



PRELIMINARY INVESTIGATION OF A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT HALSEY STREET LOT

Block 145, Lot 78

Borough of Metuchen, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | May 22, 2024



Preliminary Investigation of a Non-Condernation Area in Need of Redevelopment Halsey Street Lot

Block 145, Lot 78

Borough of Metuchen, Middlesex County, New Jersey

Recommended by the Planning Board on Month ##, 20##

Adopted by the Borough Council on Month ##, 20##



Prepared on behalf of:

Metuchen Planning Board

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The original copy of this document was appropriately signed and sealed in accordance to N.J.S.A. 45:14A-1 et seq.

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1 | INTRODUCTION

1.1 OVERVIEW

The Borough of Metuchen (the "Borough" or "Metuchen") is 2.8 square miles (1,836 acres) in area, surrounded entirely by the Township of Edison, and is situated in Middlesex County (the "County") in the eastern-central portion of the State of New Jersey. Metuchen is within 30 miles of New York City, has a passenger/commuter rail line station in the downtown area that is surrounded by established residential neighborhoods. As a built-up community, there is limited vacant land for development. Therefore, infill and redevelopment opportunities play an important role in the Borough's evolution with limited growth.

As noted in Metuchen's 2016 Master Plan Reexamination Report, "Metuchen has always been a community concerned with preserving its unique character" and recommends that the Borough prepare a Vision Plan to address the downtown area, areas in need of redevelopment, parks and open space, among other key topics.

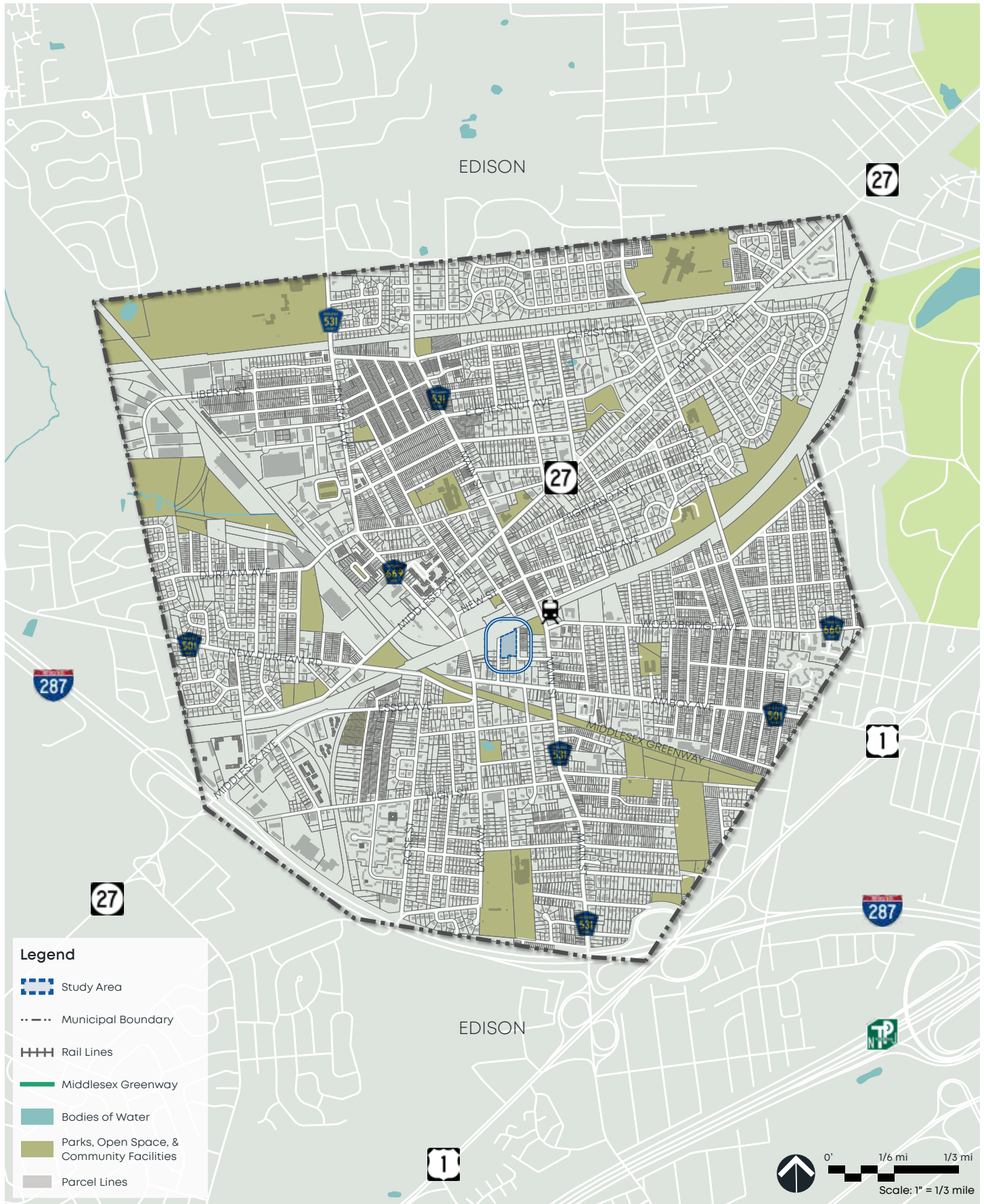
Beginning in 2018, consistent with the Master Plan, the Borough commenced a multi-stage planning process that envisioned the revitalization of the underutilized block along Main Street containing the historic Forum Theatre and adjacent vacant gas station as a place of the arts, culture, and history; that is, the Metuchen Arts District.

In August 2018, the Borough submitted a grant request to the County to help fund the creation of the Metuchen Arts District. The Borough's goal was to collaborate with the County to implement its regional cultural plan to provide County residents with the opportunity to access and experience the Metuchen Arts District. Later in October 2018, the County awarded the Borough a \$3.5 million grant from the Middlesex County Cultural and Arts Trust Fund, jump-starting the Borough's efforts to realize its vision for the Metuchen Arts District.

Simultaneously, and pursuant to the New Jersey Local Redevelopment and Housing Law (the "LRHL") at N.J.S.A. 40A:12A-1 et seq., the Mayor and Borough Council (the "Borough Council") began a process to determine whether the properties containing the Forum Theatre, the vacant strip of land associated with the adjacent University Radiology building, and the vacant gas station qualified as an "area in need of redevelopment." Ultimately, the Borough Council, upon favorable recommendation from the Planning Board, adopted Resolution No. 2020-46 on January 13, 2020, designating the delineated properties as a "condemnation area in need of redevelopment." A redevelopment plan for the newly-designated redevelopment area was subsequently prepared; however, it was reserved to explore expanding the project area.

Additionally, beginning in late 2019, the Borough Council began a process to determine the Borough's qualification and designation as an "area in need of rehabilitation." The Borough Council, upon favorable recommendation from the Planning Board, adopted Resolution 2020-50 on February 3, 2020, declaring the entire area within the Borough as an "area in need of rehabilitation". The original "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" was subsequently adopted by the Borough Council by Ordinance 2020-10 on May 26, 2020.

Map 1. Context Map



For several years that followed, the Borough continued to explore, study, and advance planning concepts for the theater block. It was during this visioning process that the Borough recognized the opportunity to expand the extent of the Metuchen Arts District to include properties on the west side of Main Street, including the Halsey Street Lot. Ultimately, the Borough Council adopted the "Expanded Metuchen Arts District Redevelopment Plan" (the "Redevelopment Plan") on June 26, 2023, with the theater block under the "condemnation area in need of redevelopment" designation and the additional properties under the "area in need of rehabilitation" designation.

Following the adoption of the Redevelopment Plan, the Borough determined that it was in the best interest of the community that a preliminary investigation be conducted to potentially expand the redevelopment designation to the Halsey Street Lot so as to gain additional flexibility, including all of the powers provided by the LRHL, as it pursues comprehensive redevelopment of the expanded Metuchen Arts District.

1.2 STUDY AUTHORIZATION

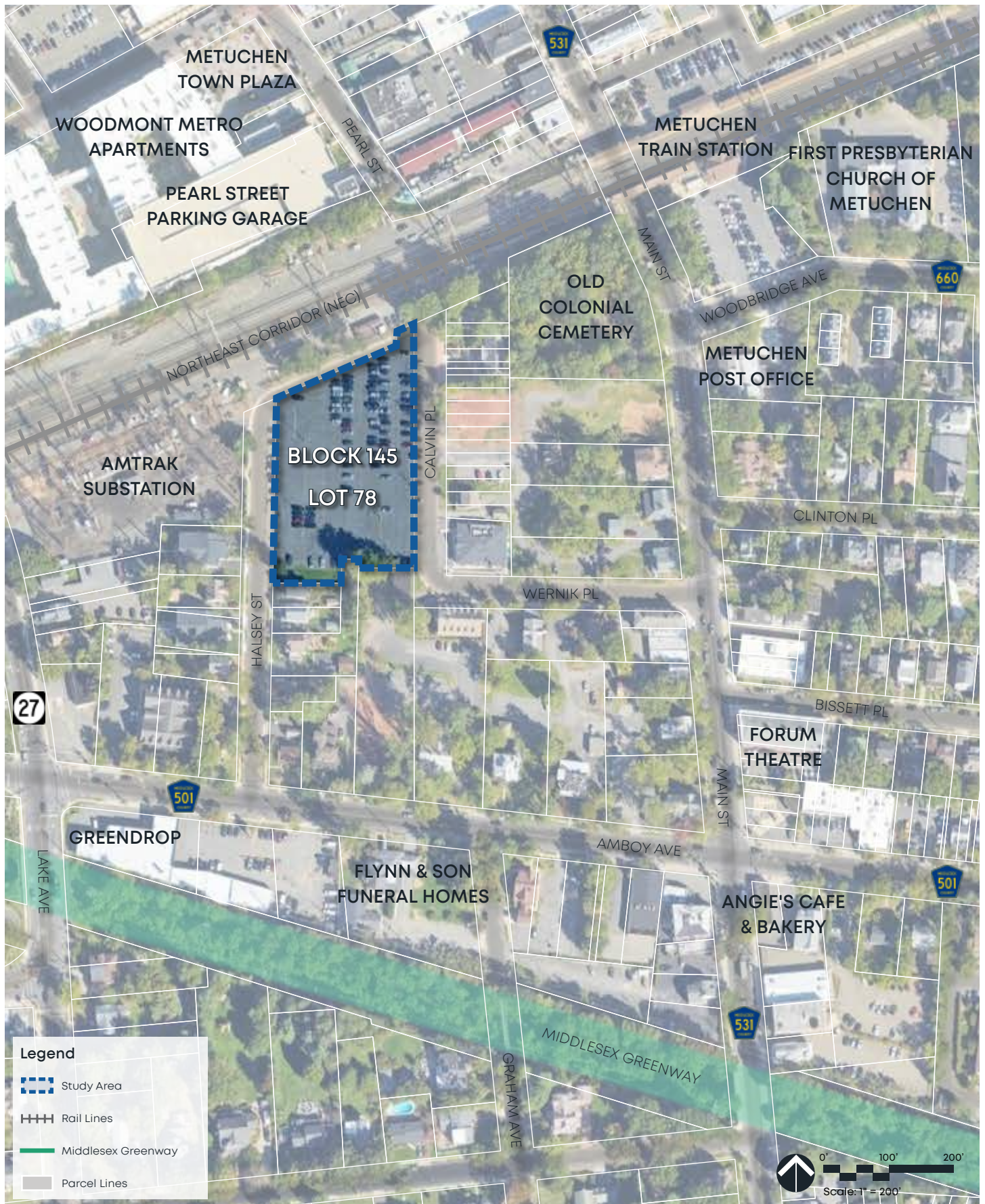
At its meeting on April 29, 2024, the Borough Council adopted Resolution No. 2024-151. This resolution (Appendix A) authorized and directed the Planning Board to conduct a preliminary investigation (or "Study") pursuant to N.J.S.A. 40A:12A-6 of the property designated on the Borough Tax Maps as Block 145, Lot 78, along with all streets and rights of way appurtenant thereto (the "Study Area") to determine whether all or a portion of the Study Area meets the statutory criteria set forth at N.J.S.A. 40A:12A-3 or -5 for designation as an "area in need of redevelopment" under the LRHL, and whether all or a portion of said Study Area should be designated as an "area in need of redevelopment."

1.3 NON-CONDEMNATION

As of 2013, the New Jersey State Legislature (the "Legislature") requires that preliminary investigations state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (a "non-condemnation area in need of redevelopment") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (a "condemnation area in need of redevelopment").

The Borough Council, in accordance with the above requirements, indicated in its resolution to the Planning Board that the Study Area was being considered as a "non-condemnation area in need of redevelopment."

Map 2. Study Area Map



1.4 SCOPE OF STUDY

The scope of the planning effort encompassed the following tasks:

- Conduct an inventory, catalog, and examine the physical conditions and characteristics of the existing site improvements within the Study Area;
- Review the physical and digital records pertaining to the Study Area;
- Review and assess the current zoning classification, goals and objectives of the Master Plan, goals and strategies of the Land Use Plan Element, goals and values of the State Plan, and how they relate to the Study Area and the surrounding neighborhood;
- Depict to what extent the existing physical conditions and characteristics meet the statutory criteria for designation as a "non-condemnation area in need of redevelopment"; and,
- Indicate findings and propose recommendations relative to determining if the Study Area should be designated as a "non-condemnation area in need of redevelopment."

As part of this multi-step process, multiple site inspections of the Study Area and the surrounding neighborhood were conducted in order to observe and document the existing physical conditions and characteristics of the Study Area.

Additionally, the scope of this Study included a review of the following documents:

- Planning & Zoning: development approvals, permits, and violations;
- Code Enforcement: correspondence and violations;
- Construction and County Health Departments: permits and violations;
- Police and Fire Departments: records and reports;
- Property ownership and tax assessment data;
- Environmental notification and status reports;
- Geographic Information System (GIS) maps, aerial photography, and data sets;
- Sanborn maps and available historic aerial photography;
- Metuchen Tax Maps;
- Metuchen Land Use Ordinance and Zoning Map;
- Metuchen Master Plan;
- New Jersey State Development and Redevelopment Plan; and,
- New Jersey Draft Strategic Plan.

1.5 SUMMARY OF FINDINGS

Ultimately, this Study finds that within the Study Area, characteristics exist which satisfy the statutory criteria and recommends that the Study Area be designated a "non-condemnation area in need of redevelopment."

It should be noted that this Study does not constitute an endorsement or recommendation for a specific plan or strategy for the Study Area. Any subsequent redevelopment plan, plan amendment, or strategy remains in the purview of the Borough Council.

2 | REDEVELOPMENT STATUTE

2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted the Local Redevelopment and Housing Law (the "LRHL"), which was largely based on the 1949 Blighted Areas Act. The Legislature revised, consolidated, and ultimately replaced the State's various redevelopment statutes with a new statute concerning redevelopment and housing by the State's local governments

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, finding at [N.J.S.A. 40A:12A-2.a.](#) that:

"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting physical development most conducive to the social and economic improvement of the State and its municipalities.

According to the LRHL, before the municipality is authorized to exercise any redevelopment powers, a specified area must be designated a rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a "condemnation area in need of redevelopment" or have been designated as a redevelopment area before the effective date of P.L. 2013, c. 159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared to utilize various planning and financial tools to eliminate the conditions that cause the area to be considered a rehabilitation and/or redevelopment area, to make redevelopment projects more feasible by utilizing financial subsidies or other incentive programs offered by various agencies, and to foster public-private partnerships that facilitate the desired redevelopment of the area.

From a practical standpoint, a redevelopment plan is essentially a combined "mini" master plan and zoning ordinance for the designated rehabilitation and/or redevelopment area, and may prescribe specific zoning regulations and detailed development and design standards that reflect the community's vision and desired improvement of the area.

The redevelopment planning process has been used successfully throughout the State, including within the Borough, to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

REDEVELOPMENT IN METUCHEN



Gulton Tract

The Gulton Redevelopment Area is located in the northwest quadrant of the Borough between the future Middlesex Greenway Extension and the Peter J. Barnes III Wildlife Preserve.

The plan implements the Borough's long-standing vision to reinvest and redevelop the former industrial complex. The plan created an open space parcel that contains a public access drive and public parking area, as well as a series of pedestrian and open space amenities. The parcel will serve as an extension of the Peter J. Barnes III Wildlife Preserve.

The plan also provides for a unique opportunity to live next to the future park. The Plan called for a high-quality design for the multi-family housing development, which will consist of 272 residences, including over 40 affordable housing units.

Downtown Redevelopment Plan

Following the adoption of the Borough-wide redevelopment plan, the Borough proactively coordinated several projects throughout the downtown area.

The Downtown Redevelopment Plan, effectively a scattered sites redevelopment plan, was developed to help stimulate interest and unlock the latent value of properties that are too small or constrained to undertake construction on their own. The plan also promotes reduced parking standards for proximate areas to the Metuchen Train Station and a series of streetscape improvements to promote downtown living.

The plan includes four redevelopment projects, three of which include between 14 and 20 residences and affordable units. The fourth project at the heart of downtown provides for a high-quality corner bank building with a screened drive-through and parking area.



2.2 ADVANTAGES OF A REDEVELOPMENT PLAN

The advantages of a redevelopment plan are that it empowers additional municipal authority by permitting the use of special flexible Smart Growth planning tools otherwise not available under conventional zoning, including the following:

- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form, and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, areas to be preserved as open space and improved as public gathering spaces, parks or other landscape features, as well as the provision for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe structures and areas to be preserved, land use, intensity of use, residential density, build-to lines, setbacks, height, scale, massing, form, site layout including the location of new structures, parking and pedestrian improvements, streetscape improvements, and other off-site improvements.
- The exercise of greater control over design of any project including detailed development and design standards regulating the layout, design, and appearance of future buildings and site improvements.
- The ability to require certain green infrastructure, sustainable design, and universal design features and strategies be incorporated into the project.
- Empowers the municipality to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period of time.
- Enables the municipality and the redeveloper / property owner to work in a productive public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

2.3 REDEVELOPMENT PROCEDURE

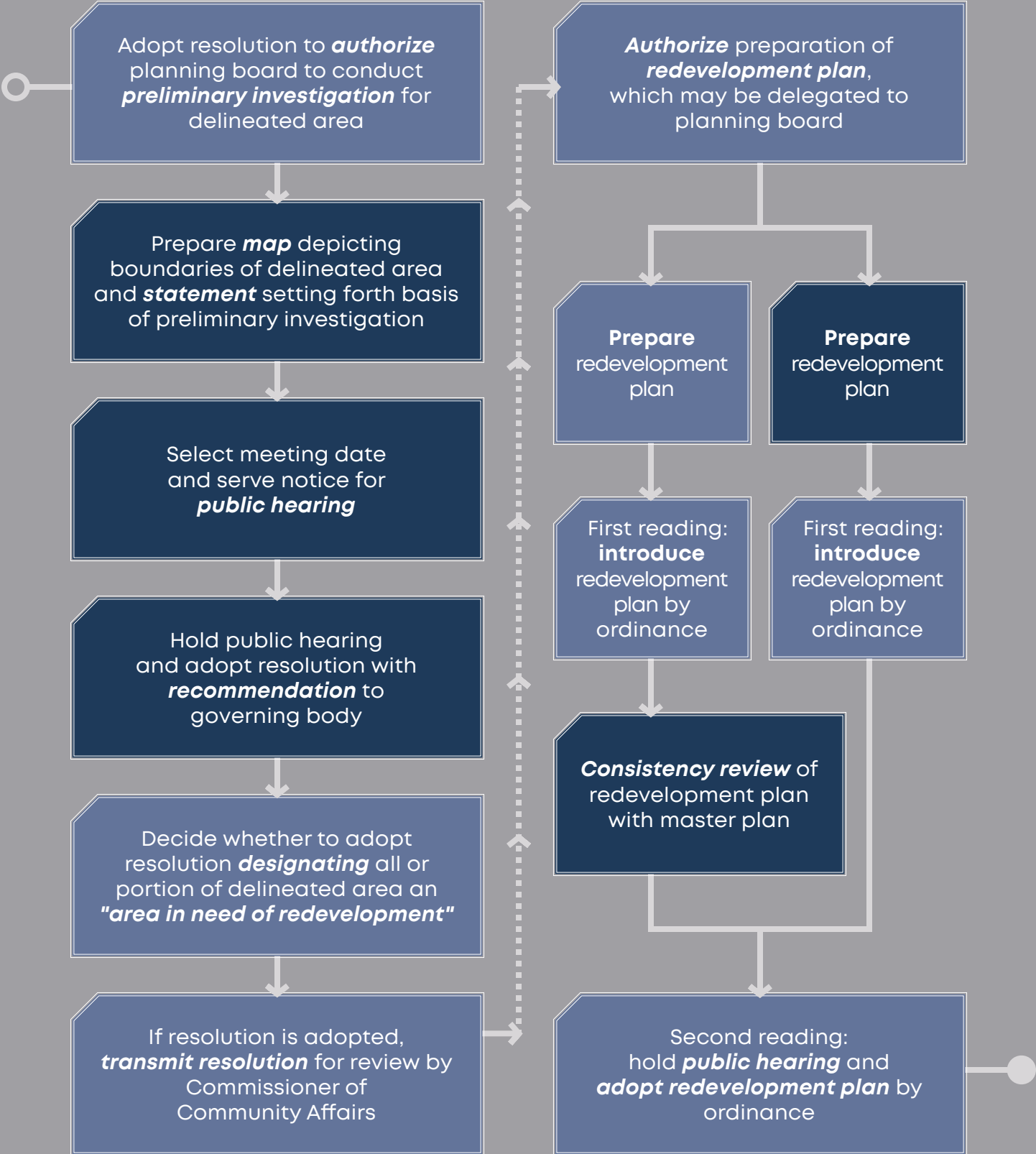
The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body acts in concert with the goals and objectives of the municipality's master plan. Recognizing the planning board's role as the steward of the master plan, these steps require the planning board to make recommendations to the governing body.

A summary of the process is more fully described on the following page.

REDEVELOPMENT PROCEDURE SUMMARY

Preliminary Investigation

Redevelopment Plan



Governing Body
 Planning Board

PRELIMINARY INVESTIGATION

The following is a summary of N.J.S.A. 40A:12A-6, concerning the procedure for the preliminary investigation for determination of a delineated area as a redevelopment area, as well as related public hearing and notice requirements:

- The process begins as the governing body, by resolution, authorizes the planning board to undertake a preliminary investigation to determine whether the delineated area is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5.
 - The resolution shall state whether the "area in need of redevelopment" determination shall authorize the municipality to use all redevelopment powers other than the use of eminent domain (in which case, it shall be referred to as a "non-condemnation area in need of redevelopment") or if shall authorize all redevelopment powers including the use of eminent domain (in which case, it shall be referred to as a "condemnation area in need of redevelopment").
- The planning board then prepares a **map** depicting the boundaries of the delineated area, the location of various properties included therein, and a **statement** setting forth the basis for the preliminary investigation. Generally, the governing body or the planning board, by resolution, enters into an agreement with a licensed professional planner to prepare a summary report presenting the findings of the preliminary investigation (that is, the map and the statement).
- After the preliminary investigation is complete, the planning board specifies a date for and gives notice of a public hearing.
 - The notice shall set forth the general boundaries for the delineated area and shall state that a map (and statement) has been prepared and can be inspected at the municipal clerk's office. Consistent with the governing body's initial resolution, the notice shall specifically state that the "area in need of redevelopment" determination shall not or shall authorize with municipality to exercise the power of eminent domain.
 - A copy of the notice shall be published in a newspaper of general circulation in the municipality once each week for two (2) consecutive weeks, and the last publication shall not be less than 10 days prior to the hearing date.
 - A copy of the notice shall be mailed at least 10 days prior to the hearing date to the last owner of, and claimants of an interest in, each property within the delineated area.
- At the public hearing, the planning board, generally through the licensed professional planner, presents the findings of the preliminary investigation, and allows for all interested parties to give testimony. All oral or written objections are made part of the public record. At the conclusion of the public hearing, the planning board, by resolution, recommends whether all or a portion of the delineated area be determined (or not be determined) by the governing body to be an "area in need of redevelopment."
- After receipt of the recommendation from the planning board, the governing body, by resolution, may determine that all or a portion of the delineated area as an "area in need of redevelopment."
- When the resolution is adopted, the municipal clerk shall transmit a copy of the resolution to the Commissioner of Community Affairs for review. The determination shall not take effect without approval of the commissioner. If the commissioner does not issue an approval or disapproval within 30 calendar days, the determination

shall be deemed approved. If the determination is of an area in which development or redevelopment is encouraged (by any State law or regulation), the determination shall take effect immediately after transmission.

- The notice of the determination shall be served within 10 days after the determination, upon the last owner of each property within the delineated area and any person who filed a written objection.
- If the governing body's initial resolution stated that the "area in need of redevelopment" determination shall not or shall authorize with municipality to exercise the power of eminent domain, the notice shall indicate that the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain; any legal action to challenge the determination must be commenced within 45 days of receipt of notice.

REDEVELOPMENT PLAN

Following the designation of a delineated area as a rehabilitation or redevelopment area, a redevelopment plan, or an amendment or revision to an existing redevelopment plan, may be prepared. The following is a summary of N.J.S.A. 40A:12A-7, concerning the procedure for adoption of a redevelopment plan as well as related public hearing requirements:

- Either the governing body can prepare a redevelopment plan, or it can direct the planning board prepare a redevelopment plan, setting forth the goals, objectives, and specific actions to be taken with regard to the designated rehabilitation or redevelopment area in accordance with the criteria established under N.J.S.A. 40A:12A-7.
 - If the governing body prepares the redevelopment plan, the governing body introduces the redevelopment plan via ordinance for first reading and adopts a resolution referring the proposed redevelopment plan to the planning board for review and recommendation to the governing body, in the same manner as adoption of land development ordinances.
 - The planning board, within 45 days after referral, reviews the proposed redevelopment plan and adopts a resolution containing a report and recommendations to governing body. The report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning the inconsistencies and other appropriate matters.
 - The governing body holds a public hearing on the redevelopment plan ordinance and, taking into consideration the recommendations of the planning board, may then act on the redevelopment plan by passing the ordinance adopting the redevelopment plan.
 - If the planning board prepares the redevelopment plan, the governing body is relieved of the referral requirements contained above. After the redevelopment plan is prepared, the governing body introduces the redevelopment plan via ordinance for first reading and thereafter holds a public hearing on the redevelopment plan ordinance, in the same manner as adoption of other municipal ordinances.
- In either case, where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, the governing body also adopts an amendment to the zoning map.

2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE

DESIGNATION OF PORTION OF THEATER BLOCK AS A REDEVELOPMENT AREA (2020)

On August 13, 2018, the Borough Council adopted Resolution No. 2018-192, authorizing the Planning Board to undertake a preliminary investigation to determine whether the specified area designated as Block 183.02, Lots 1, 2, 3, 4, 31, and 32 (the property known as 312-316 Main Street), Block 183.02, Lot 5.01 (part of the property known as 260-264 Amboy Avenue), and Block 183.02, Lots 5.02, 6, 7, and 8 (the property known as 304 Main Street) qualified as a "condemnation area in need of redevelopment" in accordance with N.J.S.A. 40A:12A-5.

On November 7, 2019, the Planning Board conducted a public hearing at which it reviewed the preliminary investigation entitled "Area in Need of Redevelopment Preliminary Investigation of the Metuchen Arts District / Borough of Metuchen, Middlesex County, New Jersey," dated November 29, 2018.

The preliminary investigation concluded that the delineated area met the criteria for a "condemnation area in need of redevelopment." There being three (3) distinct properties, each property met at least one (1) of the statutory criteria set forth in N.J.S.A. 40A:12A-5. The preliminary investigation also found that the designation of the delineated area as a "condemnation redevelopment area" was consistent with the purposes, goals and objectives of the Borough's Master Plan.

The Planning Board opened the hearing to the public for questions and comments, during which a representative of University Radiology, which occupies 260-264 Amboy Avenue, offered a recommendation that the Borough focus only on the strip of land not encompassed by the building on Block 183.02, Lot 5.01, to avoid potential any issues pertaining to its State license.

Following the public hearing, the Planning Board adopted a resolution, finding that the delineated area, including Block 183.02, Lots 1, 2, 3, 4, 31, and 32 (312-316 Main Street), part of Block 183.02, Lot 5.01 (excluding the easterly 25 feet of the lot, an area approximately 25 feet by 25 feet) (part of 260-264 Amboy Avenue), and Block 183.02, Lots 5.02, 6, 7, and 8 (304 Main Street) met the criteria for designation. The resolution concluded with the Planning Board recommending to the Borough Council that the delineated area, as modified, be designated as a "condemnation area in need of redevelopment."

On January 13, 2020, the Borough Council accepted the Planning Board's recommendations and adopted Resolution 2020-46, formally designating the delineated area, as modified, as a "condemnation area in need of redevelopment."

ORIGINAL METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN (2020)

Following the designation, the Borough began the preparation of a redevelopment plan that would provide a guide for the redevelopment of the "condemnation area in need of redevelopment," including establishing an overall vision, goals and objectives, and specific land use and design standards.

On February 18, 2020, the Borough Council adopted Resolution 2020-68, directing the Planning Board to prepare a redevelopment plan. The Planning Board, at its meeting on July 16, 2020,

reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Borough's Master Plan, and directed that the redevelopment plan be transmitted to the Borough Council for adoption; however, the redevelopment plan was never adopted.

DESIGNATION OF ENTIRE MUNICIPALITY AS A REHABILITATION AREA (2020)

In consideration of ongoing planning activities for other site-specific projects, the Borough began to proactively explore additional tools to help prevent further deterioration and promote desirable rehabilitation and redevelopment within the entire municipality, particularly within the downtown area.

On November 12, 2019, the Borough Council adopted Resolution 2019-287, referring a proposed designation of the entire area of the municipality as a "rehabilitation area" to the Planning Board for its statutory review pursuant to N.J.S.A. 40A:12A-14(a).

The Planning Board, at its meeting on December 5, 2019, reviewed and considered the proposed designation and, through its adopted resolution, determined that the entirety of the Borough satisfied at least one (1) of the statutory criteria set forth in N.J.S.A. 40A:12A-14(a), specifically that a majority of the water and sewer infrastructure in the entire area of the municipality is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community. As such, the Planning Board recommended that the Borough Council adopt the resolution designating the entirety of the Borough as an "area in need of rehabilitation".

On February 3, 2020, the Borough Council adopted Resolution 2020-50, formally designating the entire area of the municipality as an "area in need of rehabilitation."

ORIGINAL BOROUGH-WIDE REDEVELOPMENT PLAN (2020)

The Borough then began the preparation of the original Borough-wide redevelopment plan. On April 27, 2020, the Borough Council introduced Ordinance 2020-10, and further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on May 7, 2020, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report of its findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

On May 26, 2020, the Borough Council adopted Ordinance 2020-10, formally adopting the original "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" which applied to the entire municipality.

While the redevelopment plan did not authorize a specific project, it provided a mechanism to streamline redevelopment planning and activities, and incorporated by reference the underlying zoning and already adopted site-specific redevelopment plans in effect throughout the Borough.

EXPANDED METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN (2023)

As previously noted, the Borough continued to study and advance planning concepts for the theater block, including potentially expanding on the concept of the Metuchen Arts District to include multiple blocks on the west side of Main Street, including the public parking facility more commonly known as the Halsey Street Lot as well as a collection of Victorian-era buildings, some of which have since been demolished and/or in the process of demolition.

The Borough envisioned an expanded Metuchen Arts District would enable leveraging development potential to facilitate the reactivation of the theater use, explore strategies to reduce demolition and preserve some of the remaining Victorian-era buildings, and to create a more inclusive and truly unique place to live, work, and play that would serve as a natural extension of the revitalized downtown area.

Therefore, in order to appropriately effectuate the comprehensive rehabilitation and redevelopment of a more expansive Metuchen Arts District as envisioned above, the Borough Council began the preparation of redevelopment plan including Block 183.02, Lots 1, 2, 3, 4, portion of 5.01, 5.02, 6, 7, 8, 31, and 32 (the properties previously designated as a "condemnation area in need of redevelopment") as well as Block 145, Lots 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, and 85 through 94 (the properties that fall under the borough-wide "area in need of rehabilitation").

On June 12, 2023, the Borough Council introduced Ordinance 2023-16 and, via Resolution No. 2023-171, further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on June 15, 2023, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report of its findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

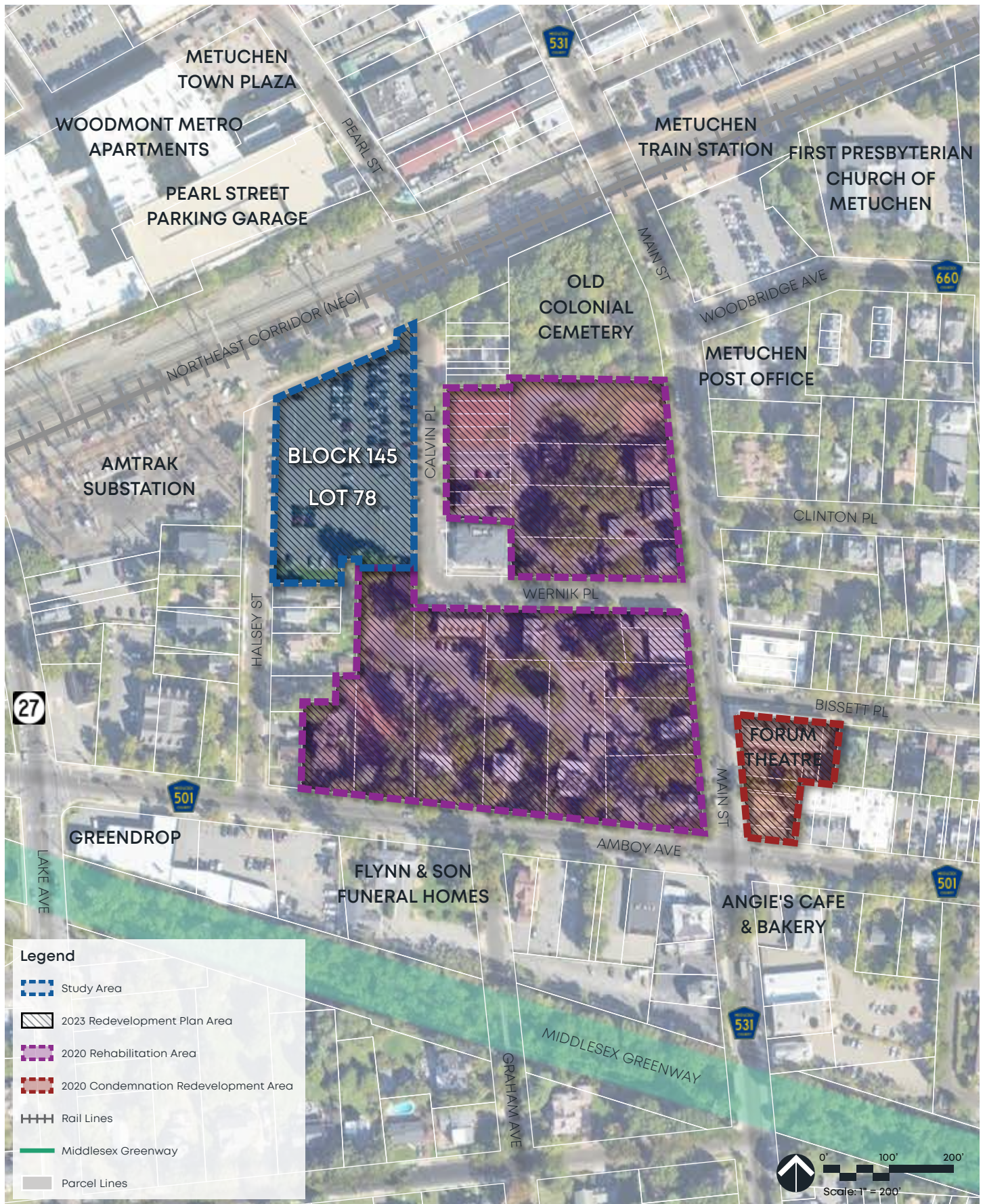
On June 26, 2023, the Borough Council adopted Ordinance 2023-16, formally adopting the "Expanded Metuchen Arts Redevelopment Plan"

STUDY AUTHORIZATION (2024)

As previously noted, on April 29, 2024, the Borough Council adopted Resolution No. 2024-151 authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether all or a portion of the Study Area meets the statutory criteria set forth at N.J.S.A. 40A:12A-3 or -5 for designation as a "non-condemnation area in need of redevelopment" under the LRHL, and whether all or a portion of said Study Area should be designated as a "non-condemnation area in need of redevelopment."

Additionally, this resolution also recognized the need for the services of a licensed Professional Planner to provide services in connection with the preliminary investigation, and authorized and directed LRK, Inc. to conduct the preliminary investigation on behalf of the Borough.

Map 3. Consolidated Redevelopment Area Map



2.5 STATUTORY CRITERIA

In 1947, the New Jersey Constitution was amended to add the so-called "Blighted Areas Clause," which was initially intended by the Legislature to provide for a wide range of activities to facilitate investment in what it viewed as blighted areas. Article VIII, Section III, paragraph 1 of the Constitution reads as follows:

"The clearance, replanning, development or redevelopment of blighted areas shall be a public purpose and public use, for which private property may be taken or acquired. Municipal, public or private corporations may be authorized by law to undertake such clearance, replanning, development or redevelopment; and improvements made for these purposes and uses, or for any of them, may be exempted from taxation, in whole or in part, for a limited period of time during which the profits of and dividends payable by any private corporation enjoying such tax exemption shall be limited by law. The conditions of use, ownership, management and control of such improvements shall be regulated by law."

The LRHL implements this provision of the Constitution by authorizing municipalities and local governments to designate a "redevelopment area" or "area in need of redevelopment," as defined pursuant to N.J.S.A. 40A:12A-3. The LRHL further elaborates that a delineated area may be determined to be in need of redevelopment if, after a preliminary investigation, the governing body concludes that the delineated area exhibits any one (1) of the eight (8) statutory criteria listed under N.J.S.A. 40A:12A-5, which are outlined on the opposite page.

It is noted that the LRHL does not require all properties located within a delineated area to be in need of redevelopment, but rather that a majority or generality of properties meet the criteria for determination. In fact, the very definition of "redevelopment area" or "area in need of redevelopment" as referred to above continues by specifically stating that "a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part." This is commonly referred to as the "**Section 3**" criteria.

Furthermore, according to *The Redevelopment Handbook: A Guide to Rebuilding New Jersey's Communities, 2nd Edition*, this section allows for the inclusion of properties that do not meet the statutory criteria but are "essential to be included in the designation to effectively redevelop the area." Examples include properties located within and surrounded by otherwise blighted areas, properties that are needed to provide access to an area to be redeveloped, properties that are needed for infrastructure or utilities, or properties that otherwise could be determined to be critical to the area's successful redevelopment.

Finally, Criterion H applies to all properties that either meet other criteria or are determined to be necessary for the effective redevelopment under the Section 3 criteria. As noted on the opposite page, Criterion H states: "the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation."

REDEVELOPMENT STATUTORY CRITERIA

- A | Deterioration.** 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 | Abandoned Commercial and Industrial Buildings.** 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 | Public and Vacant Land.** 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 | Obsolete Layout and Design.** 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 | Property Ownership and Title Issues.** 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 | Fire and Natural Disasters.** 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 | Urban Enterprise Zones.** 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 (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.
- H | Smart Growth Consistency.** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

3 | STUDY AREA CONTEXT

3.1 OVERVIEW

The Study Area is situated in the central region of the Borough, just south of the core of the downtown area, separated by the Northeast Corridor Rail Line, and is generally located one (1) block west of Main Street (Middlesex County Road 531). The Study Area is irregular in shape, comprises approximately 1.566 acres, and fronts on Calvin Place to the east, with access from Wernik Place which intersects with Main Street, and Halsey Street to the west, which intersects with Amboy Avenue (Middlesex County Road 501).

The Study Area comprises one (1) property containing a large surface parking area known as the Halsey Street Lot, which primarily provides for commuter parking in support of the Metuchen Train Station. The parking area extends beyond the property lines and utilizes the entirety of the Calvin Place and Halsey Street public rights-of-way; when taken together, the surface parking area and streets comprise over two (2) acres of pavement.

Surrounding the Study Area are a variety of uses to the east, including the American Legion, Westerhoff School of Music & Art, a converted residence, and vacant land, behind which is the Old Colonial Cemetery. To the north is the Northeast Corridor Rail Line and to the west is the AMTRAK Substation. Finally, to the south are predominantly single- and two-family dwellings fronting Halsey Street as well as Victorian-era buildings fronting Amboy Avenue, most recently used as offices.

In terms of its location in the Borough, the Study Area is a transitional mixed-use area, a short walking distance away from the core of the downtown area and the Metuchen Train Station.



Aerial Bird's Eye View of Main Street and Amboy Avenue, looking northwest. Screen Capture from Google Maps.

3.2 PROPERTY OWNERSHIP

As previously noted, the Study Area is composed of one (1) property and comprises approximately 1.566 acres, as summarized in the table below.

Table 1. Property Ownership

Block	Lot	Class	Address	Owner	Acreage
145	78	15C	Calvin Pl & Cornell St	Metuchen Parking Authority	1.566
Total					1.566

3.3 PROPERTY ASSESSMENT

Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of the property within the Project Area. The Study Area has an improvement ratio of only 8.7%, meaning land value is far greater than the improvement value. Additionally, property tax records derived from the Borough of Metuchen were reviewed to determine the prior year's property taxes paid.

Table 2. Property Assessment

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	Prior Year Taxes
145	78	\$264,000.00	\$25,000.00	\$289,000.00	\$0.00
Totals		\$264,000.00	\$25,000.00	\$289,000.00	\$0.00

Map 4. Tax Map Sheets 48 & 64



3.4 EXISTING LAND USE

Sites & Facilities - The Study Area contains an at least one (1) area of interest that is identified through the New Jersey Department of Environmental Protection (NJDEP) NJ-GeoWeb service or enumerated through the New Jersey Environmental Management System (NJEMS) database. Sites that are listed on the NJEMS may be regulated by the NJDEP under one or more of its regulatory permitting or enforcement programs, or they may otherwise be of some interest to a NJDEP program.

More specifically, historic fill associated with the Northeast Corridor Rail Line has been identified, a portion of which extends to the extreme northern limits of the Study Area.

Land - According to the land cover / land use data, the entirety of the Study Area has been identified to have 81-100% impervious surface and is considered "Urban." Additionally, there are no wetlands as identified by NJDEP and there are no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency (FEMA) within the Study Area.

Government Data - The Study Area, as is the majority of the Borough of Metuchen, is situated within the Metropolitan Planning Area (PA 1) State Planning Area.

Utilities - The Study Area is within Public Service Electric and Gas Co.'s service area for electric, within Elizabethtown Gas Co.'s service area for gas, and is within a sewer service area.

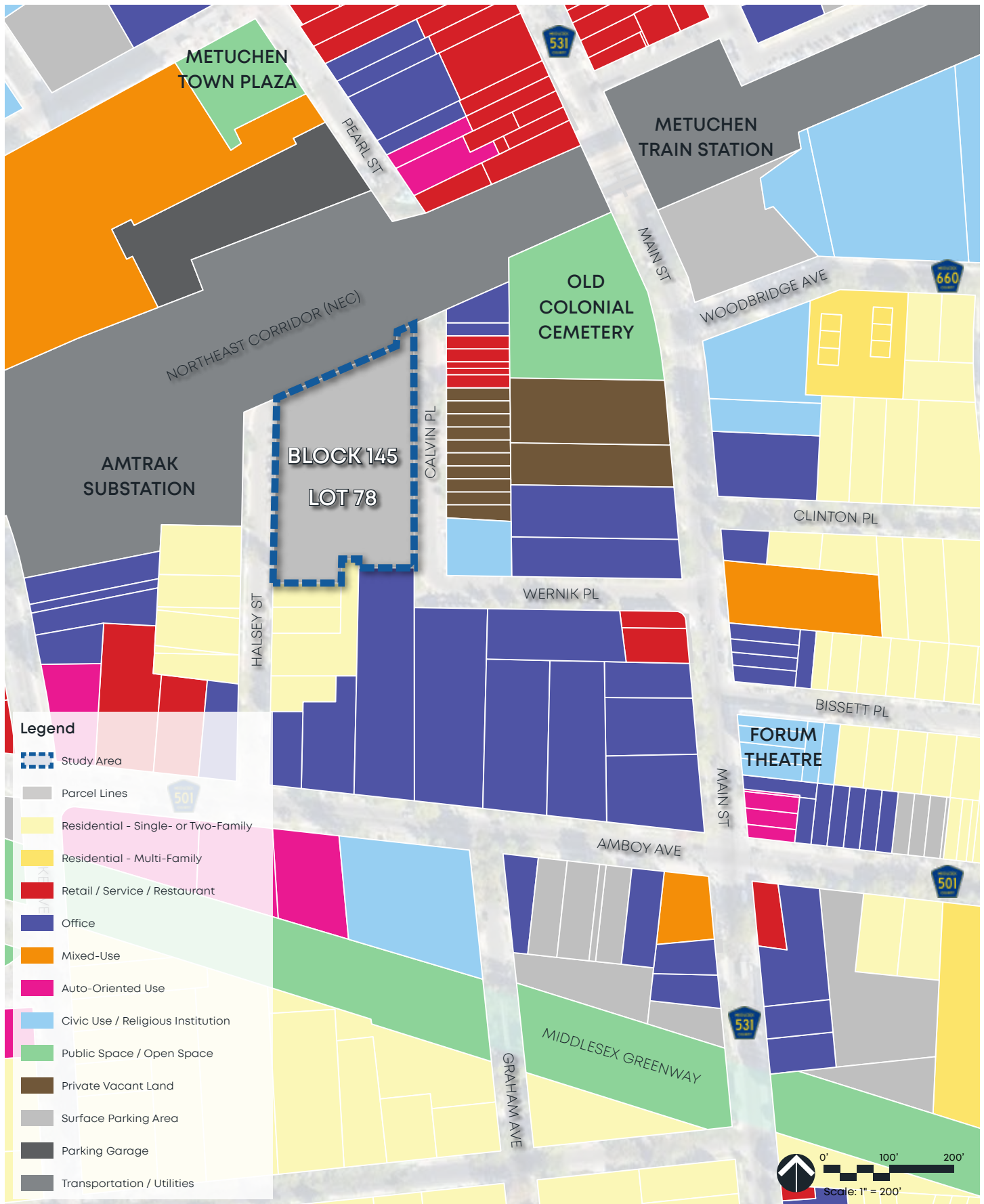
Historic Properties - The Study Area is situated within the western boundary of the Main Street - Amboy Avenue Historic District, which was identified as a potential historic district in 1979. The Study Area is adjacent to the Pennsylvania Railroad New York to Philadelphia Historic District, which was identified as being eligible on the National Register as of 2015, as well as several individual properties that were evaluated as potential significant resources and are listed on 1979/1985 Middlesex County Inventory of Historic, Architectural, and Cultural Resources.

Transportation - Multiple NJ TRANSIT bus lines are within walking distance to the Study Area; additionally, the Metuchen Train Station, with service on NJ TRANSIT's Northeast Corridor Rail Line, is located approximately 500 feet away from the Study Area.

Geology - Upon review of the Web Soil Survey provided by the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the northeast portion of the Study Area is situated within the "BouB - Boonton-Urban land complex, 0 to 8 percent slopes" map unit and the southwest portion of the Study Area is situated within the "DuxA - Dunellen moderately well drained variant sandy loam, 0 to 2 percent slopes" map unit. These map units are characterized as well drained soils, with DuxA having a shallower depth to the water table.

Land Use - As noted on the opposite page, the Study Area consists of a surface parking area, surrounded by a variety of land uses, ranging from single-family detached dwellings to mixed-use to quasi-public / institutional uses to a parking structure across the Northeast Corridor Rail Line.

Map 5. Existing Land Use Map



3.5 EXISTING ZONING

The Study Area is situated in the Expanded Metuchen Arts District Redevelopment Plan Area, which, when adopted by the Borough Council in June 2023, superseded the underlying B-3 Office Business District.

The Redevelopment Plan Area generally includes the Forum Theatre block face along the east side of Main Street as well as several properties containing Victorian-era buildings fronting on Main Street and Amboy Avenue and the Halsey Street Lot located on the west side of Main Street. The Redevelopment Plan Area effectively serves as the "new core" of the B-3 District, the remainder of which extends south to the Middlesex Greenway and to the north and west to the Northeast Corridor Rail Line.

Surrounding the B-3 District are a mix of zoning districts, including the B-1 Central Business District and D-1 Downtown Development District located north of the Northeast Corridor Rail Line, the R-2 Residential District and R-4 Residential District immediately to the east, and the R-1 Residential District immediately to the south.

The Expanded Metuchen Arts District Redevelopment Plan envisioned multiple planning areas, each exhibiting differences in planned intensity and nature of development. One of these areas includes what is referred to as "Parcel C" which applies only to the Study Area.

Within Parcel C, a variety of residential uses - including townhomes and stacked townhomes, live/work units and artist housing/studios, and multifamily apartments - and a parking structure are permitted. Regarding area and bulk regulations within Parcel C, maximum residential density and floor area requirements are imposed; however, they can be generously expanded as an overlay to the underlying zoning, subject to the terms and agreement of a fully executed redevelopment agreement. Additionally, parking requirements are right-sized given the Study Area's proximity to the downtown area and the Metuchen Train Station, along with liberal bicycle parking requirements.

Perhaps most critically, a variety of development and design standards require that all streets be designed to enhance the public realm, by emphasizing pedestrian safety, accessibility, and connectivity throughout the Redevelopment Plan Area. Among the strategies that are required include providing texture-paved or similar special paving treatment such as curb bump-outs and/or a raised pedestrian crossing, so as to create a sense of place, sense of arrival, enhance the aesthetics of the circulation area, provide traffic calming, and facilitate uninterrupted pedestrian movement along Calvin Place and, again, throughout the Redevelopment Plan Area.

The surrounding B-3 District generally permits a range of uses traditionally found in supporting business districts surrounding a core downtown area, including office uses, personal service businesses, eating and drinking establishments, retail shops and stores strictly limited to fronting on Main Street, and residential uses strictly limited to multi-family apartments located on upper floors above other permitted uses.

The permitted principal, accessory, and conditional uses along with permitted bulk standards of the Redevelopment Plan Area and, for reference, the B-3 District are provided on the following pages.

Map 6. Existing Zoning Map

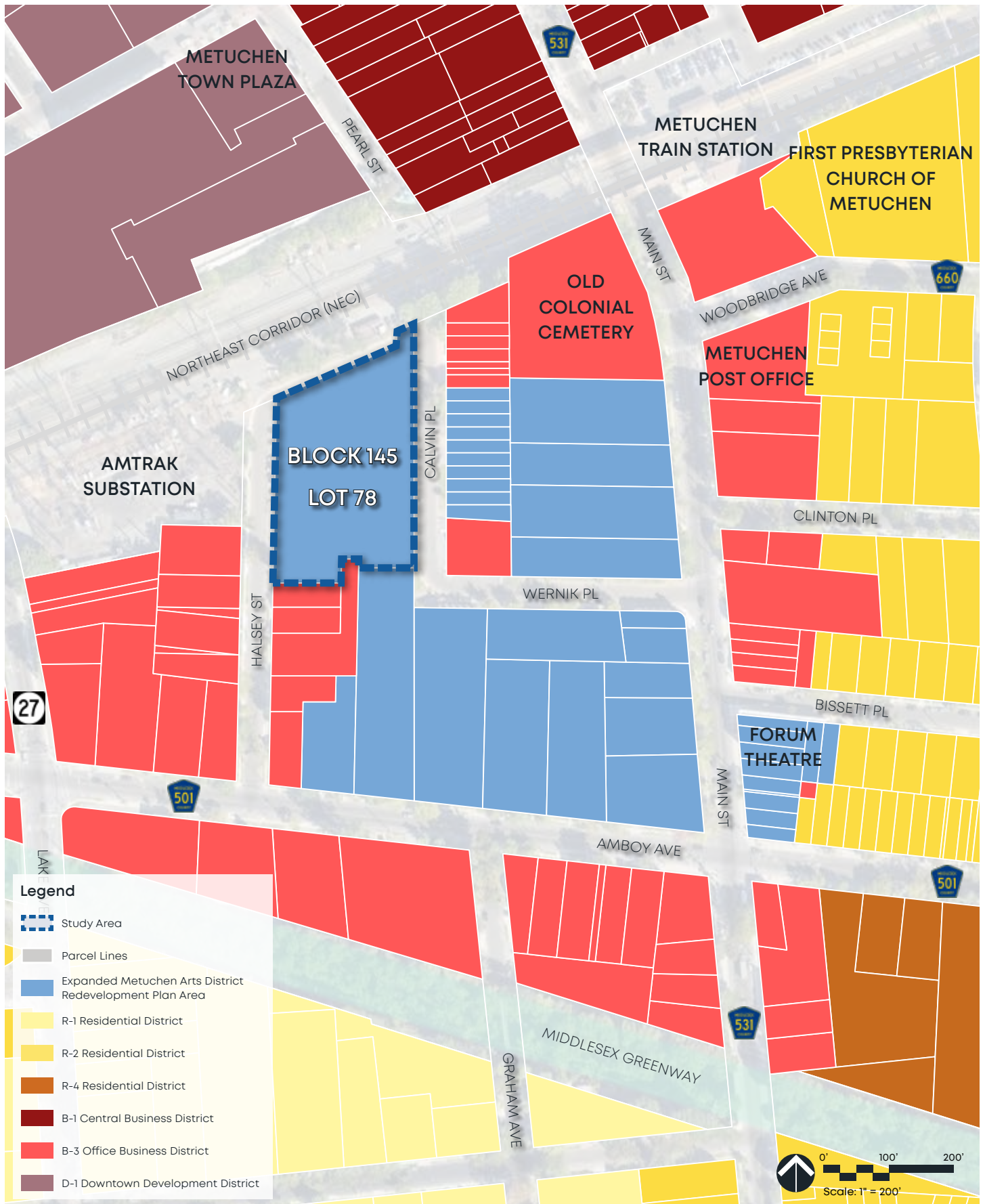


Table 3. Zoning Chart for the Expanded Metuchen Arts District Redevelopment Plan Area

Applicability			
Block 145, Lot 78			
Permitted Principal Uses			
Residential uses, consisting of any one or combination of the following uses: (a) Townhomes and stacked townhomes, (b) Live/work units and artist housing/studios, and (c) Multi-family apartments; and, Parking structures.			
Permitted Accessory Uses			
Driveways, on-street parking, off-street parking areas, structured parking, private garages and off-street loading areas; Electric vehicle charging infrastructure; Common open space, plazas and courtyards; Fences, walls, retaining walls, hedges and other landscape elements; Outdoor display and sales areas; Outdoor seating / dining areas, outdoor dining structures, rooftop bars and dining terraces, kiosks, market stalls and food trucks; Outdoor stages, platforms, exhibit spaces and similar types of outdoor places of public assembly; Pedestrian walkways, ramps, alleys, stairways, nature interpretive / historical signage and environmental education kiosks; Street furnishings, planters, pedestrian-scale lights and streetlights; Marquees, free-standing signs and other landmark signage; Stormwater management structures and facilities; Trash and recycling enclosures, compactors and dumpsters; Utility boxes; and, Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures.			
Conditional Uses			
N/A			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	60,000	Max. Height (Stories)	5
Min. Lot Width (Feet)	N/A	Max. Height (Feet)	60
Min. Lot Depth (Feet)	N/A		
Yards		Density & Floor Area Ratio (Base)	
Min. Yard (Halsey St) (Feet)	Prevailing	Residential Density (Units/Acre)	36
Min. Yard (All Others) (Feet)	10	Floor Area Ratio	1.25
Coverage		Density & Floor Area Ratio (Overlay)	
Max. Lot Coverage	50%	Residential Density (Units/Acre)	100
Max. Impervious Coverage	80%	Floor Area Ratio	2.50

Table 4. Zoning Chart for the B-3 Office Business District

Applicability			
For Reference Only			
Permitted Principal Uses			
Retail shops and stores, provided that they are located fronting on Main Street; Personal service businesses; Physical fitness studios; Offices; Banks and other financial institutions, except drive-in banks; Eating and drinking establishments, except fast-food restaurants and drive-in restaurants, provided that such shall not have an outdoor dining area within 50 feet of residentially zoned land; Funeral homes and mortuaries; Nursery schools and day-care centers; Social halls, clubs, lodges and places of public assembly; Apartments, if located on upper floors above another permitted use at the ground level; Borough-operated public facilities; and, Affordable senior housing.			
Permitted Accessory Uses			
Driveways, parking lots and loading areas; and other uses deemed to be permitted accessory uses.			
Conditional Uses			
Dry-cleaning establishments; Two-family detached dwellings; Drive-in banking facilities; Downtown Gateway Overlay District; and, Class 5 Cannabis Retailers.			
Bulk Regulations			
Lot		Coverage	
Min. Lot Area (SF)	10,000	Max. Building Coverage	40%
Min. Lot Width (Feet)	100	Max. Impervious Coverage	70%
Min. Lot Depth (Feet)	100		
Yards		Height	
Min. Front Yard (Feet)	35	Min. Height (Stories)	2
Min. 1 Side Yard (Feet)	10	Max. Height (Stories)	3
Min. 2 Side Yards (Feet)	40	Max. Height (Feet)	35
Min. Rear Yard (Feet)	25		

4 | STUDY AREA EVALUATION

4.1 SUMMARY

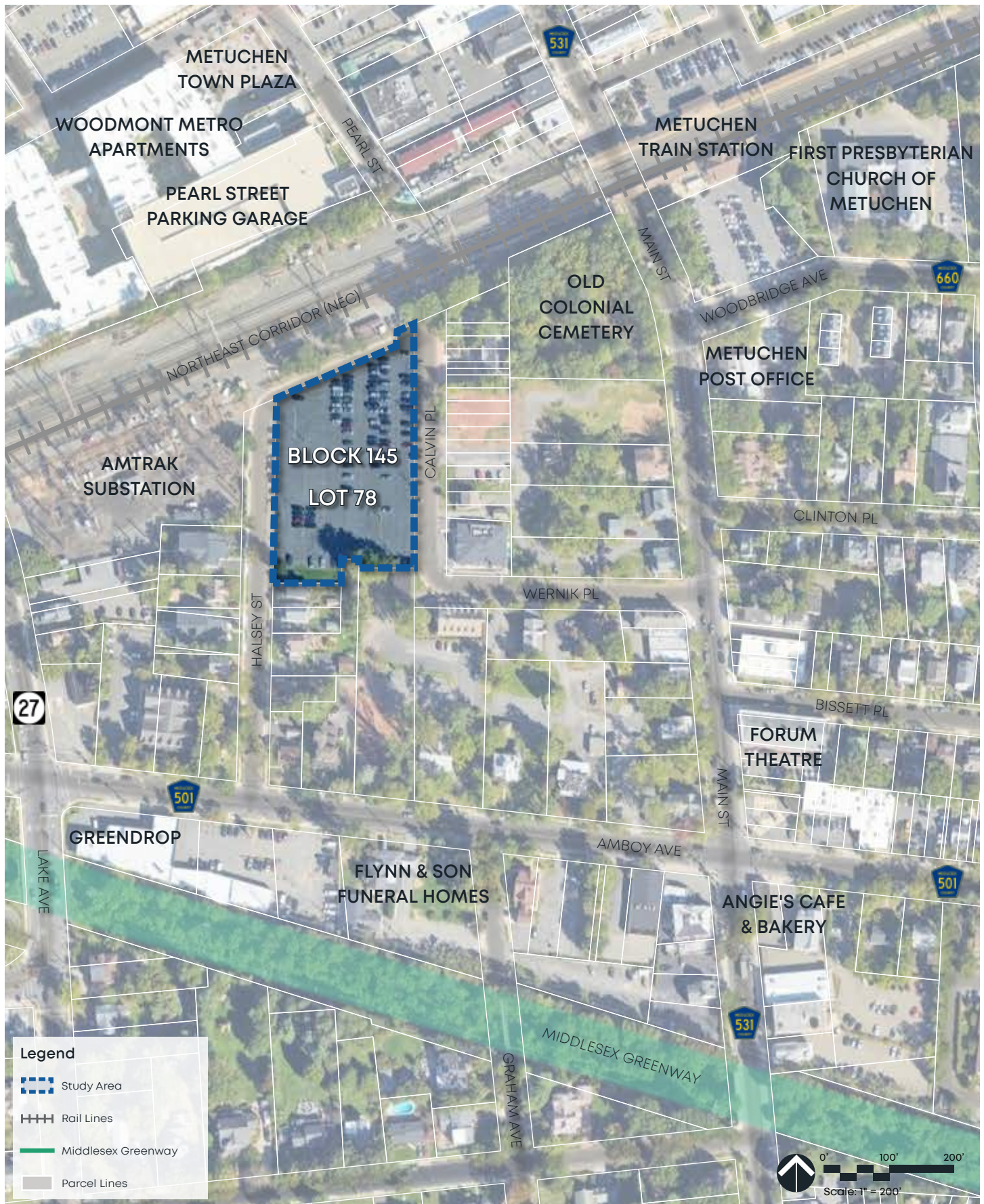
The following is an evaluation of the property within the Study Area as it relates to the statutory criteria for designation as a "non-condemnation area in need of redevelopment" The evaluations were based upon a review of the record, site inspections of the site improvements of the property, and a review of the property's physical characteristics and conditions, occupancy, ownership status, and other relevant data.

The table below summarizes the findings of this Study regarding the applicability of the statutory criteria to the one property in the Study Area. As previously noted, Criterion H applies to all properties that either meet other statutory criteria or Section 3 criteria.

Table 5. Study Area Evaluation Summary

Block	Lot	Address	Statutory Criteria								Section 3
			A	B	C	D	E	F	G	H	
145	78	Calvin Pl & Cornell St				X				X	

Map 7. Study Area Map



4.2 BLOCK 145, LOT 78 | CALVIN PLACE & CORNELL STREET

PROPERTY INFORMATION

Property Owner:
Metuchen Parking
Authority

Property Owner Address:
25 Pearl Street
Metuchen, NJ 08840

Acreage:
1.566 acres

Land Use:
Surface Parking Area

Zoning District:
Expanded Metuchen Arts
Redevelopment Plan Area

**Redevelopment
Designation(s):**
Borough-Wide Area in
Need of Rehabilitation

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



OVERVIEW

The property is a conforming lot, and presently contains a surface parking area commonly known as the Halsey Street Lot that is owned and operated by the Metuchen Parking Authority.

The property is a through lot, having frontage on both Calvin Place and Halsey Street. The property is irregular in shape, 1.566 acres in area, with approximately 374 feet of frontage along the west side of Calvin Place, approximately 286 feet of frontage along the east side of Halsey Street, and a depth of over 200 feet.

The property is entirely improved with a surface parking area primarily serving commuters. The surface parking area extends into both the Calvin Place and Halsey Street public rights-of-way, occupying approximately 2.1 acres of land in total, and contains 272 parking spaces, six (6) of which are designated as accessible parking spaces.

FAULTY ARRANGEMENT & DESIGN

The present layout of the surface parking area exhibits various characteristics showing that it, despite being recently resurfaced and restriped, suffers from a faulty arrangement and design that is detrimental to the safety, health, morals, or welfare of the community.

Generally, the surface parking area is non-conforming with respect to the zoning ordinance and development and design standards, as well as site plan best practices, including a lack of adequately designed edge treatment and separation from the public rights-of-way, lack of pedestrian amenities, undersized parking spaces and drive aisles, and a lack of proper buffering and screening from adjacent residential uses.

Lack of Frontage / Streetscape Treatment - As previously noted, the paving of the surface parking area "bleeds" into the Calvin Place and Halsey Street public rights-of-way, such that the typical Borough streetscape is virtually non-existent.

This goes beyond merely a missing public sidewalk; in this case, there are no curbs, public sidewalks, street trees, decorative lamp posts, or street furniture and other pedestrian amenities as they exist in the adjacent downtown area. The surface parking area not only fronts on both streets - which is already a non-conforming condition - it partially occupies both streets.

Lack of Pedestrian Facilities - While the surface parking area is served by adjacent Wernik Place and Halsey Street, with both public rights-of-way having public sidewalks; however, the surface parking area provides no accommodations for pedestrians, including those with a mobility disability.

As the public sidewalks approach the boundary of the surface parking area, they transition to the typical curb ramps and corresponding accessible warning pads; however, at that point, users are forced to walk into the middle of the surface parking area, with no other public sidewalks or internal walkways to connect to.

In essence, the surface parking area, by its design, leads users to a so-called "no man's land" with no guidance as to finding safe route for walking. Users are forced to navigate the surface parking area completely without protection from motor vehicles, creating an unsafe condition.





As such, the very large gap in the streetscape with non-existent and unsafe pedestrian accommodations discourage walkability and commercial activity that, in turn, have a negative impact on the economic viability of the downtown area and property values, and, therefore, are detrimental to the safety and welfare of the community.

Accessible Parking & Routing - In accordance with the New Jersey Guide to Accessible Parking, given the 272 parking spaces within the surface parking area, seven (7) accessible parking spaces are required; however, six (6) accessible parking spaces are actually provided.

Additionally, while the appropriate striped access aisles between the accessible parking spaces are provided, there is no route for a user with a mobility disability to access to and safely reach a point outside the surface parking area.

Most critically, however, there are no curb ramps and corresponding accessible warning pads anywhere to be found in the vicinity, meaning that a user with a mobility disability cannot use the surface parking area to gain safe access to nearby sidewalks or the Metuchen Train Station.

Parking Area Design & Layout - In accordance with the zoning ordinance and development and design standards, as well as site plan best practices for parking area design, the standard dimensions for parking spaces are nine (9) feet wide by 18 feet long, with compact parking spaces as shallow as 16 feet long being commonly acceptable, and for drive aisle width for two-way traffic serving 90 degree (perpendicular) parking spaces is 24 feet.

Upon a detailed inspection of the surface parking area, it was found that **none** of the parking spaces and drive aisles meet the aforesaid standard dimensions, resulting in most vehicles significantly "overhanging" into the drive aisles, thus limiting safe maneuverability throughout the surface parking area. This further limits visibility for both motorists and pedestrians, contributing to an unsafe condition.

Of the nine (9) primary rows of parking spaces, the six (6) rows on the west side of the surface parking area are intended for standard parking spaces and have parking spaces that are approximately 17.5 feet long. The three (3) remaining rows on the east side of the surface parking area are intended for compact parking spaces and have parking spaces that are approximately 15 feet in length.

However, among the compact parking spaces are the six (6) accessible parking spaces which - by virtue of their intended use - are significantly undersized, thereby exacerbating access issues for those users with a mobility disability.

As for the drive aisles, all are less than 24 feet in width, and those drive aisles on the ends of the surface parking area are exceptionally narrow, made worse by overhanging vehicles.

Within the Calvin Place public right-of-way on the east side of the surface parking area, the distance between the curb and the adjacent row of parking spaces and the curb is approximately 22.5 feet; however, when accounting for the permitted on-street parking, there is less than 16 feet available for two-way traffic and for vehicles to maneuver out of the parking spaces. This represents an unsafe condition to motorists, and those pedestrians who walk in the surface parking because of the lack of pedestrian accommodations.

Likewise, within the Halsey Street public right-of-way on the east side of the surface parking area, the distance between the curb and the adjacent row of parking spaces and the curb is approximately 23 feet; however, when accounting for the striped on-street parking spaces, there is approximately 17 feet available for two-way traffic and for vehicles to maneuver out of the parking spaces. This, again, represents an unsafe condition to both motorists and pedestrians.

Lack of Interior Landscape Islands - Generally, from an urban design perspective, interior landscape islands are utilized to soften views of expansive paving and to reduce the perceived size of large surface parking areas. Additionally, interior landscape islands provide for opportunities to include landscaping and trees that help further soften the visual appearance, provide shade, reduce summer heat island and glare, and provide stormwater management.

More importantly, interior landscape islands are critical to the design of surface parking areas by defining more predictable and safer circulation routes, including minimizing pedestrian and vehicular conflicts.

The lack of interior landscape islands means parking spaces are directly adjacent to perpendicular drive aisles, and when occupied by a motor vehicle, creates blind spots, which represents an unsafe condition.





Additionally, the lack of interior landscape islands, when combined with the lack of defined ingress and egress as previously noted, tend to invite illogical and unsafe driving patterns, including speeding, which, again, represents an unsafe condition.

As such, the various undersized features and lack of interior landscape islands may contribute to unsafe circulation, conflict with complete street strategies, and lack adequate design features to promote pedestrian safety. Therefore, the design and layout of surface parking area is detrimental to the safety, health, morals, or welfare of the community.



Parking Area Condition - While the majority of the surface parking area within Block 145, Lot 78 was recently resurfaced and restriped, the portion within the Calvin Place has not been improved.

Those portions of the surface parking area show significant signs of deterioration as evidenced by various pavement depressions and settlement, which may contribute to ponding and subsequent freeze-thaw weathering, slipping hazards, mosquito breeding and pest management issues, as well as cracked, broken and missing pavement.



Additionally, other areas surrounding the surface parking area, including curbs, driveway aprons, and certain sidewalk slabs exhibit extensive cracking and asphalt patching. Some sidewalk slabs are broken and, in addition to being potentially inaccessible, represent unsafe tripping hazards.

Finally, a portion of the timber retaining wall along the north side of the surface parking area, adjacent to a public sidewalk no less, is in a state of disrepair and is in need of repair or replacement.



As such, the deteriorating conditions, while limited in scope, contribute to and supports the previous finding that the surface parking area is detrimental to the safety, health, morals, or welfare of the community.

EXCESSIVE LAND COVERAGE

While parking is a realistic, surface parking areas generally contain large expanses of impervious coverage, which generate excessive stormwater runoff, exacerbates stormwater management issues, contributes to air and water pollution, flooding, and excess heat.

The surface parking area - as depicted in various photographs contained herein - is entirely covered with asphalt with no shade whatsoever, which, according to the United States Environmental Protection Agency (USEPA), has the potential to retain and contribute to local ambient temperatures both during the day and the night.

With the issue of urban heat island effect becoming an increasing concern within the context of global trends of increasing temperatures, large areas of impervious coverage have a potential to negatively impact heat levels by creating so-called "micro-urban heat islands," which, in turn, have the potential for adverse health effects to the community, and the surrounding area in particular.

According to research done by the USEPA, increased temperatures can potentially have negative physical and mental health effects and higher risk of mortality during warmer summer days. This effect is amplified among populations that have preexisting health conditions, populations over the age of 65, children, and socio-economically vulnerable populations.

Additionally, with impervious surfaces contributing to the storage and release of daytime heat during nighttime, there is a risk of local nighttime temperature increase. According to the World Health Organization (WHO), extended periods of high day and nighttime temperatures create cumulative physiological stress on the human body which exacerbates the top causes of death globally, including respiratory and cardiovascular diseases, and renal disease.

In addition to health risks to the surrounding area, large expanses of impervious surface also affect stormwater runoff temperatures. A report on extreme heat by the Urban Land Institute (ULI) states that impervious surfaces that are 100°F can elevate surface runoff temperatures from 70°F up to 90°F, which, in turn, can cause negative environmental effects depending on where the stormwater runoff is being released. As such, increased runoff temperatures have the potential to negatively impact native waterways and ecosystems.

One study in particular in the Journal of American Water Resources Association (JAWRA) showed that heated water from impervious runoff in Durham, North Carolina traveled more than one (1) kilometer downstream. With projected increases in temperature and more intense weather events, heat dissipation distance will likely increase.





In the Study Area, stormwater runoff from the surface parking area is collected at inlets located at the southwest corner of the property, is piped to a northwesterly direction, eventually reaching the stormwater outfall at the rear of the Borough's Public Works property, and discharged into the recently restored Dismal Brook within the Peter J. Barnes III Wildlife Preserve, located one (1) kilometer away.

As such, the excessive coverage of the Study Area negatively impacts users within and in the surrounding area; therefore, the surface parking area is detrimental to the safety, health, morals, or welfare of the community.



OBSOLESCENCE

Surface parking areas are generally considered an inefficient use of land. Given the Study Area's primary function as a commuter lot and its particularly large footprint within the downtown area, the surface parking area does not contribute to the economic vitality of the downtown area. Additionally, given its downtown location, it is an inappropriate use of land - an obsolete land use - that conflicts with the goals and objectives of the community.

Inefficient Use of Land - Generally speaking, surface parking areas only use the ground level without the efficiency of additional uses or multi-level structures with floors above it, whether such are in the form of additional levels of parking or upper floors containing other land uses. As such, surface parking areas use a lot more space in comparison to other solutions - such as a free-standing parking structure, a podium parking structure, or, where feasible, underground parking structure - that are more appropriate for a downtown area.

Additionally, surface parking areas leave less land available for development, in an environment where land is already scarce and expensive.



Google Street View (2013)



woodmontmetro.com

For example, the former surface parking area at the site of the current Town Plaza, Woodmont Metro, and Pearl Street Garage, contained approximately 670 parking spaces on approximately 4.627 acres. Following rezoning to a Planned Unit Commercial Development (PUCD) zone to permit Transit-Oriented Development (TOD), the surface parking area was redeveloped to include a half-acre town plaza, 273 luxury rental apartments (including 41 affordable units), approximately 12,000 square feet of commercial space,

and a state-of-the-art parking garage (containing 769 parking spaces - even more than there was previously on the property) for residents, commuters, and shoppers.

Ultimately, the redevelopment of the surface parking area represents an extremely efficient use of land that provides public space and millions of dollars of added value, including expenditure of discretionary funds that support the local economy, while still maintaining, and even adding to, the hundreds of parking spaces.

Setting aside the inefficiency of surface parking areas, in ideal locations, parking can be a means to serve multiple uses, including allowing shoppers to park once and support the downtown area; however, that is not necessarily the case of a surface parking area that primarily functions as a single-purpose commuter lot.

As such, the surface parking area has minimal value, does not support the downtown area, and prevents other types of beneficial uses from contributing to the downtown area and the overall community. Additionally, the surface parking area does not contribute to the tax base and prevents the opportunity to reduce the tax burden on residents and generate revenue for the downtown area and the overall community.

Therefore, the Study Area - in its present form - has a negative impact on the economic viability of the downtown area, thereby having a detrimental impact on the welfare of the community

Obsolete Land Use - In addition to the surface parking area being an inefficient use of land, it is an obsolete land use. That is not to say that all surface parking areas are obsolete; therefore, it is necessary to analyze whether the surface parking area in a downtown location conflicts with the Borough's goals and objectives for the downtown area.

While the surface parking area is not located in the core of the downtown area, it is approximately 500 feet – and therefore well within a commonly-accepted walking distance (a five-minute walk or ¼ of a mile) - from the various public transit options, including the Metuchen Train Station and multiple bus stops. Further to that point, the surface parking area is closer to the Metuchen Train Station than the Metuchen Town Plaza.



The Borough's Master Plan seeks to preserve the viability of the downtown area, balanced with the necessity of an expanding tax base that alleviates the tax burden. As such, "land uses ... should be appropriate to the area in which they are proposed" and "providing opportunities to meet the housing needs of Metuchen residents and work force should be encouraged. In addition, housing should be considered as a means of creating an expanding market for existing businesses in Metuchen."

To that end, it has been the long-standing goal of the Borough to focus development, redevelopment, and growth within and adjacent to the downtown area. The Master Plan further states that the downtown area serves both the residents of the Borough of Metuchen and also the residents of the greater region by providing a business and cultural center. Driving and walking to theaters, restaurants, coffeehouses, shopping, offices, and of course, the train station, are among the many public attractions" of the Borough.

Additionally, as noted in the vision statement of the Expanded Arts District Redevelopment Plan, planned redevelopment is consistent with the vision for the Borough's town center and for the Metuchen Arts District because it provides for uses that complement recent revitalization and redevelopment in the downtown area, enhances and expands on the reactivated Forum Theatre, and provides for a public gathering space which can be programmed and designed for a place of the arts, culture and history.

More specifically, redevelopment of the Metuchen Arts District - including the Study Area - also provides an opportunity to include a variety of supportive uses centered around the reactivated Forum Theatre as well as:

"to strategically expand the downtown area by extending the Main Street sidewalk treatment along the Old Colonial Cemetery to Amboy Avenue as well as implementing the Borough's Complete Streets Policy, including incorporating pedestrian and bicycle-friendly streetscape elements, internal walkways, active street fronts, and local art, all hallmarks of a transit-friendly place."

Ultimately, the surface parking area represents "yesterday's solution" and is therefore obsolescent within the context of the Borough's vision to enhance the downtown area. Furthermore, the surface parking area presents itself as a barrier to achieving that vision.

SMART GROWTH CONSISTENCY

As previously noted, Criterion H applies to all properties that either meet other criteria or are determined to be necessary for the effective redevelopment under the Section 3 criteria. In accordance with the LRHL, Criterion H states: "the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation."

Smart Growth is best defined as development that encourages compact, transit-accessible, pedestrian-oriented, and environmental sustainable development. The core principles of Smart Growth as outlined by the Smart Growth Network (SGN) and cited by the United States Environmental Protection Agency (USEPA) include:

- Mix land uses;
- Take advantage of compact building design;

- Create a range of housing opportunities and choices;
- Create walkable neighborhoods;
- Foster distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland, natural beauty, and critical environmental areas;
- Strengthen and direct development towards existing communities;
- Provide a variety of transportation choices;
- Make development decisions predictable, fair, and cost effective; and,
- Encourage community and stakeholder collaboration in development decisions.

Smart Growth is a concept that is inherent in the New Jersey State Development and Redevelopment Plan (the "SDRP"). The New Jersey Office for Planning Advocacy has developed a definition of a "Smart Growth" area to include any one of the following:

- Metropolitan Planning Area (PA1);
- Suburban Planning Area (PA2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; and,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town as designated by the New Jersey Pinelands Commission.

According to the State Plan Policy Map within the SDRP, the vast majority of Borough, including the entirety of the Study Area, is contained entirely within the Metropolitan Planning Area (PA 1), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the SDRP's goals and objectives are as follows:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP provides a series of policy objectives intended as guidelines for planning activities in the Metropolitan Planning Area, including:

- Promote redevelopment and development neighborhoods of Centers;
- Provide a full range of housing choices through redevelopment;
- Promote economic development by encouraging infill development, public/private partnerships and infrastructure improvements that support an identified role for the community;
- Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency;
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile; and,
- Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

While the Study Area in its present form is not conducive to Smart Growth, it is situated in a location perfectly suited for Smart Growth consistent with the planning principles outlined above. As previously noted, the Study Area is situated within the downtown area, well within walking distance of public transit options, and in an area zoned for or containing a mix of uses. Therefore, designation of the Study Area as an "area in need of redevelopment" would be consistent with Smart Growth planning principles.

SUMMARY

Due to a combination of various factors, including faulty arrangement or design, excessive land coverage, and obsolescence of the use of the property, the Study Area is detrimental to the safety, health, morals, or welfare of the community in accordance with **Criterion D** of the LRHL.

Additionally, because the Study Area qualifies under any one of Criteria A through G of the LRHL and the designation of the Study Area would be consistent with smart growth planning principles, the Study Area can be determined to be an "area in need of redevelopment" in accordance with **Criterion H** of the LRHL.

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5 | CONCLUSION

The foregoing report was prepared at the direction of the Borough Council and on behalf of the Planning Board to conduct a Study pursuant to N.J.S.A. 40A:12A-6 of the property designated on the Borough Tax Maps as Block 145, Lot 78, along with all streets and rights of way appurtenant thereto to determine whether all or a portion of the Study Area meets the statutory criteria set forth at N.J.S.A. 40A:12A-3 or -5 for designation as a "non-condemnation area in need of redevelopment," under the LRHL, and whether all or a portion of said Study Area should be designated as a "non-condemnation area in need of redevelopment."

The analysis contained herein shows that this designation is appropriate due to the existence of challenges mainly related to faulty arrangement or design, obsolete layout, and obsolescence exhibited throughout the Study Area.

Overcoming these existing hindrances while taking advantage of opportunities for redevelopment would allow these properties to become potentially more useful and valuable for contributing to and serving the public health, safety and welfare of the surrounding area and community in general.

For the reasons articulated in this Study, it is recommended that the Borough Council and the Planning Board take the action necessary as prescribed by the LRHL to declare the property within the Study Area as a "non-condemnation area in need of redevelopment."

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6 | APPENDIX

APPENDIX A: BOROUGH COUNCIL RESOLUTION NO. 2024-151

RESOLUTION 2024-151

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF METUCHEN TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH A NON-CONDEMNATION REDEVELOPMENT AREA WITHIN THE BOROUGH OF METUCHEN, MIDDLESEX COUNTY

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 an “Area in Need of Redevelopment” pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Borough Council of the Borough of Metuchen (“Borough”) consider it to be in the best interest of the Borough to have the Borough’s Planning Board (“Planning Board”), in coordination with the Borough’s redevelopment planner, Christopher S. Cosenza, AICP, PP, LEED AP, conduct such an investigation regarding Block 145, Lot 78 on the official Tax Map of the Borough, along with all streets and rights of way appurtenant thereto (the “Study Area”); and

WHEREAS, a non-condemnation redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area except for the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”); and

WHEREAS, the land located within the Study Area appears to be in a state of dilapidation, appears to be vacant, obsolete and/or underutilized and/or otherwise appears to be in need of redevelopment; and

WHEREAS, the present conditions at the Study Area may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey as follows:

1. The Planning Board is hereby directed to conduct a preliminary investigation, in coordination with redevelopment planner, Christopher S. Cosenza, AICP, PP, LEED AP, to determine whether the Study Area, or any part thereof, if applicable, is a Non-Condensation Redevelopment Area according to the criteria set forth in N.J.S.A. 40A:12A-5.

R2024-151

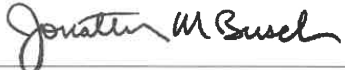
2. The Planning Board, and Christopher S. Cosenza, AICP, PP, LEED AP, as redevelopment planner, are hereby directed to have prepare a report of the Planning Board’s findings and once completed, the Planning Board is directed to transmit the report to the Borough Council of the Borough of Metuchen for their review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

3. This Resolution shall take effect immediately.

Attest:

BOROUGH OF METUCHEN


Deborah Zupan, Municipal Clerk


Jonathan Busch, Mayor

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	DELIA				SECOND	GIAMBOI			
X – INDICATES VOTE AB- ABSENT NV- NOT VOTING									

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 29, 2024.


Deborah Zupan, RMC
Borough Clerk

