

**Preliminary Investigation for Determination of Eligibility
for Declaration as a Non-Condemnation
Area in Need of Redevelopment**

**Block 101.03,
Lots 11, 12, 13, 14, 15, 16, 16.01**

**Block 101.12,
Lots 10, 11, 12, 13, 14, 15, 16, 17**

**Block 101.15,
Lots 1, 2, 62.01, 63**

Block 103.01, Lot 40

Block 205.01, Lots 1, 2, 3, 4, 5, 26, 27, 28, 29, 30

Township of Mount Laurel
County of Burlington, State of New Jersey

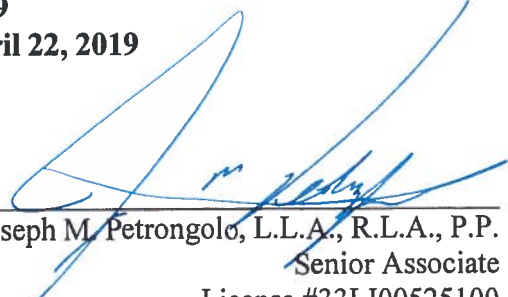
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I. PRELIMINARY INVESTIGATION FOR DETERMINATION FOR DECLARATION AS NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

1. INTRODUCTION

1.1 Purpose and Background

This preliminary investigation report is based on an analysis of an area identified as Block 101.03, Lots 11, 12, 13, 14, 15, 16, 16.01; Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17; Block 101.15, Lots 1, 2, 62.01, 63; Block 103.01, Lot 40; and Block 205.01, Lots 1, 2, 3, 4, 5, 26, 27, 28, 29, 30 (the “Study Area”), emanating from the directive of the Township Council of the Township of Mount Laurel (*hereinafter* Township Council) to the Mount Laurel Planning Board (*hereinafter* Planning Board) to undertake a preliminary investigation to determine whether a total of 30 parcels found generally in the area bounded by Creek Road to the west, Rancocas Boulevard to the north, and County Route 537 (Marne Highway) to the south, manifest conditions that would qualify the study area for a declaration of non-condemnation area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. Said tasking is as memorialized by the Township Council of Mount Laurel Resolution as shown in Appendix A.

A redevelopment area or “area in need of redevelopment” and a rehabilitation area or “area in need of rehabilitation” means an area determined to be in need of redevelopment or rehabilitation pursuant to sections 5 and 6 of P.L.1092, c.79 (C.40A:12A-5 and 40A:12A-6). 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. With a finding in the affirmative, the application of all redevelopment powers is permissible as provided by the Legislature; however, under this Preliminary Redevelopment Investigation the exercise of eminent domain is excluded.

With an affirmative finding that the Study Area is an area in need of redevelopment, application of the powers and benefits which accrue as a result of redevelopment planning, pursuant to the above cited redevelopment statute, is enabled. Most significantly, application of redevelopment planning, in the first instance, enables the preparation and adoption of a plan for redevelopment and, in the second, affords municipalities the opportunity to enter into public/private partnerships with re-developers, or partnerships with public agencies, so to promote realization of a mutually agreed upon future look and arrangement of development.

Moreover, the adoption of a redevelopment plan affords greater municipal control over development in that, once adopted, redevelopment activity must be in accord with the redevelopment plan as approved by the Township Council. Further, adoption of a redevelopment plan permits opportunity for the refinement of development regulations as may

be necessary to achieve the redevelopment vision, assuring a result that is in concert with the development vision of the municipality.

1.2 Study Area Delineation

The Study Area is located within the northeast portion of the Township of Mount Laurel, positioned along the eastern edge of the municipality, adjacent to the Township of Hainesport. The site encompasses Marne Highway (County Route 537), a principal arterial roadway.

More specifically, the focal area of this preliminary investigation consists of 30 parcels:

- Block 101.03, Lots 11, 12, 13, 14, 15, 16, 16.01 are located along Creek Road in between Conestoga Lane and slightly north of Fleetwood Avenue.
- Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17 are located primarily along Creek Road in between Woolmans Lane and Conestoga Lane.
- Block 101.15, Lots 1 and 2 are located on Rancocas Boulevard at the intersections of Marne Highway (County Route 537) and Creek Road.
- Block 101.15, Lots 62.01 and 63 are located on Creek Road near the intersection of Woolmans Lane.
- Block 103.01, Lot 40 is located on Creek Road, northwest of Willow Way. Squirrel Tree Lane provides rear access to the parcel.
- Block 205.01, Lot 1 is located on Creek Road near the intersection of Marne Highway (County Route 537).
- Block 205.01, Lots 2, 3, 4, 5 are located on Marne Highway (County Route 537) west of Creek Road.
- Block 205.01, Lots 26, 27, 28, 29 are located along the southbound direction of Creek Road near Conestoga Lane.
- Block 205.01, Lot 30 is located along the southbound direction of Creek Road near Woolmans Lane.

1.3 Map of Study Area



STUDY AREA INVESTIGATION FOR NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

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January 2019

2. THE PLANNING SETTING

2.1 Study Area Zoning Classification

From a zoning perspective the Study Area lies within two different zoning districts, as shown below.

Table 1: Current Zoning Schedule for Study Area

Block	Lots	Zoning District
101.03	11, 12, 13, 14, 15, 16, 16.01	NC Neighborhood Commercial
101.12	10, 11, 12, 13, 14, 15	NC Neighborhood Commercial
101.12	16, 17	R-1 Residential
101.15	1, 2, 62.01, 63	NC Neighborhood Commercial
103.01	40	R-1 Residential
205.01	1, 2, 3, 4, 5, 26, 27, 28, 29, 30	NC Neighborhood Commercial

Per Chapter 154 of the Township of Mount Laurel's Zoning Ordinance, the regulations of these two zoning districts anticipate the following uses:

- R-1 - Provides for single-family dwellings, public parks and facilities, golf courses and municipal facilities, banks and fiduciary institutions, any form of agriculture or horticulture, cemetery and funeral home, and group homes and community residences.
- NC Neighborhood Commercial - Provides for retail business and personal service establishments which are clearly of a neighborhood service character, churches, professional offices, etc.

2.2 Relationship to Urban Enterprise Zone

The Urban Enterprise Zone (UEZ) Program was enacted by the State Legislature in 1983. The UEZ designation connotes an area that has experienced economic distress and needs revitalization and the stimulation of growth “by encouraging businesses to develop and create private sector jobs through public and private investment in the designated zones.”¹ Currently, the Township of Mount Laurel does not participate in the UEZ Program and this criterion will not be considered in the subsequent analysis of applicable statutory criteria for determination for redevelopment need.

2.3 Master Plan Perspective

The Mount Laurel Township Master Plan was prepared and adopted by the Planning Board in April 2006. The document consists of the following elements: 1) Goals and Objectives, 2) Land Use, 3) Housing and Fair Share (amended March 2010 and later revised and dated April 2017), 4) Recreation and Open Space (amended May 2009), 5) Circulation, 6) Community Facilities, 7) Conservation and Open Space, 8) Energy Conservation and Recycling Plan, and 9) Stormwater Management. The Master Plan Reexamination Report was adopted in December 2017.

These Master Plan documents were evaluated, and general support for the redevelopment of the Study Area is derived from the plan’s endorsement of redevelopment activity, pursuant to the Local Redevelopment and Housing Law N.J.S.A.40A:12A-1 et seq. Major objectives in the Plan include to guide future land development and community facilities to meet the needs of residents while ensuring that new development is compatible with existing developments; 2) To provide for a variety of residential, commercial, industrial, public open space, recreational and conservation uses; 3) To ensure that developments are compatible with the adjacent land uses in surrounding communities, where feasible; and 4) To provide for a balanced economic base and a source of employment through utilization of non-residential lands. Generally, the redevelopment of the Study Area is consistent with the advancement of the Township’s long-range planning goals.

2.4 State Planning Area Classification

The State Planning Act of 1985 mandated the New Jersey State Development and Redevelopment Plan (SDRP), which establishes State-level planning policy. The SDRP, adopted in 2001, outlines eight (8) broad planning goals for the State. Most related to this redevelopment effort are two statewide goals which aim to “revitalize the State’s cities and towns” and to “promote economic growth, development, and renewal.” The State Plan envisions improved livability and sustainability by investing public resources, leveraging private investments and improving the natural and built environments.

³ New Jersey Department of Community Affairs (DCA), Urban Enterprise Zone Program.

The SDRP identifies several planning areas that are defined by shared characteristics, such as population density and existing infrastructure over a designated area of land. Under the New SDRP, the entirety of the Study Area for redevelopment falls within the Suburban Planning Area (PA2) which the SDRP defines as a smart growth area.

Per the State Plan, the Suburban Planning Area (PA2) aims to:

- Provide for much of the State's future redevelopment;
- Promote growth in Centers and other compact forms;
- Promote 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.

3. REDEVELOPMENT PROCESS

3.1 Role of the Township Council and Planning Board

Summarized below, the redevelopment statute sets forth a multi-step process that must be observed by the Township Council and Planning Board to enable Mount Laurel to lawfully exercise the powers which accrue as a result of employment of redevelopment planning.

- a. The Township Council must authorize the Planning Board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in Section 5 of P.L.1992, c.79 (C.40A:12A-5).
- b. The Planning Board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein. The map must also include a statement setting forth the basis for the investigation.
- c. The Planning Board must conduct a preliminary investigation and 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 results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution for formal action. A public hearing is not necessary for a rehabilitation designation.
- d. Upon receipt of the recommendation from the Planning Board, the Township Council may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
- e. Upon designation as an area in need of redevelopment, the Planning Board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
- f. The redevelopment plan, after review by the Planning Board, is referred to the Council.
- g. Upon receipt of the redevelopment plan from the Planning Board, the Council may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.
- h. After the enactment of a redevelopment plan, the Township Council has the authority to create and designate a redevelopment entity to implement the redevelopment plan.

Only after completion of this public process is the Township of Mount Laurel able to exercise the powers granted under the redevelopment statute.

4. DESCRIPTION OF EXISTING STUDY AREA CONDITIONS

4.1 Study Area

General Description

The Study Area (known as Block 101.03, Lots 11, 12, 13, 14, 15, 16, 16.01; Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17; Block 101.15, Lots 1, 2, 62.01, 63; Block 103.01, Lot 40; and Block 205.01, Lots 1, 2, 3, 4, 5, 26, 27, 28, 29, 30) is located in the northernmost portion of the Township and situated in an area east of the New Jersey Turnpike and nearest to a portion of the Rancocas State Park, just south of the Rancocas Creek. The Study Area is primarily along Creek Road from Marne Highway to Knotty Oak Drive, along Marne Highway (County Route 537) from Creek Road to Crystal Avenue, and along Rancocas Boulevard from Creek Road to Lake Drive.

Table 2: Study Area Parcel Data

Block	Lot	Associated Lots	Property Type	Location	Acreage
101.03	11		Commercial	200 Creek Rd.	0.4149
101.03	12		Vacant Land	202 Creek Rd.	0.2114
101.03	13		Commercial	204 Creek Rd.	0.2197
101.03	14		Commercial	206 Creek Rd.	0.2238
101.03	15		Commercial	208 Creek Rd.	0.2341
101.03	16		Commercial	210 Creek Rd.	0.1942
101.03	16.01		Commercial	212 Creek Rd.	0.2296
101.12	10	11,12,13,14,15,16,17	Commercial	118 Creek Rd.	2.2775
101.15	1		Commercial	2 Rancocas Blvd.	1.0792
101.15	2		Commercial	4 Rancocas Blvd.	0.5705
101.15	62.01		Commercial	108-112 Creek Rd.	0.6427
101.15	63		Commercial	114 Creek Rd.	0.2079
103.01	40		Commercial	224 Creek Rd.	0.4079
205.01	1		Commercial	101 Creek Rd.	0.6887
205.01	2		Commercial	2901 Marne Hwy.	4.19

205.01	3		Commercial	2905 Marne Hwy.	0.99
205.01	4	5	Commercial	2909 Marne Hwy.	1.66
205.01	26	27,28	Commercial	131 Creek Rd.	1.8
205.01	29		Commercial	123 Creek Rd.	3.02
205.01	30		Commercial	115 Creek Rd.	1.41
Total Acres					20.6721

Source: New Jersey Tax Assessor Data, 2018

With some exceptions, the entirety of the Study Area falls within the municipality's sewer service area. Block 205.01, Lots 26, 27, and 28 are located outside of the sewer service area. The front portion only of Block 205.01, Lots 4 and 5 are partially within the sewer service area.

All the parcels within the study area have roadway frontage and are accessible from the public right-of-way, except for one landlocked parcel which is Block 205.01, Lot 28. As shown in Table 2, the Study Area consists of improved lots, except for one vacant lot (Block 101.03, Lot 12). All parcels are under private ownership.

Surrounding Area Description

The Study Area is located within the general vicinity of Rancocas Village, an unincorporated community centered upon two major transportation routes - Creek Road (County Route 537) and Marne Highway (County Route 537). Both County Routes are principal arterial roadways through the Study Area and are key corridors of the Township. These corridors are heavily travelled and characterized by commercial and business uses, surround by medium density residential.

The Study Area is also easily accessible to various parts of the Township based on its proximity to the NJ Turnpike located to the west. To the northwest of the Study Area, at the intersection of Creek Road and Fleetwood Avenue, is Fleetwood Elementary School. There is a mix of residential and commercial uses surrounding the Study Area. Most of surrounding uses are residential neighborhoods made up of detached, single-family dwellings. Masons Creek tributary runs through some portions of the Study Area.

Overall Summary

The Study Area is 20.67± acres in size. Along with a physical site visit of the Study Area and the immediate surrounding area, data was gathered from tax maps, municipal records, aerial photographs, land data, and environmental inventories.

From a transportation perspective, except for one landlocked parcel, Creek Road (County Route 636), Rancocas Road, and Marne Highway (County Route 537) are the primary access roads that connect the lots under investigation. In general, pedestrian circulation of the broader Study Area is deficient. While some sections of the Study Area have sidewalks and crosswalks, many lack ADA accessible curb cuts and crosswalk striping to facilitate pedestrian safety between various retail site. NJ TRANSIT bus service is lacking within the Study Area.

From an environmental perspective, the 30 lots were observed using the New Jersey Department of Environmental Protection's (NJDEP) GIS interactive database. The Study Area is largely unaffected by environmentally sensitive areas, except for portions of Block 205.01, Lots 3, 4, 5 along Marne Highway, and Block 205.01, Lot 1, 2, 28, 29, 30 on Creek Road.

According to NJDEP's soil survey data, the Study Area is composed of a mix of soils which include: 1) Freehold fine sandy loam (2 to 5 percent slopes), 2) Freehold fine sandy loam (5 to 10 percent slopes), 3) Sassafras fine sandy loam (0 to 2 percent slopes), 4) Sassafras fine sandy loam (2 to 5 percent slopes), and 5) Sassafras fine sandy loam (5 to 10 percent slopes). Freehold fine sandy loam (2 to 5 percent slopes) is classified as well drained with low runoff, whereas Freehold fine sandy loam (5 to 10 percent slopes) is classified as well drained with medium runoff. Sassafras fine sandy loam (0 to 2 percent slopes and 2 to 5 percent slopes) is classified as well drained with low runoff, whereas Sassafras fine sandy loam (5 to 10 percent slopes) is classified as well drained with medium runoff. These soil composition types do not have the characteristics for poor drainage.

Subject Parcel Description and Photographs

Block 101.03, Lots 11, 12, 13, 14, 15, 16, 16.01

The Study Area includes seven (7) parcels which are located on Creek Road (northbound), north of Conestoga Lane. Along with Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17, collectively, these parcels total 2.27 acres are known as the Rancocas Woods Village Shops. Located in the village of Rancocas Woods, these shops are advertised as a crafters co-op of numerous antique and craft dealers that sell handcrafted items. These shops are interconnected through a pedestrian path located between the shop entrances and the parking area. Between some areas of the sidewalk and the parking area is a buffer area of varying widths that includes trees. Patrons of these shops utilize the perpendicular parking with a 90-angle to the curb.



Parking and pedestrian circulation at the Rancocas Woods Village Shops.



Parking and pedestrian circulation at the Rancocas Woods Village Shops, continued.

Block 101.03, Lot 16.01 is a one-story frame dwelling with drive parking on each side of the building, plus four (4) 90-degree parking stalls in the front yard. The commercial building was previously a salon but is currently vacant and advertised as for sale by owner.



Vacant commercial building with parking on Creek Road (CR 636).

Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17

A cluster of eight (8) parcels within the Study Area are located on Creek Road (northbound) between Conestoga Lane and Woolman's Lane. Collectively, these parcels are also known as the Rancocas Woods Village Shops and have perpendicular parking in the front of the buildings. This grouping of parcels includes three (3) lots which do not directly front on Creek Road. Block 101.12, Lot 10 is located on Woolman's Lane and is vacant. Block 101.12, Lots 16 and 17 are located on Conestoga Lane and lack a principal building structure; however, these parcels have accessory structures and picnic tables.



Parking and pedestrian circulation at the Rancocas Woods Village Shops, Continued.

Block 101.15, Lots 1 and 2

Lots 1 and 2 within Block 101.15 are commercial lots located at the intersection of Rancocas Boulevard and Creek Road. Block 101.15, Lot 1 is 1.07± acres and is located at the three-way intersection of Creek Road, Rancocas Boulevard, and Marne Highway. This parcel is an occupied medical office (Family Dentistry) with access to a parking area from both Creek Road and Rancocas Boulevard. This parcel is also located adjacent to an open space preserve area owned by Mount Laurel Township on Creek Road. Block 101.15, Lot 2 is 0.57± acres and is an occupied professional office building with parking in the rear of the two-story building.



Occupied professional office buildings: Lot 1 (left) and Lot 2 (right).

Block 101.15, Lots 62.01, 63

Lots 62.01 and 63 are parcels with one commercial building per lot and frontage on Creek Road (CR 636). Lot 63 is an occupied retail store with a one-story building. Lot 63 is also adjacent to Lot 62, which is a vacant lot to the north, outside of the Study Area. Lot 62.01 is a triangular shaped parcel which is located adjacent to an open space preserve area owned by the Township of Mount Laurel. Both parcels have perpendicular parking areas in front of the building entrances. The parking areas lack driveway curbing and an apron. Neither parcel has clearly delineated pedestrian access.



Background: Left, Lot 63; Right, Lot 62.01

Block 103.01, Lot 40

Block 103.01, Lot 40 is 0.40 acres and has two twin homes with frontage on Creek Road (CR 636). The buildings are utilized for commercial use. The existing principal structures are notably setback from the right-of-way and have an associated parking area in the front of the buildings. The current activity on site is a Youth Consulting Services Center, which has a freestanding sign along Creek Road. The surface course of the parking area is deteriorated, and as a result, some parking stall striping is faded. Abutting the parcel to the north is an unnamed and unimproved, 15-foot wide access road. Abutting the parcel to the south is a 15-foot wide utility access easement.



Occupied professional office with on-site parking on Block 103.01, Lot 40.

Block 205.01, Lots 1, 2, 3, 4, 5

Block 205.01, Lot 1 is a commercial use, signed as Pelican's Snowball Shop. Upon the time of site visit, the use appears to be seasonal. The existing parking area lacks driveway curbing and an apron. Based on NJ DEP data, Lot 1 is largely impacted by wetlands.



Existing commercial use and undefined parking area on Block 205.01, Lot 1.

Block 205.01, Lot 2 has approximately 4.19 acres and is irregularly shaped with frontage on Creek Road (CR 636) and Marne Highway (CR 537). This parcel is notable for its expansive parking (shown below), lack of adequate ADA parking stalls, and an undersized drive aisle due to poor parking stall arrangement. The surface course is in average to poor condition in various sections. The front area parking stalls are located directly adjacent to Marne Highway with no buffer or adequate separation.

Block 205.01, Lots 3, 4 and 5 have frontage on Marne Highway (CR 537). Lot 4 has a meter chamber easement. Each building on Lots 3, 4, and 5 are notably setback from the right-of-way, but with various degrees of buffering. Lot 5 has a vegetative buffer between the roadway and the building.



Block 205.01, Lots 2, 3, 4, and 5.

Block 205.01, Lots 26, 27, 28, 29, 30

This cluster of five (5) parcels is located on Creek Road (636) in the southbound direction between Fleetwood Avenue and Marne Highway (CR 573). Lot 26 is vacant and wooded with approximately 1.8 acres. Lot 27 is currently an active Pet Grooming Studio with a separate parking lot. Pedestrian access is provided across Creek Road. Both Lots 26 and 27 have frontages on Creek Road (CR 636) and sidewalks. Lot 28 is a landlocked parcel and access can be achieved from the abutting Lots 26, 27, or 29. Most recent tax record data shows that Lot 28 is associated with, or also under that same ownership as, Lots 26 and 27. Lot 28 could not be accessed during the site visit.



Block 205.01, Lot 26.

Roughly 3.02 acres, Block 205.01, Lot 29 is known as part of the Rancocas Woods Village Shops. This stand-alone shopping center has frontage on Creek Road (636) and is located directly across the street from the remaining cluster of Rancocas Woods Village Shops. This parcel is irregularly shaped with an access drive around the one-story building and various pedestrian walkways in the front yard area. The surface course of the parking lot and drive aisles are in poor condition and require repaving and restriping of parking stalls. The asphalt parking area shows signs of aging infrastructure due to alligator cracking and pot holes. The tenant spaces are primarily vacant.



Vacant storefronts and deteriorated pavement on Block 205.01, Lot 29.

Block 205.01, Lot 30 is a 1.41± acres parcel with two principal structures. One of the structures supports an active commercial use (Deli) with parking areas in the front, side, and rear yards. The surface course of the parking lot and drive aisles are in poor condition and require repaving

and restriping of parking stalls. The parking area lacks driveway curbing and an apron. There are no pedestrian facilities present. An outdoor seating area with picnic tables is adjacent to the building. A freestanding sign is located along the property line on Creek Road and does not conform the required sign setback. A small area in the rear portions of Lots 29 and 30 are impacted wetlands. The second principal structure on the parcel is a commercial/office building. A separate driveway and parking area are associated with this building; however, no sidewalks exist along the Creek Road frontage.



Principal structures on Block 205.01, Lot 30.

5. STATUTORY CRITERIA

5.1 Criteria Necessary for Finding of Area in Need of Redevelopment

Under N.J.S.A. 40A:12A-5, a delineated area may be declared in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality, by resolution, concludes that within the delineated area any 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 properties therein or other similar conditions, which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by 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. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zones Act, P.L. c. 303 9C52:27H-60 et. seq., said designation and prescribed related action are, in and of themselves, sufficient basis for the determination that an area is in need of redevelopment for the purpose of granting tax exemption within the enterprise zone or the adoption of a tax abatement and exemption ordinance.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the criteria, the Redevelopment Statute states:

“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.”²

² N.J.S.A. 40A:12A-3.

6. APPLICATION OF STATUTORY CRITERIA

6.1 Introduction

The statutory charge for a positive finding of redevelopment eligibility requires a demonstration, on an area-wide basis, that existing conditions give evidence of substandard structures evincing unwholesome living and working conditions, or physical deterioration by the presence of improvements which are dilapidated, obsolete, faulty in terms of arrangement, or in any way deleterious to the welfare of the community; or where there are found instances of vacant or abandoned buildings, formerly used for commercial or industrial use; or where there exists a lack of proper utilization sustained by condition of title, diverse ownership or other similar conditions yielding a stagnant and unproductive condition of land, detrimental to the surrounding area or community at large.

An area is also eligible for declaration where there exists vacant land with impediments to development thwarting the likelihood of development through the instrumentality of private capital, and where it can be demonstrated that a redevelopment declaration would advance smart growth planning principles. In addition, actions necessary for designation as an Urban Enterprise Zone (UEZ) are sufficient for redevelopment declaration for the purpose of granting tax exemption within the enterprise zone or the adoption of a tax abatement and exemption ordinance.

6.2 Statutory Criteria Applicable to Study Area

6.2.1 Redevelopment Criteria

Collectively, on-site conditions of the 30 parcels that constitutes the Study Area gives substantial evidence of an area in need for redevelopment given the faulty arrangement and its remoteness and soil composition. Criteria which support a finding of an area in need of redevelopment are as set forth below:

Criterion “c” is implicated where 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.

One (1) of the parcels (Block 101.03, Lot 12) is “*unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution.*” NJDEP’s 2007 aerial imagery was examined which reveals that the current condition of unimproved, vacant, and wooded lands was also present at least over a ten-year period and up to the time of the Township Council’s adopted resolution regarding the commencement of this study. Also, 2007 and 2018

property tax records were reviewed and confirmed that the parcel's property class is vacant land.

For the secondary prong of criterion "c", the condition of remoteness is punctuated from the perspective of several individual lots within the Study Area. Block 205.01, Lot 28 is landlocked and inaccessible as a standalone parcel for future development. With the lack of frontage for roadway access, difficulty will be experienced in achieving compliance with the underlying zoning regulations. Therefore, the remoteness of this parcel within the Study Area prevents any development through the instrumentality of private capital.

In terms of environmental conditions, moderate portions of the Study Area are impacted by NJDEP wetlands on Block 205.01, Lots 1, 2, 3, 4, 5, 28, 29, and 30. The encroachment of the wetlands reduces the total developable area, therefore making redevelopment less attractive from a feasibility assessment standpoint and from the projected return on investment that drives private sector decisions. Due to limitations of development on lands with wetlands, without incentives, portions of the Study Area are not attractive for various uses for economic productivity. Further, constraints on development may be obligatory as the formal delineation of the wetlands will further dictate the treatment of the wetlands and required buffering that complies with statewide regulatory requirements.

Criterion "d" is implicated where 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.

During a site visit in December 2018, physical characteristics of each parcel and the broader area was evaluated. Site design issues identified within the Study Area include building orientation/placement, parking, pedestrian circulation, landscaping, waste management, and signage. Site design guidelines are established to promote development that is attractive, convenient and compatible with nearby properties, neighborhood character and natural features, to minimize pedestrian and vehicular conflict, to promote street life and activity, to reinforce public spaces, to promote public safety, and to visually enhance development. Overall, the Study Area consists of older commercial uses that reflect outdated site arrangements and require necessary redesign and maintenance. The developed portions of the Study Area include standalone commercial buildings and a strip mall for the Rancocas Wood Village Shops, which stretches across two blocks. The site arrangement of these commercial areas does not meet modern site plan principles and design standards. The faulty arrangement and obsolete layout of the Study Area has been categorized by general relationship and parcel specific, as described below.

Building Placement/ Bulk Regulations

Many Study Area parcels within the Rancocas Village area represent outdated site design. Specifically, Block 205.01, Lot 30 is a parcel with two principal structures, which is not permitted by the zoning ordinance. These two buildings do not share any uniformity or continuity from the street and in site arrangement, nor are they connected via a sidewalk.

Generally, deep building setbacks with parking in the front is discouraged from an aesthetic and circulation perspective. Buildings oriented to the street with sidewalks and parking in the side or rear yards is encouraged in order to enhance the streetscape, facilitate walking, and downplay large parking areas. Additionally, positioning principal structures to create continuity of frontage along the street is encouraged. This can be achieved by matching the front yard setbacks in relation to adjacent structures, whereas many buildings fail to line up with the buildings on adjacent parcels. Widely accepted and applied principles for building location are not represented in the Study Area.

The trash dumpster on Block 101.15, Lot 1 and Block 205.01, Lot 1 lacks a trash enclosure, is not located upon a concrete pad, nor is properly screened from view. Also, commercial signs are not in conformance with current requirements. Block 205.01, Lot 30 (the Deli on Creek Road) has a freestanding sign which lacks an adequate setback from the property line and foundational landscaping.

Parking and Vehicular Circulation

In terms of parking and vehicular circulation, the design of the Study Area is not efficient and requires maintenance or repaving. There are many parking lots throughout the Study Area, some of which appear to be in poor condition and/ or underutilized. The surface course deterioration of each developed commercial lot presents an unsafe condition for traffic and vehicular circulation. Additionally, the freeze/thaw cycle will exacerbate the breakdown of the surface course, resulting in potential tripping hazards. The perpendicular parking that serves to Rancocas Village Co-op stores along Creek Road presents a major safety hazard, as there is no visibility when backing out of a parking stall onto Creek Road. Many vehicles also parking into the right-of-way create further conflicts between parking and moving vehicles.

Generally, the Study Area does not meet the ordinance requirements of location for curbing, driveways, parking areas, pedestrian walks to protect the public health, safety and welfare. Several parcels along Marne Highway (Block 205.01, Lots 2 and 3) do not comply with the current zoning standards that prohibit parking areas within the required front yard setback.

Per Section 138 of the Township's Subdivision of Land ordinance, the entire parking lot area shall be landscaped with shade trees and other vegetation located in center islands between facing rows of parking stalls, in other islands and open areas and around the parking lot perimeter. Parking island landscaping requirements are aimed to meet the Township's goals for an aesthetically pleasing environment as well as environmental goals to decrease impervious coverage. None of the Study Area parking lots have any landscaping. While some existing

parking configurations may not lend themselves to landscaped islands, those parcels that can accommodate parking lot landscaping do not. For example, Block 205.01, Lots 1, 2, 29, and 30, notably have the largest parking areas within the Study Area, yet do not comply with parking island landscape requirements.

Pedestrian Circulation

In order to promote public safety, wherever feasible, pedestrian walkways separated from vehicular-use streets, should be provided. Sidewalks encourage pedestrian activity; however, throughout the Creek Road, Marne Highway and Rancocas Boulevard corridors of the Study Area, various commercial uses cannot be easily accessed by foot. Walkability is not provided from one use to the adjacent use. Where limited non-motorized infrastructure exists in the Study Area, it is deficient due to lack of maintenance which reduces safety. Some existing sidewalks fronting shops along Creek Road have various impediments to pedestrians including utility poles within the sidewalk which prevent ADA access and uneven pavement. There is also evidence of “desire paths” along some adjacent parcels of the Study Area. These informal walking routes on natural earth represents a demand and need for a more formal pedestrian infrastructure. The design of the Study Area prioritizes vehicular movements and is not reflective of modern planning and land development principles that seek to integrate sidewalks and pedestrian safety into the overall design. From a non-motorized perspective, the Study Area’s poor design hinders mobility and accessibility which is essential to support a retail area.

Combined, these factors, without an intervention for improvement, are detrimental to the safety, health, morals, or welfare of the community. For the reasons stated above, it can be demonstrated that a redevelopment declaration for this Study Area would assist in a more efficient land development pattern, safer conditions, and enhance community appearance. Due to its faulty arrangement, major capital improvements are required to transform the Study Area into more productive and cohesive uses which is an unlikely investment from private interests.

7. CONCLUSIONS AND RECOMMENDATIONS

7.1 Area in Need of Redevelopment

This preliminary investigation report concludes that the Study Area qualifies for declaration as a non-condemnation area in need of redevelopment as shown in Table 4.

Table 4: Recommendation for Redevelopment Designation

Block	Lot	Associated Lots	Property Type	Redevelopment Criterion
101.03	11		Commercial	<i>d</i>
101.03	12		Vacant Land	<i>c, d</i>
101.03	13		Commercial	<i>d</i>
101.03	14		Commercial	<i>d</i>
101.03	15		Commercial	<i>d</i>
101.03	16		Commercial	<i>d</i>
101.03	16.01		Commercial	<i>d</i>
101.12	10	11,12,13,14,15,16,17	Commercial	<i>d</i>
101.15	1		Commercial	<i>d</i>
101.15	2		Commercial	<i>d</i>
101.15	62.01		Commercial	<i>d</i>
101.15	63		Commercial	<i>d</i>
103.01	40		Commercial	<i>d</i>
205.01	1		Commercial	<i>d</i>
205.01	2		Commercial	<i>d</i>
205.01	3		Commercial	<i>d</i>
205.01	4	5	Commercial	<i>d</i>
205.01	26	27, 28	Commercial	<i>c, d</i>
205.01	29		Commercial	<i>d</i>
205.01	30		Commercial	<i>d</i>

This report recommends that the Township of Mount Laurel Council and Planning Board take the actions as prescribed by the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. to declare portions of the Study Area, being known as Block 101.03, Lots 11, 12, 13, 14, 15, 16, 16.01; Block 101.12, Lots 10, 11, 12, 13, 14, 15, 16, 17; Block 101.15, Lots 1, 2,

62.01, 63; Block 103.01, Lot 40; and Block 205.01, Lots 1, 2, 3, 4, 5, 26, 27, 28, 29, 30) as a non-condemnation area in need of redevelopment based on criteria "c" and "d". Respectively, the criteria are known as (i) vacant more than 10 years *and* that are remote and lack of means of access and is not likely to be developed through the instrumentality of private capital; and (ii) faulty arrangement.

Further, per the Local Redevelopment and Housing law, 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.

All 30 parcels are recommended necessary for inclusion in the designations. In conclusion, based on the review and assessment of each standalone parcel and of the area collectively, the entirety of the Study Area is necessary for designation as in area in need of redevelopment.

APPENDIX A

Township of Mount Laurel Council Resolution Authorizing a Preliminary Investigation for Determination of Area in Need of Redevelopment



**TOWNSHIP COUNCIL
MOUNT LAUREL MUNICIPAL CENTER**

Distribution _____

Resolution No. 18-R-161

REGULAR MEETING

November 26, 2018

**A RESOLUTION OF THE TOWNSHIP OF MOUNT LAUREL DIRECTING THE
TOWNSHIP PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION
TO DETERMINE WHETHER ALL OR A PORTION OF RANCOCAS WOODS/CREEK
ROAD IS AN AREA IN NEED OF REDEVELOPMENT AS DEFINED IN N.J.S.A.**

40A:12A-6

WHEREAS, The Township Council seeks to undertake a redevelopment effort within the Township; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria contained in N.J.S.A. 40A:12A-6; and

WHEREAS, the Township Council considers it to be in the best interest of the Township to have the Township Planning Board conduct an investigation regarding the below listed parcels, which parcels are currently in private ownership, as described and delineated on the official Tax Map of the Township of Mount Laurel as follows:

Block	Lots
101.03	11, 12, 13, 14, 15, 16, 16.01
101.12	10, 11, 12, 13, 14, 15, 16, 17
101.15	1, 2, 62.01, 63
103.01	40,
205.01	1, 2, 3, 4, 5, 26, 27, 28, 29, 30

WHEREAS, the Board will design such preliminary investigation to evaluate the area and determine if designation of these properties as an "area in need of non-condemnation redevelopment" conforms with statutory criteria and the Township's efforts toward redevelopment, pursuant to the Master Plan;

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey hereby authorizes and directs the Mount Laurel Township Planning Board to conduct a preliminary investigation to determine whether the aforementioned parcels are an area in need of redevelopment according to the criterion set forth in N.J.S.A. 40A:12A-5;

BE IT FURTHER RESOLVED, that the Planning Board is hereby directed to study the aforementioned parcels, to develop a map showing the boundaries of the proposed redevelopment area, to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6 and to draft a report/Resolution containing its findings;

BE IT FURTHER RESOLVED, pursuant to N.J.S.A. 40A:12A-6, the redevelopment area shall authorize the municipality to use all those powers designated by the Legislature for use in a redevelopment area other than the power of eminent domain ("Non-Condensation Redevelopment Area") with respect to the following properties:

Block	Lots
101.03	11, 12, 13, 14, 15, 16, 16.01
101.12	10, 11, 12, 13, 14, 15, 16, 17
101.15	1, 2, 62.01, 63

*APPROVED
12/18/19*

103.01
205.01

40,
1, 2, 3, 4, 5, 26, 27, 28, 29, 30

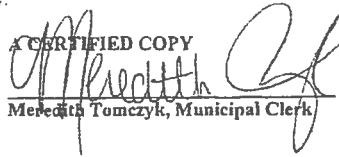
BE IT FURTHER RESOLVED, the results of such investigation shall be submitted to the Township Council for review and approval in accordance with the provisions of the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED, that should the Planning Board recommend some or all of the parcels for inclusion in a redevelopment zone, that the Planning Board and its professionals may immediately begin the preparation of a redevelopment plan to present to the governing body; and

BE IT FINALLY RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, the Clerk shall forward a true copy of this Resolution to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. The Township shall fill any notices of veto in the Office of the Municipal Clerk.

This resolution was adopted at a meeting of the Township Council held on November 26, 2018 and shall take effect immediately.

A CERTIFIED COPY


Meredith Tomczyk, Municipal Clerk

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Bobo		✓				Jay
Edelson		✓				Irish
Folcher	✓	✓				Room Office
Riley	✓	✓				
Van Noord		✓				