



Area in Need of Redevelopment Study | Block 44.02, Lot 2 | Township of Maplewood, New Jersey

Prepared for The Township of Maplewood by
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July 2013

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Township of Maplewood, New Jersey

July 17, 2013

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The Township of Maplewood

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The original of this report was signed and
sealed in accordance with N.J.S.A. 13:41-1.2



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I. INTRODUCTION

The following study has been prepared for the Township of Maplewood Planning Board to determine whether an area located in the east central portion of the Township of Maplewood, Essex County, New Jersey qualifies as an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law (LRHL) at NJSA 40A:12A. The area under consideration is comprised of one 3.86-acre tax lot in the Township of Maplewood. The site is located on the east side of Boyden Avenue and the northwest side of Springfield Avenue, and has a street address of 186-238 Boyden Avenue (heretofore referred to as the “study area”).

The scope of work for the study encompassed the following: surveys of land uses and property conditions; review of occupancy and ownership status within the study area and nearby areas; review of municipal tax maps and official tax records of the Township of Maplewood; review of the existing zoning ordinance and zoning map for the Township of Maplewood; and review of the July 2011 Township of Maplewood Master Plan Reexamination Report (hereinafter referred to as the “Master Plan”).

As more fully described in the body of the report, we conclude that the study area meets the statutory criteria for designation as a redevelopment area. Our conclusion is based on the following findings:

- The study area boundary has been appropriately and logically drawn from an overall planning perspective and in consideration of established land uses, property conditions and existing development trends in the surrounding area.
- The study area consists of a single property that contains characteristics detrimental to the general welfare of the community due to conditions including faulty arrangement or design, obsolescent and deleterious land uses, obsolete layout and environmental contamination.
- The study area meets the statutory criteria for redevelopment designation. The prevailing condition of the study area is one of an “area in need of redevelopment.”

In sum, the study area meets the statutory criteria for designation as an “area in need of redevelopment” in accordance with the LRHL.

The following chapter briefly describes the locational context of the area under consideration for redevelopment area status, while Chapter III discusses the existing development regulations and Master Plan recommendations for the study area. Chapter IV sets forth the statutory criteria used to determine whether an area is in need of redevelopment, considers the appropriateness of the study area boundaries and applies the statutory criteria to the study area to determine whether they warrant a redevelopment designation. Chapter V presents the overall conclusions regarding the study area’s potential for redevelopment area status.

II. LOCATIONAL CONTEXT OF THE STUDY AREA

The area under consideration for redevelopment area designation encompasses a single property located within the east central portion of the Township of Maplewood along Boyden Avenue at its intersection with Springfield Avenue. The study area is 3.86 acres in area. The study area's locational context within the Township is shown on Figure 1. The study area is designated as Block 44.02, Lot 2 according to the Township's tax maps (see Figure 2).

The study area boundaries are formed generally by the following: the southeasterly right-of-way line of Boyden Avenue from Block 44.02, Lot 101 to Block 44.02, Lot 1; the easterly property line of Block 44.02, Lot 1; the northerly right-of-way line of Springfield Avenue from Block 44.02, Lot 1 to Block 44.02, Lot 50; and the westerly property lines of Block 44.02, Lot 50 and Block 44.02, Lot 101.

The study area is located in an area of the Township characterized by several institutional uses, including a New Jersey Transit Bus Garage and office building, the Maplewood Community Pool, Maplewood Fire Department Station Number 2 and Maplewood First Aid Squad headquarters; commercial uses along Springfield Avenue; and one-family, two-family and multifamily residential. The study area's setting in the immediate surrounding area is shown on Figure 3.

In terms of land use, the study area is developed with a single vacant building and related improvements. The building was originally constructed in 1941 and was expanded in 1955. It was utilized by Public Service Electric & Gas Company and its related entities ("PSE&G") as a research and testing facility. In 2012, PSE&G relocated vacated the building in the study area and relocated its functions to a newer and larger facility in South Plainfield, New Jersey. Therefore, the study area is no longer used for the primary function for which it was originally intended. This building also is obsolete for uses permitted by zoning, as detailed in Chapter IV, and has a number of issues that inhibit its potential for reuse.



Figure 1: Location | Area in Need of Redevelopment Study | Block 44.02, Lot 2 | Township of Maplewood NJ

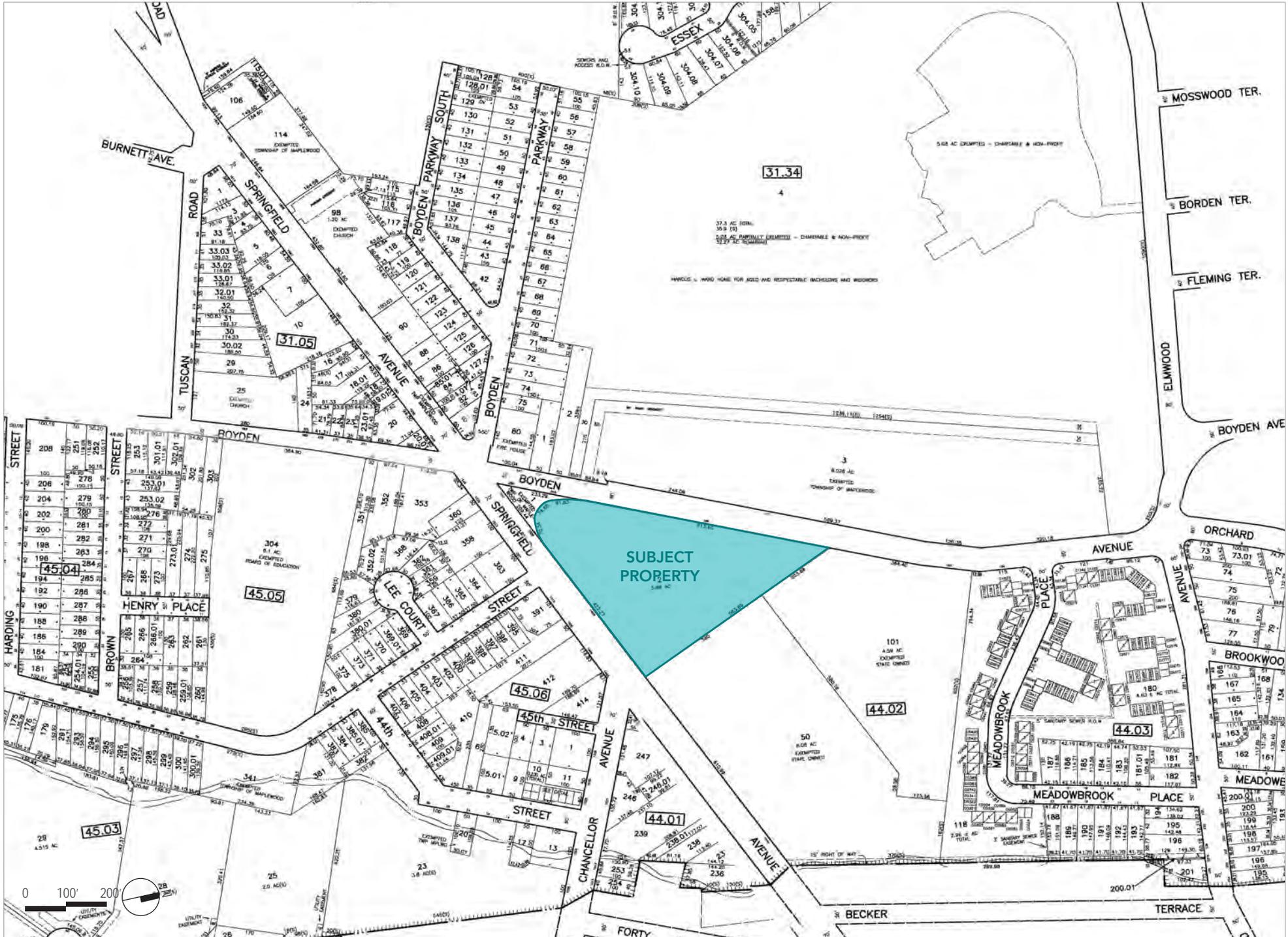


Figure 2: Tax Map | Area in Need of Redevelopment Study | Block 44.02, Lot 2 | Township of Maplewood NJ



Figure 3: Context | Area in Need of Redevelopment Study | Block 44.02, Lot 2 | Township of Maplewood NJ

III. EXISTING MASTER PLAN AND ZONING DESIGNATIONS FOR THE STUDY AREA

A. Master Plan

The Township of Maplewood’s most recent Master Plan Reexamination was adopted on July 12, 2011 (the “2011 Master Plan Reexamination”). This document evaluates the current status of the Township’s Master Plan, in particular its goals, objectives and recommendations, and provides some new recommendations. The 2011 Master Plan Reexamination does not specifically address the study area. However, it does include discussion of the importance of maintaining and enhancing Maplewood’s commercial and industrial tax base, as well as the following general objective: “Improve the quality of commercial activity and the value of commercial properties in all the Township’s business districts, without harming the character and vitality of adjoining residential neighborhoods.”

Springfield Avenue is cited as a “significant opportunity” for Maplewood but is also noted as presenting challenges. The 2011 Master Plan Reexamination recommends some zoning changes for other portions of Springfield Avenue. The existing RO zoning of the study area was not recommended to be changed by the 2011 Master Plan Reexamination, although at the time of the plan’s adoption the Planning Board did not know that PSE&G would be vacating the study area.

B. Zoning

According to Maplewood’s current Zoning Ordinance, the study area is located in the RO Research and Office zone district. The study area’s zoning is shown on Figure 4. The RO zone only includes three properties: the study area and two adjoining parcels (Block 44.02, Lots 50 and 101), which are owned by New Jersey Transit and used as a bus garage and an office building.

Permitted principal uses in the Research and Office district are office buildings, professional offices, computer centers and research laboratories. Accessory uses permitted in the RO zone are off-street parking lots, fences not over six feet in height in side or rear yards only, radio antennas, dish antennas, solar collectors, pilot plants for testing of products or materials, provided that such plants do not exceed 25% of the gross floor area of the buildings on the site, and other uses customarily associated with the permitted uses, provided that such accessory uses are subordinate to the principal use and serve only the principal use. The area and setback requirements for the RO zone are listed in Table 1.

Table 1: RO Zone Bulk Standards

Minimum requirements:	
Lot area	80,000 square feet
Lot width	200 feet
Front yard	75 feet
Side yard	25%
Side yard, combined percent of lot width	25%
Rear yard, adjoining residential	100 feet
Rear yard	50 feet
Maximum requirements:	
Front yard, percent paved	20%
Building coverage	30%
Lot coverage	70%
Building height	50 feet



Figure 4: Zoning Map | Area in Need of Redevelopment Study | Block 44.02, Lot 2 | Township of Maplewood NJ

IV. CONSIDERATION OF THE STATUTORY CONDITIONS FOR ESTABLISHMENT OF AN AREA IN NEED OF REDEVELOPMENT AS SPECIFICALLY APPLIED TO THE STUDY AREA

A. Introduction

Under the regulations of the LRHL at NJSA 40A:12A-5, a delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in Section 6 of P.L.1992, c.79 (NJSA 40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real 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.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the areas has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zones Act, P.L. 1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to NJSA 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of NJSA 40A:20-1 et seq. or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of NJSA 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

NJSA 40A:12A-1 et al. for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

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

In a study area with multiple parcels, individual properties or blocks that do not meet any of the statutory conditions may still be included within an area in need of redevelopment provided that within the study area as a whole, one or more of the expressed conditions are prevalent. This provision is referred to as “Section 3” and is set forth under NJSA 40:12A-3, which states in part:

“A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part.”

The following section describes the particular study area boundaries and improvements within the study area, and considers whether or not the statutory criteria for an “area in need of redevelopment” designation are met.

B. Appropriateness of the Study Area Boundaries

The study area boundaries are an essential part of any area in need of redevelopment investigation. In this case, the limits of the study area have been appropriately drawn. The study area is comprised of a single lot that is hemmed in by large public uses and two busy streets, as well as a small Township-owned property at the intersection of those streets. The study area is no longer used for the primary function for which it was originally intended, and it does not seem likely it will be reused for office, research and/or testing purposes, as described in the following section. As for the potential of including nearby parcels in the study area, it is bounded to the south and northwest by street rights-of-way and to the east and west by publicly owned properties. Commercial properties across Springfield Avenue and the fire station, residence and municipal swimming pool across Boyden Avenue would not be logically included within the study area, nor would the two New Jersey Transit properties to the east.

C. Application of the Statutory Criteria to the Study Area

The following evaluates the current conditions within the study area and considers whether this area meets any of the statutory criteria for an “area in need of redevelopment” designation.

The study area consists of one property comprised of a single tax lot. According to the Township of Maplewood’s tax records, the current owner of the property is PSEG Power LLC, a related entity of PSE&G. This parcel is 3.86 acres in area and is designated as Block 44.02, Lot 2. The study area is irregular in shape with ±583 feet of frontage along Boyden Avenue and ±422 feet of frontage along Springfield Avenue. The eastern boundary is ±552 feet in length and stretches from Boyden Avenue to Springfield Avenue. The western corner of the site is bounded by a small property owned by the Township of Maplewood. The site is developed with a vacant three-story, 59,798-square foot building formerly used by PSE&G as a research, testing and office facility. (Various photographs illustrating existing conditions in the study area and vicinity are included in the Appendix.)

The property meets the following criteria: **b, d**

The study area is characterized by the discontinuance of the use of a building previously utilized for commercial/industrial purposes. Moreover, the study area is no longer suitable for use for the primary function for which it was originally intended – research and testing – and is unlikely to be reused in the future for any permitted use in the RO zone (i.e. office, computer center, research, testing) given the existing building’s age and the size and location of the study area.

The sole building in the study area was constructed over 70 years ago. The age of the building is itself an impediment to its reuse, due to significant changes that have occurred since 1941. By today’s standards, the study area also is not large enough in size to accommodate a modern research and testing facility given its location outside a center city. Development patterns and transportation networks in northern New Jersey have changed dramatically since 1941 as well. The building predates the construction of both the Garden State Parkway and Interstate Route 78. At the time the building was erected, Springfield Avenue was one of the main east-west routes in southern Essex County. This street provided direct access to downtown Newark not only for automobiles and trucks but also for streetcars. Inner suburban locations such as Maplewood fell out of favor for nonresidential uses of the type found in the study area in the second half of the twentieth century, as new highways made suburban and rural locations more accessible.

Nowadays, office, research and testing facilities are typically located on larger sites in highway-oriented locations. The site does not have direct access to major highways, which are important considerations for modern office and research facilities. The Garden State Parkway and Interstate 78 are only accessible from the study area by driving one to two miles on local streets. Alternately, such uses can feasibly be located in more urban settings closer to transit hubs and complementary uses, such as a university or hospital. However, the study area is not in such a setting and is not even located in the immediate vicinity of a passenger railroad station.

The existing building is very unlikely to be reused for any other permitted use, or even one not currently permitted by zoning (e.g., multifamily residential). Its design does not lend itself to reuse as the arrangement of rooms within the building reflects decades-old ideas of how to design laboratory and office space. The presence of load-bearing walls throughout the building inhibits potential reorganization of internal space. Further, the lack of modern wiring to accommodate telephones, computers, internet access and other necessary business infrastructure make it unlikely office tenants could be found. There are also potential health and safety issues, including the presence of asbestos and lead paint, outdated building systems (i.e., heating, ventilation, air conditioning and plumbing) and insufficient elevator and stairway provision – one of the exit stairs is an exterior fire escape. The amount of asbestos in the building is particularly troubling, as it is found in many places in the basement and upper three floors of the building, as well as on the building’s roof and exterior.

In short, the site is not suited for reuse or redevelopment for its original function or other uses permitted according to its current zoning.

The lack of active use of the subject site with little prospect of it being reused represents a deleterious influence on land uses in the vicinity, not to mention the economic well-being of Maplewood. The study area is bounded by a chain link fence topped with barbed wire, behind which is an expanse of asphalt formerly used for parking. The building in the study area is setback over 100 feet from Boyden Avenue and 85 feet from Springfield Avenue at its closest point. In its present condition, the site negatively impacts other properties in the area; it discourages investment consistent with the Township’s Master Plan objectives and, if conditions are allowed to persist, could exert a blighting influence on the surrounding area, to the detriment of the health and welfare of the community.

In summary, the discontinuance of the use of the building in the study area for office, research and testing purposes qualifies this study area as in need in redevelopment under criteria b. The property's substandard and outdated conditions as detailed above are deleterious to the surrounding area and these conditions are detrimental to the overall public health, safety and general welfare, thus meeting criteria d.

The combination of the above factors makes it clear that this area qualifies as in need of redevelopment.

V. CONCLUSION

The foregoing study was prepared on behalf of the Township of Maplewood to determine whether an area located within the Township of Maplewood (i.e., Block 44.02, Lot 2) qualifies as an “area in need of redevelopment” in accordance with NJSA 40:12A.

It is the finding of this investigation that the prevalent condition within the area is one of an “area in need of redevelopment,” and that the study area in its entirety meets the statutory requirements for designation as a redevelopment area.

APPENDIX: PHOTOGRAPHS OF STUDY AREA AND IMMEDIATE SURROUNDINGS



