

Route 38- Mt. Holly Bypass Redevelopment Area

Preliminary Investigation

Non-Condemnation Area in Need of Redevelopment

Block 42 Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, 3.03

Hainesport Township, New Jersey

Township of Hainesport

Burlington County, New Jersey

September 25, 2020

Adopted:



Prepared By: Taylor Design Group, Inc.

A handwritten signature in blue ink, appearing to read "S. Taylor", written over a horizontal line.

Scott D. Taylor, PP, AICP, LLA, LEED-AP
*The original of this document has been signed
and sealed in accordance with New Jersey Law.*

Non-Condemnation Redevelopment Area Preliminary Investigation

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Non-Condensation Redevelopment Area Preliminary Investigation

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I. Introduction and Basis for the Investigation

The Township of Hainesport seeks to determine whether the redevelopment process in accordance with the *NJ Local Redevelopment and Housing Law* (LRHL), N.J.S.A. 40A:12A et seq. could be the most effective planning and implementation strategy to accomplish the revitalization of certain parcels in the area to the north of Route 38, between Route 38 and the Mt. Holly Bypass. The general purpose for designating a Redevelopment Area is to arrest the deterioration of an area and encourage improvement and reinvestment not likely to be accomplished privately and requiring responsible public intervention.

The Township Committee has determined that it is in the best interest of the Township to encourage such redevelopment or rehabilitation of eligible lands within the Township, particularly when such redevelopment or rehabilitation may advance specific planning and land use goals and objectives of the Township. Such goals include creating a land use environment that preserves and enhances the character of the community while fostering economic viability of the commercial and industrial areas of the municipality.

The Hainesport Township Committee has authorized, by Resolution 2020-111-5, dated May 12, 2020, attached hereto as Appendix A, the Hainesport Joint Land Use Board to undertake an investigation to determine whether the identified parcels may be designated as a:

- *Non- Condemnation Area in Need of Redevelopment*, according to the criteria set forth in N.J.S.A. 40A:12A-5

The specific parcels identified, as shown on the Hainesport Township Tax Maps, are as follows:

Block 42 Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, 3.03

This Investigation Report has been prepared pursuant to the New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq. A Map entitled "*Route 38 – Mt. Holly Bypass Redevelopment Area*" dated **August 31, 2020**, is included as Appendix B of this report, and depicts the boundaries of the proposed Study Area and the location of the various parcels of property included therein. Appended to the map is a statement setting forth the basis for the investigation.

Taylor Design Group, Inc. reviewed Master Plans, Zoning Ordinances, tax maps, aerial photography, resolutions of approval, correspondences, and published environmental data to prepare this study. The study also relies upon the input of the Township and its professional staff, as well as statements of property owners and their agents.

This report was provided to the Joint Land Use Board for review at a public hearing to be held on **October 7, 2020**; and may be revised, pursuant to the Joint Land Use Board's recommendations subsequent to the public hearing.

Adoption Procedures and Next Steps

If the Township Committee concurs with the Joint Land Use Board assessment that the Study Area meets the necessary statutory criteria, the area can then be formally adopted by Resolution of the Township Committee as a *Non- Condemnation Area in Need of Redevelopment*, according to the criteria set forth in N.J.S.A. 40A:12A-5.

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Designation as a *Non-Condemnation Redevelopment Area* does not entitle the municipal government to acquire property via eminent domain.

If designated as a *Non-Condemnation Redevelopment Area*, the Township Committee may develop a Redevelopment Plan for all or part of the designated area to set forth a guiding plan for revitalization of the area. This Plan can include standards for modified zoning, uses, bulk standards, as well as specific design standards. A Redevelopment Plan, and any subsequent Redevelopment Agreement *may*, at the discretion of the Governing Body, also include provisions for future tax exemption and abatements, as permitted by the LRHL, to incentivize reinvestment in the area.

Prior to adoption, a Redevelopment Plan must be referred to the Joint Land Use Board for review and recommendation relative to consistency with the Master Plan, as required by the LRHL.

Once a Redevelopment Plan is adopted, a redeveloper would still be required to apply to the Board for Subdivision and/or Site Plan approvals as applicable, under the normal course of any land use application, consistent with the Municipal Land Use Law and Local Ordinances.

II. Statutory Requirements

The Legislature has determined that conditions of deterioration exist in housing, commercial and industrial installations, public services and facilities, which conditions are not likely to be corrected by private effort alone. And that the “Local Redevelopment and Housing Law” (LRHL), was developed to efficiently employ methods to reverse said deterioration, and to “promote the advancement of community interests through programs of redevelopment, rehabilitation and incentives to the expansion and improvement of commercial, industrial, residential and civic facilities.”, to promote development that will be most conducive to the economic improvement of the State and its municipalities.

Redevelopment Area Determination (Non-Condemnation)

The principal goal of redevelopment, as declared by the legislature, is to promote physical development that is most beneficial to the social and economic improvement of localities and as defined below.

“Redevelopment” means clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

For a delineated area to be considered an “**Area in Need of Redevelopment**” the parcels must meet one or more of the following statutory criteria as set forth in NJSA 40A:12A-5:

- 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;*

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- 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; 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 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. *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 sections 5 and 6 of P.L.1992, c.79 12 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (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 P.L.1992, c.79 (C.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; and*
- h. *The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.*

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Furthermore, the definition of a “Redevelopment Area” at 40A:12A-3 permits the inclusion of additional parcels by stating:

“A redevelopment area may include land, 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.”

III. Description of the Study Area

Regional Setting

The Township of Hainesport is located south and east of the confluence of the North and South Branches of the Rancocas Creek. Rancocas State Park and Long Bridge Park are vast areas of preservation located within the Township. Hainesport contained areas of agricultural lands and developed along the creeks pre- and post-Revolutionary War. The Township has slowly developed around the major crossroads, along the major arterial roads, and the railroad. Hainesport Township is bordered by four municipalities, including Westampton to the north, Mt. Holly to the northeast, Lumberton to the south, and Mt. Laurel to the west.

The Study Area is located within the easternmost area of Hainesport Township on State Highway Route 38, surrounded by commercial and industrial development. The Study Area is adjacent to the municipal boundary with Lumberton Township.

Study Area Description

The Study Area is comprised of 12 lots totaling approximately 59 acres. The general boundaries of the area to be investigated are to the north of Route 38, bounded by Route 541- the Mt. Holly Bypass to the east, the Conrail rail line to the north, Route 38 to the south and a residential neighborhood to the west.

The major land uses and businesses in the Study Area include Atlantic Wood Industries, operated by Koppers (Parcels B and C), Mt Holly Nissan (Parcels F and G), and AmeriCycle Recycling Center (Parcels I, J, K, and L). The area also includes retail areas and a commercial fencing installation use. See detailed individual parcel analysis below. The Study Area is depicted on the Aerial Map, Tax Map, and Zoning Map figures below.

Surrounding Area

There is a variety of land uses surrounding the Study Area. Given the access to rail infrastructure, and proximity to major roadway corridors, the surrounding area has remained an active commercial and industrial area for many years. Although industrial in nature, the Area serves as a transition point between the auto-oriented commercial uses found on Route 38, to smaller scale residential and religious uses. To the north of the Study Area, across the rail line is an affordable housing residential development, Davenport Village. Also, to the north is St. Paul Lutheran’s Church and Christian Faith Assembly. Closer to the Mt. Holly Bypass are multiple single-family homes on large lots, with frontage on Marne Highway. Also, to the north, is vacant farmland with frontage on Mt. Holly Bypass.

To the east, across Mt. Holly Bypass, are multiple industrial uses, including Sta-Seal and Riverfront Recycling. To the south, across Route 38, are multiple commercial uses including Wawa, Sonic, and the Crossroads Shopping Mall. To the west is a residential neighborhood with commercial uses fronting on Route 38.

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Aerial Image Location Map

The parcel data was obtained by the Burlington County Bridge Commission. The NJ MOD-IV data, record details as of March 23, 2020. Aerial Imagery is courtesy of Google Earth from May 19, 2019.



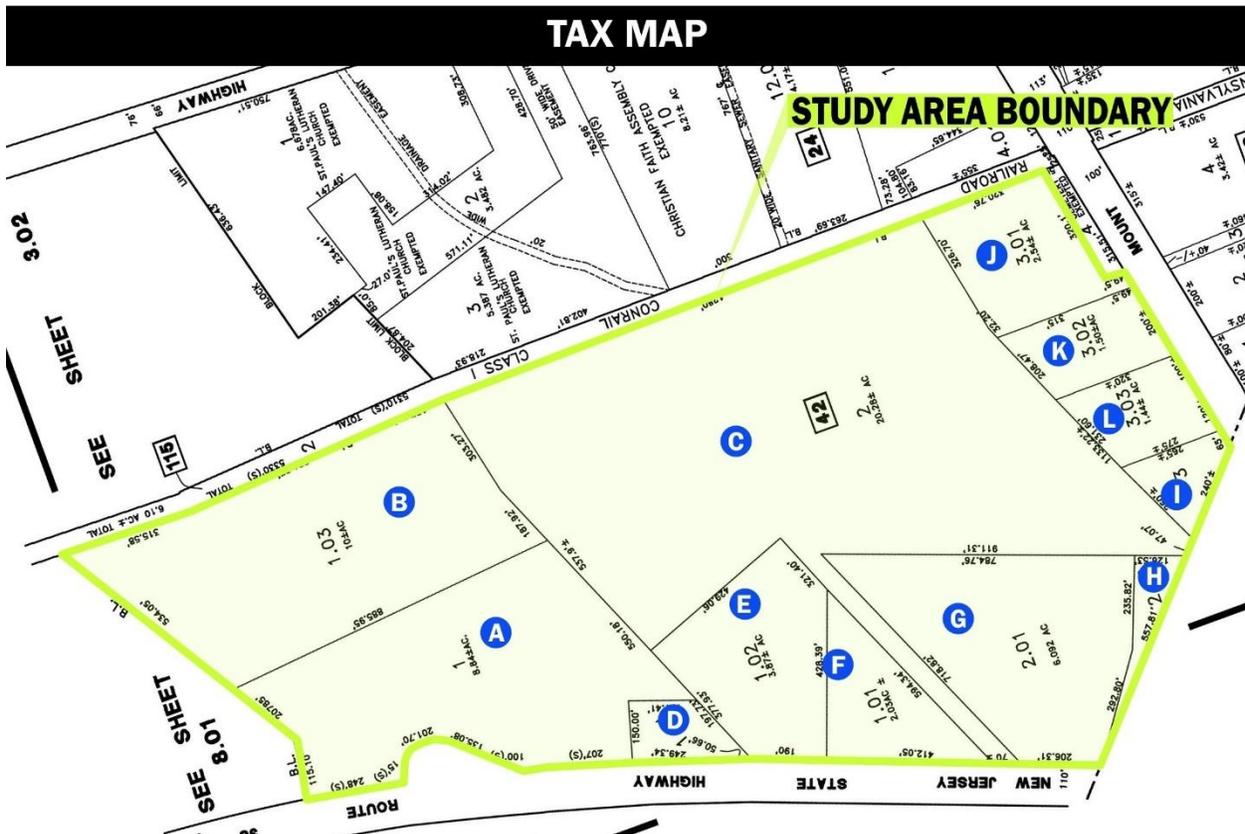
Parcel Data

PARCEL INFORMATION								
MOD IV Data Source: Division of Taxation, Burlington County. Burlington County Bridge Commission; last updated 3/23/20								
Map ID	Block	Lot(s)	Owner	Property Address	Approx Acres	Property Class	Zone	Use/Description
A	42	1	1499 RT 38 LLC	1499 RTE 38	9.34	1	HC	Vacant & Wooded
B	42	1.03	ATLANTIC WOOD INDUSTRIES INC	RTE 38	10.00	1	I	Atlantic Wood; Industrial
C	42	2	ATLANTIC WOOD INDUSTRIES INC	1517 RTE 38	20.28	4B	I & HC	Atlantic Wood; Industrial
D	42	1.04	MGN BUSINESS SERVICES, LLC	1505 RTE 38	0.81	4A	HC	FenceMax; Commerical
E	42	1.02	VENTIMIGLIA, GIUSEPPE	1509 RTE 38	3.67	4A	HC	Plaza 38; Commercial Strip Mall
F	42	1.01	SEAGULL HOLDINGS, LLC	1513 RTE 38	2.03	4A	HC	Mt. Holly Nissan
G	42	2.01	SEAGULL HOLDINGS, LLC	1521 RTE 38	5.71	4A	HC	Mt. Holly Nissan; Parking lot
H	42	2.02	DURGA CORP.	1533 RTE 38	0.06	1	HC	Vacant & Wooded
I	42	3	HOLLY HAINES INC	227 MT HOLLY BY-PASS	0.89	1	I-1	Vacant & Wooded
J	42	3.01	HOLLY HAINES INC	233 MT HOLLY BY-PASS	2.54	4A	I-1	AmeriCycle
K	42	3.02	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.50	4A	I-1	AmeriCycle
L	42	3.03	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.44	4A	I-1	AmeriCycle

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Composite Tax Map-

Source Hainesport Township Tax Maps.



Existing Zoning

The Study Area encompasses 3 Zoning Districts. 6 out of the 12 parcels within the Study Area are located entirely within the Highway Commercial (HC) Zoning District along Route 38.

Parcel C is predominantly within the Industrial (I) Zoning District, but its driveway access stem is located in the HC Zoning District, creating a split lot zoning condition.

Parcel B is the only other parcel located in the Industrial (I) Zoning District, and is under common ownership with parcel C, and the parcels function as one site.

The AmeriCycle parcels, (Parcels I, J, K, and L) are located in the Industrial-1 (I-1) Zoning District with frontage on the Mt. Holly Bypass.

The minimum lot area in the HC Zoning District is 40,000 SF. A variety of commercial uses are permitted in the district, including restaurants, retail stores, funeral homes, municipal offices, office buildings, banks, indoor recreation, bakeries, personal service shops, professional business and administrative offices, medical clinics, and merchandise sales.

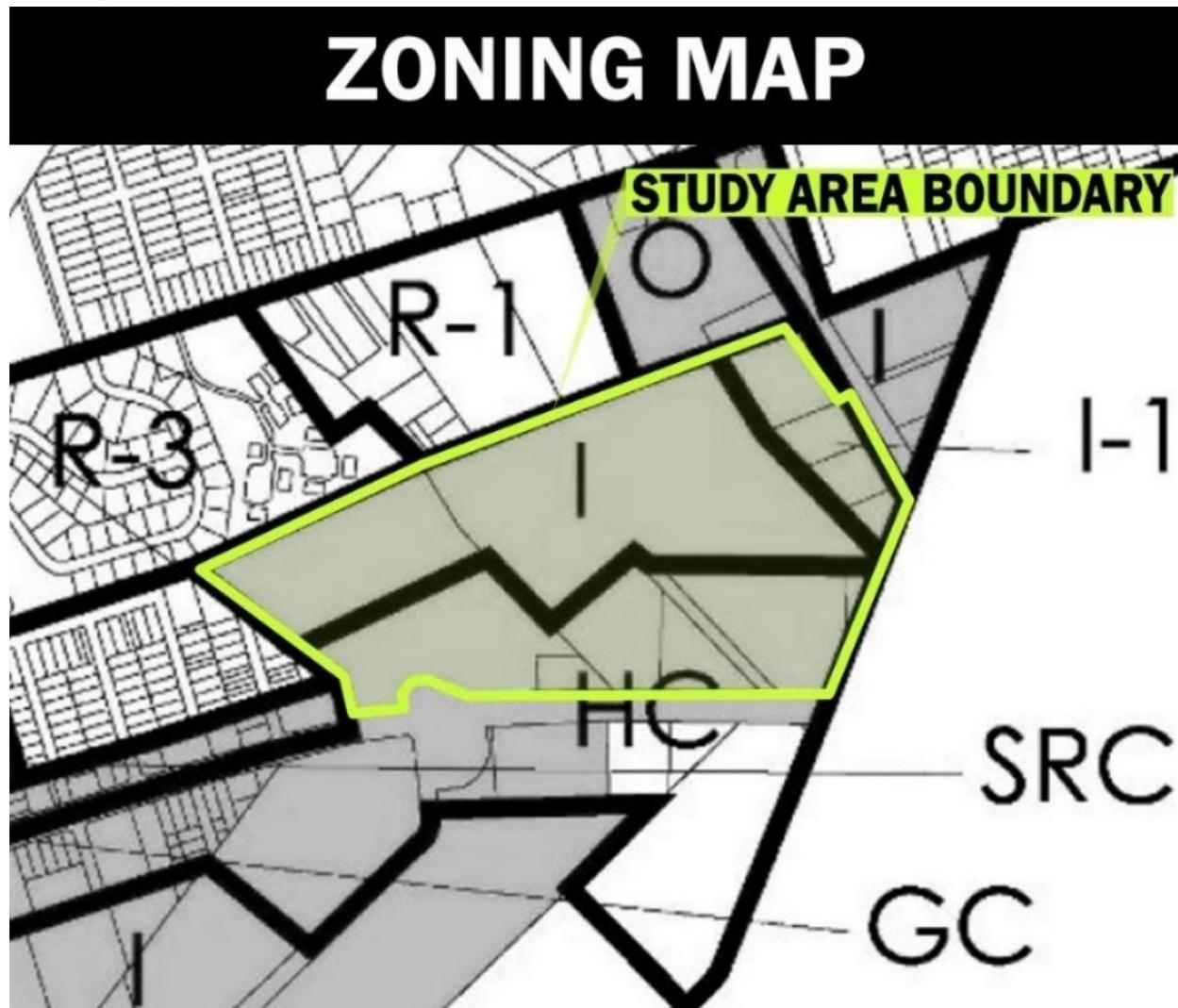
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Conditionally permitted uses in the zone include catering establishments; bars, fast-food and drive-in restaurants; movie theaters; and hotels and motels. The full permitted, conditional, and prohibited uses can be found in Section §104-44 of Hainesport Township's Ordinance.

The minimum lot area in the Industrial Zoning District is 2-acres. Permitted uses in the district include indoor recreation buildings, heavy manufacturing, government facilities, warehousing and indoor storage facilities, motor vehicle service and repair stations, printers or publishers, septic transfer stations, general and professional offices, and any retail ancillary to the permitted uses. Conditional uses in the district include motor vehicle and trailer sales. The full permitted, conditional, and prohibited uses can be found in Section §104-45 of Hainesport Township's Ordinance.

The minimum lot area in the I-1 Zoning District is 1-acre. The purpose of the district is to provide areas of the Township for the exclusive use of non-noxious industries consistent with the standards defined in Section §104-45 of Hainesport Township's Ordinance. The full permitted, conditional, and prohibited uses can be found in Section §104-45.1 of Hainesport Township's Ordinance.

Zoning Map

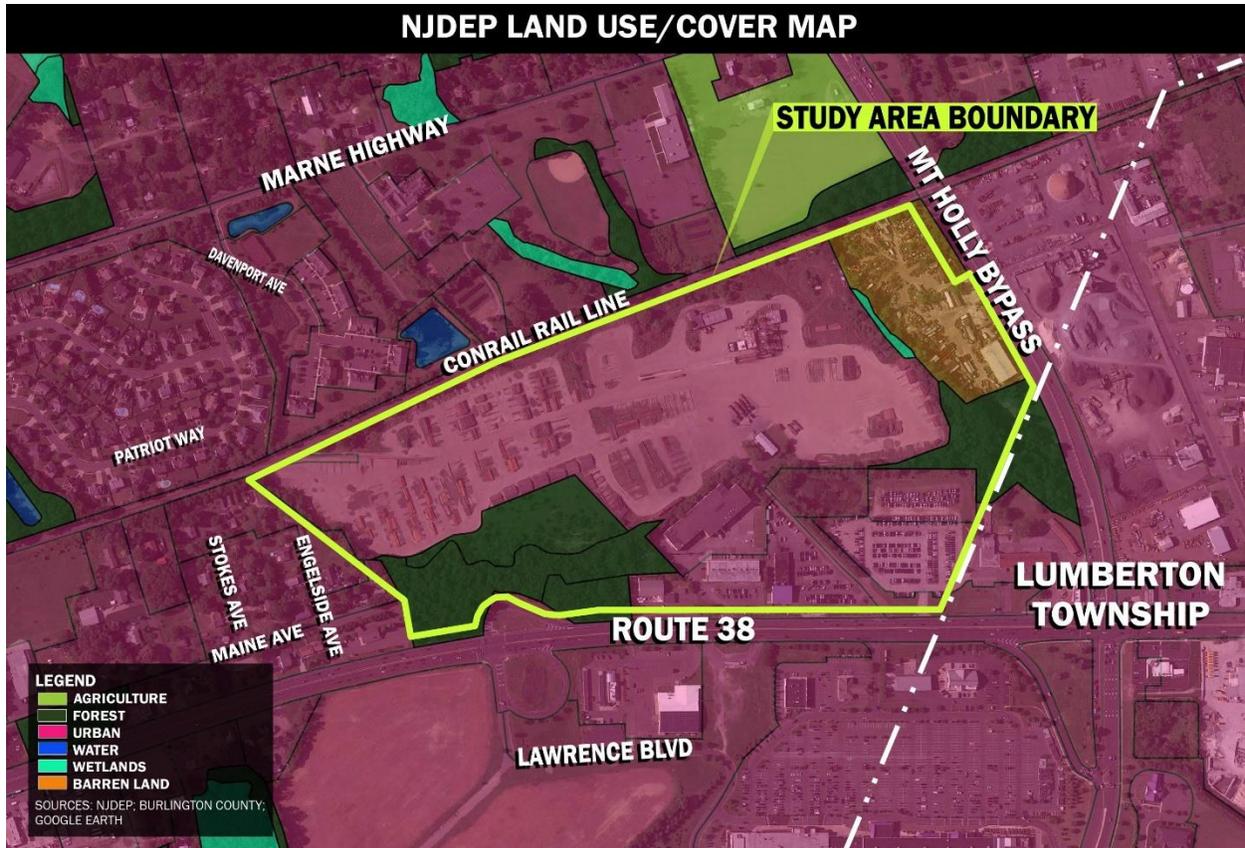


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Existing Land Use

According to the NJ DEP Land Use/Land Cover update of 2015, the Study Area has multiple land use classifications. The area is primarily classified as urban. The urban classification encompasses multiple land uses ranging from industrial to commercial in regard to the Study Area.

A detailed analysis of each parcel within the Study Area can be found in the Parcel Analysis section below.

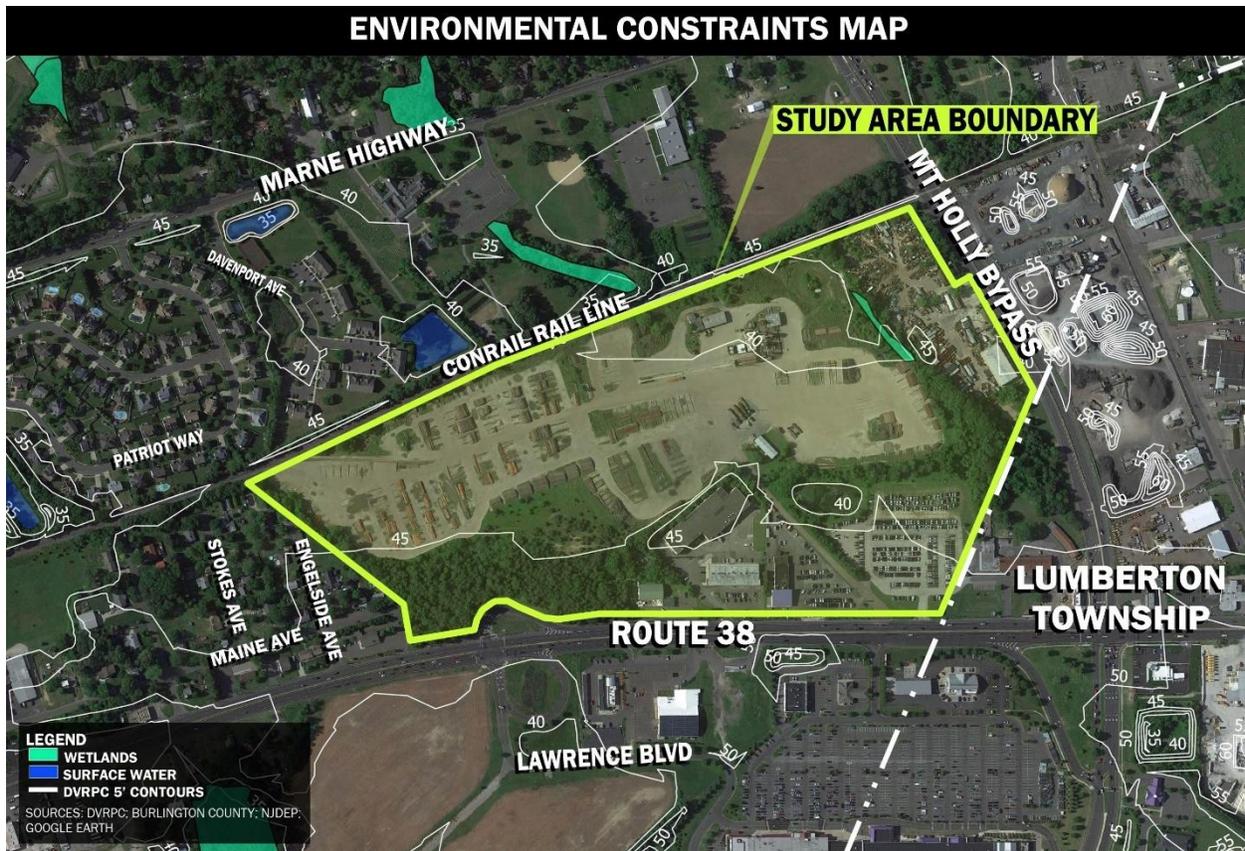


Environmental Constraints

The major environmental constraint associated with the Study Area is soil and groundwater contamination on Parcels B and C, due to the industrial nature of Atlantic Wood Industries, Inc. (See Parcel Analysis below) Other minor environmental constraints include wetlands which are present in the Study Area, however, they do not occupy a significant portion of the area.

One wetland is located in between Parcel C and the AmeriCycle Recycling Center parcels. Another mapped wetland is located on Parcel G; however, the NJ DEP 2015 Land Use/Land Cover dataset refers to it as a stormwater basin.

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Parcel C is listed on NJDEP's "Known Contaminated Sites List" dataset. There are 2 New Jersey Environmental Management System (NJEMS) Sites located on Parcel C. Based on a review of relevant DEP documents available through the NJ DEP DataMiner, it is noted that Parcel C is in the Site Remediation Program (SRP) and contains an active Classification Exception Area (CEA) and Well Restriction Area (WRA).

There are additional NJEMS Sites located in the Study Area. NJEMS Sites are regulated by the NJDEP under one or more regulatory permitting or enforcement programs or are sites that are otherwise of some interest to an NJDEP program (NJEMS Metadata 2020). There are 2 NJ EMS sites located on the AmeriCycle parcels. Parcel J is in the DEP's hazardous waste program, and through a review of documents available through the NJ DEP DataMiner, it is noted that the parcels are hazardous waste handlers. Parcel K is noted to be a solid waste transporter.

Parcel D is in the Site Remediation Program (SRP), although it appears the case is closed, and any potential contamination was remediated. There appears to have been multiple underground gasoline and diesel storage tanks in the past that were removed in the 1990's.

It appears that in order to permit the daycare use located in the commercial building on Parcel E, a thorough analysis of the potential contaminants occurred. Parcel E is listed in the Site Remediation Program (SRP); however, no contamination was found, according to an SRP case oversight report. It appears that Parcel F was previously a hazardous waste generator, however further DEP documents were not available for review.

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There is an NJEMS site located on Parcel F, but it references Atlantic Wood Industries. It is possible that this NJEMS site references Parcel C rather than Parcel F. There are several program interest results referenced including, Hazardous Waste, Pesticides, and Discharge Prevention, Containment and Countermeasure (DPCC). A review of relevant documents through the NJ DEP DataMiner reveals that the site is a hazardous waste handler, and a pesticide dealer business.

Redevelopment Area Individual Parcel Analysis & Recommendations

As discussed in Section II above; for a delineated area to be considered an “Area in Need of Redevelopment” the parcels must meet one or more of the following statutory criteria, as set forth in NJSA 40A:12A-5:

- 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 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; 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 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. *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*

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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 sections 5 and 6 of P.L.1992, c.79 12 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (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 P.L.1992, c.79 (C.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; and

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

Parcel A

Block 42; Lot 1

This 9.34-acre lot is located in the HC Highway Commercial Zoning District, with frontage on Route 38 in the western portion of the Study Area. The parcel has significant Route 38 frontage however, a significant portion of this frontage is encumbered by the Lawrence Boulevard jug-handle.

The lot contains a 125' telecommunications tower and equipment compound in the easternmost portion of the lot behind the adjacent fence company property. The tower and equipment compound occupy an area of less than 3,000 SF, or approximately 0.068 acres, or 0.07% of the site. The remaining 99.93% of the site is otherwise vacant, and has remained so for decades, according to a review of available historic aerial imagery, as well as discussion with the owner's attorney.

The site is predominately wooded, with more open areas to the rear of the site. There is evidence of multiple footpaths and potentially motorbike or all-terrain vehicle activity at the rear of the site. It also appears that clearing and storage associated with the use on Parcels B & C encroach onto Parcel A by up to 100'.

Recent efforts on the part of the landowner to sell or develop this parcel as an individual site have proven fruitless. The owner's attorney has represented that an agreement of sale had been negotiated with a national grocery market to be located on the site, however, during due diligence, it was determined that the costs associated with the NJDOT access and jug-handle configuration were disproportionately high relative to the overall developable area of the site. Subsequently, the agreement was not executed by the grocery market.

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This stagnant and unproductive land use pattern continues to this day, and the DOT-required jug-handle improvements appear to make it unlikely that this parcel will be developed individually through private capital alone.

Parcel A- Block 42; Lot 1 meets Redevelopment statutory criteria “c” and “e”, and should be designated as an Area in Need of Redevelopment without Condemnation.

Furthermore, we believe that this parcel could also be included in the Redevelopment Area pursuant to the definition of a Redevelopment Area where inclusion of which is found necessary for the effective redevelopment of the area of which they are a part.

This parcel’s contiguity with other qualifying parcels, in concert with the extensive DOT frontage, the potential for Route 38 access to the rear of the Study Area, appear to make it a necessary component of any potential future comprehensive Redevelopment of the area.

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Parcels B & C

Block 42; Lot 1.03 (Parcel B)

Block 42; Lot 2 (Parcel C)

Parcels B & C are located in the central portion of the Study Area. A majority of the land is in the I Industrial Zoning District, with the angled “flagpole” access stem of Parcel C located in the HC Highway Commercial Zoning District. This site was previously the home of Atlantic Wood Industries, an industrial operation involving the preservation of wood products using coal tar creosote dating back to 1962. The site is now operated by Koppers, Inc. for the storage and distribution of treated wood products.

The site consists of largely unpaved storage areas consisting of sand and gravel, including the ingress/egress drive on Route 38. Material storage on the ground and on racking and the operational buildings are located within the main, central portion of the site. The main office building on site appears in generally good condition and is well maintained, however the unpaved storage areas and drives result in significant dust and airborne particulates in conjunction with the current operation, as well as the tracking of material onto Route 38. The treatment structures and buildings are no longer operable, and are significantly deteriorated and dilapidated, and their use as a wood treatment facility utilizing car tar creosote is a deleterious land use. See image below.

As discussed above, multiple investigations regarding potential soil and groundwater contamination were conducted on the parcels. (See WSP report dated May 20, 2020, attached as Appendix C.)

The report notes that there currently exist exceedances with respect NJDEP standards for both soil and groundwater, particularly in the northeast corner of the site, and that remedial action to address the environmental conditions would be required to redevelop the site for commercial purposes. According to a plan entitled; *Draft Boundary Survey*, prepared by Langan Engineering, dated September 16, 2020, there are also Freshwater Wetlands located along the northeast corner of the site.

The unpaved driveway egress approach onto Route 38 westbound meets the highway at a severely acute angle, resulting in the need for large trucks exiting the site to occupy both lanes of traffic, as well as the far side shoulder, adjacent to the concrete median/ NJ barrier.

As further discussed below, this driveway “stem” also bisects Parcels F & G, operated as the Mt. Holly Nissan car dealership. No easement exists across the “stem” to facilitate cross access between the dealership lots. As a result, for a car to be moved from Parcel F to Parcel G, the vehicle must access Route 38 westbound, maneuver through the Lawrence Boulevard jug-handle onto Route 38 eastbound, then circulate through the Route 541- Mt. Holly Bypass-Route 38 jug-handle/intersection to westbound Route 38, then into their site, Parcel G.

At the writing of this Study, our office has been advised that there have been discussions regarding a potential, private land swap to essentially consolidate the dealership lots, Parcels F & G, and to relocate the access drive for Parcels B & C to the east, creating a paved, DOT-approved perpendicular driveway.

Non-Condemnation Redevelopment Area Preliminary Investigation

This reconfiguration would provide safer, DOT-compliant driveway access for Parcels B & C, as well as unfettered access for the car dealership property. The new paved driveway will also eliminate or reduce the tracking of dust and gravel onto Route 38, and into the stormwater management system for the highway. It also eliminates unnecessary traffic movements onto Route 38.

According to the contract purchaser of Parcels B & C, initial discussions with NJDOT have been positive for this entrance reconfiguration in conjunction with a new, far-side jug-handle at Lawrence Boulevard.



Non-Condemnation Redevelopment Area Preliminary Investigation

The environmental contamination identified on site as a result of the historic deleterious land use can be considered to be detrimental to the safety and health of the community. However, such impacts could be mitigated by remedial actions necessary to redevelop the site. Further, the substandard and potentially dangerous access driveway that bisects lands under common ownership is discouraging land assemblage and the undertaking of improvements, resulting in a stagnant and unproductive condition of the land, a condition that could be remedied through safer, more efficient highway access and vehicular circulation patterns.

Parcels B & C- Block 42; Lots 1.03 and Lot 2 respectively meet Redevelopment statutory criteria “c”, “d” and “e”, and should be designated as an Area in Need of Redevelopment without Condemnation.

Parcel D

Block 42; Lot 1.04 (Parcel D)

This undersized .81-acre lot is located in the HC Highway Commercial Zoning District, with frontage on Route 38, in the southern portion of the Study Area. The site contains FenceMax, a deck and fence showroom and installation contracting business.

Access to the site is gained via two curb cuts on Route 38, the westernmost of which is located at the exit lane for the Lawrence Boulevard jug-handle.

The buildings on site appear to be in generally good condition, however there is considerable outdoor storage of materials, pallets and debris around the site, including the front yard, which is not permitted. This includes material in the parking areas, and in areas outside of the site perimeter fencing.

Based on a review of historic aerial imagery, it appears that the showroom and warehouse buildings date back to 1985, with the original structure being built in 1967.



Non-Condemnation Redevelopment Area Preliminary Investigation



While this parcel may not in and of itself meet the statutory criteria, we believe that it may be included pursuant to the definition of a Redevelopment Area where the land and the buildings themselves are not detrimental to the public health, safety, or welfare; but the inclusion of which is found necessary for the effective redevelopment of the area of which they are a part.

This parcel's contiguity with other qualifying parcels in common ownership, in concert with its proximity to the Route 38 jug-handle and exit lane suggest that this lot may be a necessary component of any potential future effective Redevelopment of the area.

We recommend that Parcel D- Block 42; Lot 1.04 be designated as an Area in Need of Redevelopment without Condemnation.

Parcel E

Block 42; Lot 1.02

This 1.02-acre lot is located in the HC Highway Commercial Zoning District, with frontage on Route 38, in the central portion of the Study Area along Route 38. There are two buildings located on the parcel. The front building is known as Plaza 38 is a commercial, strip-type retail development that contains a variety of commercial uses, including Tender Steps Infant and Childcare Academy, JAG One Physical Therapy, Rossano's Pizzeria, Burlington County Internal Medicine LLC, Dancesseries, and Dansasations school of Dance.

The rear building contains distribution/warehousing uses, and appears to be the home of Autoparts Warehouse, Sears Carpet and Upholstery Care.

Based on review of historic aerial imagery, it appears that both buildings were constructed around 1985, both of which appear to be in generally good condition.

Non-Condemnation Redevelopment Area Preliminary Investigation



While this parcel may not in and of itself meet the statutory criteria, we believe that it should be included pursuant to the definition of a Redevelopment Area where the land and the buildings themselves are not detrimental to the public health, safety, or welfare; but the inclusion of which is found necessary for the effective redevelopment of the area of which they are a part.

This parcel's central location in the Study Area, contiguity with other qualifying parcels, and close proximity to the Route 38 jug-handle and exit lane suggest that this lot may be a necessary component of any potential future effective Redevelopment of the area.

Based on the above analysis, we recommend that Parcel E- Block 42; Lot 1.02 be designated as an Area in Need of Redevelopment without Condemnation.

Parcels F & G

Block 42; Lot 1.01(Parcel F)

This 2.03-acre lot is located in the HC Highway Commercial Zoning District, with frontage on Route 38, in the southern portion of the Study Area. This commercial lot is the home of the Mt. Holly Nissan car dealership along with Parcel G below. This parcel and structures are generally in good condition and well maintained.

Non-Condemnation Redevelopment Area Preliminary Investigation

Based on a review of historic aerial imagery it appears the building and parking lot were constructed sometime around 1975.



Block 42; Lot 2.01(Parcel G)

This 5.71-acre lot is located in the HC Highway Commercial Zoning District, with frontage on Route 38, in the eastern portion of the Study Area. Parcel G contains a parking lot that is used for vehicle display and storage in conjunction with the Mt. Holly Nissan car dealership located on Parcel F. This lot was previously a bowling alley and miniature golf operation that closed several years ago.

Non-Condemnation Redevelopment Area Preliminary Investigation

The car dealership lots are bisected by the access driveway “stem” of Parcel C, and no easement exists to facilitate cross access between the dealership lots. As a result, for a car to be moved from Parcel F to Parcel G, the car must access Route 38 westbound, maneuver through the Lawrence Boulevard jug-handle onto Route 38 eastbound, then through the Route 541- Mt. Holly Bypass-Route 38 intersection to westbound Route 38, then into their site, Parcel G.

At the writing of this Study, our office has been advised that there have been discussions regarding a potential, private land swap to essentially consolidate the dealership lots, Parcels F & G, and to relocate the access drive for Parcels B & C to the east, creating a paved, DOT-approved perpendicular driveway.

This reconfiguration would provide safer, DOT-compliant driveway access for Parcels A & B, as well as contiguous access for the car dealership property. The new paved driveway will also eliminate or reduce the tracking of dust and gravel onto Route 38, and into the stormwater management system for the highway. It also eliminates unnecessary traffic on Route 38.

According to the contract purchaser of Parcels B & C, initial discussions with NJDOT have been positive for this entrance reconfiguration in conjunction with a new, far-side jug-handle at Lawrence Boulevard. This solution also eliminates the awkward, acute truck exiting movement for Parcels B & C onto Route 38 westbound.



The historic land use pattern that has resulted in the acute “flag lot stem” of parcel C, which is flanked by Parcels F & G which are in common ownership, creates a faulty design configuration, and negatively impacts vehicle movements on the State Highway, creating potentially unsafe conditions.

Non-Condemnation Redevelopment Area Preliminary Investigation

Further, the diverse ownership condition of parcels F & G under common ownership not being contiguous to each other impedes the assemblage of land, and discourages the undertaking of improvements. This has resulted in a stagnant and unproductive condition, which has a negative economic impact on the properties and hinders the revitalization of the Route 38 corridor consistent with the Township Master Plan.

Parcels F & G- Block 42; Lots 1.01 and Lot 2.01 respectively, meet Redevelopment statutory criteria “d” and “e”, and should be designated as an Area in Need of Redevelopment without Condemnation.

Parcel H

Block 42; Lot 2.02

This undersized .06-acre lot is located in the HC Highway Commercial Zoning District. Parcel H is in common ownership with Block 14.03; Lot 3 located in Lumberton Township which contains a Bar/Restaurant known as the Publik House, and the Travel Inn Motel. Although the Tax records indicate that the Hainesport Lot is vacant, from a review of aerial imagery and a *Draft Boundary Survey*, prepared by Langan Engineering, dated September 16, 2020, there are paved areas, driveways and parking areas on this site, as well as multiple easements.

In that the Route 38 access and the principal buildings are located within Lumberton Township, our office did not evaluate the overall property relative to the statutory criteria for Redevelopment designation, nor do we make any representations relative to the conditions of the principal building, structures or improvements thereon located in Lumberton Township.



Non-Condemnation Redevelopment Area Preliminary Investigation

While this parcel may, or may not, in and of itself expressly meet the statutory criteria, we believe that it should be included pursuant to the definition of a Redevelopment Area where the land and the buildings themselves are not detrimental to the public health, safety, or welfare; but the inclusion of which is found necessary for the effective redevelopment of the area of which they are a part.

This parcel's contiguity with other qualifying parcels in Hainesport Township, and the existence of issues related to easements, vehicular access, parking and/or pedestrian access, suggest that this lot may be a necessary component of any potential future effective Redevelopment of the area.

Based on the above analysis, we recommend that Parcel H- Block 42; Lot 2.02, as shown on the Hainesport Township Tax Maps, be designated as an Area in Need of Redevelopment without Condemnation.

Parcels I, J, K, & L

Block 42; Lot 3 (Parcel I)

Block 42; Lot 3.01 (Parcel J);

Block 42; Lot 3.02 (Parcel K);

Block 42; Lot 3.03 (Parcel L)

These lots are located in the I-1 Industrial Zoning District with frontage on the Mt. Holly Bypass in the eastern portion of the Study Area. Lot 3 is .89 acres, Lot 3.01 is 2.54 acres, Lot 3.02 is 1.5 acres, and Lot 3.03 is 1.44 acres in size. All 4 lots are under common ownership by Holly Haines Inc.

Lots 3.01, 3.02 and 3.03 (Parcels J, K & L respectively) currently operate as Americycle, a scrap metal recycling business. The site has operated as a junkyard or recycling operation to some degree dating back to the 1950s, before the use was prohibited by the Township in 1962.

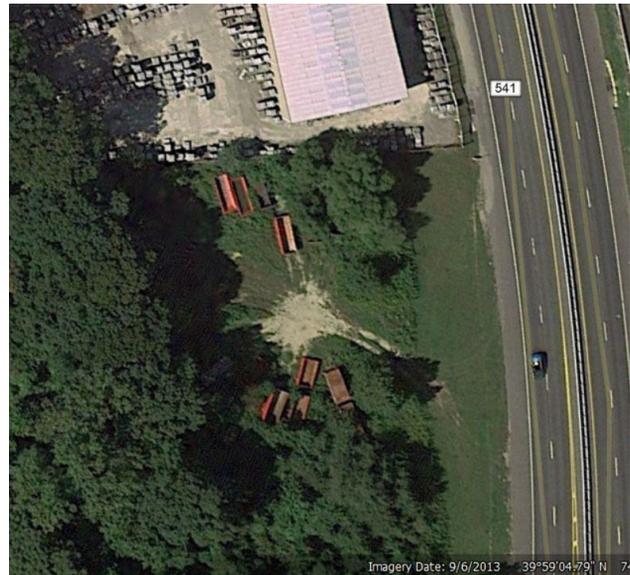
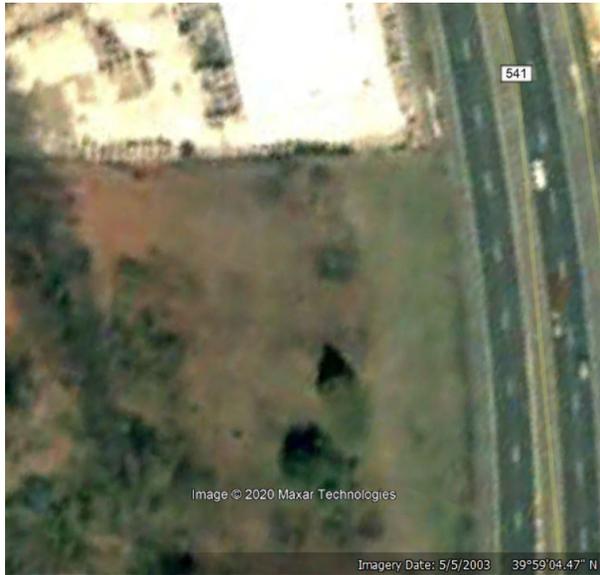
In 2015, the junkyard/recycling use was granted a certificate of non-conformity along with approval for permanent use of 2 office trailers memorialized in Resolutions 2015-16 and 2015-17.

While the Board Resolutions refer to Lots 3.01, 3.02 and 3.03 (Parcels J, K & L respectively), no application or approval is referenced with respect to Lot 3 (Parcel I). A review of available historic aerial imagery indicates that sometime between 2003 and 2004 the activities on Lot 3.03 began to encroach onto Lot 3, or some other, separate use was conducted on Lot 3, without approvals. At the time of our site inspection, soil piles and at least one roll-off type dumpster were present on Lot 3, with evidence that the site was accessing the Route 541-Mt. Holly ByPass directly across the lawn, and not through a driveway.

This appears to be an expansion of the existing non-conforming use, and/or a use in violation of prior approvals and not authorized by (d) variance approval.

Non-Condemnation Redevelopment Area Preliminary Investigation

2003 and 2013 Aerial Images- Courtesy Google Earth.



Regarding Lots 3.01, 3.02 and 3.03, along the site frontage there is a rusted and dilapidated chain-link and expanded metal fence with barbed wire and overgrown vegetation. The pavement is in poor condition, as are planter walls in the front of the site. At least one portable toilet was observed on site, which could indicate that adequate sanitary conditions may not be present for employees.

Non-Condemnation Redevelopment Area Preliminary Investigation



In addition, the fence mesh required by prior approvals to screen the site operations is dilapidated, and there is a considerable amount of trash and/or recyclables that are visible from the road, creating an undesirable visual condition of the site.



Non-Condemnation Redevelopment Area Preliminary Investigation

It appears that numerous trailers and other site structures on site are dilapidated. In addition, the use does not comply with municipal standards for outdoor storage, building front yard setback, parking front yard setback, and minimum vegetated area. We also note that chickens are currently being kept on site, which is not expressly permitted.



We believe that this site represents an excessive land coverage with a deleterious land use that has an obsolete, and substandard layout with respect to current municipal standards. Numerous structures appear dilapidated, and this further creates a stagnant and unproductive condition of land, and undesirable visual environment impacting the community.

Parcels I, J, K, & L, - Block 42; Lots 3, 3.01, 3.02 and 3.03 respectively, meet Redevelopment statutory criteria “d” and “e”, and should be designated as an Area in Need of Redevelopment without Condemnation.

Further, we believe that these Lots could also be included pursuant to the definition of a Redevelopment Area where the land and the buildings themselves are not detrimental to the public health, safety, or welfare; but the inclusion of which is found necessary for the effective redevelopment of the area of which they are a part.

Non-Condemnation Redevelopment Area Preliminary Investigation

IV. Planning & Zoning Context

NJ State Plan and Smart Growth Planning Areas

According to the 2001 State Development and Redevelopment Plan (SDRP) the Study Area is located within the Suburban Planning Area (PA2). According to the SDRP, the intent of this Planning Area is 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.



Township Master Plan

The commercial corridor along Route 38 serves as an important connector for not only Hainesport but the surrounding municipalities as well. Since the 1989 Master Plan, Route 38 has been an integral piece in planning for the future of the Township. In the 1996 Master Plan, one of the goals, was to, “Encourage the development and improvement of existing commercial, office, and business uses along the Route 38 corridor.”

Non-Condemnation Redevelopment Area Preliminary Investigation

The 1996 and 2008 Reexamination Reports addressed problems and objectives relating to land development. The first objective of the report was to address the land use along the State Highway Route 38 Corridor. A major problem that was acknowledged in the reexamination report was that lack of ratable growth and the ability to attract quality commercial and office development along the corridor. In 2003, portions of Route 38 were designated as a redevelopment area, with three separate redevelopment plans.

The 2008 Reexamination Report introduces various recommendations that are relevant to this preliminary investigation under the Land Use Plan Element. Specifically, the recommendations state, *“Review existing Redevelopment Plans for conformance with newly adopted regulations”*, and *“Determine areas to be studied for future Redevelopment Plans along the Route 38 corridor.”* The Reexamination Report made it clear that the advancing Redevelopment along the Route 38 corridor remains a priority.

Burlington County Highway Master Plan

The Burlington County Highway Master Plan was released June 2019 and is an update to the 1989 Highway Master Plan. Burlington County has experienced significant growth in the past 30 years, and the Plan seeks to provide a vision and implementation framework for the county highway network that sustainably complements the growth of the county. The major goal of the Plan is to *“maintain existing county highway infrastructure and modernize it to meet current and future demand and to have adequate rights-of-way provided for future road widening and intersection improvements.”*

The Highway Master Plan defines Land Use Centers, Business Centers, and Freight Centers, that have significant impacts on vehicular traffic, transit, and freight. Business Centers are areas defined by office space that are significant traffic generators during rush hours. Freight Centers generate peak and off-peak traffic and are areas that contain manufacturing, industrial, and warehousing/distribution uses. It is important to note that the Study Area is located within a Business Center and a Freight Center. Given the industrial history of the Study Area, the access to rail infrastructure, and the key location between Route 38 and the Mt. Holly Bypass, it is important that future development aligns with and advances the goals and objectives of the Highway Master Plan.

Non-Condemnation Redevelopment Area Preliminary Investigation

V. Summary & Conclusions

The above Parcel Analysis reveals that 9 of the 12 parcels in the Study Area, as identified on the Hainesport Township Tax Maps, meet specific statutory criteria of NJSA 40A:12A-5 to be considered an **Area in Need of Redevelopment, Without Condemnation**.

Further, as discussed above, the definition of a “Redevelopment Area” at NJSA 40A:12A-3 permits the inclusion of additional parcels by stating:

“A redevelopment area may include land, 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.”

The Parcel Analysis sets forth rationale that the remaining 3 parcels, Parcel D, E, & H, should be so designated as an **Area in Need of Redevelopment, Without Condemnation** due to their contiguity with other qualifying parcels, as well as issues related to easements, vehicular access, parking and/or pedestrian access, and proximity to the Lawrence Boulevard jug-handle, and we find that these parcels are a necessary component of any potential future effective Redevelopment of the area consistent with the Hainesport Township Master Plan.

The Parcel Analysis is summarized in the following Table:

Statutory Criteria Summary						
Map ID	Block	Lot	Owner	Property Address	Acres	Statutory Criteria Met
A	42	1	1499 RT 38 LLC	1499 RTE 38	9.34	“C” & “E”
B	42	1.03	ATLANTIC WOOD INDUSTRIES INC	RTE 38	10.00	“C”, “D” & “E”
C	42	2	ATLANTIC WOOD INDUSTRIES INC	1517 RTE 38	20.28	“C”, “D” & “E”
D	42	1.04	MGN BUSINESS SERVICES,LLC	1505 RTE 38	0.81	N/A
E	42	1.02	VENTIMIGLIA, GIUSEPPE	1509 RTE 38	3.67	N/A
F	42	1.01	SEAGULL HOLDINGS, LLC	1513 RTE 38	2.03	“D” & “E”
G	42	2.01	SEAGULL HOLDINGS, LLC	1521 RTE 38	5.71	“D” & “E”
H	42	2.02	DURGA CORP.	1533 RTE 38	0.06	N/A
I	42	3	HOLLY HAINES INC	227 MT HOLLY BY-PASS	0.89	“D” & “E”
J	42	3.01	HOLLY HAINES INC	233 MT HOLLY BY-PASS	2.54	“D” & “E”
K	42	3.02	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.50	“D” & “E”
L	42	3.03	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.44	“D” & “E”

Non-Condemnation Redevelopment Area Preliminary Investigation

Therefore, we recommended that the following parcels, as identified on the Hainesport Township Tax Maps, be designated as a ***Non- Condemnation Area in Need of Redevelopment***, according to the criteria set forth in the *NJ Local Redevelopment and Housing Law* (LRHL), N.J.S.A. 40A:12A et seq., to arrest stagnation and prevent further deterioration of the area, and to promote the overall development of the community consistent with the Master Plan.

Block 42 Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, 3.03

Non-Condemnation Redevelopment Area Preliminary Investigation

Appendix A- Resolution

Hainesport Township Committee Resolution 2020-111-5, dated May 12, 2020.

TOWNSHIP OF HAINESPORT

RESOLUTION 2020-111-5

RESOLUTION AUTHORIZING AND DIRECTING THE HAINESPORT TOWNSHIP JOINT LAND USE BOARD TO CAUSE A PRELIMINARY INVESTIGATION TO BE MADE PURSUANT TO NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW AS TO WHETHER A CERTAIN AREA IS A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT”

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (“the Act”) allows municipalities to identify certain areas within their geographical boundaries as “Non-Condemnation Areas in Need of Redevelopment”, one of the purposes of which, among others, is to encourage private investment in certain properties through, e.g., the demolition, clearance, or removal of buildings, the construction and rehabilitation of existing buildings, the creation of new job opportunities and ratables within municipalities, etc.; and

WHEREAS, the Act empowers municipalities to authorize and direct their Municipal Planning Boards to cause preliminary investigations to be made to determine whether areas exist within the municipality that are “Non-Condemnation Redevelopment Areas”, N.J.S.A. 40A:12A-6; and

WHEREAS, the Township of Hainesport has determined that : (1) Block 42, Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, and 3.03 comprising approximately 59 acres (“the Study Area”), are properties that may benefit from the tools available to municipalities under the New Jersey Housing and Redevelopment Law; and (2) that there is a need for increased employment opportunities, tax ratables, and other benefits which communities generally derive from the redevelopment of commercial corridors within these areas; and

Non-Condemnation Redevelopment Area Preliminary Investigation

WHEREAS, the Township Committee of the Township of Hainesport has determined that it is in the best interest of the Township of Hainesport, in order to compete with neighboring municipalities for new commercial and other opportunities which will result in increased employment opportunities, and tax rates for the municipality, to further study this area of the Township in that general vicinity, to determine if same or portions of same, are “Non-Condemnation Redevelopment Areas”, so that this municipality can undertake various initiatives to incentivize commercial and other developers to locate their businesses with this municipality; and

WHEREAS, the Planning Board shall undertake this investigation and shall determine whether or not the Non-Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a Non-Condemnation Redevelopment Area; and

WHEREAS, the New Jersey Redevelopment and Housing Law empowers municipalities to authorize and direct their Municipal Planning Boards to undertake such studies and investigations.

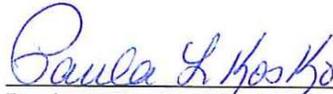
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hainesport, that the Hainesport Township Joint Land Use Board be and is hereby authorized and directed to cause a preliminary investigation to be made pursuant to the New Jersey Redevelopment and Housing Law as to whether Block 42, Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, and 3.03 constitute an area in need of non-condemnation redevelopment within the meaning and intent of the statute.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Chairperson and Secretary of the Hainesport Township Joint Land Board, and with the

Non-Condemnation Redevelopment Area Preliminary Investigation

Burlington County Office of Land Use Planning, within ten (10) days of adoption, and that the Joint Land Use Board be urged to complete its preliminary investigation and file its written report within the Township Committee upon completion of same.

I, Paula L. Kosko do hereby certify this to be a true copy of a resolution adopted by the Hainesport Township Committee at their regular meeting on May 12, 2020.



Paula L. Kosko, RMC, Township Clerk
Township Administrator

	Motion	Second	Yes	No	Abstain	Absent
Gilmore	X		X			
Costa			X			
Schneider		X	X			
Clauss			X			
MacLachlan			X			

Non-Condernation Redevelopment Area Preliminary Investigation

Appendix B- Study Area Map

Map entitled "*Route 38-Mt. Holly Bypass Redevelopment Area*" dated August 31, 2020 .

See map pocket inside back cover.

Non-Condemnation Redevelopment Area Preliminary Investigation

Appendix C- Environmental Summary (Parcels B & C)

WSP report dated May 20, 2020



May 20, 2020

Ms. Sara Butz
Senior Vice President
Real Estate Due Diligence
Black Creek Group
518 17th Street, Suite 1700
Denver, CO 80202

Subject: Former Atlantic Wood Industries, Inc. Facility - Hainesport, NJ

Dear Sara:

As a follow-up to our recent discussion regarding the former Atlantic Wood Industries, Inc. (AWI) property in Hainesport, New Jersey, WSP USA, Inc. has prepared this known environmental conditions summary letter.

OPERATIONAL BACKGROUND

Atlantic Wood Industries, Inc. (AWI) operations at the subject property from 1962 to 2009 consisted of wood product preservation using coal tar creosote. AWI ceased operations in 2009. The subject property is leased to a third party for use as a regional distribution yard for treated wood products.

REGULATORY BACKGROUND

AWI submitted an Initial Notice of Intent to transfer AWI stock to the AWI Employees Stock Option Plan in September 1985. This transaction, which was completed in January 1986, was considered a regulatory trigger for compliance with the New Jersey Department of Environmental Protection (NJDEP) Environmental Cleanup Responsibility Act (ECRA). Because AWI could not comply with all ECRA requirements prior to the transaction, NJDEP and AWI entered into an Administrative Consent Order (ACO) whereby AWI agreed to undertake actions necessary to comply with ECRA.

In 1993, ECRA was amended and renamed the Industrial Site Recovery Act (ISRA). NJDEP notified AWI in October 2010 that a NJDEP case would no longer be assigned to the case and that AWI would need to continue environmental remediation activities under the direction of a Licensed Site Remediation Professional (LSRP). In response, AWI retained Mr. James P. Mack, LSRP #509037 to complete the required activities.

ENVIRONMENTAL STUDIES

The initial ECRA evaluation conducted in 1986 identified ten potential Areas of Concern (AOCs) which required investigation of soil and groundwater to determine whether AWI's operations had adversely affected soil and/or groundwater quality at the subject property.

WSP USA
3rd Floor
2000 Lenox Drive
Lawrenceville, NJ 08648

Tel.: +1 609 512-3500
Fax: +1 609 512-3600
wsp.com

Non-Condensation Redevelopment Area Preliminary Investigation



SOIL

Soil investigations identified certain polycyclic aromatic hydrocarbons (PAHs) in soil at concentrations exceeding the NJDEP Cleanup Criteria (in effect at the time). Remedial actions consisting primarily of soil excavation were conducted between 1992 and 1995. Approximately 5,260-tons of impacted soil were excavated and disposed of offsite.

Subsequent soil investigations were conducted in 2013 and 2014 to delineate the horizontal and vertical extent of PAHs in soil outside of those areas previously remediated. The analytical results were compared to the current NJDEP Soil Remediation Standards. In general, the areas of PAH impacted soil exceeding the NJDEP Soil Remediation Standards are limited to the northeast corner of the subject property (at and adjacent to the wood treating equipment) and the railroad spur (which bisects the property from east to west).

GROUNDWATER

Groundwater investigations initiated in 1986 indicated that groundwater quality at the wood treating process Spill Containment and Oil/Water Separator area had been adversely affected by PAHs. A groundwater extraction and treatment system was installed 1995 at the area northeast of the wood treating process area (i.e., in the downgradient direction of groundwater flow). The objective of the remedial effort was to control migration of the PAH impacted groundwater. The groundwater collection and treatment system operated until 2014.

Groundwater monitoring in 2010 identified a thin layer of dense non-aqueous phase liquid (DNAPL) in three wells. Supplemental groundwater investigations were conducted, including the use of direct sensing equipment to delineate the horizontal and vertical extent of PAHs (primarily naphthalene) in groundwater to the NJDEP Groundwater Quality Standards. The supplemental groundwater investigation indicated that the PAH impacted groundwater is located at a discrete area at the northeast corner of the subject property and does not extend offsite. The vertical extent of PAH impacted groundwater and DNAPL was approximately 50-feet below ground surface.

PROPOSED REMEDIAL APPROACH

Redevelopment of the subject property for commercial use is proposed. Proposed remedial actions to address existing environmental conditions would allow for future construction and commercial use of the subject property, while being protection of human health and the environment.

The proposed, initial, remedial approach would consist of the following:

SOIL

PAH impacted soil would be consolidated for placement under the asphalt paved areas. This remedial approach would be protective of the environment and human health by reducing contact with storm water and direct contact with PAH impacted soil by facility personnel. A Deed Notice would be filed with the County and a Remedial Action Permit would be secured from the NJDEP. Regular inspection would be conducted, in accordance with the Remedial Action Permit, to ensure that the cap remains in place and in good condition.

GROUNDWATER

The proposed remedial option would control migration and reduce concentration of PAHs in groundwater. Stabilization of the saturated soil would be conducted to significant restrict migration of PAH impacted groundwater. In-situ treatment amendments would be added to the saturated zone to promote biodegradation and reduce residual PAH concentrations. A Remedial Action Permit would be secured from NJDEP. Long-term groundwater monitoring would be

Non-Condemnation Redevelopment Area Preliminary Investigation



conducted, in accordance with the Remedial Action Permit, to document the effectiveness of the remedial approach.

Sincerely,

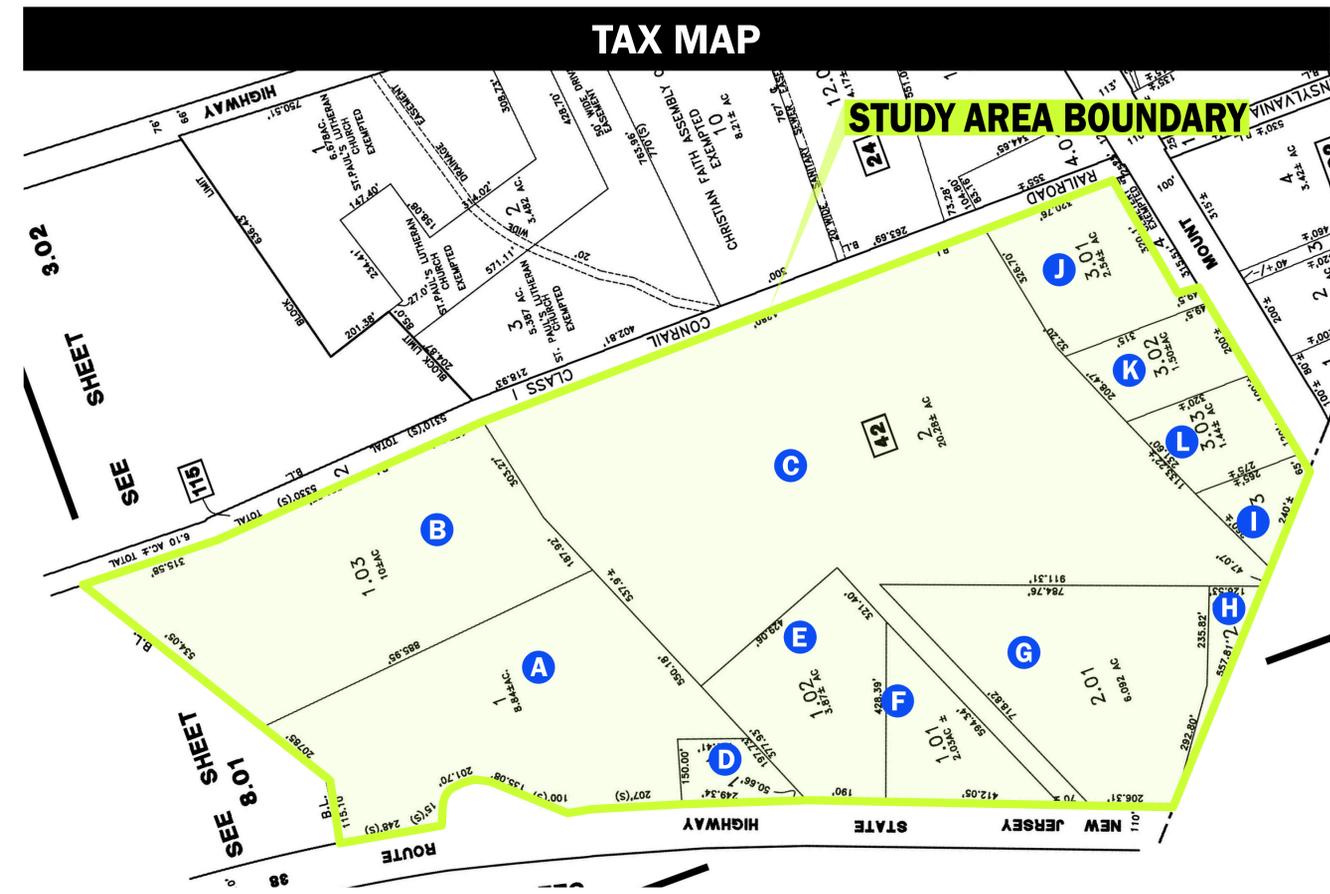
A handwritten signature in black ink that reads "Mark Foley". The signature is written in a cursive style with a long horizontal line extending to the right.

Mark Foley
Practice Leader

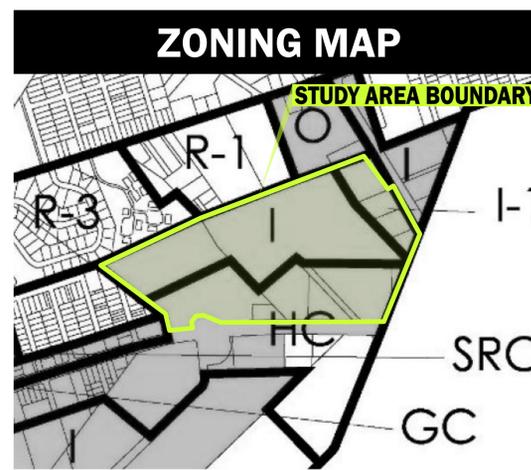
Non-Condemnation Redevelopment Area Preliminary Investigation

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15. [Wetlands of New Jersey \(from Land Use/Land Cover 2012 Update\) –](#)
<http://njogis-newjersey.opendata.arcgis.com/datasets/njdep::wetlands-of-new-jersey-from-land-use-land-cover-2012-update>
16. [NJ-GeoWeb NJEMS Sites](#), New Jersey Department of Environmental Services, 2019
<https://njwebmap.state.nj.us/NJGeoWeb/WebPages/Map/FundyViewer.aspx?THEME=Sapphire&UH=True&RIDZ=636988925014530314/NJGeoWeb/WebPages/Map/MapView.aspx?THEME=Sapphire&UH=True&RIDZ=636988925014530314>
17. [Parcels and MOD-IV of Burlington County, NJ, 2019](#)
<http://njogis-newjersey.opendata.arcgis.com/datasets/parcels-and-mod-iv-of-burlington-county-nj-shp-download?geometry=-77.339%2C39.493%2C-72.112%2C40.231>
18. EMS Shape File, data downloaded 2/12/20 https://njogis-newjersey.opendata.arcgis.com/datasets/ce09dd0091f242edb2d4f8f7b3072215_2
19. Community Assets
<https://njdca.maps.arcgis.com/apps/webappviewer/index.html?id=96ec274c50a34890b23263f101e4ad9b>
20. BurlCo Property Viewer
<http://burconj.maps.arcgis.com/apps/View/index.html?appid=2bfbea3785fe48e19ce5b1bf5e0c8402>
21. New Jersey State Plan. <https://nj.gov/state/planning/state-plan.shtml>
22. Draft Boundary Survey, prepared by Langan Engineering, dated September 16, 2020



PARCEL INFORMATION								
MOD IV Data Source: Division of Taxation, Burlington County. Burlington County Bridge Commission; last updated 3/23/20								
Map ID	Block	Lot(s)	Owner	Property Address	Approx Acres	Property Class	Zone	Use/Description
A	42	1	1499 RT 38 LLC	1499 RTE 38	9.34	1	HC	Vacant & Wooded
B	42	1.03	ATLANTIC WOOD INDUSTRIES INC	RTE 38	10.00	1	I	Atlantic Wood; Industrial
C	42	2	ATLANTIC WOOD INDUSTRIES INC	1517 RTE 38	20.28	4B	I & HC	Atlantic Wood; Industrial
D	42	1.04	MGN BUSINESS SERVICES, LLC	1505 RTE 38	0.81	4A	HC	FenceMax; Commercial
E	42	1.02	VENTIMIGLIA, GIUSEPPE	1509 RTE 38	3.67	4A	HC	Plaza 38; Commercial Strip Mall
F	42	1.01	SEAGULL HOLDINGS, LLC	1513 RTE 38	2.03	4A	HC	Mt. Holly Nissan
G	42	2.01	SEAGULL HOLDINGS, LLC	1521 RTE 38	5.71	4A	HC	Mt. Holly Nissan; Parking lot
H	42	2.02	DURGA CORP.	1533 RTE 38	0.06	1	HC	Vacant & Wooded
I	42	3	HOLLY HAINES INC	227 MT HOLLY BY-PASS	0.89	1	I-1	Vacant & Wooded
J	42	3.01	HOLLY HAINES INC	233 MT HOLLY BY-PASS	2.54	4A	I-1	AmeriCycle
K	42	3.02	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.50	4A	I-1	AmeriCycle
L	42	3.03	HOLLY HAINES INC	229-231 MT HOLLY BY-PASS	1.44	4A	I-1	AmeriCycle



BASIS FOR INVESTIGATION

The Township seeks to determine whether the redevelopment process in accordance with the **NJ Local Redevelopment and Housing Law (LRHL)**, N.J.S.A. 40A:12A et seq. could be the most effective planning and implementation strategy to accomplish the revitalization of certain parcels in the area on the north side of Route 38 between the Mt. Holly Bypass and Route 38. The general purpose for designating a Redevelopment Area is to arrest the deterioration of an area and encourage improvement and reinvestment, not likely to be accomplished privately, and requiring responsible public intervention.

On **May 12, 2020** the Hainesport Township Committee authorized by **Resolution 2020-111-5** the Hainesport Township Joint Land Use Board to undertake an investigation to determine whether the identified parcels may be designated as a **Non-condemnation Area in Need of Redevelopment**, according to the criteria set forth in N.J.S.A. 40A:12A-5

The Township Committee has determined that it is in the best interest of the Township to encourage redevelopment of eligible lands within the Township, particularly when such redevelopment may advance the specific planning and land use goals and objectives of the Township. In particular, the Township Committee has directed the Township Joint Land Use Board to conduct an investigation of the following parcels as identified on the Hainesport Township Tax Maps:

Block 42 Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, 3.01, 3.02, 3.03

The Redevelopment Law requires that the Joint Land Use Board conduct a public hearing prior to making its determinations on whether any of the referred Study Areas or portions thereof shall be designated as a "Non-Condensation Redevelopment Area" prior to making its determination.

A public hearing will be held by the Joint Land Use Board on **October 7, 2020** at 7:00 p.m. at the Hainesport Township Municipal Building, One Hainesport Centre, Hainesport, NJ 08036. The Public Hearing will be available in person, on YouTube Live by searching for Hainesport Township's YouTube Live Channel "Township of Hainesport Live Stream", and on Go To Meeting:

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