

RESOLUTION # 2024:08

RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF STRATFORD RECOMMENDING DESIGNATION OF BLOCK 36, LOTS 1,2,4,6,7,8,9,10,11,12,13,14,15 &16; BLOCK 40 LOTS 2,3,4,5,7,8,9 &10; BLOCK 41 LOTS 2,2.01,3,4,5,6,7 &8 AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., specifically N.J.S.A. 40A:12-6, authorizes the governing body of any municipality, by resolution, to have its Joint Land Use Board conduct a preliminary investigation to determine whether any area of a municipality is a redevelopment area; and

WHEREAS, pursuant to Resolution # 2023-76, adopted by the Mayor and Council of the Borough of Stratford, the Joint Land Use Board of the Borough of Stratford (“JLUB”) conducted an investigation to determine whether Block 36, Lots 1,2,4,6,7,8,9,10,11,12,13,14,15,&16; Block 40 Lots 2,3,4,5,7,8,9 &10; Block 41 Lots 2,2.01, 3,4,5,6,7 &8 (“Study Area”) should be designated as a non-condemnation area in need of redevelopment and considered the “Determination of Need Report as prepared by Bach Associates, PC, dated February 2024 (“Study Area Report”); and

WHEREAS, the JLUB conducted a public hearing on February 22, 2024 concerning the potential designation of the Study Area as a non-condemnation redevelopment area and the meeting was open to the public and all members of the public, as well as all affected property owners, had an opportunity to address questions and comments to the JLUB Board and its professionals; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, due notice of the public hearing was provided to the property owners as mandated by the aforesaid statute and also notice was posted and published in accordance with the law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the JLUB prepared a map showing the boundaries of the Study Area and the location of the various parcels of property included therein. Appended to the map was a statement setting forth the basis for the investigation; and

WHEREAS, the Study Area Report is adopted herein by reference; and

WHEREAS, all members of the JLUB Board reviewed the Study Area Report.

NOW, THEREFORE, the JLUB of the Borough of Stratford makes the following findings of fact and conclusions of law with respect to the Study Area Report for the Study Area;

1. The Mayor and Council have directed the JLUB to conduct a preliminary investigation to determine whether the Study Area is a noncondemnation redevelopment area in accordance with the criterion set forth in N.J.S.A. 40A:12A-1 et seq.

2. The Planning Board finds and recommends to the Mayor and Council that the Study Area consisting of Block 36, Lots 1,2,4,6,7,8,9,10,11,12,13,14,15 &16; Block 40 Lots 2,3,4,5,7,8,9 &10; Block 41 Lots 2, 2.01, 3,4,5,6,7 &8, , satisfies criteria “a” “b” ”c” “d” ‘e’” as set forth in N.J.S.A. 40A:12A-5 and as set forth in the Study Area Report and the testimony of Steven M. Bach, PE, RA, PP, CME and Candace A. Kanaplue, AICP,PP specifically finding that the following conditions exist:

Redevelopment Criterion ‘a’ The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics. Block 36, Lots 9, 12, 13, 14 and 15; Block 40, Lots 4, 8, and 9; Block 41, Lots 4, 5 and 6 all qualify as areas in need of redevelopment under this criterion. The structures are obsolete or substandard in nature and not conducive to safe living or working conditions. Specifically, Block 36, Lot 9 is a converted dwelling and not conducive to an office setting. Block 36 Lots 12, 13, 14, and 15 are obsolete structures and in need of repairs and updates. Block 40 Lot 4 is a converted dwelling, an obsolete and dated structure that is not conducive to non-residential uses. The front dormer window has been removed and replaced with siding. In 2019, the property owner was cited by police for exterior maintenance violation. Block 40, Lot 8 has a sideways oriented building that is obsolete in design. Block 40 Lot 9 has an obsolete building on site that needs updating. Block 41 Lots 5 and 4 contains an architecturally obsolete structure. Block 42 Lot 6 contains an obsolete single family dwelling that is not only vacant but contains an extended front overhang that is mismatched from the remainder of the structure.

Criterion ‘b’ 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 two consecutive years. Block 36 Lot 2 and Block 40 Lot 8 qualify as areas in need of redevelopment under this criterion. The buildings, previously used as offices, have not been utilized for at least two years.

Criterion ‘c’ Unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. Block 36, Lot 4 and Block 41, Lots 2, 2.01 and 3 qualify as areas in need of redevelopment under this criterion as they have been vacant for at least ten years.

Criterion ‘d’ Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. Block 40 Lots 7, 8 and 9; Block 41, Lots 2, 2.01, 3, 4, 5 and 6 qualify as areas in need of redevelopment under this criterion. The buildings and/or improvements are obsolete, designed in a faulty arrangement such as parking and orientation. Block 40, Lot 7 qualifies due to the oddly shaped parcel, with a large parking lot in the rear and sideways oriented building in the front of the parcel. Block 40 Lot 8 consists of obsolete design and layout including the parking lot arrangement. Block 40 Lot 9 consists of obsolete design and layout including the parking lot arrangement. Block 41, Lots 2, 2.01 and 3 qualifies due to the structure being small, dated and utilized as an office. Block 41 Lot 4 and Lot 5 consists of an obsolete design and layout with a faulty parking lot arrangement including parking in Preliminary Need Investigation –

Determination of Need Report February 2024 Page 14 the front yard and faded striping. The building on Block 41 Lot 6 has been vacant and listed for sale since 2017.

Criterion 'e' 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 similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. Block 36, Lots 6, 8, 10 and 11; Block 40, Lots 2 and 3; and Block 41, Lots 2, 2.01 and 3 qualify as areas in need of redevelopment under this criterion. These properties are not utilized to their full potential or are not utilized in accordance with their current zoning. They are therefore inhibiting fully productive land use that would benefit the residents of Stratford Borough. The initial rehabilitation area designation and plan was intended to stimulate the redevelopment of the area to become ancillary uses to the medical school and hospital. This attempt was unsuccessful and the designation as an area in need of redevelopment could incentivize the intended uses in a more compelling way.

N.J.S.A. 40A:12A-3. In addition, the redevelopment area definition enables the inclusion of properties that are essential for the effective redevelopment of the area as a whole. Block 36, Lots 1, 7, 16; Block 40, Lot 5; Block 41, Lots 7 and 8 fall under this section. They are integral to the redevelopment of the areas as a whole despite the fact that they are not detrimental to the welfare of the community as individual parcels.

After hearing the testimony of Mr. Bach and Ms. Kanaplue and having reviewed the exhibits and hearing comments from the public, the Board finds the testimony of Mr. Bach and Ms. Kanaplue to be credible and Block 36 Lots 1,2,4,6,7,8,9,10,11,12,13,14,15 716; Block 40 Lots 2,3,4,5,7,8,9 & 10; Block 41 Lots 2,2.01, 3,4,5,6,7 & 8 meet the criteria as a Redevelopment Area without Condemnation pursuant to N.J.S.A.40A:12A-5 sections a,b,c,d and e, that this recommendation does not affect any previous approved designation for this site, any previous approvals granted by this JLUB are not relevant to this recommendation and any correspondence between the Borough Council and the property owner are also not relevant to this recommendation and accordingly, on Motion made and duly seconded, the JLUB voted to recommend to the Borough Council, based upon the "Determination of Need Report as prepared by Bach Associates, dated February 2024 and testimony provided by Steven M. Bach, PE, RA, PP, CME and Candace Kanaplue, AICP,PP that the Study Area be designated as a Redevelopment Area without Condemnation.

NOW THEREFORE, BE IT RESOLVED that the JLUB Board recommends to the Mayor and Council of the Borough of Stratford that Block 36, Lots 1,2,4,6,7,8,9,10,11,12,13,14,15 &16; Block 40 Lots 2,3,4,5,7,8,9 &10; Block 41 Lots 2,2.01, 3,4,5,6,7 78, of the Study Area, be designated as a Redevelopment Area without Condemnation within the Borough of Stratford pursuant to N.J.S.A. 40A:12A-1 et seq.

MICHAEL MANCINI, CHAIRPERSON

ATTEST:

Sharon McCart, SECRETARY

ROLL CALL: On Motion to recommend Block 36 Lots
1,2,4,6,7,8,9,10,11,12,13,14,15, &16; Block 40 Lots
2,3,4,5,7,8,9&10; Block 41 Lots 2,2.01, 3,4,5,6,7&8 as a
Redevelopment Area without Condemnation

LIST NAMES

Mr. McGovern	Yes
Mr. Hall	Yes
Ms. Campbell	Yes
Mr. Keenan	Yes
Mr. Kozeniewski	Yes
Mr. St. Maur	Yes
Ms. Lomano	Yes
Mr. Morello	Yes
Mr. Mancini	Yes

I, Sharon McCart, Secretary of the Joint Land Use Board of the Borough of Stratford, do hereby certify the foregoing Resolution is a true and accurate copy of the

Resolution adopted by the Joint Land Use Board of the
Borough of Stratford on the 18th day of March, 2024.

Secretary

Prepared by:
ANTHONY P. COSTA, Esquire