

COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

PLANNING REPORT:

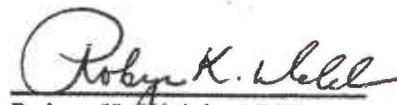
CONDEMNATION
AREA IN NEED OF REDEVELOPMENT STUDY
FOR WESTBOUND ROUTE 46 STUDY AREA
BLOCK 162 LOTS 2 THRU 7

TOWNSHIP OF MONTVILLE
MORRIS COUNTY, NEW JERSEY

BA# 3039.15

The original document was appropriately signed and sealed on September 24, 2015 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.


Joseph H. Burgis, P.P., AICP
Professional Planner #2450


Robyn K. Welch, AICP
Associate Planner

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I. Introduction

On September 8, 2015, the Township Committee of the Township of Montville authorized the Montville Planning Board to conduct a preliminary investigation to determine if an area identified as the Westbound Route 46 Study Area constitutes an “area in need of redevelopment” under the New Jersey Local Redevelopment Housing Law (LRHL). The Planning Board has retained and directed Burgis Associates, Inc. to prepare this study for the Planning Board’s review and subsequent recommendation to the Governing Body.

As described in the Township Committee’s authorizing resolution (see Appendix A), the Study Area encompasses five parcels, identified by municipal tax records as Block 162 Lots 2, 3, 4, 6 and 7. These parcels are bound by westbound Route 46 to the south, Bloomfield Avenue to the north, Changebridge Road to the east, and Block 162 Lot 1 to the west. In total, the Study Area encompasses nearly 7.3 acres in area.

The September 8, 2015 resolution also declares that the preliminary investigation of the Study Area shall be undertaken within the context of a “condemnation” redevelopment procedure. In other words, if the Study Area is determined to be an Area in Need of Redevelopment pursuant to the LRHL, it shall be designated a Condemnation Redevelopment Area and the Township will be authorized to use its powers of eminent domain to acquire properties within said redevelopment area, if determined necessary.

The following report will determine whether the Study Area qualifies as a “redevelopment area” pursuant to the requirements set forth by the LRHL. The analysis presented in this study is based upon an examination of existing conditions, site inspections, review of historic data pertaining to the site and area, an assessment of the surrounding development pattern, master plan goals, objectives policy statements and land use recommendations, zoning provisions, and an evaluation of the statutory ‘area in need of redevelopment’ criteria. Ultimately, the study concludes that a portion of the Westbound Route 46 Study Area (Lots 4, 6, and 7) satisfies the statutory criteria set forth by the LRHL, and as such enables the Township to proceed with a Condemnation Redevelopment Area designation. The rationale for this conclusion, which is outlined in the following report, is summarized as follows:

1. The Pine Brook Motel property (Lot 6) satisfies criteria “a,” “b” and “d” of the LRHL in that the generality of buildings are dilapidated and, in some cases, untenable, and the site itself suffers from faulty arrangement, lack of lighting, rusting signage, excessive land coverage and generally deleterious conditions. This has resulted in an overall depressed condition of the property and a negative aesthetic and economic impact on the surrounding area.
2. Lot 6 also satisfies criterion “h” of the LRHL in that its designation as an area in need of redevelopment will advance certain smart growth planning principles. In its present state, the Pine Brook Motel property is underutilized, blighted, and projects a negative image which detracts from the sense of place along the Bloomfield Avenue/Route 46 corridors. A Condemnation Redevelopment Area designation will improve the aesthetic and economic condition of the area, as well as likely encourage growth in the area by allowing this site to be put to more productive use.
3. Although Lots 4 and 7 do not exhibit characteristics that of themselves warrant designation as an area in need of redevelopment in accordance with the LRHL, the lack of economic investment in the Pine Brook Motel is clearly not encouraging of investments in these neighboring properties. Because of this, and these lots’ specific adjacency to Lot 6, it is recommended herein that Lots 4 and 7 be included in the ‘area in need of redevelopment’ designation, as their inclusion is necessary for the effective redevelopment of the area.

II. LRHL Background

The Local Redevelopment and Housing Law (LRHL) was designed by the New Jersey State Legislature to guide municipalities through the process of redevelopment and rehabilitation. As explained by the Legislature in the preamble to the LRHL:

“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.”

The LRHL essentially provides the statutory authority for municipalities to engage in a number of redevelopment activities, including: designating an “area in need of redevelopment;” preparing and adopting redevelopment plans; and implementing redevelopment projects. Generally speaking, the LRHL is a planning and financial tool that allows an area which meets the specific criteria to be overlain with specific zoning and other incentives to stimulate the area’s redevelopment or rehabilitation. More specifically, a redevelopment designation allows the municipality to:

1. Adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use and intensity of use;
2. Issue bonds for the purpose of redevelopment;
3. Acquire property;
4. Lease or convey property without having to go through the public bidding process;
5. Collect revenue from a selected developer; and/or
6. Grant tax exemptions and abatements.

As such, the Township can utilize the powers granted to municipalities under the LRHL to improve the existing conditions at the Study Area.

The first step of the redevelopment process is for the Governing Body to direct the Planning Board to undertake a preliminary investigation to determine whether or not an area is in need of redevelopment. As required by recent amendments to the LRHL, the Governing Body must also indicate whether it is seeking to designate the area as a “Non-Condemnation Redevelopment Area” or a “Condemnation Redevelopment Area.” Pursuant to the Resolution adopted September 8, 2015, the Township Committee has initiated this process and declared that it seeks to designate the Study Area as a Condemnation Redevelopment Area (see Appendix A).

An area qualifies as being in need of redevelopment if it meets at least one of the eight statutory criteria listed under Section 5 of the LRHL, which are described in detail later in this report. It is noted that these criteria are the same regardless of if the Governing Body seeks to designate a study area as a “Non-Condemnation Redevelopment Area” or a “Condemnation Redevelopment Area.” It is further noted that the statute specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but due to their specific adjacency, the inclusion of which is necessary for the effective redevelopment of an area.

The foundation for determining this designation is presented in this report. It contains an analysis of the Westbound Route 46 Study Area and determines the manner in which the existing conditions satisfy the criteria for redevelopment under the requirements of the LRHL. Where such an analysis indicates that the Study Area meets the statutory "in need" criteria of the LRHL, then the Planning Board may recommend, and the Township Committee may declare, the Study Area as a redevelopment area and proceed to develop a redevelopment plan.

If the Governing Body concurs with the findings outlined in this report and proceeds to designate the area in need of redevelopment, it would then direct the Planning Board to prepare a redevelopment plan for the Governing Body's review and approval. The purpose of such a plan is to identify the manner in which the designated area is to be developed, including the prospective distribution of uses and buildings and the intensities of use at the site. The plan will also enumerate specific zoning ordinance regulations and associated design criteria, address affordable housing issues as determined to be necessary, and contemplate related land use issues. State statute requires the Planning Board to adopt a resolution forwarding the subsequent plan to the Governing Body for formal action.

III. Study Area Overview

A. PROPERTY DESCRIPTIONS

As shown on the accompanying Redevelopment Study Area Map, the Westbound Route 46 Study Area covers a 7.27-acre area within the Pine Brook section of the Township. It is bound by westbound Route 46 to the south, Bloomfield Avenue to the north, Changebridge Road to the east, and the parcel identified as Block 162 Lot 1 to the west. The Township's municipal border with Parsippany-Troy Hills and the Rockaway River are located approximately 250 feet to the west. The Study Area encompasses five parcels, identified by municipal tax records as Block 162 Lots 2, 3, 4, 6 and 7. These are shown on the aerial image below.



Prepared by Burgis Associates, Inc; aerial imagery from 2012 obtained by NJGIN Information Warehouse.

Each of the Study Area parcels are described in more detail below:

1. Block 162 Lot 2: This 0.9-acre parcel is located at 5 Bloomfield Avenue. It is rectangular in shape, with 150 feet of frontage on both Route 46 and Bloomfield Avenue, and an average depth of 253 feet. The site is presently developed with the Pine Brook Plaza, a one-story strip-commercial building with a footprint of 7,865 square feet. The building contains a bakery, spa, Chinese restaurant, Mexican restaurant, hair studio, nail salon and liquor store, all of which are permitted uses in the B-3 Zone.

Existing building coverage equals 20 percent of the site, whereas existing impervious coverage equals 80 percent of the site. There are 48 off-street parking spaces provided on-site. Automobile ingress and egress are provided on both the Bloomfield Avenue and Route 46 frontages. Sidewalks are not provided along either frontage.

As shown on the accompanying Environmental Constraints Map, the entirety of Lot 2 is in a Flood Hazard Area. Whereas the majority of the property is in the 500-year floodplain, a 5,000-square foot area spanning the lot's Bloomfield Avenue frontage is in the 100-year floodplain. A 5-foot wide slope easement spans the lot's Route 46 frontage, according to the tax map. The property is served by both public water and sewer.

2. Block 162 Lot 3: This 0.93-acre parcel is located at 11 Bloomfield Avenue. It is rectangular in shape, with 150 feet of frontage on both Route 46 and Bloomfield Avenue, and an average depth of 264 feet. The site is presently developed with the Green Clean Car Wash, a one-story automatic car wash facility with a footprint of 3,755 square feet. Automatic car washes are a permitted use in the B-3 Zone.

Existing building coverage equals 9.5 percent of the site, whereas existing impervious coverage equals 88 percent of the site. There are 14 off-street parking spaces provided on-site. Automobile ingress and egress are provided on both the Bloomfield Avenue and Route 46 frontages. Sidewalks are not provided along either frontage.

As shown on the accompanying Environmental Constraints Map, the majority of Lot 3 is in a Flood Hazard Area. Whereas 37,000 square feet lies within the 500-year floodplain, a 2,240-square foot area in the northwest corner of the property is in the 100-year floodplain. A 20-foot wide MUA easement straddles the property's easterly side lot line, according to the tax map. The property is served by both public water and sewer.

3. Block 162 Lot 4: This 0.16-acre parcel is located at 13 Bloomfield Avenue. It is irregular in shape, with 41.5 feet of frontage on Bloomfield Avenue, and an average depth of 140 feet. The site is presently developed with an Evergreen Commercial Real Estate office in a converted residential structure. The building has one story and a footprint of 1,015 square feet. Offices are a permitted use in the B-3 Zone. The rear of the property also contains an accessory detached 3-car garage, which is one story and has a footprint of 1,205 square feet.

Existing building coverage equals 32 percent of the site, whereas existing impervious coverage equals 87 percent of the site. There are no delineated off-street parking spaces on-site; however, the entirety of the rear yard between the principal and accessory structure is paved. The driveway providing access from Bloomfield Avenue to the rear of the site is partially located on adjacent Lot 6. A sidewalk is provided along the Bloomfield Avenue right-of-way.

As shown on the accompanying Environmental Constraints Map, Lot 4 is unencumbered by environmentally sensitive features. No easements are identified on the tax map. The property is served by both public water and sewer.

It is noted that Lot 4 was previously designated, along with adjacent Lot 6, as an "area in need of redevelopment" pursuant to the 2001 Redevelopment Area Analysis and Plan for the Route 46 Corridor Study Area, which was prepared for the Townships of Montville and Parsippany-Troy Hills. Although Lot 4 was identified as not in need of redevelopment on its own, its inclusion was determined to be necessary for potential redevelopment of Lot 6, which surrounds the parcel on three sides.

4. Block 162 Lot 6: This 3.23-acre parcel is located at 12 Route 46. It is irregular in shape, with 462 feet of frontage on Bloomfield Avenue, 516 feet of frontage on Route 46, and an average depth of 570 feet. The lot surrounds adjacent Lot 4 on three sides. The site is presently developed with the Pine Brook Motel, which consists of eight (8) one- and two-story buildings. The total footprint of these buildings is approximately 26,000 square feet. The buildings contain 82 rooms, and other motel related facilities. Hotels and motels are a permitted use in the B-3 Zone.

Existing building coverage equals 18 percent of the site, whereas existing impervious coverage equals 82 percent of the site. There are 68 delineated off-street parking spaces provided on-site. The western portion of the site (totaling 1.12 acres) is almost entirely paved, but does not contain any striping. There are three curb cuts for vehicular access on Route 46, as well as one curb cut on Bloomfield Avenue. A sidewalk is provided along a portion of the Bloomfield Avenue right-of-way, between adjacent Lot 4 and the access drive.

As shown on the accompanying Environmental Constraints Map, Lot 6 is partially located within the 500-year floodplain. The northwest corner of the site has a flood hazard area designation measuring 8,200 square feet, and the southwest corner of the site has a flood hazard area designation measuring 566 square feet. A 20-foot wide MUA easement straddles the property's westerly side lot line, according to the tax map. The property is served by both public water and sewer.

As noted above, Lot 6 was previously designated, along with adjacent Lot 4, as an "area in need of redevelopment" pursuant to the 2001 Redevelopment Area Analysis and Plan for the Route 46 Corridor Study Area, which was prepared for the Townships of Montville and Parsippany-Troy Hills. Lot 6 was identified as meeting the statutory criteria for redevelopment area designation due to its obsolete site layout and design. More will be discussed on this in the body of this report.

5. Block 162 Lot 7: This 2.05-acre parcel is located at 16 Route 46. It is approximately rectangular in shape, with 277 feet of frontage on Bloomfield Avenue, 275 feet of frontage on Route 46, and 287 feet of frontage on Changebridge Road. The site is presently developed with the Park Center IV, a multi-tenant commercial building with one-story along the Bloomfield Avenue frontage and two-stories along the Route 46 frontage. The building has a footprint of 15,968 square feet and a gross floor area of 28,800 square feet.

The building is currently occupied by Pine Brook Cleaners (a dry cleaning operation permitted in the B-3 Zone) and Bart Foods (a cold storage warehouse not permitted in the B-3 Zone). It is noted that the Township's Land Use Department does not have an approval on file for Bart Foods, which appears to have been in operation on the site since 2012. The building also contains several vacant tenant spaces formerly occupied by a wholesale arts supply company, as well as health and fitness, restaurant, and retail tenants.

Existing building coverage equals 18 percent of the site, whereas existing impervious coverage equals 72 percent of the site. There are 84 off-street parking spaces provided on-site. Automobile ingress and egress are provided on all three street frontages. There is a sidewalk along the Changebridge Road right-of-way, but it only extends along a portion of the building and terminates at the southerly parking lot.

As shown on the accompanying Environmental Constraints Map, nearly the entirety of Lot 7 is included in a Currently Known Extent (CKE) area. CKE areas are geographically defined areas within which the local groundwater resources are known to be compromised because the water quality exceeds drinking water and groundwater quality standards for specific contaminants. CKEs are used by NJDEP staff, water purveyors, and local officials to make decisions concerning appropriate treatment and/or replacement of contaminated drinking water supplies. No easements are identified on the tax map. The property is served by both public water and sewer.



Source 1: Aerial imagery obtained from NJGIN Image Warehouse, 2012 NJ High-Resolution Orthoimagery.
 Source 2: Parcel data obtained from Morris County, with updates by Burgis Associates, Inc. through July 2015.

Dwg. Title

Redevelopment Study Area: Block 162 Lots 2 thru 7

Project No.	Date	Drawn
3039.15	07.29.15	RW

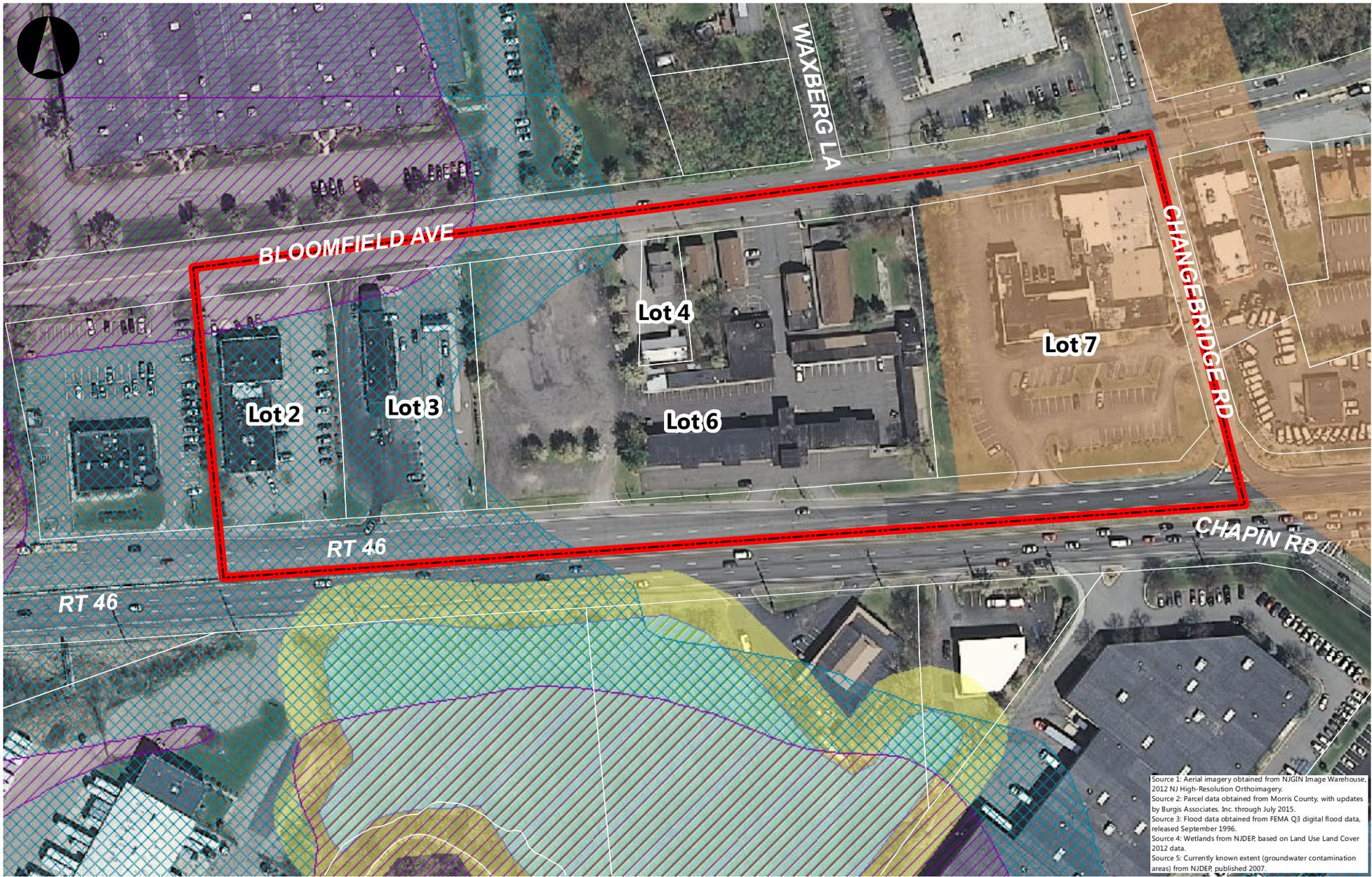
Legend

- - - - Municipal Boundaries
- Parcels
- Redevelopment Study Area

BURGIS ASSOCIATES, INC.
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
 25 Westwood Avenue
 Westwood, New Jersey 07675
 p: 201.666.1811
 f: 201.666.2599

Project Title
Area in Need of Redevelopment Study
Route 46 West
 TOWNSHIP OF MONTVILLE | MORRIS COUNTY, NEW JERSEY

Scale:	Dwg. No.:
1" = 500'	RSA
2015 COPYRIGHT BA - NOT TO BE REPRODUCED	



Source 1: Aerial imagery obtained from NJGIN Image Warehouse, 2012 NJ High-Resolution Orthoimagery.
 Source 2: Parcel data obtained from Morris County, with updates by Burgis Associates, Inc. through July 2015.
 Source 3: Flood data obtained from FEMA Q3 digital flood data, released September 1996.
 Source 4: Wetlands from NJDEP, based on Land Use Land Cover 2012 data.
 Source 5: Currently known extent (groundwater contamination areas) from NJDEP published 2007.

Dwg. Title Environmental Constraints	Project No. 3039.15	Date 08.04.15	Drawn RW	Legend Redevelopment Study Area Currently Known Extent 100-Year Floodplain 500-Year Floodplain Wetlands 50 ft Wetlands Buffer
	Scale: 1" = 150'		Dwg. No.: ENV	
BURGIS ASSOCIATES, INC. COMMUNITY PLANNING LAND DEVELOPMENT AND DESIGN LANDSCAPE ARCHITECTURE 25 Westwood Avenue Westwood, New Jersey 07675 p: 201.666.1811 f: 201.666.2599		Project Title Area in Need of Redevelopment Study Route 46 West TOWNSHIP OF MONTVILLE MORRIS COUNTY, NEW JERSEY		
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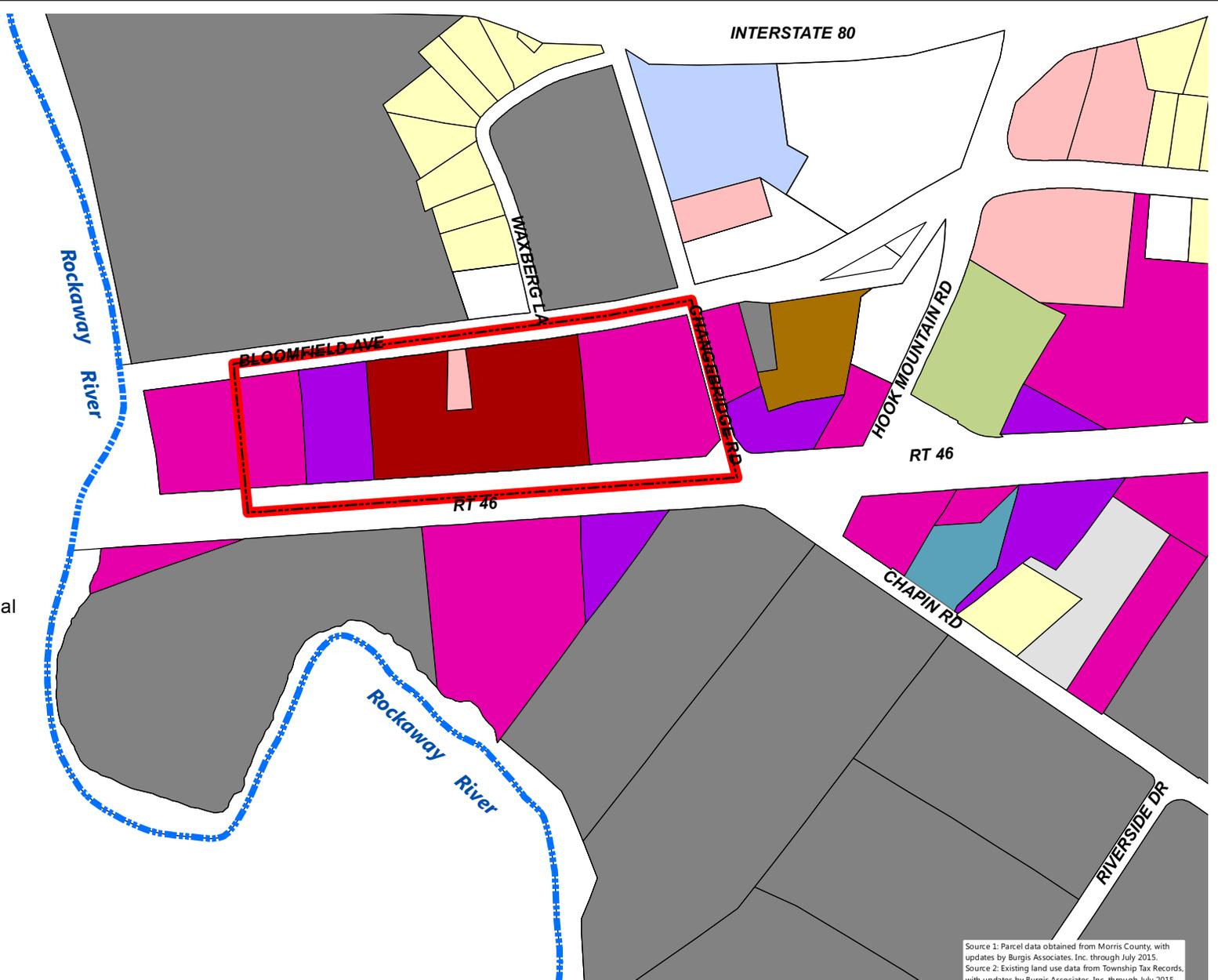
B. SURROUNDING DEVELOPMENT

As shown on the accompanying Existing Land Uses Map, the development pattern surrounding the Study Area is comprised of a variety of different uses. These are described in more detail below:

1. North: The area to the north of the Study Area contains a mix of industrial and single-family detached dwellings. Block 160.1 Lot 10 is a 14-acre property with frontage on Bloomfield Avenue and Interstate 80. It contains two (2) one-story buildings containing light industrial and office uses, consistent with the I-2 Zone on this lot. To the east, along the west side of Waxberg Lane, there are eight single-family dwellings and one vacant lot at the corner of the Waxberg Lane and Bloomfield Avenue. All of these lots are in the R-15 Residential Zone, with the exception of Block 160.1 Lot 1, which is in the I-2 Zone. Along the east side of Waxberg Lane lies the one-story Seifer Kitchen showroom and warehouse building. This use is consistent with the I-2 Zone on the lot. The property also has frontage on Bloomfield Avenue and Changebridge Road.
2. Northeast: Block 160, to the northeast of the Study Area, is bound by Bloomfield Avenue to the south, Changebridge Road to the east, Interstate 80 to the north, and Hook Mountain Road to the west. Lot 1 at the corner of Bloomfield Avenue and Changebridge Road is presently vacant; however, it is noted that there is presently pending before the Zoning Board of Adjustment a use variance application for apartments. Lot 2 to the north along Changebridge Road is the Pine Brook Dental Care office, consistent with the OB-1 Zone designation here. Lot 3 at the intersection of Changebridge Road and Interstate 80 is developed with the San Dol Church, which is permitted in the OB-1A Zone on the lot. Lot 4, which faces on Bloomfield Avenue, Hook Mountain Road and Interstate 80, is presently vacant; however, the lot has been approved for a 28-unit age-restricted multi-family residential development. This is also consistent with the lot's OB-1A Zone designation.
3. East: Block 175, to the east of the Study Area, is bound by Changebridge Road to the west, Bloomfield Avenue to the north, Hook Mountain Road to the east, and Route 46 to the south. The entire block is in the B-3 Zone. Lot 1 at the corner of Bloomfield Avenue and Changebridge Road is occupied by the Don Pepe II restaurant, a conforming use. The building ranges from one to three stories. Lot 5, which is located along Bloomfield Avenue approximately 100 feet east of Changebridge Road, is developed with a one-story building occupied by a non-conforming machine shop. Lot 2 to the east along Bloomfield Avenue contains three residential buildings housing eight non-conforming apartment units. Two large parking lots at the rear of this lot accommodate overflow parking for the adjacent restaurant on Lot 1. Lot 4 at the corner of Bloomfield Avenue and Hook Mountain Road is presently vacant. Lot 3 at the corner of Hook Mountain Road and Route 46 is developed with a conforming one-story strip retail building. Lot 6 at the corner of Route 46 and Changebridge Road contains a non-conforming used car dealership.
4. South: Properties to the south of the Study Area, along eastbound Route 46, are in Block 182 in the B-3 Zone. Lot 1 along the municipal border contains a non-conforming billboard. To the east, Lot 2.1 contains a trucking terminal/warehouse operation in a building with two stories at its façade, and one story at the rear. Lot 2 contains The Bedroom Place furniture store in a one-story building. Lot 3 contains a one-story building occupied by a conforming auto service and tire center. Lot 4 at the corner of Route 46 and Chapin Road contains light industrial and office uses.
5. West: Block 162 Lot 1 is immediately west of the Study Area and contains the Montville Diner, a conforming restaurant use in a one-story building. The lot is accessible via Bloomfield Avenue and Route 46. Beyond this lot to the west is the Rockaway River and the municipal border with the Township of Parsippany-Troy hills.



Township of Parsippany-Troy Hills



Existing Land Uses

- Vacant
- One & Two Family Residential
- Apartments
- Public - Park & Ride
- Place of Worship
- Cemetery
- Industrial
- Retail-Service
- Office
- Lodging
- Automotive Services
- Utility

Source 1: Parcel data obtained from Morris County, with updates by Burgis Associates, Inc. through July 2015.
 Source 2: Existing land use data from Township Tax Records, with updates by Burgis Associates, Inc. through July 2015.

Dwg. Title

Existing Land Uses

Project No. 3039.15	Date 07.29.15	Drawn RW
Scale: 1" = 350'	Dwg. No.: ELU	
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Legend

- Municipal Boundaries
- Parcels
- Redevelopment Study Area

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**Area in Need of Redevelopment Study
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 TOWNSHIP OF MONTVILLE | MORRIS COUNTY, NEW JERSEY

C. TAX ASSESSMENT ANALYSIS

One indicator to determine the economic productivity of a property is its tax assessment data. The ratio of the assessed value of the improvements on the property to the value of the land is an indication of potential underutilization of the property. An improvement-to-land value ratio of 1:1 or less suggests that the “land is not currently supporting a reasonable value of improvements” and as such is underutilized (The Redevelopment Handbook: A Guide to Rebuilding New Jersey’s Communities, 2012. Pg. 64). In other words, if the value of improvements are less than the value of the land, the property may be considered underutilized. However, it is noted that a low improvement-to-land value ratio is not, in and of itself, proof that a property is stagnant and unproductive and subsequently in need of redevelopment.

Improvement-to-land value ratios for the five Study Area parcels are provided in the table below. As shown, Lots 3 and 6 are found to have improvement-to-land value ratios of less than 1:1, suggesting they may be underutilized.

Table 1: Improvement-to-Land Value Ratios

Lot	Land Value	Improvement Value	Total	Improvement-to-land value ratio
2	\$588,000	\$1,070,000	\$1,658,000	1.82 : 1
3	\$607,700	\$413,800	\$1,021,500	0.68 : 1
4	\$104,500	\$220,500	\$325,000	2.11 : 1
6	\$1,620,000	\$980,500	\$2,600,500	0.61 : 1
7	\$1,110,500	\$2,959,500	\$4,070,000	2.67 : 1

The LHRL indicates that underutilization of land is a statutory criteria for the designation of an area in need of redevelopment. The statute specifically states in criterion (e) that “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” enables a property to be designated an area in need of redevelopment. The analysis above may therefore support the application of this criterion for Lots 3 and 6 of the Study Area.

IV. Township Master Plan

The Township's most recent Land Use Plan Element was adopted in December of 2010. The Land Use Plan places the entirety of the Study Area in the Highway Business land use category. This land use classification corresponds to the B-3 and B-4 Business Zones along Route 46 and portions of the Bloomfield Avenue corridor. The Highway Business category is designed to permit retail and service uses which serve the traveling public as well as being a convenience to local residents. Such uses are said to include retail stores and shops, banks and financial institutions (including drive-thru banks), offices (including medical offices), restaurants and bars, hotels, instructional studios, health and fitness centers, automotive services, and similar uses. Minimum lot sizes are prescribed to be 43,750 square feet for lots within the B-3 Zone. No specific recommendations are offered for the Study Area.

The Land Use Plan sets forth several general planning goals and objectives. Those that are pertinent to the Study Area are as follows:

1. To preserve and enhance the Township's retail commercial areas by defining their functional role in the community. The Township's highway commercial areas should be designed to facilitate the creation of more reasonably sized building lots and integrated development that serves to limit the number of curb cuts and conflicting turning movements on the adjacent roadway.

Within this framework, the Plan encourages the continued improvement of the community's commercial areas for retail and service commercial uses. This should be achieved within a manner that protects and promotes the physical and aesthetic character of the community's commercial areas. Consideration should be given to design features that enhance the physical character of the community, and encourage the integration of building, parking, landscaping and signage elements into a comprehensive and unified framework.

2. To encourage new development, and redevelopment, to take into account the aesthetic character of the community, in an effort to enhance the visual and aesthetic appearance of the municipality. The Township recognizes that the visual and aesthetic character of a community includes the type and design of landscape elements that comprise development sites. Landscaped areas are encouraged on the street frontages of commercial properties located along roadway corridors, as are landscaped features within parking lots, foundation plantings, and perimeter plantings.
3. To ensure that any prospective development is responsive to the Township's environmental features and that any development preserves these physical characteristics. In particular, the Township seeks to limit development to that which preserves steeply sloped area, wetlands, and floodplains, and retains existing vegetation.

In addition, the Land Use Plan identifies several goals and objectives specific to the Route 46/Bloomfield Avenue corridors. These objectives include the following:

1. To establish a comprehensive integrated image for the streetscape to the benefit of the Township and surrounding area.

2. To encourage the consolidation of development along the Route 46 corridor in order to facilitate the creation of more reasonably sized building lots and integrated development that serves to limit the number of curb cuts and conflicting turning movements on this roadway.
3. To encourage attractive and complementary development along the highway corridor through the provision of design features, including such elements as building scale, street setbacks, landscape features, and the placement of parking and pedestrian walks, connecting the commercial uses with each other as well as adjacent uses.
4. To enhance buildings along the corridor through the use of architectural treatments, including such features as roof cornice and fascia elements, imaginative use of columns and bulkheads, window treatments, signage, etc.
5. To encourage the provision of additional landscape features to supplement existing plantings to enhance the visual and aesthetic character of the streetscape.
6. To encourage the use of decorative stylized light fixtures throughout the corridor which serve to establish a specific tone, visual element, and character to the area.
7. To utilize decorative signage to enhance the visual and aesthetic character of the area and reinforce its overall design theme.

V. Zoning

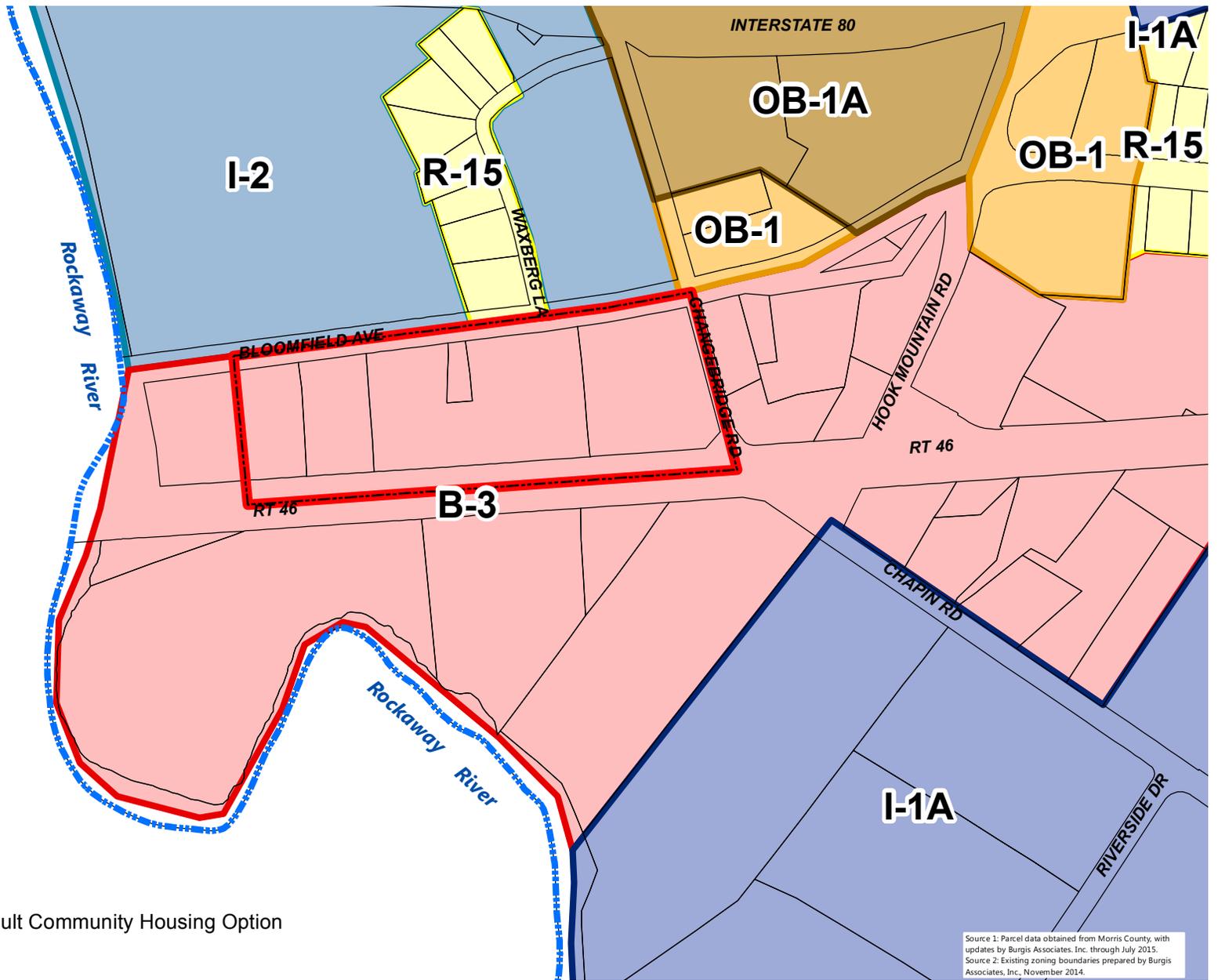
As shown on the accompanying Existing Zoning Map, the entirety of the Study Area is located within the B-3 Business Zone, wherein the following principal uses are permitted:

1. Retail stores and shops
2. Personal service establishments
3. Banks and financial institutions, including banks with drive-through facilities
4. Offices for business, professional and administrative purposes
5. Restaurants
6. Restaurants, fast-food
7. Theaters, indoor
8. Hotels and motels
9. Funeral homes
10. Business and vocational schools
11. Studios for instruction in voice, dance, martial arts, musical instruments and art
12. Medical clinics and laboratories
13. Bowling alleys
14. Indoor tennis, racquetball and similar court sports
15. Motor vehicle sales, new
16. Wholesale distribution centers
17. Health and fitness centers
18. Professional studios for photography and fine arts
19. Bars and taverns
20. Museums, art galleries and libraries
21. Animal hospitals and clinics
22. Public garages
23. Motor vehicle service stations
24. Automatic car washes
25. Greenhouses and garden centers
26. Printing and duplicating
27. Computer and data processing centers
28. Convention, conference and corporate training centers
29. Laundromats
30. Plumbing, heating, electrical supply and air-conditioning showrooms and shops
31. Building materials and contractor's yards
32. Moving and storage operations
33. School bus storage and maintenance
34. Child care centers

There are no conditionally permitted uses in the B-3 Zone district.



Township of Parsippany-Troy Hills



Zoning Districts

-  B-3 - Business District
-  I-1A - Industrial District
-  I-2 - Industrial District
-  OB-1 - Office District
-  OB-1A - Office District / Adult Community Housing Option
-  R-15 - Residential District

Source 1: Parcel data obtained from Morris County, with updates by Burgis Associates, Inc. through July 2015.
 Source 2: Existing zoning boundaries prepared by Burgis Associates, Inc., November 2014.

Dwg. Title
Existing Zoning

Project No. 3039.15
 Date 07.29.15
 Drawn RW

Legend

-  Municipal Boundaries
-  Parcels
-  Redevelopment Study Area

BURGIS ASSOCIATES, INC.
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
 25 Westwood Avenue
 Westwood, New Jersey 07675
 p: 201.666.1811
 f: 201.666.2599

Project Title
Area in Need of Redevelopment Study
Route 46 West
TOWNSHIP OF MONTVILLE | MORRIS COUNTY, NEW JERSEY

Scale:
1" = 350'
Dwg. No.:
EZN
2015 COPYRIGHT BA - NOT TO BE REPRODUCED

The following table depicts the area and bulk requirements for the B-3 Business Zone:

Table 2: B-3 Business Zone Requirements

Regulation	Requirement
Min. Lot Area (sf)	43,750
Min. Lot Width at Street Line (ft)	175
Min. Lot Width at Required Setback Line (ft)	175
Min. Depth of Corner Lot (ft)	200
Min. Front Yard (ft)	40
Min. Rear Yard (ft)	50
Min. Side Yard (each) (ft)	20
Min. Side Yards (combined) (%)	--
Max. Building Height (ft / sty)	30 / --
Max. Building Coverage (%)	30
Max. Impervious Coverage (%)	75
Max. Floor Area Ratio (%)	--
Min. Distance Between Buildings (ft)	--

A review of existing conditions in the Study Area reveals that three of the five parcels (Lots 2, 3 and 4) are substandard with regard to the B-3 Zone’s minimum lot area and minimum lot width requirements. In addition, with the exception of Lot 2, all Study Area parcels have a deficient front yard setback along their Bloomfield Avenue frontage. There are also deficient front yard setbacks along Route 46 on Lot 6, and along Changebridge Road on Lot 7. Finally, whereas only Lot 4 exceeds the maximum building coverage requirement in the B-3 Zone, four of the five Study Area parcels exceed the zone’s maximum impervious coverage requirement. Only Lot 7 has a conforming impervious coverage.

Parking is required for uses in the B-3 Business Zone at a rate based on use, as set forth at Schedule E of the Township’s Land Use and Development Regulations. A copy of Schedule E is included in the Appendix of this report. An analysis of the Study Area’s existing parking supply as compared to the Township’s parking requirements reveals that only Lot 7 appears to suffer from a deficiency of parking. As shown in the table below, the application of a general retail parking requirement to the existing building on Lot 7 suggests a need for approximately 115 parking spaces, as compared to 84 actual parking spaces, representing a deficiency of 31 spaces. However, it should be noted that several of the tenant spaces in this development are currently unoccupied and, therefore, future tenants would possibly generate lower parking requirements.

Table 3: Study Area Parking Analysis

Lot	Required Parking	Available Parking	Difference
2	46 spaces	48 spaces	+2
3	6 spaces	14 spaces	+8 (adjacent to vacuums)
4	5 spaces	3 spaces	-2*
6	107 spaces	68 spaces	-39*
7	115 spaces**	84 spaces	-31

* Based on delineated parking spaces; however, appears sufficient pavement available to accommodate additional vehicles.

** Based on application of general retail requirement of 1 parking space per 250 square feet.

VI. Statutory Criteria

The LRHL establishes eight statutory criteria to determine if an area qualifies as being in need of redevelopment. The statute provides that a delineated area may be determined to be in need of redevelopment if “after investigation, notice and hearing...the governing body of the municipality by resolution concludes that within the delineated area” any one of the eight criteria are present.

The criteria are as follows:

1. **The “a” Criterion: Deterioration.** The generality of buildings in the area 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.
2. **The “b” Criterion: Abandoned Commercial and Industrial Buildings.** The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
3. **The “c” Criterion: 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.
4. **The “d” Criterion: 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.
5. **The “e” Criterion: 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.
6. **The “f” Criterion: Fire and Natural Disasters.** Areas in excess of five (5) 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.

7. **The “g” Criterion: Urban Enterprise Zones.** In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zone Act,” 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 for the purpose of granting tax exemptions or the adoption of a tax abatement and exemption ordinance.
8. **The “h” Criterion: Smart Growth Consistency.** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Smart growth principles include a focus on mixed land use arrangements; compact building design; the creation of a range of housing opportunities and choices; fostering of walkable neighborhoods; promotion of distinctive, attractive communities with a strong sense of place; preservation of open space, farmland and critical environmental areas; strengthening and encouraging growth in existing communities; provision of a variety of transportation choices; making development decisions predictable, fair and cost-effective; and, encouraging citizen and stakeholder participation in development decisions.

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

It is noteworthy that the statute at 40A:12A-3 specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area.

VII. Compliance with Statutory Criteria

In accordance with the LRHL, our office conducted a site visit of the Study Area on August 28, 2015. Although requests for access to the interior of all buildings were sent in advance of the site visit, only the owners of Lots 3 and 4 granted such requests. The remaining buildings in the Study Area were observed from the exterior only.

Based upon the site and building inspections, existing conditions, master plan goals and objectives, and Township land use regulations, we find that a portion of the Study Area (Lots 4, 6 and 7) meets the applicable statutory criteria for designation as an area in need of redevelopment. As discussed in more detail below, Lot 6 (the Pine Brook Motel) meets a number of criteria qualifying it to be designated as an area in need of redevelopment pursuant to the LRHL. And although Lots 4 and 7 do not satisfy the statutory criteria for a redevelopment designation on their own, their specific adjacency to Lot 6 necessitates their inclusion for effective redevelopment of the area.

Each of the sites within the Study Area are addressed in turn below.

1. Block 162 Lot 2: The Pine Brook Plaza property was observed to be in fair condition. There were issues on the site that were clearly in need of improvement, such as cracked pavement and dumpsters needing screening. There is also an excess of impervious coverage on site. However, no deleterious conditions were observed, nor any other conditions that would be consistent with the criteria for designation as an area in need of redevelopment. It is also noted that the property was granted Amended Site Plan approval by the Township Planning Board in 2011 for a building facelift and other site improvements. The Township has received an affidavit of compliance and expects the approved improvements to be completed in the future.



2. Block 162 Lot 3: The Green Clean Car Wash property was observed to be in good condition. The building itself is well maintained, the pavement is in good condition, and the curbing has been redone. Although the dumpster is in need of screening and the property does not meet certain zoning requirements for the B-3 Zone – namely, minimum front yard setback from Bloomfield Avenue and maximum impervious coverage – the property exhibits no conditions that warrant designation as an area in need of redevelopment pursuant to the statutory criteria.



3. Block 162 Lot 4: The Evergreen Commercial Real Estate property was observed to be in fair condition. The site did not appear to be well maintained and there were signs of disrepair, such as a disconnected downspout. Although the site in and of itself may not warrant an area in need of redevelopment designation in accordance with the LRHL, the site is surrounded on three sides by Lot 6, which has been determined to meet the applicable statutory criteria. As such, it is determined that the inclusion of Lot 4 in the Condemnation Redevelopment Area designation is necessary for the effective redevelopment of the area.



4. Block 162 Lot 6: The Pine Brook Motel property was observed to display conditions that meet a number of the applicable statutory criteria for an area in need of redevelopment designation. These are as follows:

- i. *Criterion "a"*: Criterion "a" regards the generality of buildings in the area being substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possessing any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

The Pine Brook Motel property's numerous buildings were found to exhibit signs of dilapidation. Roofs were missing shingles and other roofing materials, fascias were observed to be falling down, and there were exposed exterior surfaces on many buildings. In addition, several structures had windows and doors boarded up, and significant water damage and staining was observed. Overall, the generality of buildings appear deteriorated, blighted and potentially unsafe.

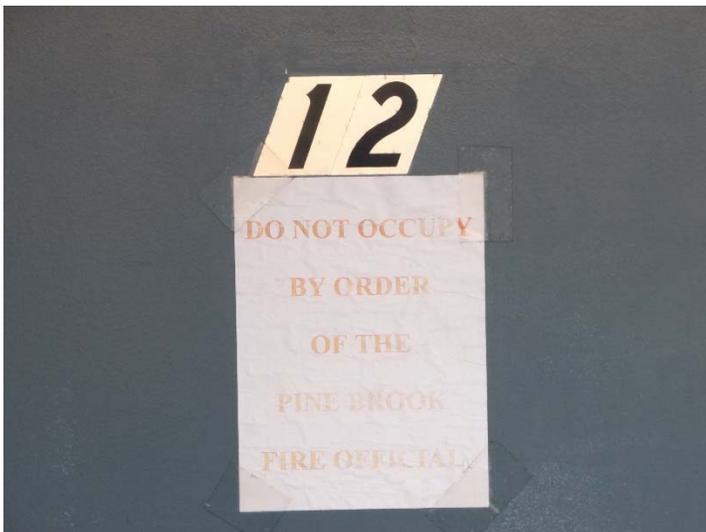


- ii. *Criterion "b"*: Criterion "b" regards the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.

Although the Pine Brook Motel is still in operation and has not been abandoned, it is clear that several of the buildings on the property have become uninhabitable due to their deteriorated conditions. As already noted, several structures have windows and doors boarded up. In addition, signs were

observed on a number of doorways which stated that the units are not to be occupied by order of the Pine Brook Fire Official.

The posting of such signage appears to be in response to a notice of zoning violation that was served to the Pine Brook Motel on January 21, 2015 (see Appendix D). As stated in the notice, the property was observed at that time to have peeling paint on the building facades and support beams, as well as windows and doors boarded up with plywood. In order to correct the violation, the property owner re-painted the buildings at issue and removed some (but not all) of the plywood. However, the condition of these units clearly remain untenable, necessitating the Fire Official's signage.



- iii. *Criterion "d"*: Criterion "d" regards 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.

In addition to the dilapidated and, in some cases, uninhabitable buildings, as discussed above, the layout and improvements of the site are also deficient. The entire western portion of the property is defined by an open, gravel area that is undefined and uncontrolled. The curbing adjacent to this area

along Bloomfield Avenue has been worn down and a tractor trailer was parked in this gravel area on the day of our site visit. The site also has deficient front yard setbacks along both Bloomfield Avenue and Route 46, as well as an excess of impervious coverage. A lack of lighting and rusted signage were also observed at the site. In their totality, these issues have contributed to an overall depressed landscape requiring renewed redevelopment efforts.



iv. *Criterion "h"*: Criterion "h" regards the designation's consistency with smart growth planning principles. Those smart growth principles that are affirmed by this designation include:

- the promotion of a distinctive, attractive community with a strong sense of place, and
- the encouragement of growth in the existing community.

In its present state, the Pine Brook Motel property is underutilized, blighted and projects a negative image which detracts from the sense of place along the Bloomfield Avenue/Route 46 corridors. A Condemnation Redevelopment Area designation will improve the aesthetic and economic condition of the area, as well as likely encourage growth in the area by allowing this site to be put to more productive use.

5. Block 162 Lot 7: The Park Center IV property contains a series of buildings that appear to have been developed over time in a discordant manner, with smaller buildings connected to larger masses of structure. Owing to the large number of tenant vacancies on this site, it was observed to be in declining condition. It is apparent that there has been no maintenance to the southern portion of the site, as there is overgrown vegetation, rusting light fixtures, trash, and a damaged monument sign along the Route 46 corridor. The buildings themselves also appear to have poor roofing conditions and deficient setbacks from Bloomfield Avenue and Changebridge Road. Also, as already noted, there is a deficiency of parking on site.

Despite the presence of these conditions, their level of severity does not appear to warrant designation of the site, in and of itself, as an area in need of redevelopment pursuant to the LRHL. However, it does appear that the lack of economic investment in the adjacent Pine Brook Motel may not be encouraging of investment into this site, contributing to an obvious lack of maintenance and economic stagnation. As such, along with Lot 4, the property's specific adjacency to Lot 6 does warrant a Condemnation Redevelopment Area designation, as its inclusion is necessary for the effective redevelopment of the area.



VIII. Planning Conclusion and Recommendations

The planning analysis reveals that a portion of the Study Area (Lots 4, 6 and 7) displays characteristics that justify its designation as a redevelopment area in accordance with the applicable statutory criteria. It should be noted that a determination to designate a redevelopment area simply defines and delineates the area in which the municipality intends to pursue an active role in furthering redevelopment. This redevelopment identification can include alternative approaches to upgrade and revitalize the area.

The following recommendations are offered for the Township's consideration:

1. The statute provides that "no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in" the applicable Laws of the State of New Jersey." Such determination shall be made after public notice and public hearing.

In this instance, the Township Committee previously authorized the Planning Board to prepare this preliminary investigation with the specific notation that an area in need of redevelopment determination shall authorize the Township to exercise the power of eminent domain, if necessary, to acquire any property in the delineated area. Given the conclusions above, it is now appropriate for the Planning Board to hold a public hearing on the proposed designation of "an area in need of redevelopment." At this hearing, this document stating that a portion of the Study Area can be designated as a Condemnation Redevelopment Area should be reviewed.

2. Upon completion of a hearing on the matter, the Planning Board is required to forward its recommendations to the governing body. The recommendation should detail whether the Planning Board suggests the delineated area, or any part thereof, should be designated, or not designated, by the governing body to be a redevelopment area.
3. After receiving the recommendation of the Planning Board, the governing body may adopt a resolution designating the delineated areas for redevelopment.
4. The governing body, after adopting a resolution to delineate the redevelopment area, may direct the Planning Board to prepare a redevelopment plan pursuant to the applicable redevelopment statute. The plan may be prepared by the Planning Board and then forwarded to the governing body for adoption, or can be prepared by the Governing Body itself. The redevelopment plan is required to include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
 - a. The relationship to define local objectives as to: appropriate land uses; population density; traffic, public transportation, utilities, recreation and community facilities, and other public improvements.

- b. Proposed land uses and building requirements in the Study Area;
- c. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available in the existing local housing market;
- d. Identify any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan; and
- e. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities, County Master Plan and State Development and Redevelopment Plan.

The above description outlines the redevelopment process for the Township's review and consideration.

Appendix A: Authorizing Resolution

TOWNSHIP OF MONTVILLE

RESOLUTION NO. 2015 -

RESOLUTION OF THE TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF MONTVILLE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTIES ALONG THE WESTBOUND SIDE OF U.S. ROUTE 46 IDENTIFIED AS BLOCK 162, LOTS 2 THROUGH 7, QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12-6, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall 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 (hereinafter referred to as a “Non-Condemnation Redevelopment Area”) 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 (hereinafter referred to as a “Condemnation Redevelopment Area”); and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township’s Planning Board pursuant to N.J.S.A. 40A:12-4 and 6 to undertake such preliminary investigation of the study area which includes properties along the westbound side of U.S. Route 46 from Changebridge Road west to the boundary of the Township along the Rockaway River in Montville, identified on the Montville Tax Map as Block 162, Lots 2 through 7 (hereinafter, the “study area”); and

WHEREAS, the Township of Montville wishes to direct the Planning Board to undertake a preliminary investigation utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation to determine whether the proposed study area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1, et seq., as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:12A-1 et seq., the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Condemnation Redevelopment area including the use of eminent domain.

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Montville.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

This Resolution shall take effect immediately.

Adopted: September 8, 2015



Gertrude Atkinson, Township Clerk



Scott C. Gallopo, Mayor

I, Gertrude H. Atkinson, Township Clerk of the Township of Montville, County of Morris, State of New Jersey, do hereby certify that this is a true and exact copy of a Resolution adopted by the Township Committee of the Township of Montville at a meeting held on September 8, 2015.



Gertrude H. Atkinson, Township Clerk

Appendix B: Schedule E, Off-Street Parking Requirements

**CHAPTER 230
TOWNSHIP OF MONTVILLE MUNICIPAL CODE**

SCHEDULE E

Off-Street Parking Requirements

Type of Building or Use	Minimum Number of Parking Spaces
Residential	
One- and two-family dwellings	Per Residential Site Improvements Standards (RSIS)
Townhouses and apartments	Per Residential Site Improvements Standards (RSIS)
Adult community housing	Per Residential Site Improvements Standards (RSIS)
Senior citizen housing	Per Residential Site Improvements Standards (RSIS)
Age-restricted housing	Per Residential Site Improvements Standards (RSIS)
Nonresidential	
Animal hospital or clinic	1 per 400 square feet GFA
Assisted living facility	Per Residential Site Improvements Standards (RSIS)
Automatic car wash	2 per service bay or lane, plus 1 per employee on peak shift ^{1,2}
Banks and financial institutions	
With drive-through facilities	1 per 300 square feet GFA
Without drive-through facilities	1 per 200 square feet GFA
Bars and taverns	0.5 per seat
Bowling alley	5 per bowling lane
Building materials and contractor's yards	1 per 400 square feet GFA, plus 1 per 5,000 square feet outdoor display area
Business and vocational schools	1 per 200 square feet GFA
Child-care center	1 per 150 square feet GFA
Community residence/community shelter	1 per employee, plus 1 per 5 residents
Computer and data processing center	1 per 200 square feet GFA
Convention, conference and corporate training center	1 per 4 seats based on design capacity of the building, or 1 per 200 square feet GFA, whichever is greater ³
Country clubs	See §230-198.M.
Elder-care center	1 per employee at maximum shift, plus 1.0 per 10 enrollees
Farm markets, farm stands	1 per 200 square feet GFA, but no fewer than 3 spaces
Funeral home, mortuary	1 per 3 seats in the chapel
Garage, public	1 per gasoline pump, grease rack or similar service area, plus 1 per 500 square feet GFA of shop or garage ¹
Greenhouse, garden center	1 per 300 square feet GFA, plus 1 per 2,500 square feet outdoor display area
Health and fitness center	1 per 200 square feet GFA

Hospital	3.9 per patient bed
Hotel, motel	1.2 per sleeping room
Indoor tennis, racquetball and similar court sports	3 per court
Kennel	See §230-165.H.
Laboratories for research, design and experimentation	1 per 500 square feet GFA
Laundromat	1 per 300 square feet GFA
Manufacturing, fabrication, packaging and treatment of products	1 per 500 square feet GFA
Medical clinics and laboratories	1 per 200 square feet GFA
Motor vehicle sales, new	1 per 400 square feet GFA, plus 1 per 5,000 square feet outdoor display area and 1 per service bay
Motor vehicles service station	1 per gasoline pump, grease rack or similar service area ¹
Moving and storage operations	1 per 1,500 square feet GFA
Museum, art gallery, library	1 per 300 square feet GFA
Nonprofit club, lodge, civic and fraternal organization	1 per 150 square feet GFA
Nursing home	0.5 per patient bed
Offices for business, professional and administrative purposes	1 per 250 square feet GFA
Personal service establishments:	
Dry cleaning	1 per 700 square feet GFA
Personal care services, including barber and beauty shops, nail salons, etc.	2 per treatment station, or 1 per 200 square feet GFA, whichever is greater
Other personal service establishments not specifically listed	1 per 200 square feet GFA
Place of worship	0.3 per seat of fixed capacity (benches or pews shall be considered as 1 seat per 24 linear inches), or 1 per 50 square feet GFA if no fixed seats
Plumbing, heating, electrical supply and air conditioning shops/showrooms	1 per 400 square feet GFA
Printing and duplication	1 per 300 square feet GFA
Professional studio for photography and fine arts	1 per 200 square feet GFA
Public buildings and uses, excluding public utility buildings and power-generating stations	1 per 250 square feet GFA
Residential health care facility	0.5 per patient bed, or 0.5 per dwelling unit if facility contains individual dwelling units
Restaurants:	
Sit-down restaurant, with bar	0.5 per seat
Sit-down restaurant, without bar	0.3 per seat
Fast-food restaurant, with drive-through	1 per 100 square feet GFA
Fast-food restaurant, without drive-through	
Hamburger	1 per 80 square feet GFA
Non-hamburger	1 per 120 square feet GFA
Retail stores and shops:	
General retail (not in shopping center)	1 per 250 square feet GFA
Grocery store (freestanding)	1 per 200 square feet GFA
Big box/superstore (freestanding)	1 per 250 square feet GFA
Furniture, appliances, other heavy/hard goods	1 per 400 square feet GFA
Shopping centers:	
< 400,000 square feet GLA	1 per 250 square feet GLA
400,000 to 599,999 square feet GLA	1 per 225 square feet GLA
600,000 > square feet GLA	1 per 200 square feet GLA
School, public and private, teaching academic subjects	0.3 per student
School bus storage and maintenance	1 per 1,500 square feet GFA
Self-storage facilities	1 per 2,500 square feet GFA

Stable and arena, commercial	0.3 per seat, or per person in permitted capacity if no seats
Studio for instruction of voice, art, dance, martial art and musical instrument	1 per 200 square feet GFA
Theaters, indoor	0.3 per seat
Warehouse	1 per 1,500 square feet GFA
Wholesale distribution center	1 per 500 square feet GFA

Footnotes to Schedule E:

GFA = gross floor area

GLA = gross leasable area

¹ See §230-147 for additional parking requirements relating to accessory commercial or personal service uses.

² See §230-147.K.3. for additional stacking requirements.

³ Convention, conference and corporate training centers which are accessory to a hotel shall have a parking requirement of 1 space per 100 square feet GFA, which shall be in addition to the minimum parking requirement for the hotel itself.

Additional requirements relating to Schedule E:

- (1) Any building containing more than one (1) use shall meet the combined parking space requirements for all uses in the building. Any change in use within a building shall be required to meet the minimum parking requirements for the new use.
- (2) If it can be clearly demonstrated that, because of the peculiar nature of any use, all the required parking is not necessary, the Planning Board may permit a reduction in the amount of parking area to be paved; provided, however, that the entire required parking area shall be shown on the site plan so that it will be available should future conditions require it.
- (3) For any use not listed above, there shall be provided at least one (1) parking space for each two hundred (200) square feet of floor area, unless otherwise required by the approving authority.

Appendix C: Requests for Site Access



Township of Montville

BUSINESS OFFICES:

MUNICIPAL BUILDING
195 CHANGEBRIDGE ROAD
MONTVILLE, NEW JERSEY 07045-9498
(973) 331-3300 • FAX: (973) 402-0787
www.montvillenj.org

POLICE DEPARTMENT:

PUBLIC SAFETY BUILDING
360 ROUTE 202
MONTVILLE, NEW JERSEY 07045-8697
(973) 257-4300 • FAX: (973) 334-4880

Scott Gallopo
MAYOR

Richard D. Conklin
DEPUTY MAYOR

Deb Nielson
COMMITTEEWOMAN

Jim Sandham
COMMITTEEMAN

Donald Kostka
COMMITTEEMAN

August 17, 2015

AZARIAN – PINE BROOK PLAZA
6 PROSPECT ST SUITE 1B
MIDLAND PARK, NJ 07432

RE: REQUEST FOR SITE ACCESS
Site Access for Planning Study; 5 BLOOMFIELD AVE; Block 162, Lot 2
Route 46 Corridor Planning Study

Dear Property Owner:

The Township of Montville is presently conducting a planning study in and around Route 46. The Township would like to formally request the opportunity for employees or agents of the Township of Montville to access the referenced property during reasonable business hours in connection with the aforementioned study.

At this time, the Township of Montville seeks to conduct a field visit of your property for the study and has retained Burgis Associates to perform same. Representatives of the Township and/or Burgis Associates would like to access the property between the dates of August 24th, 2015 and August 28th 2015 to inspect the property for the planning study. Please contact Ryan Conklin, PP, AICP, CFM, GISP; Principal Planner at 973-331-3319 to confirm and authorize access to the property as soon as possible.

Sincerely,

Ryan Conklin, PP, AICP, CFM, GISP
Principal Planner, Township of Montville



Township of Montville

BUSINESS OFFICES:

MUNICIPAL BUILDING
195 CHANGEBRIDGE ROAD
MONTVILLE, NEW JERSEY 07045-9498
(973) 331-3300 • Fax: (973) 402-0787
www.montvillenj.org

POLICE DEPARTMENT:

PUBLIC SAFETY BUILDING
360 ROUTE 202
MONTVILLE, NEW JERSEY 07045-8697
(973) 257-4300 • Fax: (973) 334-4880

Scott Gallopo
MAYOR

Richard D. Conklin
DEPUTY MAYOR

Deb Nielson
COMMITTEEWOMAN

Jim Sandham
COMMITTEEMAN

Donald Kostka
COMMITTEEMAN

August 17, 2015

ALLBRITE CAR WASH
11 BLOOMFIELD AVE
PINE BROOK, NJ 07058

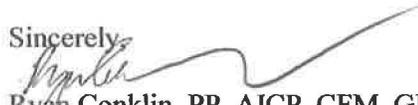
RE: REQUEST FOR SITE ACCESS
Site Access for Planning Study; 11 BLOOMFIELD AVE; Block 162, Lot 3
Route 46 Corridor Planning Study

Dear Property Owner:

The Township of Montville is presently conducting a planning study in and around Route 46. The Township would like to formally request the opportunity for employees or agents of the Township of Montville to access the referenced property during reasonable business hours in connection with the aforementioned study.

At this time, the Township of Montville seeks to conduct a field visit of your property for the study and has retained Burgis Associates to perform same. Representatives of the Township and/or Burgis Associates would like to access the property between the dates of August 24th, 2015 and August 28th 2015 to inspect the property for the planning study. Please contact Ryan Conklin, PP, AICP, CFM, GISP; Principal Planner at 973-331-3319 to confirm and authorize access to the property as soon as possible.

Sincerely,


Ryan Conklin, PP, AICP, CFM, GISP
Principal Planner, Township of Montville



Township of Montville

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Donald Kostka
COMMITTEEMAN

August 17, 2015

PARK CENTER IV
16 RT 46
PINE BROOK, NJ 07058

RE: REQUEST FOR SITE ACCESS
Site Access for Planning Study; 16 RT 46; Block 162, Lot 7
Route 46 Corridor Planning Study

Dear Property Owner:

The Township of Montville is presently conducting a planning study in and around Route 46. The Township would like to formally request the opportunity for employees or agents of the Township of Montville to access the referenced property during reasonable business hours in connection with the aforementioned study.

At this time, the Township of Montville seeks to conduct a field visit of your property for the study and has retained Burgis Associates to perform same. Representatives of the Township and/or Burgis Associates would like to access the property between the dates of August 24th, 2015 and August 28th 2015 to inspect the property for the planning study. Please contact Ryan Conklin, PP, AICP, CFM, GISP; Principal Planner at 973-331-3319 to confirm and authorize access to the property as soon as possible.

Sincerely,

Ryan Conklin, PP, AICP, CFM, GISP
Principal Planner, Township of Montville



Township of Montville

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Donald Kostka
COMMITTEEMAN

August 17, 2015

DHANYA GAYATRI ASSOC.
12 RT 46
PINE BROOK, NJ 07058

RE: REQUEST FOR SITE ACCESS
Site Access for Planning Study; 12 RT 46; Block 162, Lot 6
Route 46 Corridor Planning Study

Dear Property Owner:

The Township of Montville is presently conducting a planning study in and around Route 46. The Township would like to formally request the opportunity for employees or agents of the Township of Montville to access the referenced property during reasonable business hours in connection with the aforementioned study.

At this time, the Township of Montville seeks to conduct a field visit of your property for the study and has retained Burgis Associates to perform same. Representatives of the Township and/or Burgis Associates would like to access the property between the dates of August 24th, 2015 and August 28th 2015 to inspect the property for the planning study. Please contact Ryan Conklin, PP, AICP, CFM, GISP; Principal Planner at 973-331-3319 to confirm and authorize access to the property as soon as possible.

Sincerely,

Ryan Conklin, PP, AICP, CFM, GISP
Principal Planner, Township of Montville



Township of Montville

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DEPUTY MAYOR

Deb Nielson
COMMITTEEWOMAN

Jim Sandham
COMMITTEEMAN

Donald Kostka
COMMITTEEMAN

August 17, 2015

PINEBROOK REALTY LLC
130 ROUTE 10 WEST
WHIPPANY, NJ 07981

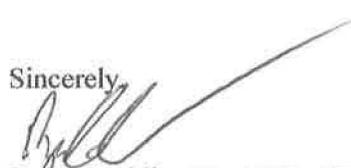
RE: REQUEST FOR SITE ACCESS
Site Access for Planning Study; 13 BLOOMFIELD AVE; Block 162, Lot 4
Route 46 Corridor Planning Study

Dear Property Owner:

The Township of Montville is presently conducting a planning study in and around Route 46. The Township would like to formally request the opportunity for employees or agents of the Township of Montville to access the referenced property during reasonable business hours in connection with the aforementioned study.

At this time, the Township of Montville seeks to conduct a field visit of your property for the study and has retained Burgis Associates to perform same. Representatives of the Township and/or Burgis Associates would like to access the property between the dates of August 24th, 2015 and August 28th 2015 to inspect the property for the planning study. Please contact Ryan Conklin, PP, AICP, CFM, GISP; Principal Planner at 973-331-3319 to confirm and authorize access to the property as soon as possible.

Sincerely,


Ryan Conklin, PP, AICP, CFM, GISP
Principal Planner, Township of Montville

Appendix D: January 2015 Notice of Zoning Violation, Block 162 Lot 6



MEMO

Township of Montville

PLANNING & ZONING DIVISION

TO: Mayor and Montville Township Committee
c/o Township Clerk, Trudy Atkinson

FROM: Meghan Hunscher, PP *MH*
Principal Planner

DATE: January 21, 2015

RE: **2015 Tourist Accommodation License Renewal**
Pine Brook Motor Lodge
12 Route 46 West, Pine Brook, NJ 07058

An inspection was conducted on January 7, 2015 at the Pine Brook Motor Lodge for the purpose of renewal of the applicant's 2015 Motel License.

Upon inspection, it appears that the property is still in operation and has not been abandoned. There appears to be numerous property maintenance violations. As the attached photos depict, paint is peeling on the façade and support beams, the doors and windows are boarded up, and the signage is rusted and not lit properly.

Chapter 287 "Property Maintenance" of the Township's ordinances is comprehensive. It states as its purpose:

The purpose of this code is to protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance, condition and occupancy of all premises situated in the Township; to establish minimum standards governing utilities, facilities and other physical components and conditions essential to making such premises fit for human habitation, occupancy and use; to fix certain responsibilities and duties upon owners and operators; to prevent blighting conditions and deterioration of property values; to authorize and establish procedures for the inspection of such premises; and to correct violations or to fix penalties for the violations of this code. This code is hereby declared to be remedial and essential for the public interest.

The attached Notice of Violation enumerates the violations found.

CC: Victor Canning, Township Administrator
Mark Mantyla, PE - Township Engineer and Director of Land Use
Anthony Petrillo - Assistant Zoning Officer

Township of Montville
Planning & Zoning Division
195 Changebridge Road, Montville NJ 07045
TEL: (973) 331-3319 FAX: (973) 334-0180
E-MAIL: mhunscher@montvillenj.org



Township of Montville

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Jim Sandham
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Donald Kostka
COMMITTEEMAN

January 21, 2015

DHANYA GAYATRI ASSOCIATES

Pine Brook Motor Lodge

12 Route 46
Pine Brook, NJ 07085

RE: NOTICE OF VIOLATION
12 Route 46 - B: 162; L: 6 ZONE: B-3

To Whom It May Concern:

Inspections were conducted by the undersigned at various dates, most recently January 7, 2015 at the above depicted location. These inspections revealed violations existing on the property, in particular violation of **Chapter 287 "Property Maintenance."**

The following was observed:

- 1 - Paint peeling on the façade and support beams;
- 2 - Windows and doors boarded up with plywood;
- 3 - Rust on exterior sign and partially lit lettering.

Per the Township of Montville's property maintenance code, "the exterior of every building or accessory building, including fences, shall be maintained in good repair, and all surfaces thereof shall be kept painted, stained or otherwise protected where necessary for purposes of preservation and appearance. They shall be maintained free of broken glass, loose shingles, crumbling stone or brick, defective or inoperable leaders and gutters, deteriorating or missing roofing shingles, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance, to the end that the property itself may be preserved, safety and fire hazards eliminated and adjoining properties and the neighborhood protected from blighting influences. The exterior of any premises shall also be kept free of litter, nuisances and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises and free of unsanitary

conditions. The foregoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of or remove, abate and correct the premises against undesirable conditions..."

You are hereby given fifteen (15) days from date of this notice to terminate this violation. If you cannot comply with this timeline for any reason, have proof of approval for such activity or believe this violation notice to be inaccurate, contact this office immediately at (973) 331-3320 or (973) 331-3319. This office requests your cooperation to correct the violation. Failure to comply may result in a formal complaint requiring a court appearance in order to bring the property into compliance. A re-inspection of the site in order to determine compliance with this directive will occur.

BY ORDER OF:

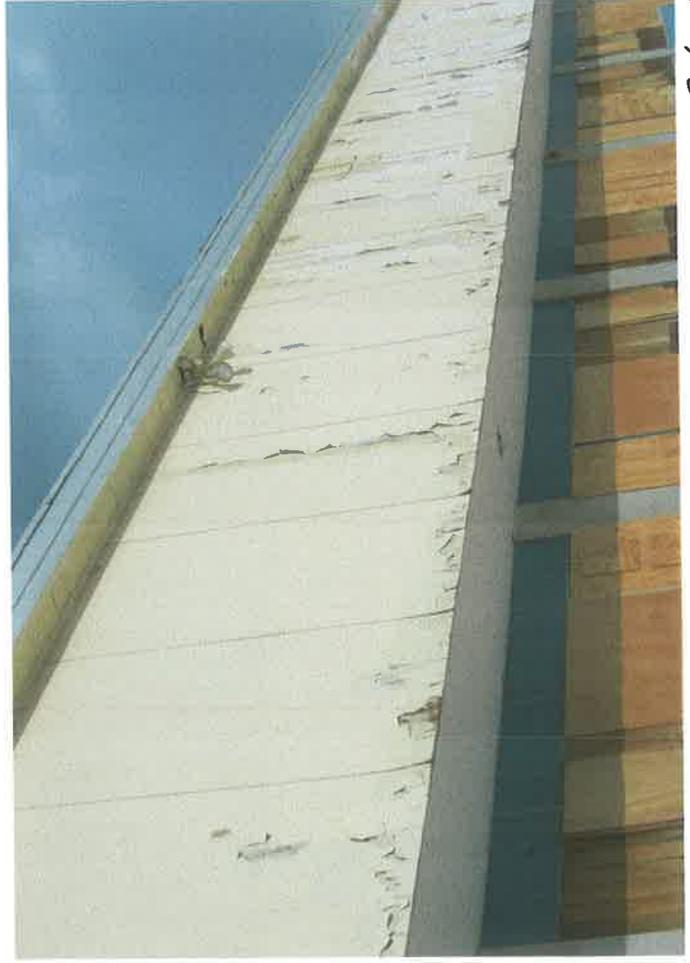


Meghan M. Hunscher, PP AICP
Principal Planner, Zoning Officer, Housing Director

CC: Anthony Petrillo, Assistant Zoning Officer



PIKE BROOK MOTEL LODGE
RT. 46 WEST



12 TWELVE PHOTOS
ANNUAL CHURCH REPAIRS
APRIL 17/2015

