REHABILITATION STUDY AREA DETERMINATION OF NEED

Hazlet Township, Monmouth County, New Jersey

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Prepared By:

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Jennifer Beahm, P.P., AICP #5625
CME Associates
1460 Route 9 South
Howell, New Jersey 07731

The original of this report was signed and sealed in accordance with NJSA 45:14A-12.

TABLE OF CONTENTS

	Page
Introduction	**1**
Criteria for Designating an Area in Need of Rehabilitation	**1**
Description of the Study Area	**2**
Zoning in the Study Area	**4**
Goals and Objectives of the Rehabilitation Designation	**5**
Master Plan Consistency	**6**
Area Evaluation for Conformity with Required Area in Need of Rehabilitation Criteria	**8**

Appendices

Appendix A Tax data
Appendix B Hazlet Development Review Ordinance: Chapter 181, Article IV

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INTRODUCTION

The purpose of this report is to determine whether the Township of Hazlet ("Study Area") could qualify as an Area in Need of Rehabilitation as defined by the Local Redevelopment and Housing Law (NJSA 40:12A-1 et seq., herein referred to as LRHL). This analysis has been conducted pursuant to the LRHL, which specifies the conditions that must be met within the delineated area and the process to be undertaken by the Planning Board during the investigation.

The Township Committee has undertaken this preliminary investigation as to whether the Study Area is an area in need of rehabilitation pursuant to the LRHL.

Designating an area in need of rehabilitation permits a municipality or redevelopment entity to use all the powers of redevelopment **with the exception of eminent domain and the ability to grant a long term tax exemption.** Thus, the acquisition, clearance, and assemblage of properties is not required, where the rehabilitation of existing buildings and structures is the primary objective. This designation also permits municipalities to grant five-year tax abatements and exemptions that may encourage private property owners to rehabilitate and reinvest in their properties.

CRITERIA FOR DESIGNATING AN AREA IN NEED OF REHABILITATION

A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that conditions existing in that area such that:

- A significant portion of the structures therein are in a deteriorated or substandard condition; there is a continuing pattern of vacancy, abandonment or underutilization of properties in the area; and a persistent arrearage of property tax payments; or

- More than fifty percent (50%) of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in

DRAFT

the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

- A program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community.

This report and investigation are aimed at only determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Rehabilitation and therefore does not contain any of the specific planning guidance contained within a redevelopment plan.

The designation of a rehabilitation area is much simpler than designating a redevelopment area. However, the findings work a little differently such that a rehabilitation area can be designated by resolution of the governing body without the prerequisite of an investigation and public hearing by the planning board. Rather than making a finding that the "generality" of properties meet one or more of the a-g statutory criteria necessary for a redevelopment area designation, the governing body must find that the rehabilitation area meets the criteria discussed above.

While the LRHL does not require an investigation or that the designation be based upon a map or statement of findings, it is advisable that some support for the required determinations described above should be provided and attached to the governing body resolution.

DESCRIPTION OF THE STUDY AREA

The Study Area, as illustrated on the enclosed *Area in Need of Rehabilitation Study* Area *Map*, is comprised of the entire Township of Hazlet. The Township contains a total of 3,689.6 acres, which is divided into a total of 7,037 parcels.

The majority of the Township consists of single-family residential uses. Other residential uses include medium density housing and adult communities.

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Business and commercial uses are located along State Highways 35 and 36. The Township is serviced by a New Jersey Transit train station located off of Holmdel Road.

Several streams flow through the Township of Hazlet including East Creek, tributaries of Thornes Creek, Chingarora Creek, Lappatatong Creek and Waackaack Creek. Typically, areas surrounding these water bodies are subject to some wetland constraints. Most of these wetland constraints are located in the eastern portion of the Township along the Waackaack Creek, in the south surrounding an East Creek Tributary, and the north east surrounding both East and Thornes Creeks. There are also several small, isolated wetland areas located throughout the Township.

Several State Threatened Species areas (Landscape Project Rank 3) are designated surrounding the various stream corridors. Species such as the Black-Crowned Night Heron and the Yellow-Crowned Night Heron have been observed in these areas.

Hazlet Township is also faced with an aging housing stock. As of 2012, 3,172, or 50.52 percent, of the housing stock was greater than fifty years of age. By the end of 2013, 3,883, or 61.84 percent of houses will be fifty years or older. It is important to note that a total of 12 houses were missing data regarding the year constructed. These houses were not taken into consideration when calculating the percentage of aging housing stock. The list of these properties is included within **Appendix A** of this report.

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ZONING IN THE STUDY AREA

The Study Area is comprised of 22 Zoning Districts, as shown on the Hazlet Township Zoning Map, and includes the following uses. Note that standards and requirements for each zone can be found within **Appendix B.**

The residentially zoned districts, including R-125, R-100, R-70 and R-50, all permit single-family residences; public parks, playgrounds and recreation areas owned or operated by the Township; Public and private schools; any form of agriculture except of the commercial keeping of livestock and animals; and cemeteries. Private swimming pools for residential use, private garages, and other typical structures are permitted as accessory uses within these residential zones. Additionally, places of worship are permitted as a conditional use. Each of these "R" zoned districts differ only in the bulk zoning regulations. Other types of residential districts include the MDR- Medium Density Residential District, BRZ- Builders Remedy Zone District and MHD- Mobile Home District as well as planned community districts including SC-1 & 2 Senior Housing Districts, PRD- Planned Residential Development District and PAC- Planned Adult Community District.

Six Business Districts are located within Hazlet Township, they include: the B-N 1 & 2 Business Neighborhood Districts, B-H Business Highway District, BP 1, 2 & 3 Business Professional Districts. In general these districts provide uses such as: banks; child care centers; community centers; family day cares; funeral homes; garden centers; instruction of art, music, dance or martial arts; municipal offices; parks and playgrounds; professional offices; recreational facilities; restaurants; and retail sales.

Within the industrial zones, including the I-A and I-A-I Industrial Assembly District and the I-M Industrial Marine District, no retail uses are permitted. However, these zones do allow for such uses as: automotive body repair and painting,

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public utility facilities, warehouses, boat yards, and marinas, as well as accessory uses such as surface level parking areas.

The CD Commercial District is intended to encourage coordinating commercial development along Highway 35, to reduce the number of curb cuts onto that highway, and to provide commercial developments which complement one another and give the appearance of being an integrated development, even if the developments are not in common ownership and are developed by separate entities. Permitted uses include: Retail sales and service uses; Office buildings for business, professional executive and administrative purposes; Restaurants; and Movie theaters. The CD zone specifically prohibits: Public warehousing; self-storage facilities; Common and private carrier trucking terminals; and Scientific research laboratories.

Lastly, the P-C Public Conservation Zone intends to provide for public and quasi-public uses, as well as community and service facilities that serve a general public purpose. Public parks and recreation facilities; landfill and excavation operations by governmental agencies in connection with stream improvements, cleaning, desnagging and stabilization; and subsurface structures, shelter or storage facilities necessary to health, safety and welfare of the Township are all permitted uses within this zone. Accessory uses include uses customarily incidental and accessory to a principal permitted use such as parking facilities, nature trails, picnic areas, and other similar facilities.

GOALS AND OBJECTIVES OF THE REHABILITATION DESIGNATION

The goal of this rehabilitation plan is to transform the vacant and underutilized properties located within the Study Area into economically and socially productive uses contributing to the general welfare of the Township of Hazlet via increased tax ratables and the improvement of blighted properties. The objectives of the Rehabilitation Plan are as follows:

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1. The rehabilitation plan will promote, as necessary, the improvement of commercial and residential structures and all associated infrastructure within the rehabilitated areas;

2. Create land use requirements specific to the Rehabilitation Area that effectuate the rehabilitation of the buildings and grounds on site, that are sensitive to neighborhoods adjoining the Study Area;

3. Provide an opportunity for the development of an appropriate mix of land uses that will improve the economic and social vitality in the Township;

4. Provide increased employment opportunities for the existing and future residents of the Township of Hazlet;

5. Provide infrastructure improvements for the rehabilitation area; and

6. Provide for a diversity of land uses that will foster smart growth planning principles.

MASTER PLAN CONSISTENCY

The Township's 1978 Master Plan as well as the 2008 Master Plan Re-examination report identifies within the Land Use Plan Element goals and objectives that support the Township's effort to declare the Study Area as being In Need of Rehabilitation. Said goals include: Assessing areas in need of redevelopment and revitalization along Route 36, Route 35 and other areas and pursue plans for implementation; and review and revise zoning standards for commercial zones, residential areas, signage and site plan design. Additionally, the 2008 Master Plan Reexamination Report delineated four focus areas that should be considered for redevelopment, including: Waackaack Creek, Natco Lake/ Eastern Route 36, Veterans Park and Western Route 36.

The designation of this Study Area as being In Need of Rehabilitation will look towards revitalization of the Township as a whole rather than focusing on specific areas. Commercial corridors along Route 35 and Route 36 would particularly benefit from the designation as a Rehabilitation Area. The Township would gain

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the ability to grant five-year property tax abatements and exemptions in order to attract businesses to the area.

New Jersey State Development and Redevelopment Plan

This rehabilitation plan compliments the goals of the State Planning Act (N. J. S. A. 52: 18A-196 et. seq.) as it relates to the revitalization of the State's cities and towns as well as promoting beneficial economic growth and development. The plan is also in concert with the strategies and policies of the New Jersey State Development and Redevelopment Plan relating to the encouragement of housing maintenance as a way of promoting neighborhood stability. The "New Jersey State Development and Redevelopment Plan" (2001) identifies the majority of the Township as within the PA-1 Metropolitan Planning Area with a small portion being located within a PA-5 Environmentally Sensitive Planning Area, as shown on the State Development and Redevelopment Plan Map.

The PA-1 Planning Area is characterized in the State Plan as communities that have strong ties to, or are influenced by major metropolitan centers such as the New York/Newark/Jersey City region and the Philadelphia/Camden/Trenton region. These communities are often characterized as having issues such as "mature settlement patters resulting in a diminished supply of vacant land; infrastructure systems that generally are beyond or approaching their reasonable life expectancy; the need to rehabilitate housing to meet ever changing market standards; the recognition that redevelopment is, or will be in the not-too-distant future, the predominant form of growth; and a growing realization of the need to regionalize and increasing number of services and systems in light of growing fiscal constraints".

Pertinent goals of the State Plan with regard to the PA-1 Planning Area are as follows:

A. Provide for much of the state's future redevelopment
B. Revitalize cities and towns
C. Promote growth in compact forms

D. Stabilize older suburbs
E. Redesign areas of sprawl
F. Protect the character of existing stable communities

Additionally, a small portion of the Township is located within the PA-5 Environmentally Sensitive Area. These areas contain “large contiguous land areas with valuable ecosystems, geological features and wildlife habitats”. PA-5 areas are characterized by “watersheds of pristine waters, trout streams and drinking water supply reservoirs; recharge areas for potable water aquifers; habitats of endangered and threatened plant and animal species; coastal and freshwater wetlands; prime forested areas; scenic vistas; and other significant topographical, geological or ecological features, particularly coastal barrier spits and islands”.

Pertinent goals of the State Plan with regard to the P-5 Planning area are as follows:

A. Protect environmental resources through the protection of large contiguous areas of land
B. Accommodate growth in Centers
C. Protect the character of existing stable communities
D. Confine programmed sewers and public water services to Centers
E. Revitalize cities and towns.

AREA EVALUATION FOR CONFORMITY WITH REQUIRED AREA IN NEED OF REHABILITATION CRITERIA

Study Approach

An analysis of the Study Area’s existing physical characteristics and current developed uses and structures was conducted using tax records, site visits, review of aerial photography, official websites and consultation with the Township staff.

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Study Conclusions and Recommendations

It is recommended that the Hazlet Township Committee determine that the Study Area is an area in need of rehabilitation based upon the following findings set forth in NJSA 40:12A-14a:

1. **More than fifty percent (50%) of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance;**

2. **There is a continuing pattern of vacancy, abandonment or underutilization of properties in the area, with persistent arrearage of property tax payments; and**

3. **A program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community.**

As illustrated within the body of this report, the Study Area, (Hazlet Township) has a preponderance of aging housing stock. By the end of 2013 approximately 61.84 percent of houses will be 50 years or older. There is a continuing pattern of vacancy, abandonment or underutilization of many different properties in the Township. These properties are unlikely to be improved if just left to traditional development per zoning standards. The designation of the Study Area as being In Need of Rehabilitation would help prevent the further deterioration of the properties and potentially lead to the redevelopment and adaptive reuse of many different properties in accordance with the goals and objectives of the Township's 1978 Master Plan and the 2008 Master Plan Re-examination Report.

The Hazlet Township Study Area also includes several older, underutilized commercial properties along the major commercial corridors of Routes 35 and 36. The Bradlees site on western Route 36, for example, has been vacant for many years and portions of the building have collapsed. The 2008 Master Plan Reexamination suggests that a Comprehensive Plan be developed for the

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Bradlees Site and adjacent farmland including mixed use development and open space.

Additionally, most of the sewer lines in the Township are between 45 and 70 years of age. While the Township completes annual cleaning and video inspections, and one fifth of the Township is inspected each year along with grouting and curing in place piping, some sewer lines have low areas, or “bellies”, which can eventually cause standing water and severe clogs.

In consideration of the age of the housing stock, underutilized and vacant properties and sewer infrastructure, it is evident that the Study Area meets the requirements of N.J.S.A. 40A:12A as an Area in Need of Rehabilitation. Such a declaration will assist the Study Area in meeting the planning goals of the Township Master Plan and State Plan conformance. It is further concluded that a program of rehabilitation would be expected to prevent further deterioration and promote the overall revitalization of the community.

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