁹ N.J.A.C. 7:7A-1.1

C. Collectively, this Preliminary Investigation finds 68 Study Area Lots (representing 271.388 acres of land) that have some form of improvement(s) that meet the requirements for criterion 'd', including their location relative to wetlands buffer.

Accordingly, 57.14%% of the Study Area's Lots, representing 63.12% of the Study Area's Land Mass qualifies under Criterion 'd'.





6.5 REDEVELOPMENT CRITERION ‘e’⁴⁰

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment where there is:

A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

As its name suggests, the Study Area is located along (or in proximity to) Route 130, one of the Township’s primary north / south commercial corridors. The Study Area also benefits from connections between Route 130 and the New Jersey Turnpike and I-95.

A portion of the Study Area is located directly next to the Washington Town Center, the award-winning mixed-use section of Robbinsville. Thriving businesses within and in close proximity to the Study Area suggest that this section of the

Township is potentially useful and valuable for contributing to and serving the health, safety and welfare of the community.

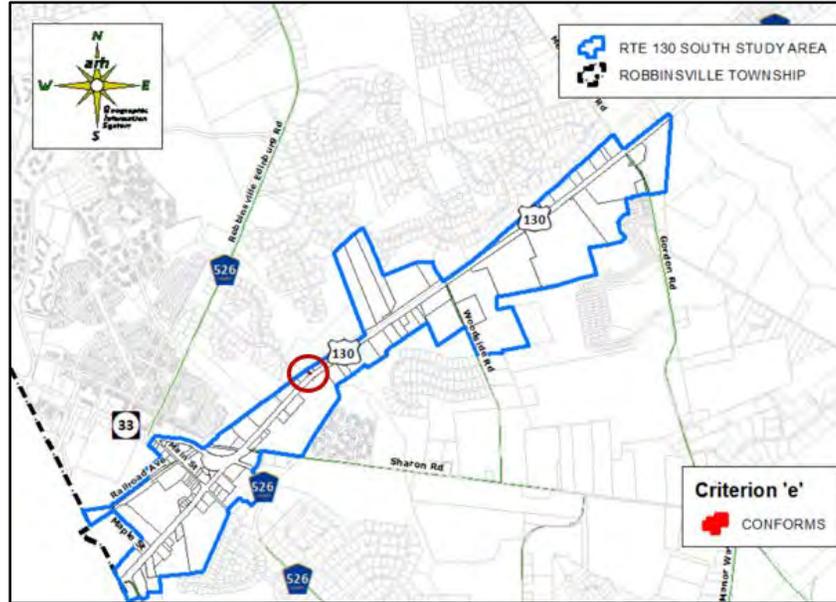
A stagnant and underproductive condition of these potentially useful and valuable lands therefore represents a negative social or economic impact or are otherwise deemed to be detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds 1 Study Area Lot (representing .07 acres of land) which exhibit a lack of proper utilization, caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

Accordingly, 0.88% of the Study Area’s Lots and 0.016% of the Study Area’s land mass qualifies under Criterion ‘e’.

⁴⁰ N.J.S.A. 40A:12A-5e







6.6 REDEVELOPMENT CRITERION ‘f’⁴¹

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment where there is:

[a]reas, 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.

Such conditions do not exist within the Study Area. Criterion ‘f’ does not apply.

6.7 REDEVELOPMENT CRITERION ‘g’⁴²

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment:

In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," ... (C.52:27H-60 et seq.) 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 ... (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to ... (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to ... (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in ... (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or ... rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

The Study Area is not within an Urban enterprise Zone. Criterion ‘g’ does not apply.

⁴¹ N.J.S.A. 40A:12A-5f

⁴² N.J.S.A. 40A:12A-5g





6.8 REDEVELOPMENT CRITERION ‘h’⁴³

The *Redevelopment Law* provides that an area may be determined to be In Need of Redevelopment if designation of the area is consistent with smart growth planning principles adopted pursuant to law or regulation.

6.8.1 *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, shop or 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 and other highway systems 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 need to drive from ‘secluded’ communities to office parks, strip malls and regional shopping centers.

As families perceived their quality of life diminishing, they began to flee these older, congested suburbs for the less-dense, ever-greener hinterland. Suburbs became urban⁴⁴, exurbs became suburban, and the open space that heretofore separated communities vanished. **THE RESULT WAS “SPRAWL”.**

To combat sprawl while recognizing the need to accommodate ever-expanding populations, planners developed a series of principles known as *Smart Growth*. It is hoped that the application of these principles will redirect (re)development to Cities and other areas of existing infrastructure, and preserve green space while providing for the growth demanded by an expanding population.

⁴³ N.J.S.A. 40A:12A-5h

⁴⁴ Meanwhile, the traditional urban environment continued to deteriorate and decline; resulting in ongoing population flight, economic disinvestment and general physical decay.



The following Smart Growth principles⁴⁵ (offered in no particular order) are generally accepted by planners, the development community 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.

- Mix land uses to include residential, commercial and open space into new development projects~ and, where possible and appropriate, into existing neighborhoods; thereby reducing the need for the automobile.
- Foster walkable neighborhoods. Provide for opportunities for walking as well as destinations to which to walk.
- Promote distinctive, attractive communities with a strong “Sense of Place” for both new and existing locations.
- Strengthen and encourage growth in existing communities and areas with existing infrastructure. Take advantage of existing community assets, including

local parks, neighborhood schools, transit systems and other public investments.

- Provide a variety of transportation choices, including public transportation, sidewalks and bicycle paths.
- Preserve open space, farmland and critical environmental areas and scenic vistas.
- Create a range of housing opportunities and choices, including, but not limited to, houses, condominiums, low income dwellings and “granny flats” for empty nesters.
- Make development decisions predictable, fair and cost-effective.
- Encourage citizen and stakeholder participation in development decisions.

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

⁴⁵ Primer on Smart Growth, New Jersey Future
(<https://www.njfuture.org/smart-growth-101/primer/>)





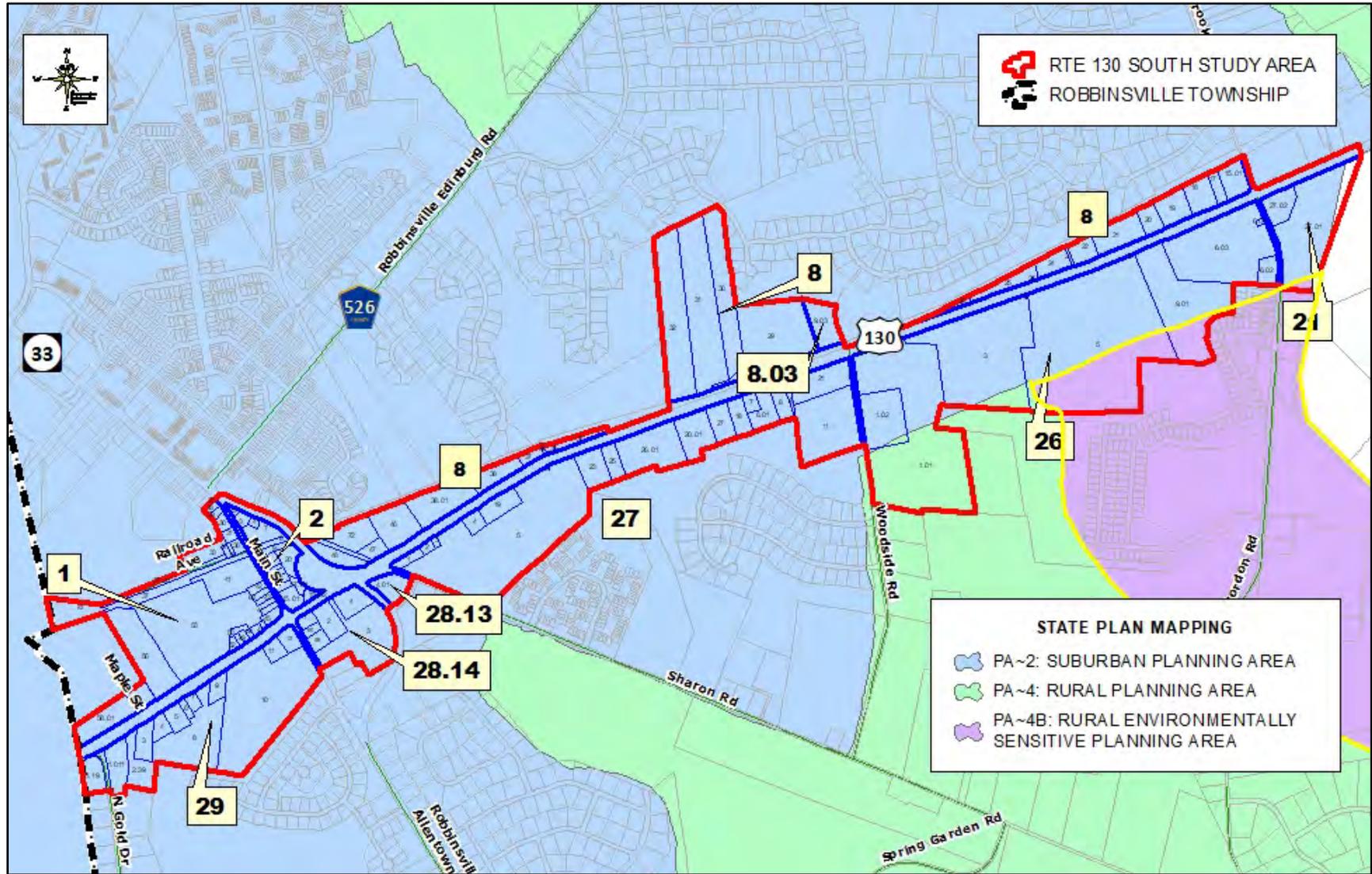
B. In New Jersey, these Smart Growth principles are embodied in the State Development and Redevelopment Plan, which is an outline of the State’s policies related to Smart Growth and planning principles. Promulgated by the State Planning Commission⁴⁶ as an interdepartmental effort between various State offices charged with managing growth in New Jersey,⁴⁷ the “State Plan” is the controlling policy guide regarding growth-related issues on a statewide level.

The State Plan classifies the section of Robbinsville which includes the majority of the Study Area as a PA~2: Suburban Planning Area.

A small portion of the Study Area that has no Route 130 frontage is classified as a PA~4: Rural Planning Area and a PA~4B: Rural ~ Environmentally-Sensitive Planning Area.

⁴⁶ Predecessor to the current Office of Smart Growth

⁴⁷ Principally, NJDEP & NJDCA





The State Plan also classifies the former Robbinsville section of [then] Washington Township as a Designated Town Center;

1. 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.⁴⁸

2. PA~4 RURAL PLANNING AREAS and PA~4B RURAL~ ENVIRONMENTALLY SENSITIVE PLANNING AREAS are designed to maintain the Environs as large contiguous areas of farmland and other lands; revitalize cities and towns; accommodate growth in Centers; promote a viable agricultural industry; protect the character of existing stable communities; and confine programmed sewers and public water services to Centers.⁴⁸

3. CENTERS are compact forms of development that 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.⁴⁹

TOWN CENTERS are traditional Centers of commerce or government, with diverse residential neighborhoods served by a mixed-use core offering locally oriented goods and services.⁵⁰

C. To accomplish the State Plan’s goals for these classifications / designations, the following Policy Objectives were established:

1. PA~2 SUBURBAN PLANNING AREAS⁵¹

LAND USE: *Guide development and redevelopment into more compact forms ~ Centers and former single-use developments that have been retrofitted or restructured to accommodate mixed-use development,*

⁴⁸ State Plan: p. 186

⁵⁰ State Plan: p. 230

⁴⁹ State Plan: p. 10

⁵¹ State Plan: pp. 198-199





redevelopment, services and cultural amenities. 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. Encourage densities capable of supporting transit. 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. Any housing in the Environs should be planned and located to maintain the existing character.*

ECONOMIC DEVELOPMENT: *Guide opportunities for economic development into Centers or existing pedestrian- and transit-supportive single-use areas 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. Encourage significant redevelopment and intensification around existing and planned rail stations along transit corridors and ferry stations along waterfronts. Promote flexible (variable route) transit and support employer-operated shuttle services. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development, transportation intermodal hubs, and complementary uses for airport property such as business centers.*

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.*



AGRICULTURE: *Guide development to ensure the continued viability of agriculture and the retention of productive farmland in strategically located agricultural areas and in other adjacent Planning Areas. Actively promote more intensive, new-crop agricultural enterprises and meet the needs of agricultural industry for intensive packaging, processing, value-added operations, marketing, exporting and other shipping through development and redevelopment.*

RECREATION: *Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels, by concentrating on the maintenance and rehabilitation of existing parks and open space, while expanding and linking the system through redevelopment and reclamation projects. In the undeveloped portions of this Planning Area, acquire and improve neighborhood and municipal parkland within Centers, and regional park land and open space either in or within easy access of Centers.*

REDEVELOPMENT: *Encourage redevelopment efforts in existing Centers and single-use areas which can be redeveloped into mixed-use areas, and areas within walking distance of train stations or other major public transit*

facilities. 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.

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.*

2. PA~4 Rural Planning Areas⁵²

LAND USE: *Enhance economic and agricultural viability and rural character by guiding development and redevelopment into Centers. In the Environs, maintain and enhance agricultural uses, and preserve agricultural and other lands to form large contiguous areas and greenbelts around Centers. Development and redevelopment should use creative land use and design techniques to ensure that it does not conflict with agricultural operations, does not exceed the capacity of natural and built systems and protects areas where public investments in farmland preservation have been made. Development and redevelopment in the Environs should maintain or enhance the character of the area.*

HOUSING: *Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth, recognizing the special locational needs of*

agricultural employees and minimizing conflicts with agricultural operations. 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, educational, recreational, health and transportation services and facilities in Centers. Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on agricultural resources.

ECONOMIC DEVELOPMENT: *Promote economic activities within Centers that complement and support the rural and agricultural communities and that provide diversity in the rural economy and opportunities for off-farm income and employment. Encourage tourism related to agriculture and the environment, as well as the historic and rural character of the area. Support appropriate recreational and natural resource-based activities in the Environs. Any economic development in the Environs should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on agricultural resources.*

⁵² State Plan: pp. 209-210



TRANSPORTATION: *Maintain and enhance a rural transportation system that links Centers to each other and to the Metropolitan and Suburban Planning Areas. Provide appropriate access of agricultural products to markets, accommodating the size and weight of modern agricultural equipment. In Centers, emphasize the use of public transportation systems and alternatives to private cars where appropriate and feasible, and maximize circulation and mobility options throughout. Support the preservation of general aviation airports as integral parts of the state’s transportation system.*

NATURAL RESOURCE CONSERVATION: *Minimize potential conflicts between development, agricultural practices and sensitive environmental resources. Promote agricultural management practices and other agricultural conservation techniques to protect soil and water resources. Protect and preserve large, contiguous tracts and corridors of recreation, forest or other open space land that protect natural systems and natural resources.*

AGRICULTURE & FARMLAND PRESERVATION: *Guide development to ensure the viability of agriculture and the retention of farmland in agricultural areas. Encourage farmland retention and minimize conflicts between agricultural practices and the location of*

Centers. Ensure the availability of adequate water resources and large, contiguous tracts of land with minimal land-use conflicts. Actively promote more intensive, new-crop agricultural enterprises and meet the needs of the agricultural industry for intensive packaging, processing, value-added operations, marketing, exporting and other shipping through development and redevelopment.

RECREATION: *Provide maximum active and passive recreational and tourism opportunities at the neighborhood and local levels by targeting the acquisition and development of neighborhood and municipal parkland within Centers. Provide regional recreation and tourism opportunities by targeting parkland acquisitions and improvements that enhance large contiguous open space systems and by facilitating alternative recreational and tourism uses of farmland.*

REDEVELOPMENT: *Encourage appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development to accommodate growth that would otherwise occur in the Environs. Redevelop with intensities sufficient to support transit, a broad range of uses, efficient use of infrastructure, and design that enhance*



public safety, encourage pedestrian activity, reduce dependency on the automobile and maintain the rural character of Centers.

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 ability for a Center to develop or redevelop. Outside Centers, coordinate historic preservation needs with farmland preservation efforts. Coordinate historic preservation with tourism efforts.*

PUBLIC FACILITIES & SERVICES: *Phase and program for construction as part of a dedicated capital improvement budget or as part of a public/private development agreement the extension or establishment of public facilities and services, particularly wastewater systems, to establish adequate levels of capital facilities and services to support Centers; to protect large contiguous areas of productive farmlands and other open spaces; to protect public investments in farmland preservation programs; and to minimize conflicts between Centers and surrounding farms. Encourage private investments and facilitate public/private partnerships to provide*

adequate facilities and services, particularly wastewater systems, in Centers. Make community wastewater treatment a feasible and cost-effective alternative.

INTERGOVERNMENTAL COORDINATION: *Coordinate efforts of various state agencies, county and municipal governments to ensure that state and local policies and programs support rural economic development, agriculture, and the rural character of the area by examining the effects of financial institution lending, government regulation, taxation and other governmental policies and programs.*

3. PA~4B RURAL ~ ENVIRONMENTALLY SENSITIVE PLANNING AREAS⁵³

LAND USE: *Protect natural systems and environmentally sensitive features by guiding development and redevelopment into Centers and establishing Center Boundaries and buffers and greenbelts around these boundaries. Maintain open space networks, critical habitat and large contiguous tracts of land in the Environs by a variety of land use techniques. Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems and protects*

⁵³ State Plan: pp. 218-219





areas where public investments in open space preservation have been made. Development and redevelopment in the Environs should maintain and enhance the natural resources and character of the area.

HOUSING: *Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth. Ensure that housing in general ~ and in particular affordable, senior citizen, special needs and family housing ~ is developed with access to a range of commercial, cultural, educational, recreational, health and transportation services and facilities. Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on environmental resources.*

ECONOMIC DEVELOPMENT: *Support appropriate recreational and natural resource-based activities in the Environs and locate economic development opportunities that are responsive to the needs of the surrounding region and the travel and tourism industry in Centers. Any economic development in the Environs should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on environmental resources.*

TRANSPORTATION: *Maintain and enhance a transportation system that protects the*

Environs from scattered and piecemeal development and links Centers to each other within and between Planning Areas. Encourage alternatives to the single-occupancy vehicle whenever feasible. Accommodate the seasonal demands of travel and tourism that support recreational and natural resource-based activities. In Centers, emphasize the use of public transportation systems and alternatives to private cars where appropriate and feasible and maximize circulation and mobility options throughout.

NATURAL RESOURCE CONSERVATION: *Protect and preserve large, contiguous tracts and corridors of recreation, forest or other open space land that protects natural systems and sensitive natural resources, including endangered species, ground and surface water resources, wetland systems, natural landscapes of exceptional value, critical slope areas, scenic vistas and other significant environmentally sensitive features.*

AGRICULTURE: *Promote agricultural practices that prevent or minimize conflicts with sensitive environmental resources. Guide development to ensure the viability of agriculture and the retention of farmland in agricultural areas. Encourage farmland retention and minimize conflicts between agricultural practices and the location of Centers. Ensure the availability of adequate water resources and large, contiguous tracts of land with minimal land use conflicts. Actively promote more intensive, new-crop agricultural enterprises and meet the*



needs of the agricultural industry for intensive packaging, processing, value-added operations, marketing, exporting and other shipping through development and redevelopment.

RECREATION: *Provide maximum active and passive recreational and tourism opportunities at the neighborhood and local levels by targeting the acquisitions and development of neighborhood and municipal parkland within Centers. Provide regional recreation and tourism opportunities by targeting parkland acquisitions and improvements that enhance large contiguous open space systems. Ensure meaningful access to public lands.*

REDEVELOPMENT: *Encourage environmentally appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers or in ways that support Center-based development to accommodate growth that would otherwise occur in the Environs. Redevelop with intensities sufficient to support transit, a range of uses broad enough to encourage activity beyond the traditional workday, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity and reduce dependency on the automobile to attract growth otherwise planned for the Environs.*

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 ability for a Center to develop or redevelop. Outside Centers, coordinate historic preservation needs with open space preservation efforts. Coordinate historic preservation with tourism efforts.

PUBLIC FACILITIES & SERVICES: *Phase and program for construction as part of a dedicated capital improvement budget or as part of a public/private development agreement the extension or establishment of public facilities and services, particularly wastewater systems, to establish adequate levels of capital facilities and services to support Centers; to protect large contiguous areas of environmentally sensitive features and other open spaces; to protect public investments in open space preservation programs; and to minimize conflicts between Centers and the Environs. Encourage private investments and facilitate public/private partnerships to provide adequate facilities and services, particularly wastewater systems, in Centers. Make community wastewater treatment a feasible and cost-effective alternative.*

INTERGOVERNMENTAL COORDINATION: *Coordinate efforts of state agencies, county and municipal governments to ensure that state and local policies and programs support environmental protection by examining the effects of financial institution lending practices, government regulation, taxation and other governmental policies and programs.*



D. Again, the *Redevelopment Law*⁵⁴ provides that an area may be determined to be In Need of Redevelopment if such a designation is consistent with smart growth planning principals adopted pursuant to law or regulation.

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. 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, or any part thereof, eventually be declared to be In Need of Redevelopment.

As detailed in the Appendix to this Report of Findings, this Preliminary Investigation finds:

- 113 Study Area Lots are located in a PA~2 Suburban Planning Area.
- 3 Study Area Lots are located in both a PA~2 Suburban Planning Area and PA~4 Rural Planning Area.
- 2 Study Area Lots are located in both a PA~2 Suburban Planning Area and PA~4B Rural ~ Environmentally Sensitive Planning Area.
- 1 Study Area Lot is located in a PA~2 Suburban Planning Area, a PA~4 Rural Planning Area and a PA~4B Rural ~ Environmentally Sensitive Planning Area.

⁵⁴ N.J.S.A. 40A:12A-3





Accordingly, 94.96% of the Study Area’s Lots qualify under Redevelopment Criterion ‘h’, and 5.04% of the Study Area’s Lots may qualify under Criterion ‘h’ upon the approval of the NJDCA Commissioner.⁵⁵

Accordingly, the Study Area and the individual Parcels therein conform to the Statutory Criteria for Redevelopment Area designation as follows:

6.9 COMBINED CRITERIA

The analyses detailed in this Report of Findings finds that 96 Study Area Lots (representing 388.07 acres of Land) exhibit conditions which conform to one or more of the Substantive Criteria⁵⁶ required for Redevelopment Area designation.

Accordingly, 80.67% of the Study Area’s Lots, representing 90.26% of the Study Area’s land mass, exhibit conditions which conform to one or more of such Substantive Criteria.

All Study Area Lots conform with Redevelopment Criterion ‘h’ (albeit certain lots may require NJDCA Commissioner approval).

BLOCK	LOT(S)	SUBSTANTIVE CRITERIA							CRITERION ‘h’
		‘a’	‘b’	‘c’	‘d’	‘d- Wetlands / buffers’	‘e’	TOTAL	
1	27							0	√
1	28							0	√
1	29							0	√
1	30	√			√			2	√
1	31	√			√			2	√
1	33				√	√		2	√
1	34				√			1	√
1	35				√			1	√
1	36	√			√			2	√
1	37			√				1	√
1	37.01			√				1	√
1	41					√		1	√
1	42	√			√	√		3	√
1	43				√	√		2	√
1	44 & 45	√			√	√		3	√
1	46 & 47				√	√		2	√
1	48			√				1	√

⁵⁵ §4.1 E. herein.

⁵⁶ For the purposes of this analysis, Substantive Criteria are those which are based on the condition of the Subject Lot (or buildings thereon) (i.e., Criteria ‘a’, ‘b’, ‘c’, ‘d’, ‘e’ & ‘f’). A separate column representing Lots that conform with criterion ‘d’ based on their location within wetlands buffers has also been included in this count.

Criterion ‘a’, ‘b’, ‘c’, ‘d’ and ‘e’ contain multiple components which can be applied to an area or to the individual Lots therein.

Criterion ‘h’ is based on the location of the Lots within the Study Area independent of the condition of the Lot. (Criterion ‘g’ relates to Urban Enterprise Zone designation and is therefore not relevant to these analyses.)



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BLOCK	LOT(S)	SUBSTANTIVE CRITERIA							CRITERION 'h'
		'a'	'b'	'c'	'd'	'd- Wetlands / buffers'	'e'	TOTAL	
1	49 & 50				√	√		2	√
1	51				√	√		2	√
1	52	√			√	√		3	√
1	53					√		1	√
1	56							0	√
1	57.01 & 58.01		√		√	√		3	√
1	62				√	√		2	√
1	63				√	√		2	√
2	1							0	√
2	2 & 3				√			1	√
2	4							0	√
2	7							0	√
2	8				√			1	√
2	9			√				1	√
2	10							0	√
2	11							0	√
2	12	√			√			2	√
2	13		√					1	√
2	14							0	√
2	15.01							0	√
2	15.02							0	√
2	17.01				√			1	√
2	20			√				1	√
8	15.01 & 17							0	√
8	18					√		1	√

BLOCK	LOT(S)	SUBSTANTIVE CRITERIA							CRITERION 'h'
		'a'	'b'	'c'	'd'	'd- Wetlands / buffers'	'e'	TOTAL	
8	19				√			1	√
8	20					√		1	√
8	21				√			1	√
8	22 & 23				√			1	√
8	24				√	√		2	√
8	25				√			1	√
8	26				√			1	√
8	29 & 30	√			√	√		3	√
8	31				√	√		2	√
8	32				√			1	√
8	34	√			√	√		3	√
8	35							0	√
8	36						√	1	√
8	37							0	√
8	38	√			√			2	√
8	38.01							0	√
8	46				√	√		2	√
8	47	√			√			2	√
8	48							0	√
8	72				√	√		2	√
8.03	9.03				√			1	√
21	27.01 & 27.02				√			1	√
26	1.01 & 1.02				√	√		2	√
26	3				√			1	√
26	5				√	√		2	√

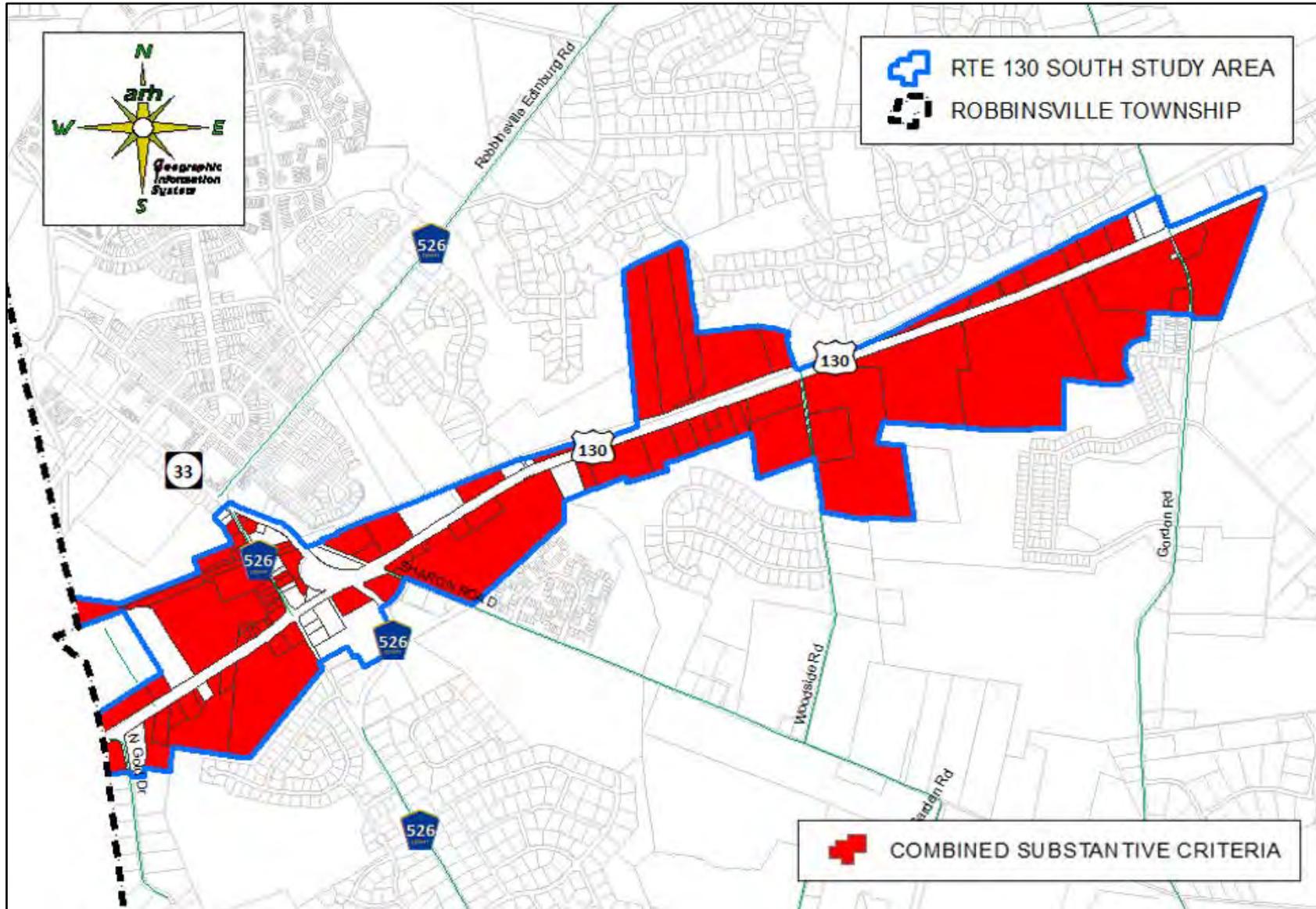




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BLOCK	LOT(S)	SUBSTANTIVE CRITERIA							CRITERION 'h'
		'a'	'b'	'c'	'd'	'd- Wetlands / buffers'	'e'	TOTAL	
26	6.02				√			1	√
26	6.03				√			1	√
26	6.04							0	√
26	9.01			√				1	√
27	1, 2 & 3				√			1	√
27	4	√	√		√			3	√
27	5			√				1	√
27	7				√			1	√
27	8	√	√		√	√		4	√
27	8.01					√		1	√
27	9				√	√		2	√
27	11			√				1	√
27	18					√		1	√
27	19		√		√			2	√
27	20.01					√		1	√
27	21					√		1	√
27	23							0	√
27	25					√		1	√
27	26.01					√		1	√
27	27					√		1	√
28.13	4.01			√				1	√
28.14	1, 59 & 60							0	√
28.14	2 & 3							0	√
28.14	4			√				1	√
29	1.011							0	√

BLOCK	LOT(S)	SUBSTANTIVE CRITERIA							CRITERION 'h'
		'a'	'b'	'c'	'd'	'd- Wetlands / buffers'	'e'	TOTAL	
29	1.19			√				1	√
29	2.39			√				1	√
29	3				√	√		2	√
29	4				√	√		2	√
29	5				√	√		2	√
29	6				√			1	√
29	7							0	√
29	8		√		√	√		3	√
29	9 & 10			√				1	√
29	11	√			√	√		3	√
29	12	√			√			2	√
TOTALS		15	6	22	57	43	1		113





6.10 DEEMED NECESSARY⁵⁷

As detailed in §6.9 of this Report of Findings, 96 Study Area (representing 388.07 acres of Land) exhibit conditions which conform to one or more of the Substantive Criteria⁵⁶ required for Redevelopment Area designation. Conversely, 24 Study Area Lots (representing 42.04 acres of Land) do not exhibit conditions which conform to one or more of the Substantive Criteria required for Redevelopment Area designation.

The *Redevelopment Law* provides that 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.

As depicted on the Combined Substation Criteria map (above), the vast majority of the non-qualifying lots abut or are in direct proximity to qualifying Lots. Attempting to ‘gerrymand’ a Redevelopment Plan around a checkerboard

of “out-parcels” as would exist if such non-qualifying Lots were not included in a designated Redevelopment Area has the very real potential to:

- cause inefficiencies in design and construction for projects within a designated Redevelopment Area;
- create inefficiencies in circulation among and between individual projects within a designated Redevelopment Area and among and between such projects and land uses outside of a designated Redevelopment Area; and
- lead to incompatibilities, inconveniences, and/or conflicts between pre-existing uses and new (Redevelopment Area) uses, site design and building design.

Accordingly, it is hereby recommended that:

- A. To the extent that any such non-qualifying Lot is located such that it is contiguous with or in proximity to Lots found

⁵⁷ N.J.S.A. 40A:12A-3



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to qualify for Redevelopment Area designation, such non-qualifying Lot is necessary, with or without change in its condition, for the effective Redevelopment Planning of the qualifying Lots to which they are contiguous or in proximity.

- B. Should the Planning Board, after careful review of this Report of Findings and public hearing on the matter, determine that one or more Study Area Lots that are recommended herein as qualifying as being In Need of Redevelopment do not qualify for such designation, such non-qualifying Lot is necessary, with or without change in its condition, for the effective Redevelopment Planning of the qualifying Lots to which they are contiguous or in proximity.

LOTS DEEMED NECESSARY FOR INCLUSION	
BLOCK	LOT(s)
1	28, 29, 56
2	4, 7, 10, 11, 14, 15.02
8	15.01, 17, 35, 37, 38.01
8.03	9.03
26	6.04
27	23
28.14	1, 2, 3, 59 & 60.
29	1.011, 7

7.0 FINDINGS, CONCLUSIONS & RECOMMENDATIONS

7.1 FINDINGS

The analyses contained in this Report of Findings conclude that:

- 7.1.1** 54 Study Area Lots (representing 226.23 acres of Land) qualify under 1 Substantive Criterion for Redevelopment Area designation.

Accordingly, 45.34% of the Study Area's Lots, representing 52.62% of the Study Area's land mass, qualifies under 1 Substantive Criterion.

- 7.1.2** 29 Study Area Lots (representing 122.63 acres of Land) qualify under 2 Substantive Criteria for Redevelopment Area designation.

Accordingly, 24.37% of the Study Area's Lots, representing 28.52% of the Study Area's land mass, qualifies under 2 Substantive Criteria.

- 7.1.3** 12 Study Area Lots (representing 37.8 acres of Land) qualify under

3 Substantive Criteria for Redevelopment Area designation.

Accordingly, 10.8% of the Study Area's Lots, representing 8.8% of the Study Area's land mass, qualifies under 3 Substantive Criteria.

- 7.1.4** 1 Study Area Lot (representing 1.38 acres of Land) qualifies under 4 Substantive Criteria for Redevelopment Area designation.

Accordingly, 0.81% of the Study Area's Lots, representing 0.32% of the Study Area's land mass, qualifies under 4 Substantive Criteria.

- 7.1.6** All Study Area Lots qualify under Statutory Criterion 'h' (albeit certain lots may require NJDCA Commissioner approval).



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 substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics; thereby satisfying Statutory **Criterion 'a'** for the identified Lots.
- 7.2.2 A discontinuance of the use of a building or buildings previously used for commercial, retail, offices, manufacturing, or industrial purposes; the abandonment of such building or buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable; thereby satisfying Statutory **Criterion 'b'** for the identified Lots.
- 7.2.3 Land that is owned by the municipality, and unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution authorizing this Preliminary Investigation, and that by reason of its location, lack of means of access, or nature of the soil, is not likely to be developed

through the instrumentality of private capital; thereby satisfying Statutory **Criterion 'c'** for the identified Lots.

- 7.2.4 Areas with buildings or improvements which, by reason of dilapidation, obsolescence, faulty arrangement or design, 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; thereby satisfying Statutory **Criterion 'd'** for the identified Lots.
- 7.2.5 A growing lack or total lack of proper utilization of areas caused by the condition of the title, 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; thereby satisfying Statutory **Criterion 'e'** for the identified Lot.



7.2.6 Lands within a designated Town Center and a PA~2 (Suburban) Planning Area, the Redevelopment of which is consistent with smart growth planning principles adopted pursuant to law or regulation; thereby satisfying Statutory **Criterion ‘h’** for the entire Study Area.

7.2.7 Lands within designated PA~4 (Rural) and PA~4B (Rural Environmentally Sensitive) Planning Areas, the Redevelopment of which, upon approval of the NJDCA Commissioner, is consistent with smart growth planning principles adopted pursuant to law or regulation; thereby satisfying Statutory **Criterion ‘h’** for the identified Lots.

7.2.8 Lands deemed to be necessary, with or without change in their condition, for the effective Redevelopment of the Study Area; thereby satisfying the **Statutory definition of a Redevelopment Area** for the identified Lots.

7.3 RECOMMENDATIONS

The New Jersey *Local Redevelopment & Housing Law* provides that an area may be found to be In Need of Redevelopment if it can be demonstrated that the conditions

within the targeted area conform with **ANY ONE (1) of the eight (8)** Criteria specified in N.J.S.A. 40A:12A-5.

Based on the Findings and Conclusions set forth herein, it is herewith recommended that the Robbinsville Township Planning Board find, and upon such finding recommend to the Robbinsville Township Council, that:

7.3.1 The portion of the Study Area as described herein exhibits conditions which conform with, variously, Criterion ‘a’, Criterion ‘b’, Criterion ‘c’, Criterion ‘d’ and Criterion ‘e’ of the *Local Redevelopment & Housing Law*.

7.3.2 The entire Study Area conforms with Criterion ‘h’ of the *Local Redevelopment & Housing Law* (albeit certain lots may require NJDCA Commissioner approval).

7.3.3 To the extent that an individual Study Area Lot may be found not to conform with the Statutory Criterion required for Redevelopment Area designation, the exclusion of such Lot from any resultant Redevelopment Area would impact the Township’s ability to generate a comprehensive and effective



Redevelopment Plan for the remaining, qualifying lots. Accordingly, the inclusion of such lots, if any, is recommended as necessary, with our without change in its condition, for the effective redevelopment of the Study Area.

7.3.4 Based on the totality of the foregoing, it is herewith recommended that the Robbinsville Planning Board find, and upon such finding recommend to the Robbinsville Township Council, that the Route 130 South Study Area, as depicted herein, be declared to be an Area in Need of Redevelopment in accordance with N.J.S.A. 40A:12A-5 and 6.

7.3.5 Should the Planning Board make such a recommendation, and should the Township Council designate the Route 130 South Study Area, or any part or parts thereof, to be an Area (or Areas) In Need of Redevelopment, it is hereby recommended that the Township Council authorize the preparation of one or more Redevelopment Plan(s) for such lands.



8.0 APPENDIX: LOT-BY-LOT ANALYSIS

8.1 BLOCK 1, LOT 27 (ROUTE 33)

Lot 27 is a 0.04-acre, triangular-shaped vacant lot in common ownership with Block 1, Lot 26, which is not within the designated Study Area.

8.1.1 Substantive Criteria

Lot 27 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

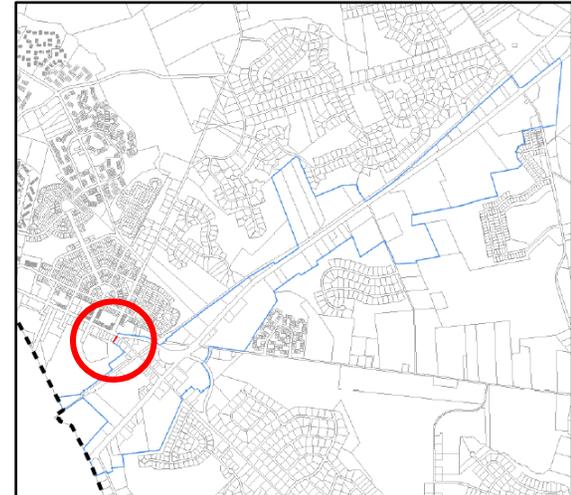
8.1.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 27 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' therefore applies.

8.1.3 Recommendation

Given its lack of conformance with any Substantive Redevelopment Criteria and its relationship to a lot outside of the Study Area, it is recommended that Lot 27 **not be included** in any potential Redevelopment Area.



8.2 BLOCK 1, LOT 28 (2367 ROUTE 33)

Lot 28 is a 0.25-acre vacant lot.

8.2.1 Substantive Criteria

Lot 28 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

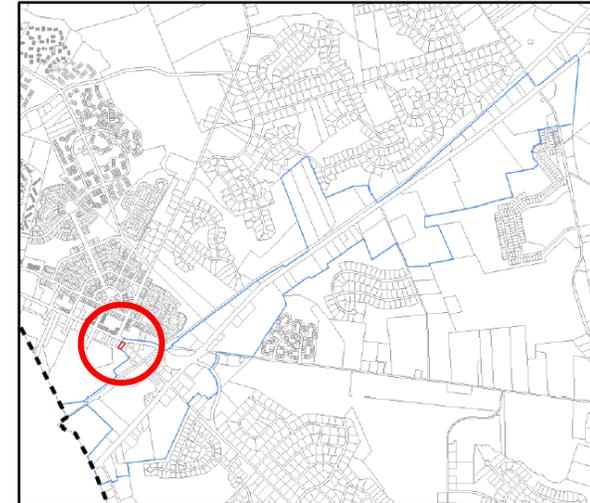
8.2.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 28 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’ therefore applies.

8.2.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 28 be included in any potential Redevelopment Area, it is recommended that **Lot 28 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.3 BLOCK 1, LOT 29 (1 MAIN STREET)

Lot 29 is a 0.27-acre lot containing a renter-occupied single-family home.

8.3.1 Substantive Criteria

Lot 29 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

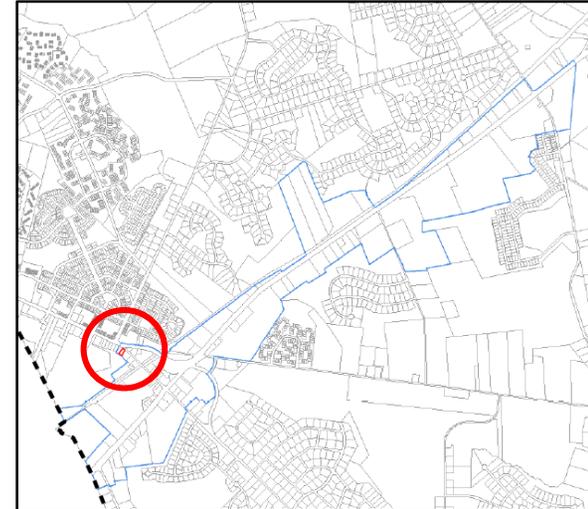
8.3.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 29 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' therefore applies.

8.3.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 29 be included in any potential Redevelopment Area, it is recommended that **Lot 29 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.4 BLOCK 1, LOT 30 (5 MAIN STREET)

Lot 30 is a 0.7-acre Lot containing a multi-family residential structure hosting 4 dwelling units. A dilapidated garage is located at the rear of the property.

8.4.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found the garage to have substandard structural support systems, a deteriorating roof, and deteriorating siding which may lead to water infiltration.

Substandard structural support systems are unsafe and, depending on the nature of the conditions, unsanitary. In addition, water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render the Lot 30 dilapidated and conducive to unwholesome living conditions.

Criterion ‘a’ therefore applies.

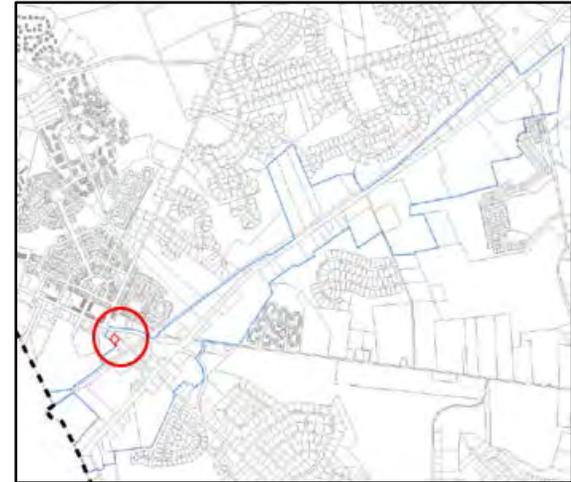
8.4.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, Lot 30 contains a garage that exhibits characteristics of dilapidation which is detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.4.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 30 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' therefore applies.



8.5 BLOCK 1, LOT 31 (7 MAIN STREET)

Lot 31 is a 0.48-acre lot containing a multi-family residential structure hosting 4 rental units.

8.5.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found deteriorated roofing and siding, which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 31 dilapidated and conducive to unwholesome living conditions.

Criterion ‘a’ therefore applies.

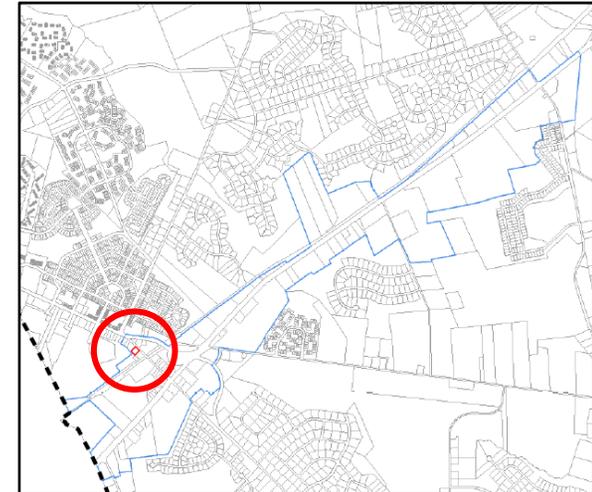
8.5.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, Lot 31 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.5.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 31 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' therefore applies.



8.6 BLOCK 1, LOT 33 (7 MAIN STREET- REAR)

Lot 33 is a 1.76-acre lot which is not visible from public roads but appears from the Township’s tax records to be a commercial establishment with undeveloped land and dense vegetation to the west of the structure.

Lot 33 does not abut a public right-of-way. According to the Township, there is no easement granting access to the Lot from any surrounding property. However, Lot 33 and Lot 31 are in common ownership. Access is therefore provided through Lot 31, which abuts Main Street.

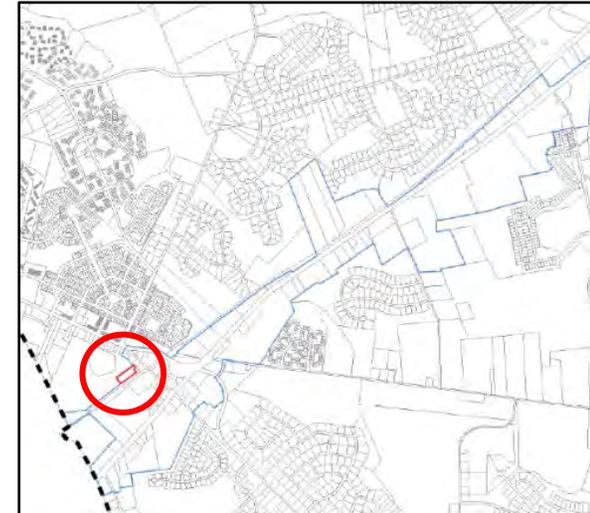
8.6.1 Redevelopment Criterion ‘d’

Pursuant to section 35 of the *Municipal Land Use Law* “No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure”.

Without street frontage, the ability for emergency vehicles to access Lot 33 is limited.

Relying on Lot 31 for access presents a practical restriction on the developability of Lot 33 and severely constrains the ability of current or future owners to transform this property into a productive asset for the community.

While such configurations may have been acceptable in an earlier era, they are no longer considered proper planning or design. Such condition represents a faulty arrangement or design and obsolete layout that is detrimental to the safety, health and welfare of the community.





As detailed in §5.5.1 herein, Lot 33 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.6.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 33 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' therefore applies.

8.7 BLOCK 1, LOT 34 (11 RAILROAD AVE.)

Lot 34 is a 0.22-acre (67'-wide) lot that has no access to a public street. While the improvement is not visible from a public road, the Township's tax records show it to be an owner-occupied single-family home.

8.7.1 Redevelopment Criterion 'd'

Access to Lot 34 is only available from Lot 37, which is a former railroad right-of-way (§8.10 herein).

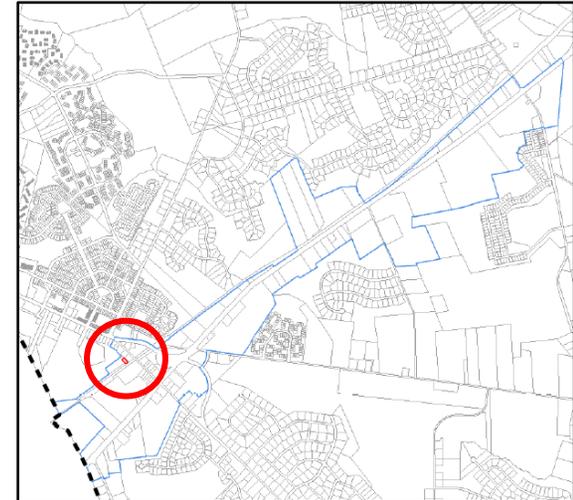
While a single-family home fronting a railroad may have been acceptable when originally platted / constructed, this is no longer the case.

Pursuant to section 35 of the *Municipal Land Use Law* "No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure". Without street frontage, the ability for emergency vehicles to access the dwelling on Lot 34 is limited. Such condition represents a faulty arrangement or design and obsolete layout that is detrimental to the safety of the residents and the health and welfare of the community.

Criterion 'd' therefore applies.

8.7.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 34 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' therefore applies.

8.8 BLOCK 1, LOT 35 (13 RAILROAD AVE)

Lot 35 is a 0.12-acre (15'-wide) lot that is not visible from a public road but appears from the Township's tax records to be an owner-occupied single-family home.

8.8.1 Redevelopment Criterion 'd'

Access to Lot 35 is only available from Lot 37, which is a former railroad right-of-way (§8.10 herein).

While a single-family home on a 15'-wide lot fronting a railroad may have been acceptable when originally platted / constructed, this is no longer the case.

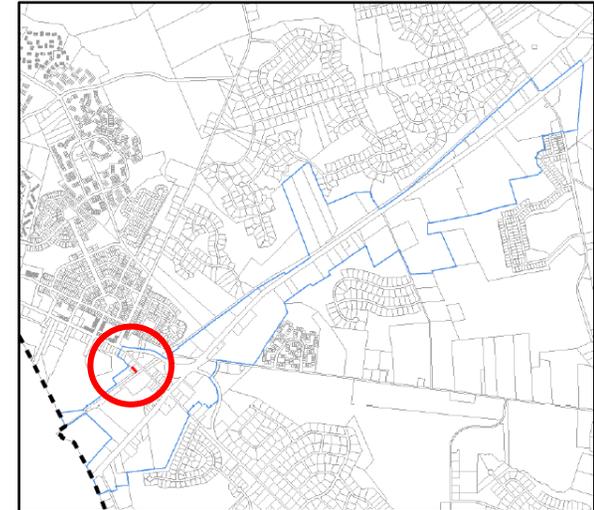
Pursuant to section 35 of the *Municipal Land Use Law* "No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure". Without street frontage, the ability for emergency vehicles to access the dwelling on Lot 35 is limited. Such condition represents a faulty arrangement or design and obsolete layout that is detrimental to the safety of the residents and the health and welfare of the community.

Criterion 'd' therefore applies.

8.8.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 35 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' therefore applies.



8.9 BLOCK 1, LOT 36 (9 MAIN STREET)

Lot 36 is a 0.54-acre lot containing a dilapidated liquor store and associated parking lot.

8.9.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found deteriorated roofing and siding which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 36 dilapidated and conducive to unwholesome working conditions.

Criterion ‘a’ therefore applies.

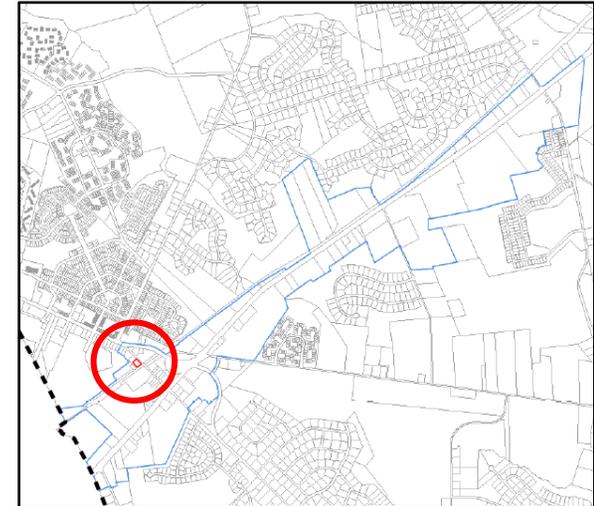
8.9.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein Lot 36 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.9.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 36 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’ therefore applies.



8.10 BLOCK 1, LOT 37 & LOT 37.01 (15 MAIN STREET)

Lot 37 is a 5.15-acre (60'-wide) lot and Lot 37.01 is a 1.6-acre (50'-wide) lot.

Both lots are owned by the United NJ Railroad & Canal Co. and were utilized as the railroad right-of-way. They are listed in the Tax Assessor's database as vacant land. Both lots are located within the 150' wetlands buffer.

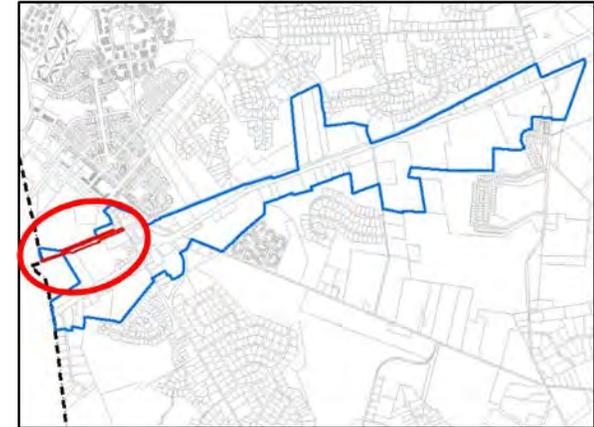
8.10.1 Redevelopment Criterion 'c'

Both lots are undeveloped vacant lands that show no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

Wetlands buffer regulations came into existence in 1988 via the Freshwater Wetlands Protection Act⁵⁸, whereas the railroad dates to the mid-1800s⁵⁹.

The locomotives that used this railroad were once coal-fired steam engines ~ thereby producing soot and other pollutants and leaving contamination in their wake. While an analysis of such contamination is beyond the scope of this Report of Findings, it is likely that the soils in and around the properties contain the remnants of this prior use.

Accordingly, while the *location* of these lots within the wetlands buffer (i.e., *nature of the soils*) may have been acceptable when the railroad was constructed, it would not be permitted today.



Individually, Lots 37 and 37.01 are long, narrow properties that have no reuse value in and of themselves.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming

⁵⁸ N.J.A.C. 7:7A-1.1

⁵⁹ 2020 Comprehensive Master Plan Update & Land Use Plan Amendment Robbinsville Township, Mercer County, N.J., Prepared by ARH Associates (approved June 2020). §3.1.3.



to current stormwater management regulations, a 111' wide, 2-lot parcel with limited roadway access is not likely to attract the type of project that would be considered attractive to the development community.

The foregoing conditions renders Lots 37 and 37.01 unlikely to be developed through the instrumentality of private capital.

Criterion 'c' therefore applies.

8.10.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lots 37 and 37.01 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' therefore applies.

8.11 BLOCK 1, LOT 41 (17 MAIN STREET)

Lot 41 is a 3.71-acre lot containing a newly constructed shopping center.⁶⁰ The lot is located within the 150' wetlands buffer.

8.11.1 Redevelopment Criterion 'd'

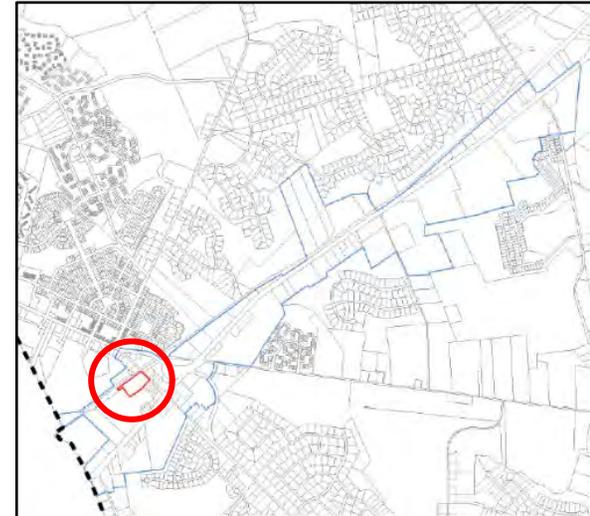
As detailed in §5.5.1 herein, Lot 41 is located within the 150' wetlands buffer. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition represents a faulty design that is detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.11.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 41 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' therefore applies.



⁶⁰ Photograph does not depict current conditions.

8.12 BLOCK 1, LOT 42 (23 MAIN STREET)

Lot 42 is a 0.43-acre lot, containing the Robbinsville Food Market, and a portion of this lot is located within the 150' wetlands buffer.

8.12.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis found cracked exterior masonry which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 42 dilapidated and conducive to unwholesome working conditions.

Criterion 'a' therefore applies.

8.12.2 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 42 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 18,861 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.



As demonstrated under Criterion ‘a’ herein, Lot 42 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.12.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 42 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’ therefore applies.



8.13 BLOCK 1, LOT 43 (27 ROBBINSVILLE-AlLENTOWN ROAD)

Lot 43 is a 0.29-acre lot containing a renter-occupied residential duplex structure.

8.13.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 43 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

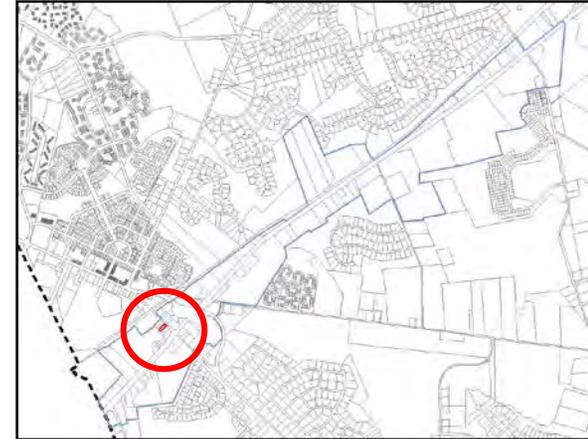
Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 12,853 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.

8.13.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 43 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' therefore applies.



8.14 BLOCK 1, LOTS 44 & 45 (1118 ROUTE 130)

This combined Parcel is a 0.9-acre parcel consisting of 2 lots with an active gas station and convenience store, located partially in the 150' wetlands buffer.

8.14.1 Redevelopment Criterion 'a'

The combined Parcel has been found to be environmentally contaminated, which is unsafe and unsanitary for living or working conditions.

Criterion 'a' therefore applies.

8.14.2 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lots 44 & 45 are located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Environmental contamination in a wetlands buffer represents a potential detriment to the safety, health, and welfare of the community.

Criterion 'd' therefore applies.

8.14.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lots 44 and 45 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' therefore applies.

8.15 BLOCK 1, LOTS 46 & 47 (11116 ROUTE 130)

This combined Parcel is a 0.41-acre property consisting of 2 lots containing a veterinarian office. Heavy vegetation exists towards the south west side of the lot.

8.15.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lots 46 & 47 are located within the 150’ wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 17,523 s.f. multi-lot parcel is not likely to attract the type of project that would be considered attractive to the development community.

Criterion ‘d’ therefore applies.

8.15.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 46 and 47 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’ therefore applies.



8.16 BLOCK 1, LOT 48 (1112 ROUTE 130)

Lot 48 is a 0.15-acre, (55'-wide), undeveloped, wooded lot located within the 150' wetlands buffer. A small portion of this lot appears to have a paved entry drive, suggesting that a structure was once located thereon.

8.16.1 Redevelopment Criterion 'c'

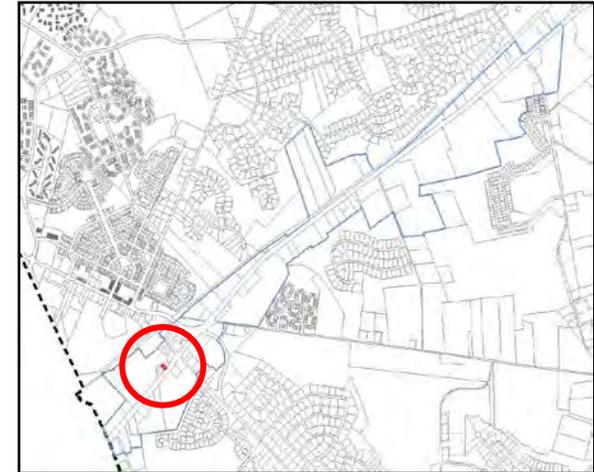
Lot 48 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 48 is located within the 150' wetlands buffer. While the site-specific 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 represents a concern of the nature of the soil which may make this lot less likely to be developed through the instrumentality of private capital.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 55'-wide lot is not likely to attract the type of project that would be considered attractive to the development community.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 48 is not likely to be developed solely through the instrumentality of private capital.

Criterion 'c' therefore applies.





8.16.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 48 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' therefore applies.

8.17 BLOCK 1, LOTS 49 & 50 (1110 ROUTE 130)

This combined Parcel is a 0.46-acre property that consists of 2 lots. Lot 49 is a 56'-wide lot that contains what appears to be a residential duplex structure with one unit being owner-occupied. Lot 50 appears to be the Rear Yard to Lot 49. Both lots are located within the 150' wetlands buffer.

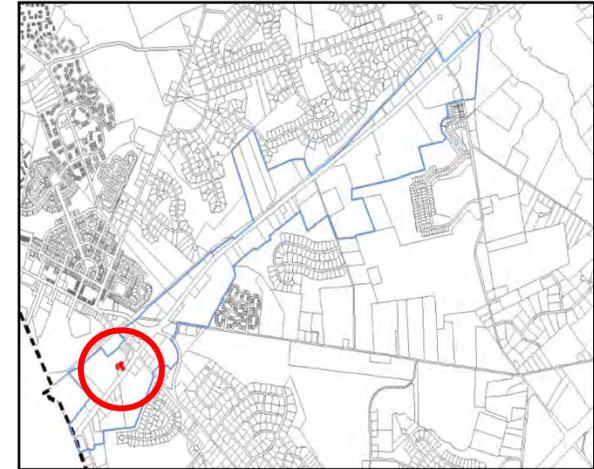
8.17.1 Redevelopment Criterion 'd'

The front porch of the Lot 49 structure is located at the Route 130 property line. As such, individuals exiting the house will step right onto the Route 130 right-of-way. With no sidewalk to protect pedestrians, the configuration represents a faulty arrangement or design that is detrimental to the safety, health, and welfare of the residents of the lot as well as drivers motoring south bound on Route 130 traffic.

As detailed in §5.5.1 herein, Lots 49 & 50 are located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, an irregularly-shaped lot with 56' of Route frontage is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.



8.17.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lots 49 and 50 are 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' therefore applies.



8.18 BLOCK 1, LOT 51 (1108 ROUTE 130)

Lot 51 is a 0.19-acre (60'-wide) lot containing what appears to be a residential duplex structure with one unit being owner-occupied. The lot is located within the 150' wetlands buffer. There are storage units in the Rear Yard.

8.18.1 Redevelopment Criterion 'd'

The front porch of the Lot 51 structure is located at the Route 130 property line. As such, individuals exiting the house will step right onto the Route 130 right-of-way. With no sidewalk to protect pedestrians, the configuration represents a faulty arrangement or design that is detrimental to the safety, health, and welfare of the residents of the lot as well as drivers motoring south bound on Route 130 traffic.

As detailed in §5.5.1 herein, Lot 51 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Given the site plan realities of developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 60'-wide lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.





8.18.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 51 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' therefore applies.

8.19 BLOCK 1, LOT 52 (1106 ROUTE 130)

Lot 52 is a 0.29-acre, irregularly-shaped lot located within the 150' wetlands buffer. The Township's tax records indicate that the lot contains an owner-occupied single-family home. There is vegetation toward the north side of the property.

While Lot 52 is 145'-wide along Route 130, it tapers to 40' in width at the rear of the parcel.

8.19.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis found this building to be overgrown with vegetation and to have a deteriorating roof which may lead to water infiltration.

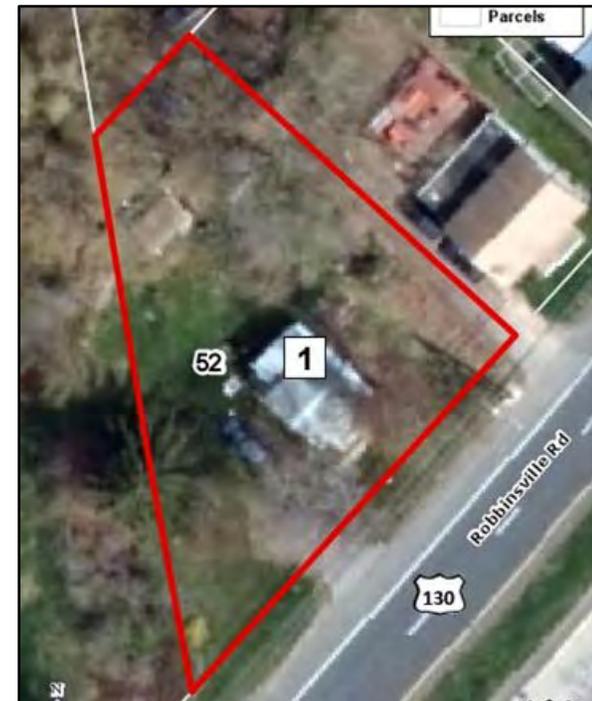
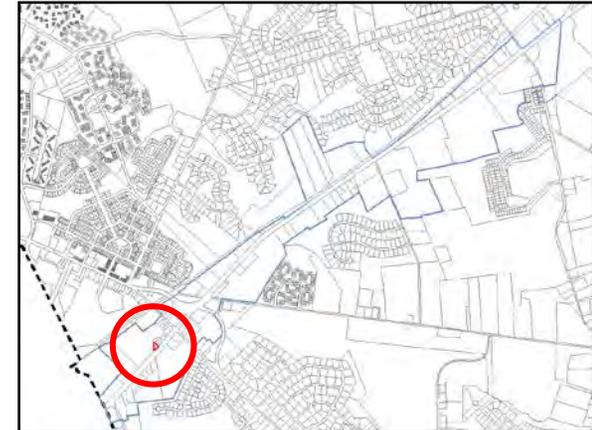
Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 52 dilapidated.

Criterion 'a' therefore applies.

8.19.2 Redevelopment Criterion 'd'

The building appears to be dilapidated and obsolescent to a point of being detrimental to the safety and welfare of the community. Examples of these features include vines growing over the front porch and deteriorating roofing.

As detailed in §5.5.1 herein, Lot 52 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.



Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 12,519 s.f. irregularly-shaped lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.

8.19.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 52 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' therefore applies.



8.20 BLOCK 1, LOT 53 (1100 ROUTE 130)

Lot 53 is a 18.2-acre lot, containing wetlands, housing a light industrial plaza and associated parking.

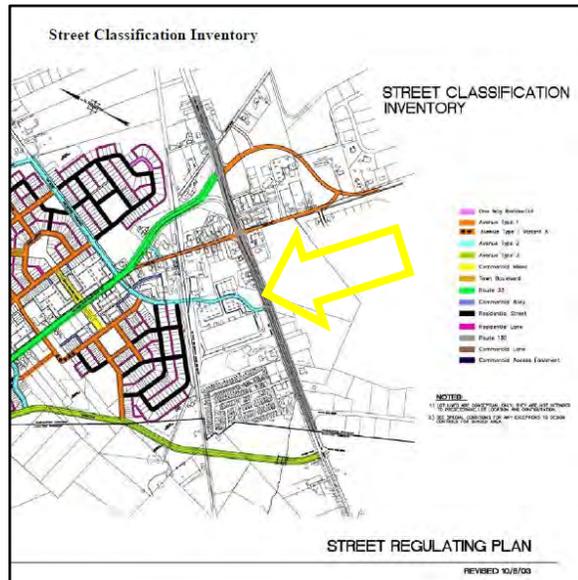
The Street Regulating Plan within the Washington Town Center Plan includes the concept of a connector linking Route 33 and Liberty Street with Route 130.⁶¹

This concept was operationalized as part of the approvals granted for the development of Lot 53 (see curvilinear travelway on the aerial photograph at right) and as the Route 33 / 130 Connector as part of the Town Center South Redevelopment Plan.⁶²



⁶¹ On file with the Township Clerk.

⁶² Redevelopment Plan §8.1.5 A.(on file with the Township Clerk) (map excerpted).



8.20.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 53 contains wetlands. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

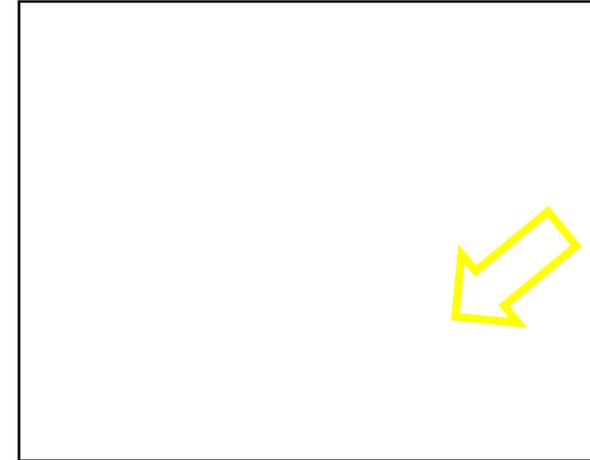
8.20.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 53 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’ therefore applies.

8.20.3 Recommendation

It is recommended that Lot 53 ***be included*** in any potential Redevelopment Area in order to properly plan for the Route 33 / 130 Connector.



8.21 BLOCK 1, LOT 56 (1098 ROUTE 130)

Lot 56 is a 7.17-acre lot containing a storage facility.

8.21.1 Substantive Criteria

Lot 56 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.21.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 56 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’ therefore applies.

8.21.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 56 be included in any potential Redevelopment Area, it is recommended that **Lot 56 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.22 BLOCK 1, LOT 57.01 & 58.01 (1092-1094 ROUTE 130)

This combined Parcel is a 4.86-acre multi-lot parcel, with mutual ownership, that contains a parking lot with 2 vacant buildings. The parcel’s Route 130 frontage is paved, while the rear is undeveloped. Lot 58.01 contains wetlands and is densely vegetated along the southern side.

8.22.1 Redevelopment Criterion ‘b’

The combined Parcel houses a building that was formerly the Robbinsville Sign Shop but is currently vacant, as well as a second building which, at the time of Publication of this Report of Findings, advertised a commercial space available for sale.

Criterion ‘b’ therefore applies.

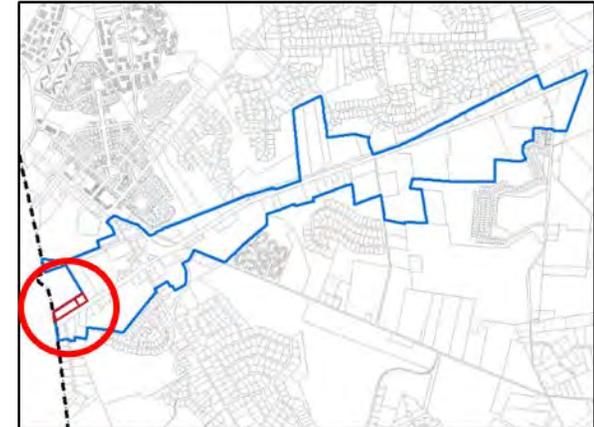
8.22.2 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 58.01 contains wetlands. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

The pavement on Lot 57.01 is dilapidated and unmaintained, with several cracks and weeds growing throughout.

An unmaintained parking lot along Route 130 can be considered a deleterious land use and faulty arrangement and design.

By contributing nothing to the public sector in terms of sales



tax revenue, supporting no jobs and contributing nothing to the economic vitality of the business district along Rt 130, the combined Parcel represents a lack of proper utilization and a lost opportunity (and therefore a detriment) to the morals

and welfare of the community.

The Mercer Mobile Home Park, located to the north of Lots 57.01 and 58.01, was once owned by the owners of the combined Parcel

The Township acquired the Mobile Home Park with the intention of upgrading (redeveloping) the facility as means to satisfy Robbinsville’s Affordable Housing Obligation⁶³.

There is no public right-of-way providing access to the Mobile Home Park. When collectively owned, access was made **through** Lots 57.01 and 58.01. With the separation of owners, there is currently no access to the mobile home park.

Such lack of access represents a faulty arrangement causing a potential detriment to the safety of the community.

Criterion ‘d’ therefore applies.

8.22.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 57.01 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’ therefore applies.



⁶³ 2020 Comprehensive Master Plan Update & Land Use Plan Amendment Robbinsville Township, Mercer County, N.J., Prepared by ARH Associates (approved June 2020). §6.5.16 D.

8.23 BLOCK 1, LOT 62 (69 BRITTON LANE)

Lot 62 is a 1.5-acre Lot that is not visible from any public road. The Township’s Tax Assessor’s records indicates that the property contains an owner-occupied single-family home. The lot has a field of dense vegetation to the west of the house and is partially located within the 150’ wetlands buffer.

8.23.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 62 is located within the 150’ wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

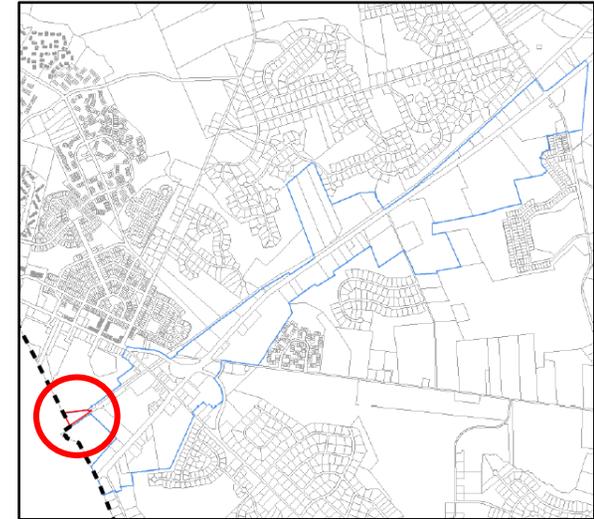
The only access to this lot appears to be through Railroad Ave, a right-of-way that is currently owned by the Railroad. The lack of a public right-of-way leading to this lot represents faulty design.

Criterion ‘d’ therefore applies.

8.23.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 62 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’ therefore applies.



8.24 BLOCK 1, LOT 63 (25 ROBBINSVILLE-AlLENTOWN ROAD)

Lot 63 is a 0.31-acre (21'-wide) lot containing a residential duplex located within the 150' wetlands buffer.

8.24.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 63 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 21'-wide lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.

8.24.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 63 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' therefore applies.



8.25 BLOCK 2, LOT 1 (2369 ROUTE 33)

Lot 1 is a 0.04-acre public park at the intersection of Route 33 and Main Street.

8.25.1 Substantive Criteria

Lot 1 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

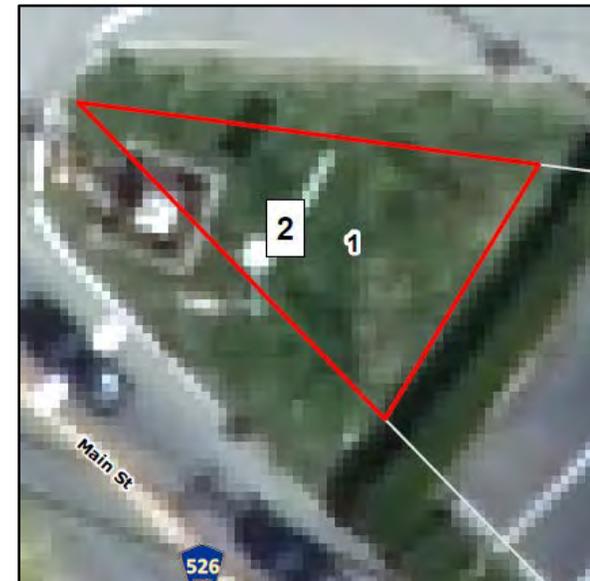
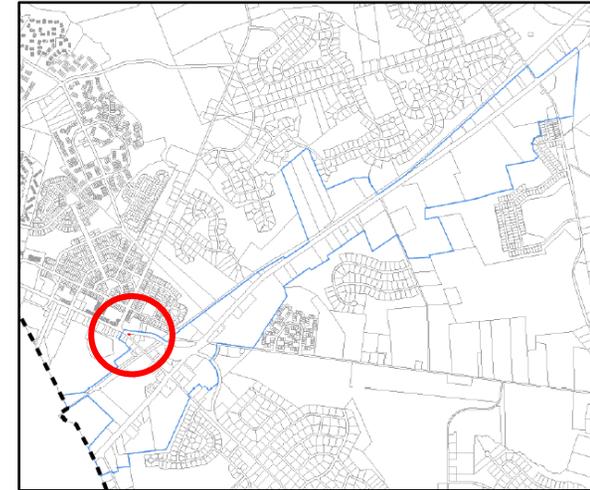
8.25.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 1 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' therefore applies.

8.25.3 Recommendation

Given its lack of conformance with any Substantive Redevelopment Criteria and the public nature of this property, it is recommended that Lot 1 ***not be included*** in any potential Redevelopment Area.



8.26 BLOCK 2, LOTS 2 & 3 (2371 – 2373 ROUTE 33)

Lot 2 is a 0.18-acre Lot containing a Santander Bank. Lot 3 is the 0.52-acre parking lot for the Bank. Lot 3 been found to contain contamination.

8.26.2 Redevelopment Criterion ‘d’

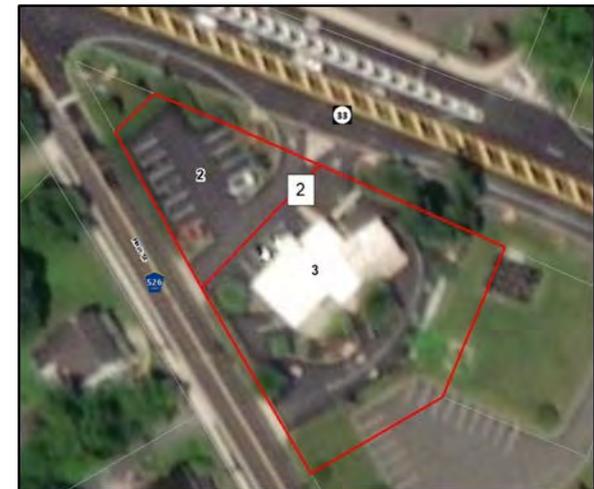
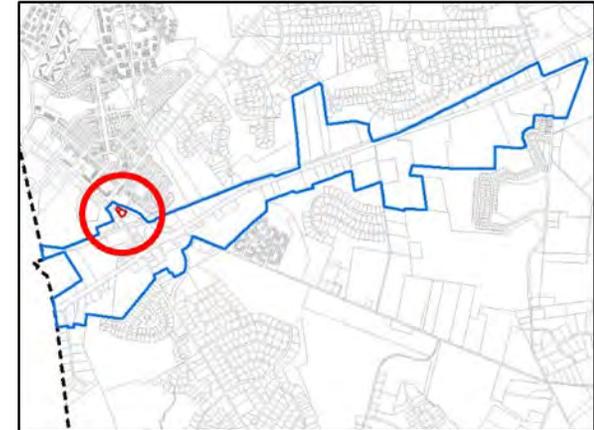
Environmental contamination has been identified on this Lot, which is detrimental to the health of the community.

Criterion ‘d’ therefore applies.

8.26.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 2 and 3 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’ therefore applies.



8.27 BLOCK 2, LOT 4 (2375 ROUTE 33)

Lot 4 is a 0.23-acre Lot that was previously a single-family home. The structure was demolished sometime between 2015 and 2017. The Lot is currently vacant.

8.27.1 Substantive Criteria

Lot 4 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.27.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 4 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' therefore applies.

8.27.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 4 be included in any potential Redevelopment Area, it is recommended that **Lot 4 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.28 BLOCK 2, LOT 7 (12 MAIN STREET)

Lot 7 is a 1.58-acre Lot containing a Wells Fargo Bank and associated parking.

8.28.1 Substantive Criteria

Lot 7 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

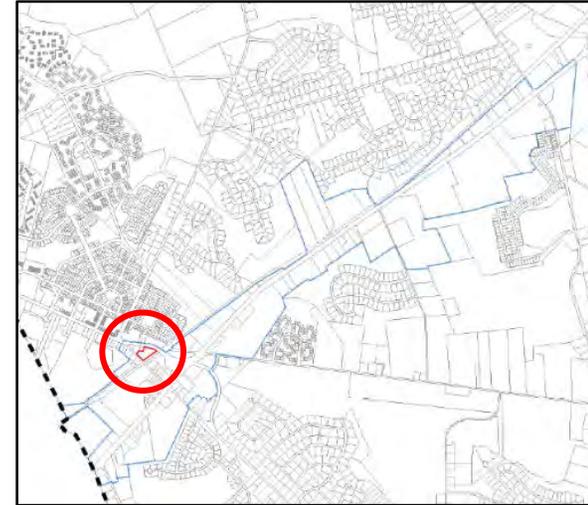
8.28.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 7 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' therefore applies.

8.28.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 7 be included in any potential Redevelopment Area, it is recommended that **Lot 7 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.29 BLOCK 2, LOT 8 (14 MAIN STREET)

Lot 8 is a 0.52-acre (60'-wide) Lot containing an office building and associated parking.

8.29.1 Redevelopment Criterion 'd'

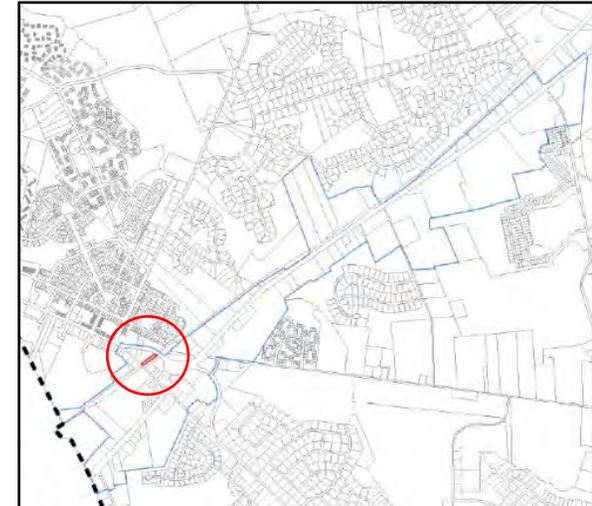
Lot 8 appears to be a vacated portion of the United NJ Railroad & Canal Co. right-of-way that has since been developed. While the development on Lot 8 may have been acceptable at one time, this is no longer the case. The ability for emergency vehicles to navigate such a narrow lot with limited circulation around the bounding represents a faulty arrangement or design and obsolete layout that is detrimental to the safety, health and welfare of the community.

Criterion 'd' therefore applies.

8.29.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 8 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' therefore applies.



8.30 Block 2, Lot 9 (Main Street)

Lot 9 is 0.72-acre (60'-wide) Lot that is undeveloped and densely vegetated.

8.30.1 Redevelopment Criterion 'c'

Lot 8 appears to be a vacated portion of the United NJ Railroad & Canal Co. right-of-way that represents undeveloped vacant land that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 60'-wide lot is not likely to attract the type of project that would be considered attractive to the development community.

Further, Lot 9 has no curb cut or other forms of access to either Main Street or County Route 526. Rather than permitting an independent accessway to this narrow lot, it is likely that the County would require some form of joint accessway with a neighboring lot. The flexibility required to make Lot 9 readily developable would likely be aided by a Redevelopment Plan.

Criterion 'c' therefore applies.

8.30.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 9 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' therefore applies.

8.31 BLOCK 2, LOT 10 (18 MAIN STREET)

Lot 10 is a 0.66-acre lot containing commercial building that houses multiple offices.

8.31.1 Substantive Criteria

Lot 10 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.31.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 10 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' therefore applies.

8.31.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 10 be included in any potential Redevelopment Area, it is recommended that ***Lot 10 be included*** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.32 BLOCK 2, LOT 11 (20 MAIN STREET)

Lot 11 is a 0.19-acre lot with a building used for offices.

8.32.1 Substantive Criteria

Lot 11 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.32.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 11 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’ therefore applies.

8.32.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 11 be included in any potential Redevelopment Area, it is recommended that **Lot 11 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.33 BLOCK 2, LOT 12 (22 MAIN STREET)

Lot 12 is a 0.26-acre lot, housing a Place of Worship and associated parking.

8.33.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis found deteriorating roofing and siding and cracked exterior masonry which may lead to water infiltration.

Deteriorating roofing and siding are unsafe and, depending on the nature of the conditions, unsanitary. In addition, water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 12 dilapidated.

Criterion 'a' therefore applies.

8.33.2 Redevelopment Criterion 'd'

As demonstrated under Criterion 'a' herein, Lot 12 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.33.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 12 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' therefore applies.



8.34 BLOCK 2, LOT 13 (24 MAIN STREET)

Lot 13 is a 0.39-acre lot housing a building which was formerly a salon (currently listed for sale) and associated parking.

8.34.1 Redevelopment Criterion ‘b’

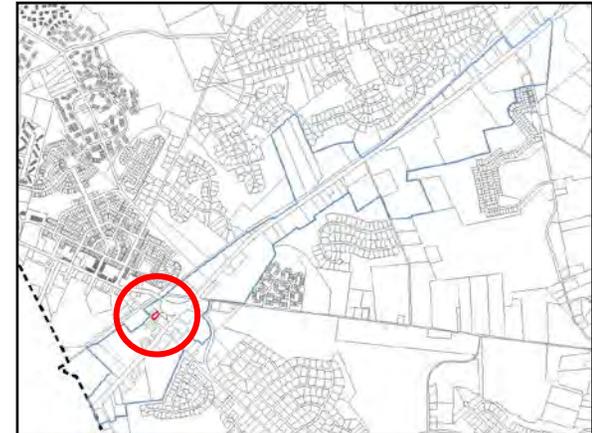
Lot 13 hosts a vacant building whose last identified use, a salon, was commercial in nature.

Criterion ‘b’ therefore applies.

8.34.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 13 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’ therefore applies.



8.35 BLOCK 2, LOT 14 (26 MAIN STREET)

Lot 14 is a 0.28-acre lot, housing 2 professional offices.

8.35.1 Substantive Criteria

Lot 14 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

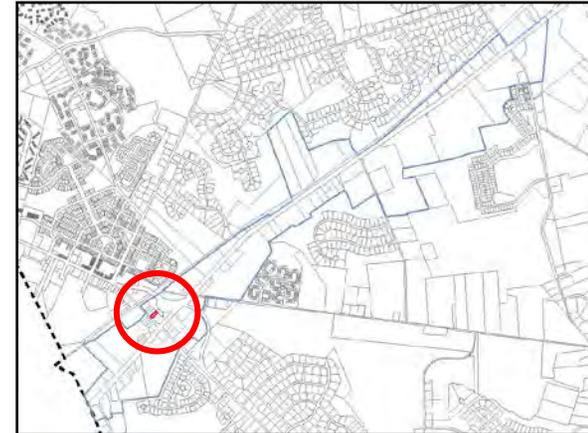
8.35.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 14 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’ therefore applies.

8.35.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 14 be included in any potential Redevelopment Area, it is recommended that **Lot 14 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.36 BLOCK 2, LOT 15.01 (26 MAIN STREET)

Lot 15.01 is a 1.04-acre Lot housing a relatively new Taco Bell with a drive through and parking lot.

8.36.1 Substantive Criteria

Lot 15.01 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

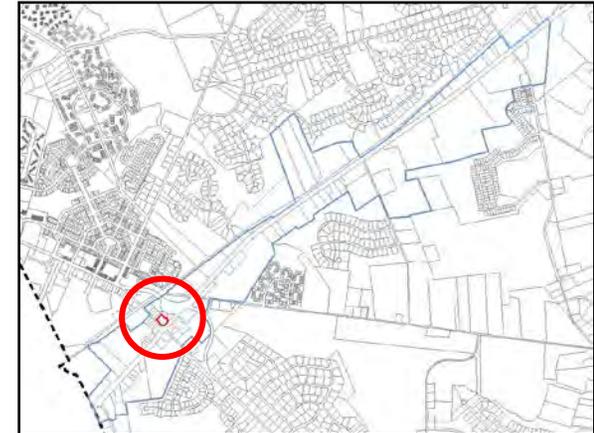
8.36.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 15.01 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' therefore applies.

8.36.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 15.01 be included in any potential Redevelopment Area, it is recommended that **Lot 15.01 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.37 BLOCK 2, LOT 15.02 (ROUTE 130)

Lot 15.02 is a 0.43-acre, Township-owned Lot that appears to be the remaining land after construction of the Route 33 Bypass and jog-handle. The Lot has been constructed as an alternative accessway for Lots 15.01 (§8.36 herein) and 17.01 (§8.38 herein)

8.37.1 Substantive Criteria

Lot 15.02 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

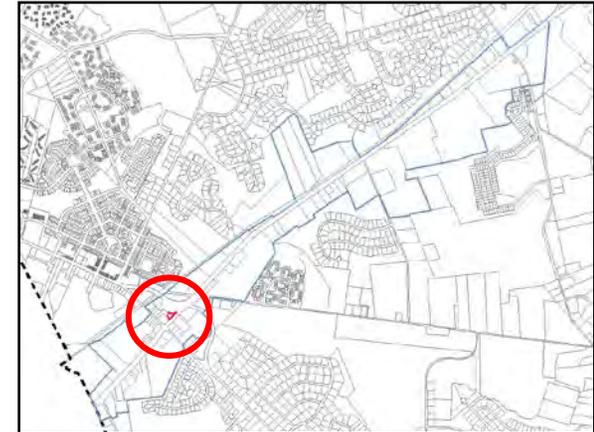
8.37.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 15.02 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’ therefore applies.

8.37.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 15.02 be included in any potential Redevelopment Area, it is recommended that **Lot 15.02 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.38 BLOCK 2, LOT 17.01 (1120 ROUTE 130)

Lot 17.01 is a 0.42-acre Lot that appears to be the remaining land after construction of the Route 33 Bypass and jug-handle. This lot shares a common ownership with Block 2 Lot 13 (§8.34 herein). The Lot contains a poorly paved, overgrown parking lot and a dilapidated shed.

8.38.1 Redevelopment Criterion ‘d’

An old, unutilized, unmaintained parking lot in the Town Center can be considered a deleterious land use and faulty arrangement and design.

The Site inspection conducted for this Redevelopment Analysis shows a shed which is extremely overgrown, with deteriorating roofing and siding.

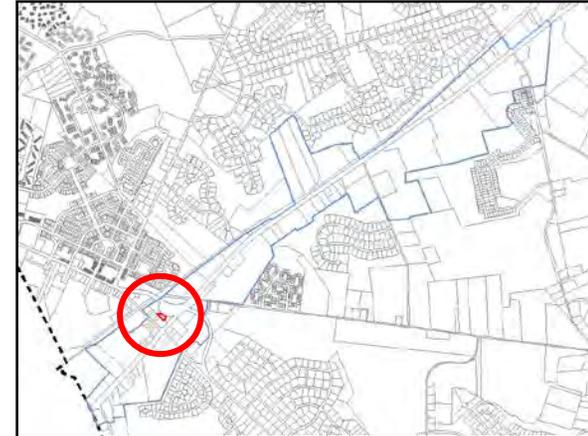
The lack of direct access to Lot 17.01 represents a faulty arrangement and design resulting in the underutilization of the lot.

By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of the Township, Lot 17.01 represents a lack of proper utilization of lands and a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.38.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 17.01 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' therefore applies.

REPORT OF FINDINGS
NON-CONDEMNATION
PRELIMINARY REDEVELOPMENT INVESTIGATION
ROUTE 130 SOUTH STUDY AREA
ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NEW JERSEY



8.39 BLOCK 2, LOT 20 (18 ROBBINSVILLE-AlLENTOWN ROAD)

Lot 20 is a 1.25-acre lot that appears to be the remaining land after construction of the Route 33 Bypass and jug-handle.

The lot is vacant and overgrown with heavy vegetation. This lot shares a common ownership with Block 2 Lot 10.

8.39.1 Redevelopment Criterion ‘c’

Lot 20 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

The lot is entirely landlocked, with no means of access to Route 130. NJDOT will not permit access to this lot from the adjacent jug-handle, making this lot undevelopable on its own.

Accordingly, absent this Redevelopment process whereby the Lot could be replanned within the context of a larger Redevelopment Area, Lot 20 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.39.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. 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; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.

Criterion ‘h’ therefore applies.



8.40 BLOCK 8, LOT 15.01 & 17 (1216-1220 ROUTE 130)

This combined Parcel (recently consolidated into Lot 15.02 for a proposed WaWa convenience store ~ under construction at Publication) is a 3.15-acre, multi-lot parcel located at the corner of Meadowbrook Road and Route 130 within the 150' wetlands buffer. When this Preliminary Investigation was authorized, Lot 15.01 contained a vacant commercial building, since that time, said building has been demolished⁶⁰.

Contamination has been identified on site.

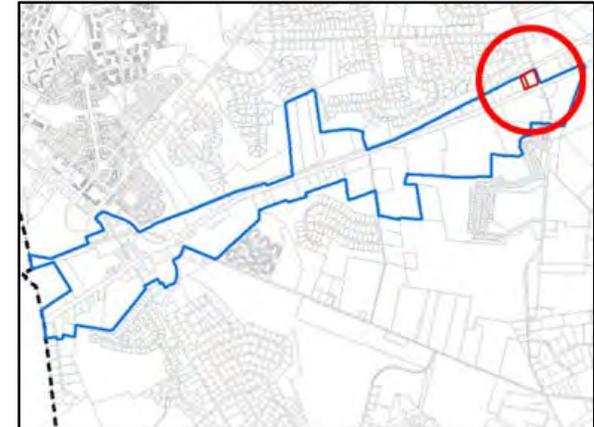
8.40.1 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 15.01 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' therefore applies.

8.40.2 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 15.02 be included in any potential Redevelopment Area, it is recommended that **Lot 15.02 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.41 BLOCK 8, LOT 18 (1214 ROUTE 130)

Lot 18 is a 2.31-acre Lot containing a camping center retail outlet with yard storage for recreational vehicles. The lot is located in the 150' wetlands buffer.

8.41.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 18 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community. This proximity to wetlands is particularly concerning due to the large amounts of RVs parked on the property, specifically on grass or other pervious surfaces, which could lead to fluids from the vehicles seeping into the groundwater.

Criterion 'd' therefore applies.

8.41.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 18 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' therefore applies.



8.42 BLOCK 8, LOT 19 (1212 ROUTE 130)

Lot 19 is a 2.52-acre, undeveloped, densely vegetated lot which contains a significant amount of wetlands.

8.42.1 Redevelopment Criterion ‘c’

Lot 19 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 19 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

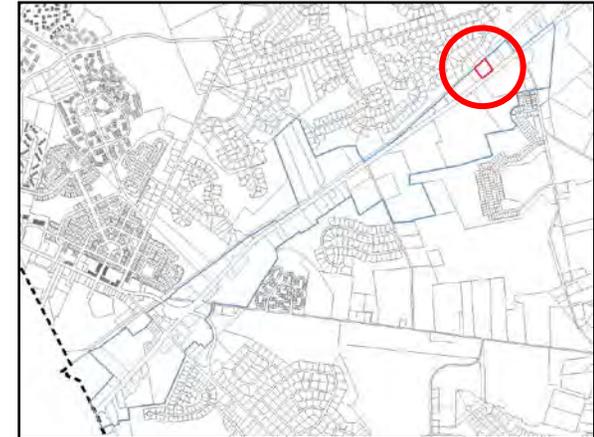
Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 19 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.42.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 19 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’ therefore applies.



8.43 BLOCK 8, LOT 20 (1210 ROUTE 130)

Lot 20 is a 1.38-acre lot containing the Oakwood motel, the condition of which cannot be determined from street view due to the dense vegetation which limits visibility. A review of Township records finds no indication of code violations. This lot is located within the 150’ wetlands buffer.

8.43.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 20 is located within the 150’ wetlands buffer. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.43.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. 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; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.

Criterion ‘h’ therefore applies.



8.44 BLOCK 8, LOT 21 (1206 ROUTE 130)

Lot 21 is a 3.4-acre, undeveloped lot containing wetlands.

8.44.1 Redevelopment Criterion ‘c’

Lot 21 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 21 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

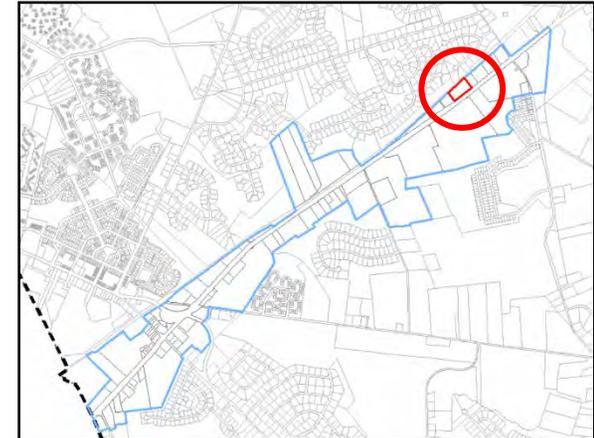
Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 21 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.44.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 21 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’ therefore applies.



8.45 BLOCK 8, LOTS 22 & 23 (1202-1204 ROUTE 130)

This combined Parcel is 1.7 acre, 2-lot, undeveloped parcel.

8.45.1 Redevelopment Criterion ‘c’

Lots 22 and 23 are undeveloped vacant land that show no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 71,945 s.f. property is not likely to attract the type of project that would be considered attractive to the development community.

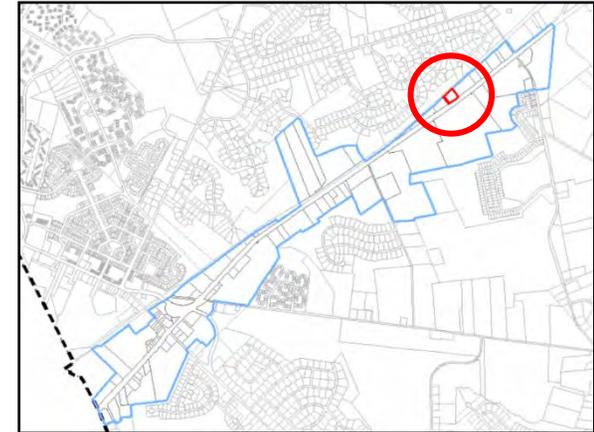
Accordingly, absent this Redevelopment process whereby the lots could be replanned within the context of a larger Redevelopment Area, the property is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.45.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 22 and 23 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’ therefore applies.



8.46 BLOCK 8, LOT 24 (1200 ROUTE 130)

Lot 24 is a 1.65-acre Lot which contains wetlands. The Lot houses a professional office building.

8.46.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot contains wetlands. While the site-specific 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 represents a faulty design that is detrimental to the health and safety of the community.

A large amount of land to the west and north of the building is vacant and therefore unproductive. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, these lands represent a lack of proper utilization which is a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.46.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 24 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’ therefore applies.



8.47 BLOCK 8, LOT 25 (1200 ROUTE 130)

Lot 25 is a 2.16-acre, irregularly-shaped, densely vegetated and undeveloped lot containing wetlands. An existing billboard on the property is considered de-minimis for the purposes of this investigation.

While the Lot is 175' deep along its northern edge, it tapers to approximately 75' at its southern edge.

8.47.1 Redevelopment Criterion 'c'

At 150 s.f., the existing billboard located along the Route 130 frontage of this property represents 0.16% of Lot 25's land mass. As a practical matter, the lot is therefore considered vacant land.

(Aside from the billboard) Lot 25 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 25 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, Lot 25's irregular and shallow shape is not likely to attract the





type of project that would be considered attractive to the development community.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 25 is not likely to be developed solely through the instrumentality of private capital.

Criterion 'c' therefore applies.

8.47.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 25 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' therefore applies.

8.48 BLOCK 8, LOT 26 (1196 ROUTE 130)

Lot 26 is a 0.54-acre, irregularly-shaped, densely vegetated and undeveloped lot located within the 150’ wetlands buffer. An existing billboard on the property is considered de-minimis for the purposes of this investigation.

The Lot is 75’ deep along its northern edge and tapers to 0’ at its southern edge.

8.48.1 Redevelopment Criterion ‘c’

Lot 26 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 26 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, Lot 26’s irregular and shallow shape is not likely to attract the type of project that would be considered attractive to the development community.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 26 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.





8.48.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 26 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' therefore applies.

8.49 BLOCK 8, LOTS 29 & 30 (1176-1180 ROUTE 130)

Lot 29 is a 12.04-acre parcel containing a shipping company and attendant parking located within the 150' wetlands buffer.

Lot 30 is a 7.7-acre parcel that appears to support the shipping company, with dense vegetation to the rear. This lot contains wetlands and has been found to contain contamination.

8.49.1 Redevelopment Criterion 'a'

Lot 30 has been found to have environmental contamination, which is unsafe and unsanitary to a point of being unwholesome for working conditions.

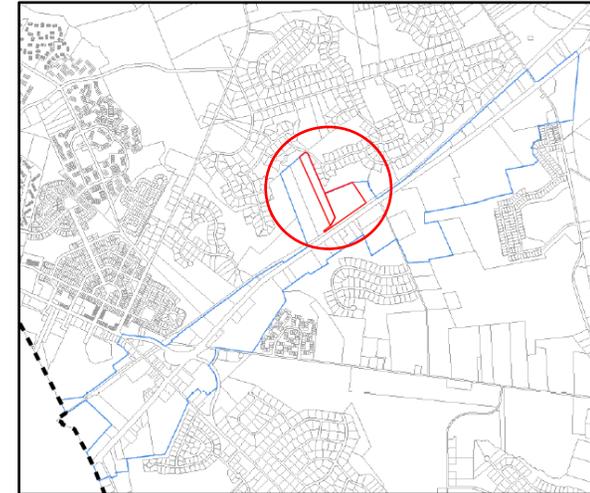
The Site inspection conducted for this Redevelopment Analysis found the property to be overgrown with vegetation, to have cracked exterior masonry which may lead to water infiltration, and to be obsolete.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render the property dilapidated.

Criterion 'a' therefore applies.

8.49.2 Redevelopment Criterion 'd'

Lot 30 has been found to have environmental contamination, which is detrimental to the health and safety of the community.



As demonstrated under Criterion ‘a’ herein, the combined Parcel contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

As detailed in §5.5.1 herein, Lot 30 contains wetlands. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such conditions represent a faulty design that may be detrimental to the health and safety of the community.

As detailed §1.2.6 herein, Lots 29 and 30 are geographically separated from Route 130 by Block 8, Lot 14. These lots therefore do not actually have access to a public right-of-way⁶⁴ and require permission from the United NJ Railroad & Canal Co. for access (whether or not such permission exists is beyond the scope of this Report of Findings).

The relationship of Lots 29 and 30 to Lot 14 are likely the result of the parcels’ prior need to be serviced by rail. This is no longer the case, and, in fact, rail service no longer exists.

Accordingly, this relationship represents a combination of faulty arrangement and obsolete layout which renders Lots 29 and 30 undevelopable without permission from the Railroad company.



⁶⁴ While the rear of Lot 30 does not have access to Sven Drive, servicing this parcel from a residential street that was likely not constructed for such a purpose would be detrimental to the surrounding neighborhood.



The New Jersey *Municipal Land Use Law*⁶⁵ provides, in pertinent part:

No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure. Such street shall have been duly placed on the official map or shall be (1) an existing State, county or municipal street or highway, or (2) a street shown upon a plan approved by the Planning Board, or (3) a street on a plat duly filed in the office of the county recording officer prior to the passage of an ordinance under this act or any prior law which required prior approval of plats by the governing body or other authorized body...

Where the enforcement of... 40:55D-35 would entail practical difficulty or unnecessary hardship, or where the circumstances of the case do not require the building or structure to be related to a street, the Board of Adjustment may upon application or appeal, vary the application of... and direct the issuance of a permit subject to conditions that will provide adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and that will protect any future street layout shown on the official map or on a general circulation plan element of the municipal Master Plan pursuant to paragraph (4) of... 40:55D-28.

The relationship of Lots 29 and 30 to Lot 14 renders them undevelopable without Board approval. No such approval is likely without permission from the Railroad company.

Without a productive end use, the condition of Lots 29 and 30 will remain detrimental to the safety, health, and general welfare of the community.

Criterion 'd' therefore applies.

8.49.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lots 29 and 30 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' therefore applies.

⁶⁵ N.J.S.A. 40:55D-35 & 36.



8.50 BLOCK 8, LOT 31 (1170 ROUTE 130)

Lot 31 is a 13.35-acre lot that contains a renter-occupied single-family home and several acres of vacant land, including wetlands. At Publication of this Report of Findings, the property was posted as being for sale.

8.50.1 Redevelopment Criterion 'd'

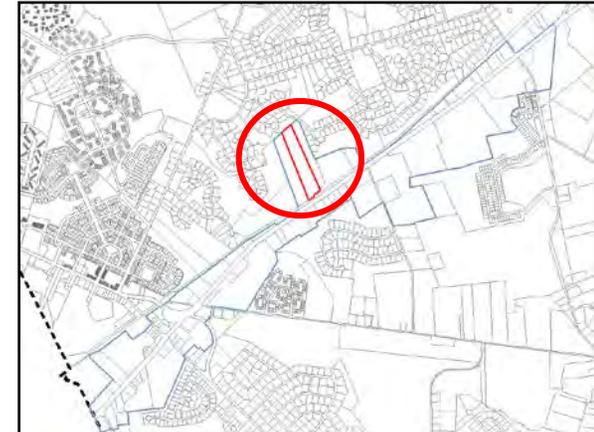
The great deal of undeveloped land to the north of the Lot 31 structure constitutes a faulty arrangement or design. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, the lot represents a lack of proper utilization or lands which is a lost opportunity (and therefore a detriment) to the welfare of the community.

As detailed in §5.5.1 herein, Lot 31 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

The access issues described for Lots 29 and 30 (8.50.2 B. and C. herein) apply to Lot 31, resulting in a combination of faulty arrangement and obsolete layout which renders Lot 31 undevelopable ~ and perhaps unsellable ~ without permission from the Railroad company and Board approval.

Absent a productive end use, the condition of Lot 31 will remain detrimental to the safety, health, and general welfare of the community.

Criterion 'd' therefore applies.





8.50.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 31 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' therefore applies.

8.51 BLOCK 8, LOT 32 (ROUTE 130)

Lot 32 is a 11.49-acre, undeveloped, densely vegetated Lot containing wetlands.

8.51.1 Redevelopment Criterion ‘c’

Lot 32 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

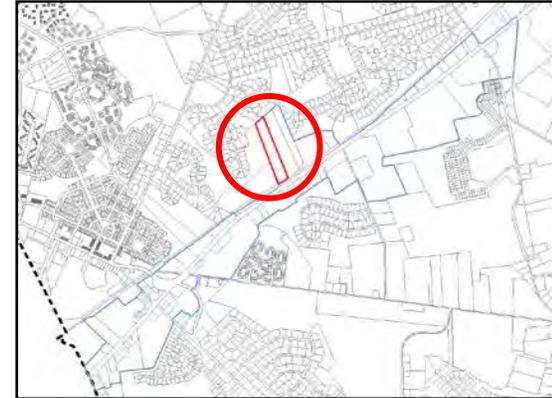
As detailed in §5.5.1 herein, Lot 32 is located within the 150’ wetlands buffer. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition represents a concern of the nature of the soil that makes this to less likely to be developed through the instrumentality of private capital.

The location / lack of access described for Lots 29 and 30 (8.50.2 B. and C. herein) apply to Lot 32, resulting in the likelihood that the property will not be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.51.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 32 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’ therefore applies.

8.52 BLOCK 8, LOT 34 (1156 ROUTE 130)

Lot 34 is a 1.06-acre Lot containing what the Township’s Tax Assessor’s records indicate is an owner-occupied single-family home, located in the 150’ wetlands buffer.

The Lot is 96’ deep along its southern edge and tapers to 64’ at its northern edge.

8.52.1 Redevelopment Criterion ‘a’

The structure on Lot 34 is located at the Route 130 property line. As such, individuals exiting the house will step right onto the Route 130 right-of-way. With no sidewalk to protect pedestrians, the configuration represents a faulty arrangement or design that is detrimental to the safety, health, and welfare of the residents of the lot as well as drivers motoring south bound on Route 130 traffic.

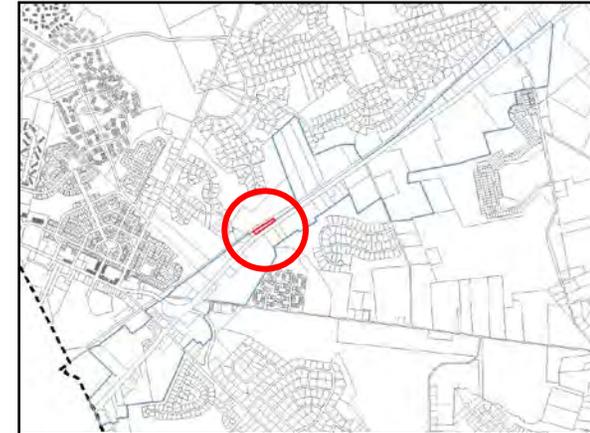
The Site inspection conducted for this Redevelopment Analysis found deteriorating roofing and siding which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 34 conducive to unwholesome living conditions.

Criterion ‘a’ therefore applies.

8.52.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, Lot 34 contains a building that exhibits characteristics of dilapidation which is detrimental to the health, safety, and welfare of the community.



Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, Lot 26’s irregular and shallow shape is not likely to attract the type of project that would be considered attractive to the development community.

As detailed in §5.5.1 herein, Lot 34 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.52.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 34 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' therefore applies.



8.53 BLOCK 8, LOT 35 (1154 ROUTE 130)

Lot 35 is a 0.24-acre, vacant lot located in the 150' wetlands buffer. While the aerial shows what appears to be a single-family home located on this property, the Tax Assessor has confirmed that there are currently no improvements on this property and that utility connections were disconnected in June of 2018.

8.53.1 Substantive Criteria

Lot 35 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.53.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 35 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' therefore applies.

8.53.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 35 be included in any potential Redevelopment Area, it is recommended that **Lot 35 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.54 BLOCK 8, LOT 36 (ROUTE 130)

Lot 36 is a 0.07-acre lot that appears to be used as a driveway for accessing to Lot 35 (§8.54 herein).

8.54.1 Redevelopment Criterion ‘e’

As municipally owned land, the Township is extremely limited in how it may dispose of (i.e., sell or lease) Lot 36 while ensuring its development into a productive asset for the community.

Absent the powers granted under the *Redevelopment Law*, municipalities are required to dispose of unwanted or unnecessary properties under the *Local Lands and Buildings Law*,⁶⁶ which requires such lands to be offered at open public auction and awarded to the highest responsible bidder.

An attempt to auction this property is not advised for the following reasons:

1. Lot 36 is located in the Township’s HC Highway Commercial Zoning District, which was created:

[as] 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... in order to facilitate and stimulate commercial development along Route 130 [with] appropriate planning designs, uses, and architectural review in order to maximize benefits and minimize negative externalities



⁶⁶ N.J.S.A. 40A:12-1 et seq.



and impacts.⁶⁷

Under HC Zoning, it is highly unlikely that Lot 36 could be developed with any Principal or Conditional Use permitted in the HC Zone.⁶⁸ Further, Lot 36 is undevelopable under HC Area and Yard Requirements.⁶⁹ Accordingly, variance relief would be required for any development proposed on this lot.

2. The auction process provides no certainty that Lot 36 would be utilized in conformance with applicable zoning or Smart Growth principles, or generally in the best interest of the Study Area.

The law does not prohibit any private citizen from purchasing land in the Study Area and seeking approvals as he or she sees fit, including variance relief where lands do not conform with current zoning (or Smart Growth principles). Conversely, the Township has an obligation to ensure that *its lands*

are used in the best interest of the community.

3. An unscrupulous bidder could, knowing the potential value of Lot 36⁷⁰ to this Redevelopment process, choose to acquire the land for speculative purposes.
4. Even without such unscrupulous activity, the auction process has the potential to inflate the purchase price of the lot to a point where the cost cannot reasonably be supported by a Redevelopment Project.

Under the *Redevelopment Law*, the Township would be lawfully permitted to *negotiate* the sale of Lot 36 to a designated Redeveloper, and to institute land use and building controls under a Redevelopment Plan in order to insure that the lot is used in furtherance of the Township’s goals and objectives for the Study Area; thereby retaining the type of control over this Township-owned property which would otherwise not be permissible.

Additionally, the *Redevelopment Law* permits municipalities to

⁶⁷ §142-23 A.

⁶⁸ §142-23 C & E.

- Designed shopping complex: a building or group of abutting buildings designed to be utilized by more than one permitted use where such building or group of abutting buildings is constructed at one time.
- Retail stores: automotive-related stores with the parts store being at least 50% of the total s.f.
- Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry cleaners (except no chemical dry cleaning is permitted on the premises), jewelry repair, and legal services.
- Business offices, including but not limited to medical offices and governmental offices.
- Restaurants, including drive-through facilities.
- Indoor and outdoor recreational uses, such as health spas, gyms, tennis and racquetball courts.
- Combination office service and/or retail sales.
- Hotels with a 100-room minimum and a restaurant on the premises.
- House of worship. Gas stations with convenience stores of over 2,500 s.f.

⁶⁹ §142-23 F.

- Minimum Lot Area: 40,000 s.f.
- Minimum Lot Width: 150’.
- Minimum Lot Frontage: 150’.
- Minimum Lot Depth: 250’.
- Minimum Front Yard Setback: 35’.
- Minimum Side Yard Setback: 20’.
- Minimum Rear Yard Setback: 30’.
- Maximum Impervious Surface Ratio: 0.65.
- Minimum Gross Floor Area: 3,000 s.f.
- Maximum Floor Area Ratio: 0.25.
- Minimum Parking Setbacks: Front Yard: 20’, Rear and Side Yards: 10’
- Minimum Driveway Side Yard Setback: 10’.
- Maximum Building Height: 35’ or 3 Stories.

⁷⁰ in terms of its geographic location, land area or other aspect.





enter into negotiated Redevelopment Agreements with designated Redevelopers ~ who can be selected based on qualifications (financial capability, prior experience, proposed project, etc.) as opposed to simply being the high bidder at auction. Such a process would permit the Township to screen potential Redevelopers to ensure their capability as opposed to being forced to process an application from a high bidder regardless of capability; again, thereby affording the Township control over the land which would otherwise not be permissible.

Proper Utilization ~ Defined

While Redevelopment Criterion ‘e’ provides that a “*lack of proper utilization*” may be used in determining an area’s eligibility for Redevelopment Area designation, the *Redevelopment Law* does not affirmatively define “proper utilization” or what specific level of utilization would permit a finding of Need for Redevelopment. Similarly, the Courts have provided no direct guidance as to what constitutes “*proper utilization*”.

1. In determining what type of utilization may be “proper” or “improper”, we are therefore left with the plain language of Criterion ‘e’, which speaks to proper utilization as “*contributing to and serving the public health, safety and welfare*”.

Conversely, Criterion ‘e’ speaks to a lack of proper utilization where there is “*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”.

2. As detailed in §142-23 A. of the Township Code, Robbinsville established the HC Zone:

[as] 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... in order to facilitate and stimulate commercial development along Route 130 [with] appropriate planning designs, uses, and architectural review in order to maximize benefits and minimize negative externalities and impacts.

Further, the State Plan has designated this section of Robbinsville as being a PA~2 Suburban Planning Area, where growth is to be encouraged. Accordingly, the Township and its partners in the Office of Smart Growth and other State Agencies have made a public policy decision that this section of Robbinsville should be actively developed as a commercial corridor.

3. Similarly, §5.3.1 B. 5 and 6 of the Township’s 2020 Comprehensive Master Plan Update express strategies to, in pertinent part:

Support economic activity along the New Jersey Turnpike (US I-95), I-195, Route 130 and Route 33 where Federal and State actions



have established transportation corridors for the movement of people, goods, and services.

Establish pro-growth zoning to encompass lands within specified distance(s) from these rights-of-way.

Review and revise existing land use regulations for these zones to maximize development potential.

The Township and its State partners have therefore recognized commercial development along Route 130 as “proper utilization”. As such, actions, uses, or conditions which contribute to such uses are deemed a proper utilization of lands which contribute to the public welfare. Conversely, actions, uses, or conditions which do not contribute to such uses are deemed an improper utilization of lands which otherwise would contribute to the public welfare.

While certain quantitative analyses designed to determine the value of a particular use on the “public health, safety and welfare” are possible⁷¹, the “propriety” of land use is ~ in the final analysis ~ a qualitative judgment. Beyond the economics of ‘highest and best use’, ‘proper utilization’ is a subjective determination based on the location of a particular use, the context in which such use exists, the physical condition of such use, surrounding land uses, the value such use has for the community (financial **and otherwise**) and the public policy goals and objectives

(mores) held by the community.

As a vacant, undersized, municipally owned lot, Lot 36 serves no public purpose, supports no jobs, makes no contribution to the public revenue (i.e., ratable base) and contributes nothing toward the Route 130 commercial corridor. It is a stagnant and unproductive piece of land.

Use & Value Potential

Having determined that Lot 36 exhibits improper utilization Criterion ‘e’ requires a determination as to whether or not the lot is “potentially useful and valuable for contributing to and serving the public health, safety and welfare”.

The analysis detailed in §8.55.4 herein regarding how the location of a vacant “out-parcel” might impact an eventual Redevelopment Project evidences Lot 36’s potential use value for contributing (or inhibiting) productive development of this portion of the Study Area.

Causation

Having demonstrated that Lot 36 exhibits conditions representing “a lack of proper utilization” resulting in a “stagnant and underproductive [i.e., unproductive] condition of land potentially useful and valuable for contributing and serving the public welfare”, Criterion ‘e’ requires an analysis of the cause(s) of such conditions.

1. The Gallenthin Court, referencing Levin, provided guidance as to applicable causation as follows:
We thus recognized that the Legislature

⁷¹ Cost / benefit analyses, financial return/carry cost analyses, etc.





intended subsection 'e' to apply in circumstances where the orderly development of a particular area is frustrated by its peculiar configuration. That is, subsection 'e' was meant to apply to areas that for a variety of reasons ~ such as diversity of ownership and conditions of title ~ were not susceptible to unified development.

and

[W]e conclude that the Legislature intended N.J.S.A. 40A:12A-5(e) to apply only to property that has become stagnant because of issues of title, diversity of ownership, or other similar conditions.

As detailed herein, the condition of title for this Township-owned Lot limits the ability of the municipality to insure that Lot 36 will be developed in a manner that is consistent with and designed to effectuate the Township's goals for the HC Zone.

2. *"Condition of the title, diverse ownership of the real properties therein or **other similar conditions**" are valid circumstances for a parcel qualifying under Redevelopment Criterion 'e'. However, neither the Redevelopment Law nor the Gallenthin Court specify what such "other similar conditions" would be.*

Should the municipal ownership of Lot 36 not qualify as a "condition of title", the inherent limitations placed on the lot by the *Local Lands and Buildings Law* is certainly an "other condition" resulting in a

"stagnant and underproductive [i.e., unproductive] condition" under Criterion 'e'.

As evidenced by the success of other developments along Route 130, vacant land in the HC Zone, if replanned and reprogrammed appropriately, can support commercial uses and employment, contribute to the public revenue and enhance the economic vitality of the community; thereby being *useful and valuable for contributing to and serving the public health, safety and welfare of community.*

Accordingly, Lot 36 exhibits a *total lack of proper utilization* caused by its municipal ownership ~ i.e., *its condition of title (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 economic impact* and is detrimental to the welfare of the community.

Criterion 'e' therefore applies.

8.54.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 36 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' therefore applies.



8.55 BLOCK 8, LOT 37 (ROUTE 130)

Lot 37 is a 0.79-acre, undeveloped, densely vegetated lot.

8.55.1 Substantive Criteria

Lot 37 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.55.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. 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’ therefore applies.

8.55.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 37 be included in any potential Redevelopment Area, it is recommended that **Lot 37 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.56 BLOCK 8, LOT 38 (1144 ROUTE 130)

Lot 38 is a 2.47-acre Lot containing a propane business and an art gallery.

8.56.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis shows that all buildings on this lot to have deteriorating siding and cracked exterior masonry which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 38 dilapidated and conducive to unwholesome living conditions.

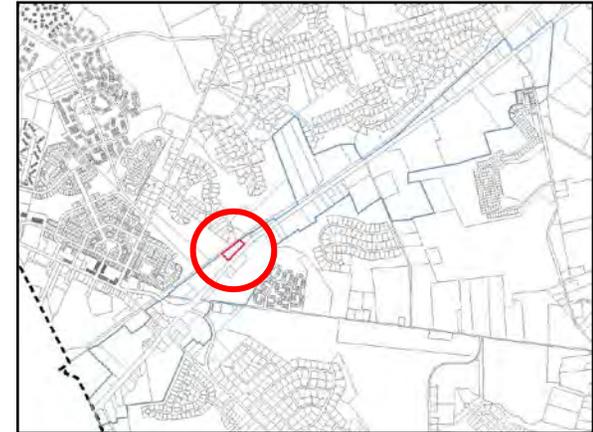
It also appears that, while fenced, the buildings are not secured. Such a situation invites human and animal entry that could lead to a potential danger to the community.

Criterion 'a' therefore applies.

8.56.2 Redevelopment Criterion 'd'

As demonstrated under Criterion 'a' herein, Lot 38 contains buildings that exhibit characteristics of dilapidation which may be detrimental to the health and safety of the community.

In addition, the entryway to this lot is poorly designed and could be considered detrimental to the health, safety, and welfare of the community if it is causing, or almost causing, traffic or car accidents.



While multiple principal structures on a single lot may have been acceptable at one time, such situation is now considered faulty arrangement or design and an obsolete layout which, depending on the mix of uses, may be harmful to the welfare of the community.

Criterion 'd' therefore applies.

8.56.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 38 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' therefore applies.



8.57 BLOCK 8, LOT 38.01 (1134 ROUTE 130)

Lot 38.01 is a 4.97-acre lot containing a Plaza and associated parking, containing wetlands in the northwest corner of the lot.

8.57.1 Substantive Criteria

Lot 38.01 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.57.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 38.01 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' therefore applies.

8.57.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 38.01 be included in any potential Redevelopment Area, it is recommended that ***Lot 38.01 be included*** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.58 BLOCK 8, LOT 46 (1124 ROUTE 130)

Lot 46 is a 4.05-acre lot consisting of a diner and associated parking, containing wetlands in the northeast corner of the lot. The aerial view of this lot shows 2 additional buildings in the rear of the lot which are not visible from Route 130.

8.58.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 46 is located within the 150' wetlands buffer and contains wetlands. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

There is an overlap in the eastern portion of this lot which contains parking from Lot 38.01; this represents a faulty arrangement of the land uses.

A large amount of land to the North of the lot is vacant and unproductive. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, these lands represent a lack of proper utilization which is a lost opportunity (and therefore a detriment) to the welfare of the community.

There appears to be several buildings in the rear of this lot which are not visible from Route 130. While multiple principal structures on a single lot may have been acceptable at one time, such situation is now considered faulty arrangement or design and an obsolete layout which, depending on the mix of uses, may be harmful to the welfare of the community.

Criterion 'd' therefore applies.





8.58.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 46 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' therefore applies.

8.59 BLOCK 8, LOT 47 (1122 ROUTE 130)

Lot 47 is a 0.96-acre lot containing an automotive service facility and gas station. This lot has been found to contain contamination.

8.59.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found this building to have cracked exterior masonry which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 48 dilapidated and conducive to unwholesome living conditions.

Environmental contamination has been discovered on this site which is unsafe and unsanitary to a point of being conducive to unwholesome working conditions.

Criterion ‘a’ therefore applies.

8.59.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, Lot 48 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Environmental contamination has been discovered on this site which is detrimental to the health and safety of the community in general.

Criterion ‘d’ therefore applies.



8.59.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 47 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' therefore applies.



8.60 BLOCK 8, LOT 48 (4 SHARON ROAD)

Lot 48 is a 1.98-acre, NJDOT-owned Lot that appears to be remaining land after construction of the Route 33 Bypass. While from the street Lot 48 appears vacant and vegetated, the aerial view shows it to contain a number of what buildings that are believed to be storage for NJDOT.

The aerial depicts a stormwater management basin on the Lot.

8.60.1 Substantive Criteria

The stormwater management basin on Lot 48 was approved as part of the Route 33 Bypass project. As such, the use cannot be said to conform with any of the Substantive Criteria required for Redevelopment Area designation.

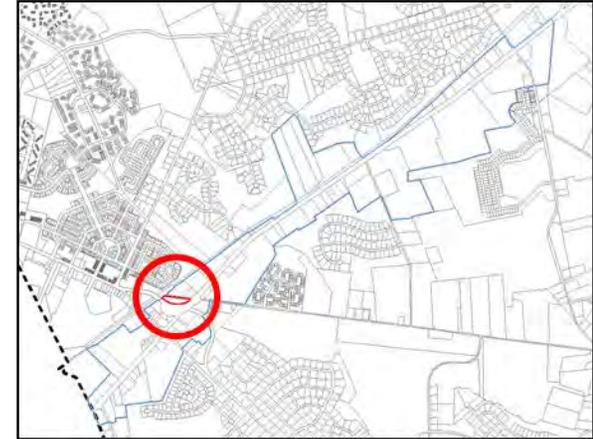
8.60.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 61 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’ therefore applies.

8.60.3 Recommendation

Given its lack of conformance with any Substantive Redevelopment Criteria and its relationship ownership and use, it is recommended that Lot 48 **not be included** in any potential Redevelopment Area.



8.61 BLOCK 8, LOT 72 (1 SHARON ROAD)

Lot 72 is a 3.14-acre lot, housing a non-profit animal care facility. There are wetlands in the northeast portion of the lot.

8.61.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 72 is located within the 150’ wetlands buffer and contains wetlands. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

There is a great deal of land to the North and Northeast of Lot 72 which is undeveloped and underutilized. While the wetlands buffer located in this area may be the cause of the underutilization, this amount of vacant land represents a faulty arrangement or design. Further, by contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, the vacant portion of Lot 72 represents a lack of proper utilization or lands which is a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.61.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 72 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’ therefore applies.

8.62 BLOCK 8.03, LOT 9.03 (1186 ROUTE 130)

Lot 9.03 is a 3.23-acre lot with a small, overgrown road. While the aerial of this property shows what appears to be a single-family house, the tax assessor has stated that there are no files documenting any development on this lot⁶⁰. The North East portion of Lot 9.03 is located within the 150' wetlands buffer.

8.62.1 Redevelopment Criterion 'c'

Lot 9.03 is an undeveloped vacant lot that shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

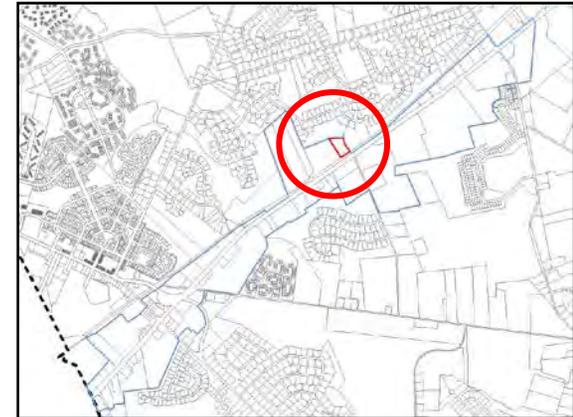
While the aerial of this property shows what appears to be a single-family home, tax records provided by the tax assessor list this lot as unimproved.

As detailed in §5.5.1 herein, Lot 19 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Criterion 'c' therefore applies.

8.62.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 9.03 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' therefore applies.

8.63 BLOCK 21, LOT 27.01 & 27.02 (207 GORDON ROAD)

Lot 27.01 is a 14.98-acre vacant lot and Lot 27.02 is a 2.4-acre vacant lot.⁷² The site visit attendant to this Report of Findings found the property hosted several temporary construction trailers supporting the development across Gordon Road.

8.63.1 Redevelopment Criterion ‘d’

Construction staging on an undeveloped property located at an intersection along Route 130 represents an underutilization of these properties. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of the area, Lots 27.01 and 27.02 represent a lack of proper utilization and a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.63.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein a small portion of the southern edge of Lot 27.01 is located in a PA~4B Rural Environmentally Sensitive Planning Area where (re)development is not encouraged. The roadway frontage of Lot 27.01 and all of Lot 27.02 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’ therefore applies for the portion of the Lots within the PA~2 Planning Area.

⁷² While the aerial photograph at right depicts a temporary sales trailer on Lot 27.02, the trailer has since been removed.

8.64 BLOCK 26, LOTS 1.01 & 1.02 (1185 ROUTE 130 & 7 WOODSIDE ROAD)

Lot 1.01 is a 32.11-acre lot that, while listed on the Tax Assessor’s records as having an improvement value of \$0.00, hosts a garden center with a number of greenhouses and associated parking.

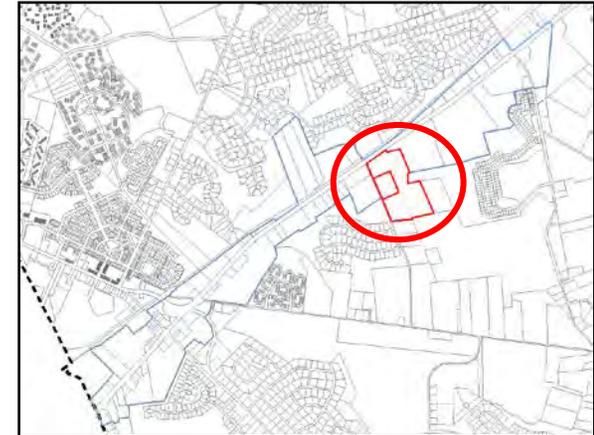
Lot 1.02 is a 5.96-acre lot that, while listed on the Tax Assessor’s records as having an improvement value of \$0.00, hosts what appears to be a single-family home as well as a portion of the garden center.

Both Lot 1.01 and Lot 1.02 have been found to contain substantial amounts of wetlands.

8.64.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lots 1.01 and 1.02 are both located within the 150’ wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Additionally, there is a great deal of land to the South East of Lot 1.01 which is undeveloped and underutilized. While the wetlands buffer located in this area may be the cause of the underutilization, it still represents a faulty arrangement or design. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, the combined Parcel represents a lack of proper utilization or lands which is a lost opportunity (and therefore a detriment) to the welfare of the community.



Criterion ‘d’ therefore applies.



8.64.2 Redevelopment Criterion 'h'

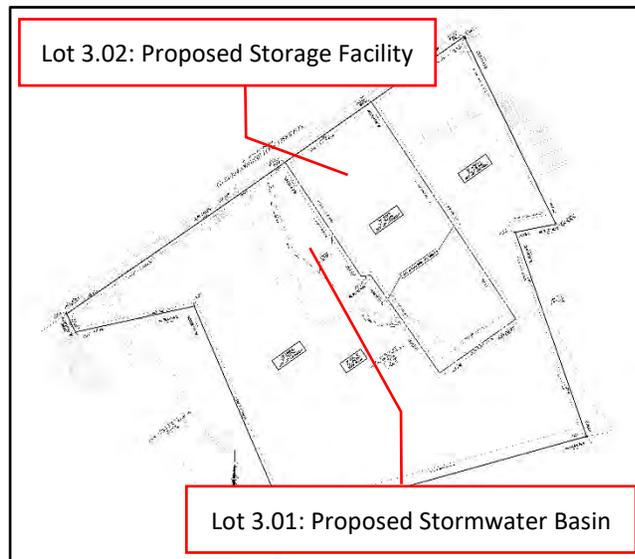
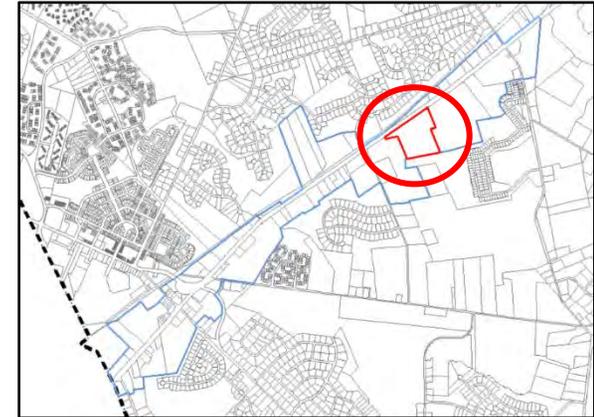
As mapped in §6.8.1 B. herein, the portion of Lot 1.01 located to the south of Lot 1.02 and the extreme southern edge of Lot 1.02 are located in a PA~4 Rural Planning Area where (re)development is not encouraged. The remaining portions of Lot 1.01 and Lot 1.02 are located within a PA~2 Suburban Planning 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' therefore applies for the portion of the Lots within the PA~2 Planning Area.

8.65 BLOCK 26, LOT 3 (ROUTE 130)

Lot 3 is a 23.08-acre vacant lot containing a significant amount of wetlands and two billboards (which are considered de-minimis for the purposes of this Investigation). The lot was previously used as overflow outside storage for the garden center on adjacent Lot 5.

On October 7, 2002, the Owner of Lot 3 received subdivision approvals in order to subdivide Lot 3 into 2 lots and develop a 102,000 s.f. self-storage facility with parking, landscaping, stormwater management and other site improvements on a 4.73-acre portion of the property (Lot 3.02). A stormwater basin designed to service both lots created by the subdivision of Lot 3 is proposed for a portion of the parent lot to the west of the storage facility (Lot 3.01).



⁷³ Excerpted from approved subdivision plan.



The subdivision, use ('d-1') variance and bulk ('c') relief granted for the self-storage facility were contingent on the Applicant returning for Preliminary and Final Site Plan Approval. At Publication of this Report of Findings, such application had yet to be filed.

8.65.1 Redevelopment Criterion 'd'

Discontinued outside storage represents an underutilization of this land. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of the area, Lot 3 represents a lack of proper utilization and a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion 'd' therefore applies.

8.65.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein a small portion of the southern edge of Lot 3 is located in a PA~4 Rural Planning Area where (re)development is not encouraged. The Route 130 frontage of Lot 3 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' therefore applies for the portion of the Lot within the PA~2 Planning Area.

8.65.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 3 be included in any potential Redevelopment Area, it is recommended that ***Lot 3 be included*** in such potential Redevelopment Area in order to properly replan this section of the Township.

8.66 BLOCK 26, LOT 5 (203 ROUTE 130)

Lot 5 is a 43.7-acre lot, containing wetlands and housing a garden center.

8.66.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 5 is located within the 150’ wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

There is land in the Southern portion of Lot 5 which is undeveloped and underutilized. While the wetlands buffer located in this area may be the cause of the underutilization, it still represents a faulty arrangement or design. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, the Lot 5 represents a lack of proper utilization or lands which is a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.66.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, the southern portion of Lot 5 is located in a PA~4 Rural and a PA~4B Rural Environmentally Sensitive Planning Area ~ both where (re)development is not encouraged. The northern portion of Lot 5 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





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existing stable communities; protect natural resources; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.

Criterion 'h' therefore applies for the portion of the Lot within the PA~2 Planning Area.

8.67 BLOCK 26, LOT 6.02 (248 GORDON ROAD)

Lot 6.02 is a 1.37-acre vacant lot that is used as a construction staging area for adjacent development.

8.67.1 Redevelopment Criterion ‘d’

Construction staging on an undeveloped property located in proximity to an intersection along Route 130 represents an underutilization of this land. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of the area, Lot 6.02 represent a lack of proper utilization and a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.67.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 6.02 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’ therefore applies.



8.68 BLOCK 26, LOT 6.03 (ROUTE 130)

Lot 6.03 is a 15.55-acre lot, a portion of which was formerly used as a construction staging area for adjacent development. A portion of this Lot now serves as a stormwater basin servicing the adjacent development and other portions contain wetlands. The former construction staging area remaining substantially as depicted to the lower right.

8.68.1 Redevelopment Criterion ‘d’

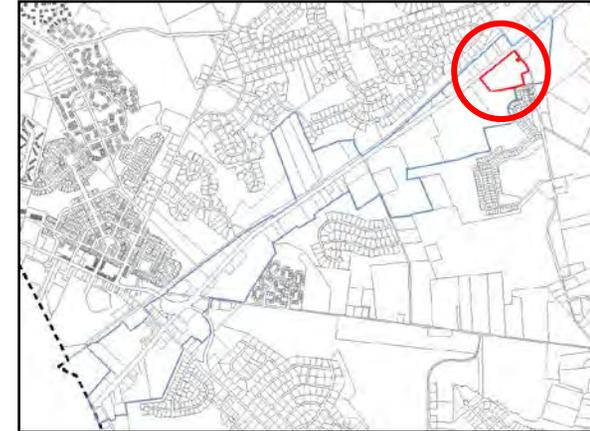
Construction staging on an undeveloped property located in proximity to an intersection along Route 130 represents an underutilization of the portion of the land so used. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of the area, such portion of Lot 6.03 represents a lack of proper utilization and a lost opportunity (and therefore a detriment) to the welfare of the community.

Criterion ‘d’ therefore applies.

8.68.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 6.03 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’ therefore applies.



8.69 BLOCK 26, LOT 6.04 (244 GORDON ROAD)

Lot 6.04 is a 0.12-acre Township-owned lot containing a sanitary sewer pump station servicing the adjacent development. The Lot is located within the 150' wetlands buffer.

8.69.1 Substantive Criteria

Lot 6.04 was approved as a pump station as part of the approvals for the adjacent development. As such, the Lot cannot be said to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.69.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 6.04 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' therefore applies.

8.69.3 Recommendation

Should the lands surrounding or adjacent or in proximity to Lot 6.04 be included in any potential Redevelopment Area, it is recommended that **Lot 6.04 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.70 BLOCK 26, LOT 9.01 (GORDON ROAD)

Lot 9.01 is a 14.6-acre, undeveloped, vegetated lot, containing a significant amount of wetlands.

8.70.1 Redevelopment Criterion ‘c’

Lot 9.01 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

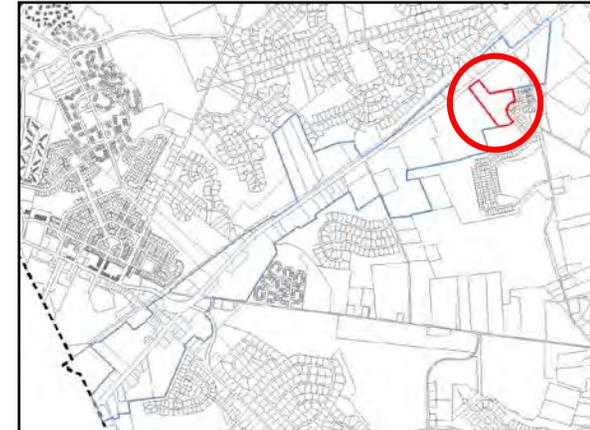
As detailed in §5.5.1 herein, Lot 9.01 contains wetlands. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 9.01 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.70.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, the southern portion of 9.01 is located in a PA~4B Rural Environmentally Sensitive Planning Area where (re)development is not encouraged. The Route 130 frontage of Lot 9.01 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





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existing stable communities; protect natural resources; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.

Criterion 'h' therefore applies for the portion of the Lot within the PA~2 Planning Area.

8.71 BLOCK 27, LOTS 1, 2, & 3 (1127-1129 ROUTE 130)

This combined Parcel is a 1.67-acre, 3-lot property under common ownership. An automobile repair facility is located on Lots 2 and 3.

Lot 1 is an access drive from Sharon Road to the repair facility that appears to serve as overflow parking for the facility.

8.71.1 Redevelopment Criterion ‘d’

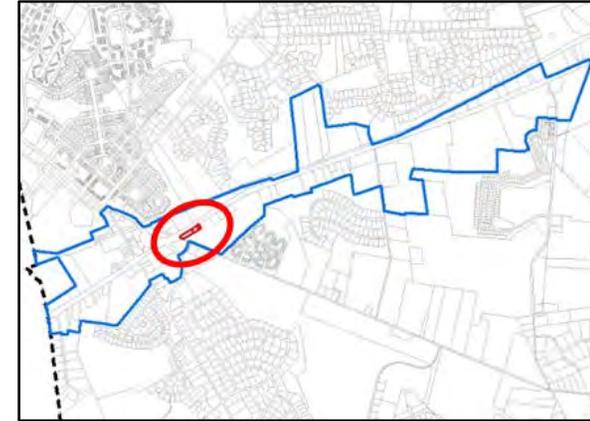
Despite how Lot 1 is used, it remains an unimproved lot that makes no contribution to the public sector in terms of sales tax revenue, supports no jobs and contributes nothing to the economic vitality of the business district along Rt 130. Lot therefore represents a lack of proper utilization and a lost opportunity (and therefore a detriment) to the welfare of the community.

Lots 1, 2 and 3 are located between Route 130 and the 30.5-acre Lot 5 (§8.74 herein). By limiting the roadway frontage and screening the visibility of Lot 5 from northbound Route 130 traffic, Lots 1, 2 and 3 collectively exert a negative influence on the developability of Lot 5.

Criterion ‘d’ therefore applies.

8.71.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 1, 2 and 3 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’ therefore applies.

8.72 BLOCK 27, LOT 4 (1137 ROUTE 130)

Lot 4 is a 0.96-acre lot containing an automotive repair center and what appears to be a single-family home. According to the Township’s Tax Assessor, the house is boarded up and no residence is permitted.

8.72.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found this lot to have rusted tanks in the exterior of the lot, and cracked exterior masonry which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus.

While the NJDEP’s database shows no record or contamination, these tanks do raise concerns as to whether contamination may exist on this property.

Such unsafe and unsanitary conditions combine to render Lot 4 dilapidated and conducive to unwholesome living conditions.

Criterion ‘a’ therefore applies.

8.72.2 Redevelopment Criterion ‘b’

Residential uses are not permitted in the Highway Commercial Zone. Under Highway Commercial Zoning, permitted use for the residence are limited to:⁷⁴

- Designed shopping complex.



⁷⁴ Permitted uses in the §142-23 C & E.

- Retail stores.
- Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry cleaners (except no chemical dry cleaning is permitted on the premises), jewelry repair, and legal services.
- Business offices, including but not limited to medical offices and governmental offices.
- Restaurants, including drive-through facilities.
- Indoor and outdoor recreational uses, such as health spas, gyms, tennis and racquetball courts.
- Combination office service and/or retail sales.
- Hotels with a 100-room minimum and a restaurant on the premises.
- House of worship. Gas stations with convenience stores of over 2,500 s.f.

While it is not known whether the residence was ever previously used for commercial, retail, shopping, office, manufacturing or industrial purposes, the building is not being used for any such purpose now. Further, in its current boarded state, the building represents an abandonment of a building that can only be used for commercial purposes.

Criterion 'b' therefore applies.

8.72.3 Redevelopment Criterion 'd'

As demonstrated under Criterion 'a' herein, Lot 4 contains a building that exhibits characteristics of dilapidation which





may be detrimental to the health and safety of the community.

Single-family residential uses are not permitted in the Highway Commercial Zone. While such a use / structure in such a zone may have been acceptable in an earlier era, such configuration is now considered to be a faulty arrangement and obsolete layout.

Criterion 'd' speaks, in pertinent part, to "other factors" which are detrimental to the welfare of the community. Community welfare, in turn, may be measured in terms of economic (taxes and jobs) and non-economic (the value to the community of the use) factors benefiting the public as a whole.

Logically, structures in a Highway Commercial Zone should be useful and valuable for contributing to and serving the public welfare. They should be places of gainful employment which provide valuable goods and services to the community.

The conditions found at Lot 4 represent an underutilization of a structure in the Highway Commercial zone. And while the owner of Lot 4 continues to pay taxes on the vacant space, the building, in its current boarded state, contributes nothing to the public sector in terms of sales tax revenue, supports no jobs and contributes nothing to the economic vitality of the Zone.

As with Lots 1, 2 and 3 (§8.72 herein), Lot 4 is located between Route 130 and the 30.5-acre Lot 5 (§8.74 herein). By limiting the roadway frontage and screening the visibility

of Lot 5, Lot 4 exerts a negative influence on the developability of Lot 5.

While multiple principal structures on a single lot may have been acceptable at one time, such situation is now considered faulty arrangement or design and an obsolete layout which, depending on the mix of uses, may be harmful to the welfare of the community.

Criterion 'd' therefore applies.

8.72.4 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 4 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' therefore applies.

8.73 BLOCK 27, LOT 5 (7 SHARON ROAD)

Lot 5 is a 30.46-acre undeveloped Lot, containing wetlands. An existing billboard on the property is considered de-minimis for the purposes of this Investigation.

8.73.1 Redevelopment Criterion ‘c’

Lot 5 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

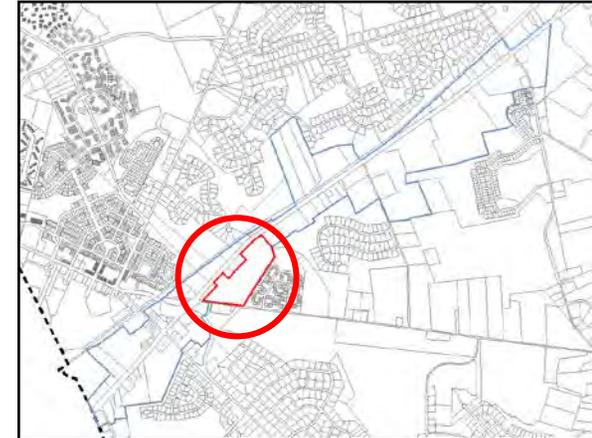
At 150 s.f., the existing billboard located along the Route 130 frontage of this property represents 0.01% of Lot 5’s land mass. As a practical matter, the lot is therefore considered vacant land.

As detailed in §5.5.1 herein, Lot 5 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

The location of Lot 5 places it behind Lots 1, 2, 3, 4 and 19. The negatively impacts of which are addressed in §8.72, §8.73 and §8.81 herein.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 5 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.





8.73.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 5 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' therefore applies.

8.74 BLOCK 27, LOT 7 (1169 ROUTE 130)

Lot 7 is a 0.68-acre lot containing a car sales lot.

8.74.1 Redevelopment Criterion 'd'

The aerial view shows near 100% paved space, where the standard for this zone is a maximum of 65%; this could be considered excessive land coverage.

The location of this parking vis-à-vis the existing vegetation, wetlands and wetlands buffer, and the likelihood that parked vehicles may leak oils and other automotive fluids, and that stormwater will transfer these contaminants to the environmentally-sensitive areas creates a detriment to the safety, health and welfare of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 29,667 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.

8.74.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 7 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' therefore applies.



8.75 BLOCK 27, LOT 8 (1173 ROUTE 130)

Lot 8 is a 1.38-acre lot containing a vacant commercial building located within the 150' wetlands buffer, with a small amount of wetlands mapped in the Southern portion of this lot.

8.75.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis found this building to have deteriorating siding and roofing, with evidence of water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 8 dilapidated and conducive to unwholesome living conditions.

Criterion 'a' therefore applies.

8.75.2 Redevelopment Criterion 'b'

Lot 8 hosts a vacant building whose last identified use (Miller Equipment Co.) was commercial / industrial in nature.

There is a sign on this building advertising a new and used tires store "coming soon", but this sign has been up for quite some time with no activity in the building. During the latest site visit in October of 2020 the building was listed for sale.

Criterion 'b' therefore applies.

8.75.3 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 8 is located within the 150' wetlands buffer and has been found to contain wetlands.



While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

As demonstrated under Criterion ‘a’ herein, Lot 8 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.75.4 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 8 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’ therefore applies.



8.76 Block 27, Lot 8.01 (1171 Route 130)

Lot 8.01 is a 6.64-acre lot containing a multi-tenant office building as well as wetlands to the rear of the property.

8.76.1 Redevelopment Criterion ‘d’

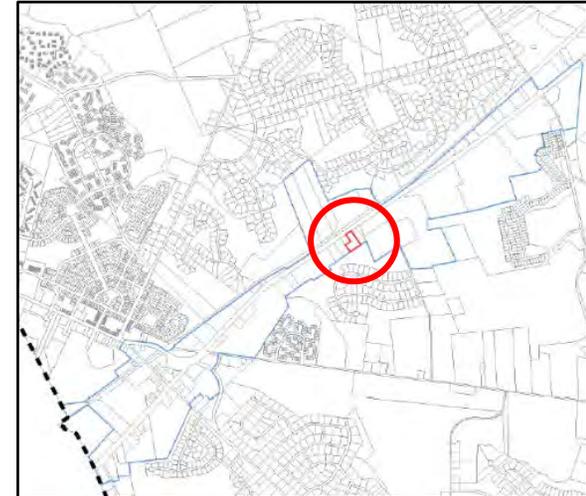
As detailed in §5.5.1 herein, Lot 8.01 is located within the 150’ wetlands buffer and has been found to contain wetlands. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition represents a faulty design that may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.76.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 8.01 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’ therefore applies.



8.77 Block 27, Lot 9 (1175 Route 130)

Lot 9 is a 0.51-acre, irregularly-shaped lot containing a renter-occupied single-family home and heavily vegetated land located within the 150' wetlands buffer.

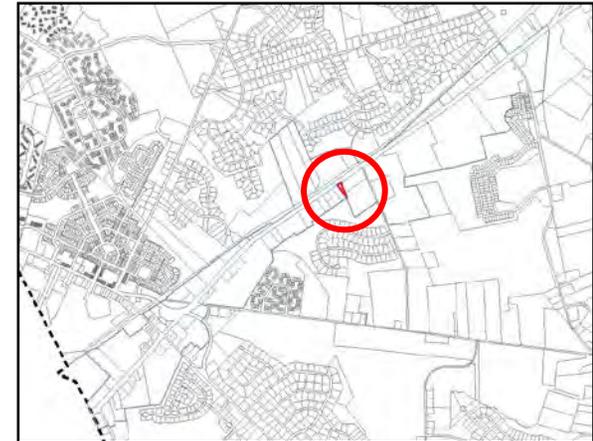
8.77.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 9 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 22,208 s.f. irregularly-shaped lot is not likely to attract the type of project that would be considered attractive to the development community.

Single-family residential uses are not permitted in the Highway Commercial Zone. While such a use / structure in such a zone may have been acceptable in an earlier era, such configuration is now considered to be a faulty arrangement and obsolete layout.

Criterion 'd' speaks, in pertinent part, to "other factors" which are detrimental to the welfare of the community. Community welfare, in turn, may be measured in terms of economic (taxes and jobs) and non-economic (the value to the community of the use) factors benefiting the public as a whole.





Logically, structures in a Highway Commercial Zone should be useful and valuable for contributing to and serving the public welfare. They should be places of gainful employment which provide valuable goods and services to the community.

The conditions found at Lot 9 represent an underutilization of a structure in the Highway Commercial zone. And while the owner of Lot 9 continues to pay taxes on the land, the building contributes nothing to the public sector in terms of sales tax revenue, supports no jobs and contributes nothing to the economic vitality of the Zone.

The unusual shape and narrowness of Lot 9 constitutes a faulty layout and design that makes it unlikely that anything meaningful could be developed on this Lot, furthering the lack of economic support to the zone.

Criterion 'd' therefore applies.

8.77.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 9 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' therefore applies.

8.78 BLOCK 27, LOT 11 (WOODSIDE ROAD)

Lot 11 is a 9.68-acre, undeveloped Lot that is heavily vegetated and contains a substantial amount of wetlands.

8.78.1 Redevelopment Criterion ‘c’

Lot 11 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 11 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

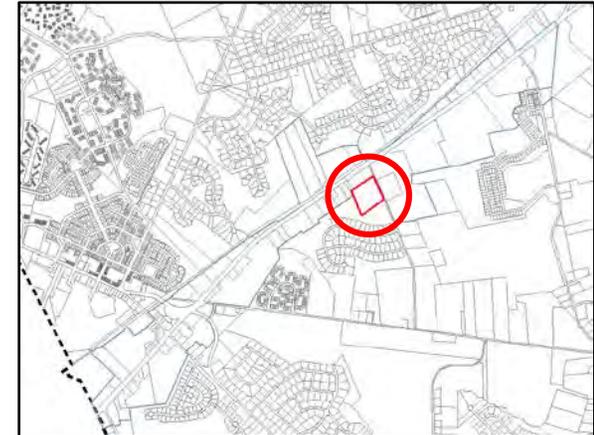
Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 11 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.78.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 11 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’ therefore applies.



8.79 BLOCK 27, LOT 18 (1167 ROUTE 130)

Lot 18 is a 1.63-acre lot containing a Jiu Jitsu Studio. The lot is located in the 150' wetlands buffer and contains wetlands towards the Southern portion of the lot.

8.79.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 18 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.79.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 18 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' therefore applies.



8.80 BLOCK 27, LOT 19 (1141 ROUTE 130)

Lot 19 is a 2.03-acre lot with a residential-looking building hosting a rug cleaning service and a commercial building that formerly hosted a dance studio but is now vacant.

The site visit attendant to this Report of Findings found the property posted for sale.

8.80.1 Redevelopment Criterion ‘b’

The vacant commercial building constitutes a discontinuance of the use of a building whose last identified use was commercial in nature.

Criterion ‘b’ therefore applies.

8.80.2 Redevelopment Criterion ‘d’

While multiple principal structures on a single lot may have been acceptable at one time, such situation is now considered faulty arrangement or design and an obsolete layout which, depending on the mix of uses, may be harmful to the welfare of the community.

The eastern portion of Lot 19 is undeveloped and underutilized, which constitutes a faulty arrangement or design. By contributing nothing to the public sector in terms of sales tax revenue, supporting no jobs and contributing nothing to the economic vitality of this area, the lot represents a lack of proper utilization or lands which is a lost opportunity (and therefore a detriment) to the welfare of the community.





As with Lots 1, 2, 3 and 4, (§8.72 and §8.73 herein), Lot 19 is located between Route 130 and the 30.5-acre Lot 5 (§8.74 herein). By limiting the roadway frontage and screening the visibility of Lot 5, Lot 19 exerts a negative influence on the developability of Lot 5.

Criterion 'd' therefore applies.

8.80.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 19 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' therefore applies.

8.81 BLOCK 27, LOT 20.01 (1161 ROUTE 130)

Lot 20.01 is a 3.58-acre lot containing the offices of the New Jersey State Scholastic Athletic Association. The property has been found to contain wetlands.

8.81.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 20.01 is located within the 150' wetlands buffer and contains wetlands on the Southern portion of the Lot. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

8.81.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 20.01 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' therefore applies.



8.82 BLOCK 27, LOT 21 (1177-1179 ROUTE 130)

Lot 21 is a 4.23-acre lot, containing a relatively newly developed plaza, located in the 150’ wetlands buffer and containing a small section of wetlands in the Southern portion of the Lot.

8.82.1 Redevelopment Criterion ‘d’

As detailed in §5.5.1 herein, Lot 21 is located within the 150’ wetlands buffer and contains wetlands towards the Southern portion of the lot. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.82.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 21 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’ therefore applies.



8.83 BLOCK 27, LOT 23 (1149 ROUTE 130)

Lot 23 is a 2.61-acre lot housing the Robbinsville Fire Station.

8.83.1 Substantive Criteria

Lot 23 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

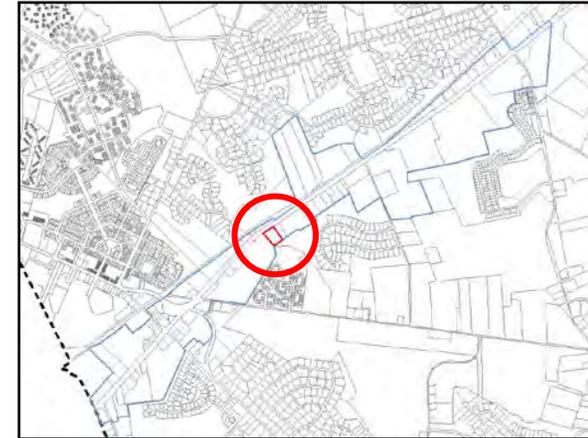
8.83.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 23 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’ therefore applies.

8.83.3 Recommendation

Should the lands surrounding or adjacent to in proximity Lot 23 be included in any potential Redevelopment Area, it is recommended that **Lot 23 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.84 Block 27, Lot 25 (1151 Route 130)

Lot 25 is a 1.38-acre lot containing a commercial building located in the 150' wetlands buffer, with the southeastern portion containing a small amount of wetlands. This lot has recently been renovated into a Martial Arts Studio.

8.84.1 Redevelopment Criterion 'd'

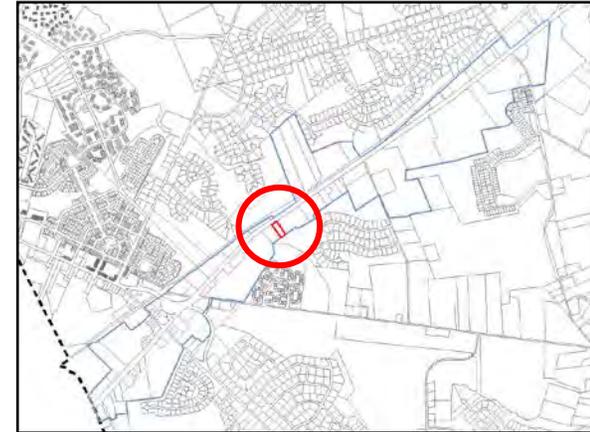
As detailed in §5.5.1 herein, Lot 25 is located within the 150' wetlands buffer. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such condition represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.84.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 25 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' therefore applies.



8.85 BLOCK 27, LOT 26.01 (1153-1155 ROUTE 130)

Lot 26.01 is a 6.65-acre lot containing the newly developed automobile dealership.⁷⁵

Lot 26.01 has been found to contain wetlands.

8.85.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 26.01 is located within the 150' wetlands buffer and contains wetlands on the southern portion of the lot. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.85.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 26.01 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' therefore applies.



⁷⁵ Photograph does not depict current conditions.

8.86 BLOCK 27, LOT 27 (1163-1165 ROUTE 130)

Lot 27 is a 2.04-acre lot containing what appears to be a flex-space commercial building located in the 150' wetlands buffer.

8.86.1 Redevelopment Criterion 'd'

As detailed in §5.5.1 herein, Lot 27 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.86.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 27 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' therefore applies.



8.87 BLOCK 28.13, LOT 4.01 (SHARON ROAD)

Lot 4.01 is a 2.07-acre NJDOT-owned circulation improvement attendant to the Route 33 Bypass. Despite its trapezoidal shape, the improvement functions as a traffic rotary.

8.87.1 Redevelopment Criterion ‘c’

Despite its designed use, Lot 4.01 is an undeveloped vacant lot has remained vacant within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

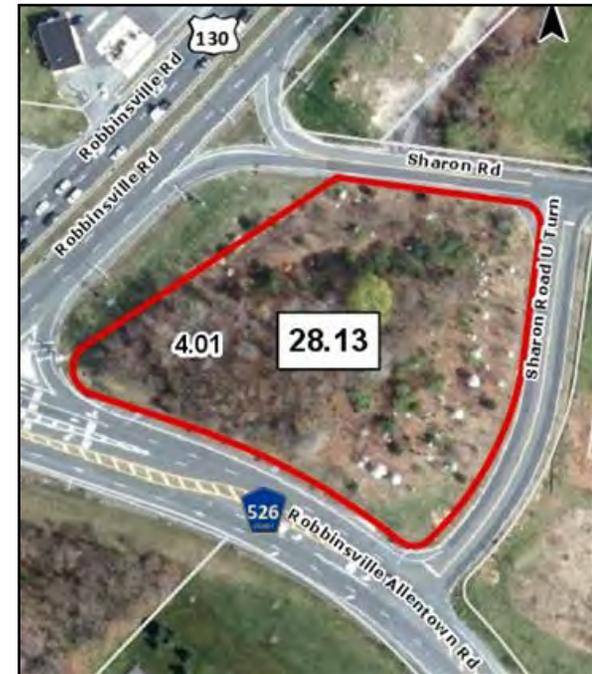
In constructing the Route 33 Bypass, NJDOT provided no access to Lot 4.01 from Route 130, County Route 526, Sharon Road, or the Sharon Road U-Turn. With such a *lack of means of access*, the lot is *not likely to be developed through the instrumentality of private capital*.

Criterion ‘c’ therefore applies.

8.87.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 4.01 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’ therefore applies.



8.88 BLOCK 28.14, LOTS 1, 59, & 60 (1115 ROUTE 130)

This combined Parcel is a 1.9-acre, multi-lot parcel under unified ownership and containing a commercial plaza and associated parking.

8.88.1 Substantive Criteria

This combined Parcel does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.88.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 1, 59 and 60 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’ therefore applies.

8.88.3 Recommendation

Should the lands surrounding or adjacent to in proximity Lots 1, 59 and 60 be included in any potential Redevelopment Area, it is recommended that **Lots 1, 59 and 60 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.89 BLOCK 28.14, LOTS 2 & 3 (1117-1119 ROUTE 130)

Lot 2 is a 1.9-acre Township-owned lot that formerly hosted the Robbinsville municipal building and courts. At Publication of this Report of Findings, the lot contains the Township’s Police headquarters. The Township is in the process of expanding this function.

Lot 3 is an 8.6-acre Township-owned lot that contains the Robbinsville Senior Center, Robbinsville branch of the Mercer County Library system, municipal tennis and basketball courts, a skate park and open space.

8.89.1 Substantive Criteria

Lots 2 and 3 do not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.89.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lots 2 and 3 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’ therefore applies.

8.89.3 Recommendation

Should the lands surrounding or adjacent to in proximity Lots 2 and 3 be included in any potential Redevelopment Area, it is recommended that ***Lots 2 and 3 be included*** in such



potential Redevelopment Area in order to properly replan this section of the Township.

8.90 BLOCK 28.14, LOT 4 (6 SHARON ROAD)

Lot 4 is a 2.08-acre, undeveloped, NJDOT-owned lot that appears to be remaining land after construction of the Route 33 Bypass.

8.90.1 Redevelopment Criterion ‘c’

Lot 4 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

In constructing the Route 33 Bypass, NJDOT provided no access to Lot 4 from Route 130 or County Route 526. Access is available solely through Lots 2 and 3, which are Township-owned lots and not rights-of-way.

As depicted on the aerial photograph in §8.90, the accessways to Lots 2 and 3 may be inadequate to service an eventual redevelopment project on Lot 4.

With such a *lack of means of access*, the lot is *not likely to be developed through the instrumentality of private capital*.

Criterion ‘c’ therefore applies.

8.90.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 4 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’ therefore applies.



8.91 BLOCK 29, LOT 1.011 (100 NORTH GOLD DRIVE)

Lot 1.011 is a 2.66-acre, undeveloped, heavily wooded lot.

8.91.1 Substantive Criteria

Lot 1.011 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.92.1 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 1.011 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' therefore applies.

8.92.2 Recommendation

Should the lands surrounding or adjacent to in proximity Lot 1.011 be included in any potential Redevelopment Area, it is recommended that **Lot 1.011 be included** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.92 BLOCK 29, LOT 1.19 (101 NORTH GOLD DRIVE)

Lot 1.19 is a 1.88-acre, undeveloped, heavily wooded lot, containing a substantial amount of wetlands.

8.92.1 Redevelopment Criterion ‘c’

Lot 1.19 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 1.19 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

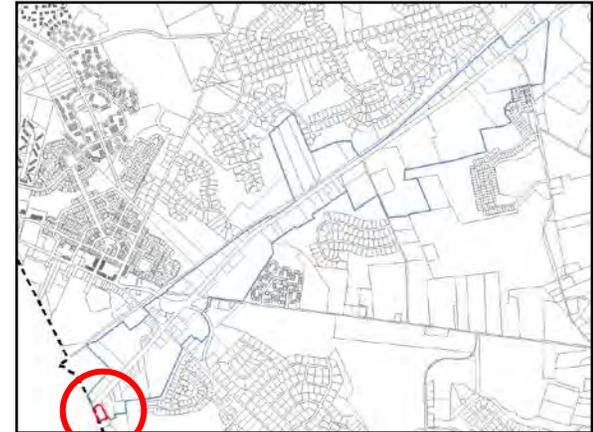
Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 1.19 is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.

8.92.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 1.19 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’ therefore applies.



8.93 BLOCK 29, LOT 2.39 (ROUTE 130)

Lot 2.39 is a 2.70-acre, undeveloped lot, located in the 150' wetlands buffer.

8.93.1 Redevelopment Criterion 'c'

Lot 2.39 shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lot 2.39 contains wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Accordingly, absent this Redevelopment process whereby the lot could be replanned within the context of a larger Redevelopment Area, Lot 2.39 is not likely to be developed solely through the instrumentality of private capital.

Criterion 'c' therefore applies.

8.93.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 2.39 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' therefore applies.



8.94 BLOCK 29, LOT 3 (1093 ROUTE 130)

Lot 3 is a 1.62-acre lot occupied by an automotive (truck) parts business and associated parking, located within the 150' wetlands buffer.

8.94.1 Redevelopment Criterion 'd'

Signage directs trucks to park at the rear of the property.



While the parking area appears paved, there does not appear to be a designed stormwater drainage system on the lot. As such, the parking area likely has no oils separation system as required by current NJDEP regulations. While this situation may have been acceptable in an earlier era, such condition is now considered to be a faulty design and obsolete layout leading to a deleterious land use.

The location of this parking vis-à-vis the existing vegetation, wetlands and wetlands buffer, and the likelihood that parked vehicles may leak oils and other automotive fluids, and that stormwater will transfer these contaminants to the





environmentally-sensitive areas creates a detriment to the safety, health and welfare of the community.

As detailed in §5.5.1 herein, Lot 3 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.94.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 3 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' therefore applies.

8.95 BLOCK 29, LOT 4 (1095 ROUTE 130)

Lot 4 is a 0.94-acre lot containing what appears to be a single-family residential structure ~ albeit with undetermined usage. Truck and car parking are located at the rear of the property. This lot is located within the 150' wetlands buffer.

Although owned by different entities, aerial photography suggests that Lot 4 is used in conjunction with Lot 3 (§8.94 herein).

8.95.1 Redevelopment Criterion 'd'

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 40,801 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.

While the parking area appears paved, there does not appear to be a designed stormwater drainage system on the lot. As such, the parking area likely has no oils separation system as required by current NJDEP regulations. While this situation may have been acceptable in an earlier era, such condition is now considered to be a faulty design and obsolete layout leading to a deleterious land use.

The location of this parking vis-à-vis the existing vegetation, wetlands and wetlands buffer, and the likelihood that parked vehicles may leak oils and other automotive fluids, and that stormwater will transfer these contaminants to the environmentally-sensitive areas creates a detriment to the safety, health and welfare of the community.





As detailed in §5.5.1 herein, Lot 4 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.95.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 3 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' therefore applies.

8.96 BLOCK 29, LOT 5 (1097 ROUTE 130)

Lot 5 is a 1.25-acre lot that contains a used car dealership.
Lot 5 is located primarily in the 150' wetlands buffer.

8.96.1 Redevelopment Criterion 'd'

The used vehicles are parked haphazardly on the property, including on vegetated, permeable surface which likely has no oils separation system as required by current NJDEP regulations. While this situation may have been acceptable in an earlier era, such condition is now considered to be a faulty design and obsolete layout leading to a deleterious land use.

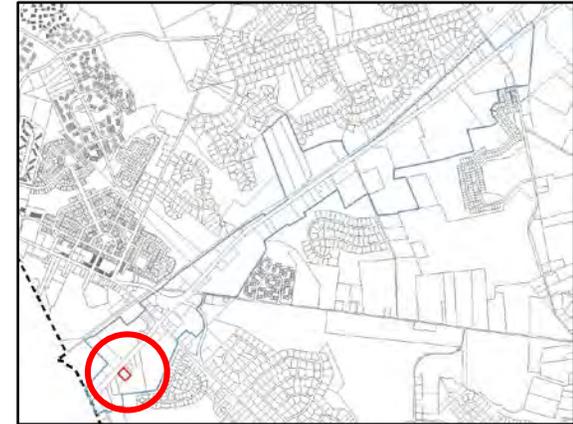
The location of this parking vis-à-vis the existing vegetation, wetlands and wetlands buffer, and the likelihood that the vehicles may leak oils and other automotive fluids into the soils and environmentally sensitive lands creates a detriment to the safety, health and welfare of the community.

As detailed in §5.5.1 herein, Lot 5 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.

Criterion 'd' therefore applies.

8.96.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 5 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' therefore applies.

8.97 BLOCK 29, LOT 6 (1099 ROUTE 130)

Lot 6 is a 0.38-acre lot containing a single-family home. The Tax Assessor’s records show the mailing address for the home to be the same as for Lot 5, suggesting some connection between the uses.

The interior of Lot 6 is not visible from the street. It is therefore not possible to determine the condition of the building.

8.97.1 Redevelopment Criterion ‘d’

Given the design constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 16,705 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion ‘d’ therefore applies.

8.97.2 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 6 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’ therefore applies.



8.98 BLOCK 29, LOT 7 (ROUTE 130)

Lot 7 is a 0.55-acre lot, vegetated located in the 150' wetlands buffer. The site visit attendant to this Report of Findings found the property posted for sale as a commercial lot.

8.98.1 Substantive Criteria

Lot 7 does not appear to conform with any of the Substantive Criteria required for Redevelopment Area designation.

8.98.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 7 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' therefore applies.

8.98.3 Recommendation

Should the lands surrounding or adjacent to in proximity Lot 7 be included in any potential Redevelopment Area, it is recommended that ***Lot 7 be included*** in such potential Redevelopment Area in order to properly replan this section of the Township.



8.99 BLOCK 29, LOT 8 (1103 ROUTE 130)

Lot 29 is an 8.59-acre lot that contains a former produce storage facility. While the building is currently unutilized, Lot 8 is used for the parking of trucks.

This lot is located within the 150' wetlands buffer and portions of the lot contain wetlands.

The site visit attendant to this Report of Findings found the property, along with adjacent Lots 9 & 10 with common ownership, posted for sale.

8.99.1 Redevelopment Criterion 'b'

Lot 8 hosts a vacant storage building which is currently listed for sale.

Criterion 'b' therefore applies.

8.99.2 Redevelopment Criterion 'd'

The parking area on Lot 8 appears to be gravel with no designed stormwater drainage system. As such, the permeable area where parking takes place likely has no oils separation system as required by current NJDEP regulations. While this situation may have been acceptable in an earlier era, such condition is now considered to be a faulty design and obsolete layout leading to a deleterious land use.

As detailed in §5.5.1 herein, Lot 8 is located within the 150' wetlands buffer. While the site-specific 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 represents a faulty design that may be detrimental to the health and safety of the community.





The location of the parking vis-à-vis the existing vegetation, wetlands and wetlands buffer on Lot 3, and the likelihood that parked vehicles may leak oils and other automotive fluids, and that stormwater will transfer these contaminants to the environmentally-sensitive areas creates a detriment to the safety, health and welfare of the community.

Criterion 'd' therefore applies.

8.99.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 8 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' therefore applies.

8.100 BLOCK 29, LOT 9 & 10 (ROUTE 130 & 39 ROBBINSVILLE-ALLENTOWN ROAD)

Lot 9 is a 1.2-acre undeveloped lot. Lot 10 is a 19.8-acre undeveloped lot. Both lots contains wetlands.

The site visit attendant to this Report of Findings found the property, along with adjacent Lot 8 with common ownership, posted for sale.

8.100.1 Redevelopment Criterion ‘c’

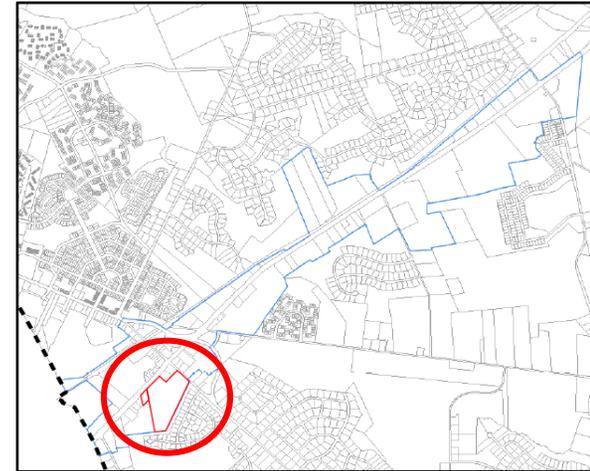
This combined Parcel shows no evidence of having been developed within the ten-year threshold prior to the adoption of Township Resolution 2020-68.

As detailed in §5.5.1 herein, Lots 9 and 10 contain wetlands. While the site-specific 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 represents a concern of the nature of the soil which makes this lot less likely to be developed through the instrumentality of private capital.

Trucks from Lot 8 appear to be encroaching on this Lot, and given the nature of the soil this is a concern for the health and safety of the community.

Accordingly, absent this Redevelopment process whereby the combined Parcel could be replanned within the context of a larger Redevelopment Area, the combined Parcel is not likely to be developed solely through the instrumentality of private capital.

Criterion ‘c’ therefore applies.





8.100.2 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lots 9 and 10 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' therefore applies.

8.101 BLOCK 29, LOT 11 (1111 ROUTE 130)

Lot 11 is a 0.99-acre lot containing a restaurant and seafood market located primarily in the 150' wetlands buffer.

8.101.1 Redevelopment Criterion 'a'

The Site inspection conducted for this Redevelopment Analysis found deteriorating soffit and roofing, and cracked exterior masonry which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus.

Rusted and dilapidated storage tanks were noted in the rear of the building. While the NJDEP database shows no record or contamination, the presence of these tanks and their condition raises concerns as to whether contamination may exist.

Such unsafe and unsanitary conditions combine to render Lot 11 dilapidated and conducive to unwholesome living conditions.

Information provided by the Township finds the restaurant in violation of sanitation and fire codes for a failed grease trap and a fire alarm that was installed without permits.

The grease trap violation represents an unsanitary condition that can be conducive to unwholesome working conditions.

The fire alarm violation represents a potentially substandard installation that could lead to an unsafe condition.



While the foregoing violations are examples of qualifying conditions under Redevelopment Criterion ‘a’, such Criterion requires “*the generality of buildings*” in the area to possess such conditions.

Criterion ‘a’ therefore applies.

8.101.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, Lot 11 contains a building that exhibits characteristics of dilapidation which may be detrimental to the health and safety of the community.

While the violations cited in §8.102.1 are not named conditions under Criterion ‘d’, the Criterion does make room for “*other factors*” that are “*detrimental to the safety, health, morals and welfare of the community*”.

As detailed in §8.102.1, the violations cited for Lot 11 are detrimental to the safety, health, and welfare of the community.

As detailed in §5.5.1 herein, Lot 11 contains wetlands. While the site-specific analyses necessary to determine the permissibility of development within the wetlands and/or buffer is beyond the scope of this Report of Findings, such conditions represent a faulty design that may be detrimental to the health and safety of the community.



Given the design

constraints involved in developing a commercial building with sufficient parking, while conforming to current stormwater management regulations, a 16,705 s.f. lot is not likely to attract the type of project that would be considered attractive to the development community.

Criterion 'd' therefore applies.

8.101.3 Redevelopment Criterion 'h'

As mapped in §6.8.1 B. herein, Lot 11 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' therefore applies.



8.102 BLOCK 29, LOT 12 (1113 ROUTE 130)

Lot 12 is a 1.11-acre lot which, at the beginning of this study, housed a Deli, that has since been renovated into a liquor store.

Lot 12 also contains a single-family residential structure that is used as an office building and 3 small storage structures.

8.102.1 Redevelopment Criterion ‘a’

The Site inspection conducted for this Redevelopment Analysis found deteriorating siding and cracked exterior masonry on both the principal and accessory buildings which may lead to water infiltration.

Water infiltration may lead to mold and chronic health-related issues, become a breeding ground for insects and vermin, and create the potential for West Nile virus. Such unsafe and unsanitary conditions combine to render Lot 12 dilapidated and conducive to unwholesome living conditions.

Criterion ‘a’ therefore applies.

8.102.2 Redevelopment Criterion ‘d’

As demonstrated under Criterion ‘a’ herein, the lot contains buildings that exhibit characteristics of dilapidation which may be detrimental to the health and safety of the community.

Criterion ‘d’ therefore applies.

8.102.3 Redevelopment Criterion ‘h’

As mapped in §6.8.1 B. herein, Lot 11 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' therefore applies.

