

**REPORT OF THE CITY OF SALEM PLANNING BOARD AMENDING THE
MAIN STREET REDEVELOPMENT AREA MAP TO INCLUDE THE
PROPERTY AT 116 WEST BROADWAY**

I. INTRODUCTION

There exists in the City of Salem ("Salem") a tract of land generally bounded by Fifth Street, Griffith Street and Carpenter St., to Ninth Street including Broadway hereinafter referred to as the Main Street Redevelopment Area ("Area"). The Area was approved by City Council and the map adopted on June 11, 2001 by Resolution No. 01-101 (attached).

Directly adjoining this Area a parcel of land, identified on the City Tax Assessment Map as Block 12, Lot 16, appears to the Governing Body of the City ("City Council") to exhibit improper or lack of proper development in the form of substandard, unsafe and dilapidated buildings and other factors determined to be detrimental to the safety, health, morals, or welfare of the City of Salem. The parcel is illustrated on Map 1.

City Council recognizes that such conditions have existed on the aforementioned tract for some time, and that such conditions may be amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.

Pursuant to the Local Housing and Redevelopment Law N.J.S.A 40A:12A-1 et seq, City Council has commenced the statutorily prescribed process to determine whether the parcel qualifies under the Statute as an "Area in Need of Redevelopment". On August 20, 2007, City Council adopted Resolution No. 2007-172 (attached), authorizing the City's Planning Board ("Planning Board") to conduct a preliminary investigation, to hold a public hearing and to make a recommendation regarding the appropriateness of adding

the identified parcel as an “Area in Need of Redevelopment” to the adopted Main Street Redevelopment Area Map.

II. SUMMARY OF STATUTORY CRITERIA

The Redevelopment Statute (N.J.S.A. 40A:12A-5) states, in part, 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 of the following conditions is found* (emphasis added):

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be for commercial, manufacturing, or industrial purposes; untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contribution to and serving the public health, safety and welfare.

f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.”

g. In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Enterprise Zones Act,” P.L. 1983, c.303 (C.52:27H-60 et. seq.) the execution of the actions prescribed in that act or the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 6 and 6 of P.L. 1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.144 (C.40A:21-1 et. seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A:12A-1 et. seq.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

Crucial to applying these criteria is the understanding that **any one (1)** of the seven (7) criterion IS sufficient for the City to make a determination that the Study Area is “In Need of Redevelopment” (N.J.S.A. 40A:12A-5). Additionally, the Statute provides that “a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part” (N.J.S.A. 40A:12A-3).

III. DESCRIPTION OF THE STUDY AREA

The subject parcel is located at 116 W. Broadway at the corner of Fifth Street and Broadway and is known as Block 12 Lot 16. The site is a former Sunoco service station. The site is located in the Salem Brownfield Development Area (BDA) as has been identified by the City of Salem and approved by the New Jersey Department of Environmental Protection (NJDEP). The site is located in the C – 1 Commercial zoning district and is also in the W. Broadway Historic Preservation District (HPD). The property is adjacent to the Salem City Library building.

A visual inspection of the study area reveals that several criteria for designation as a redevelopment area are obvious.

IV. CONCLUSIONS AND RECOMMENDATIONS

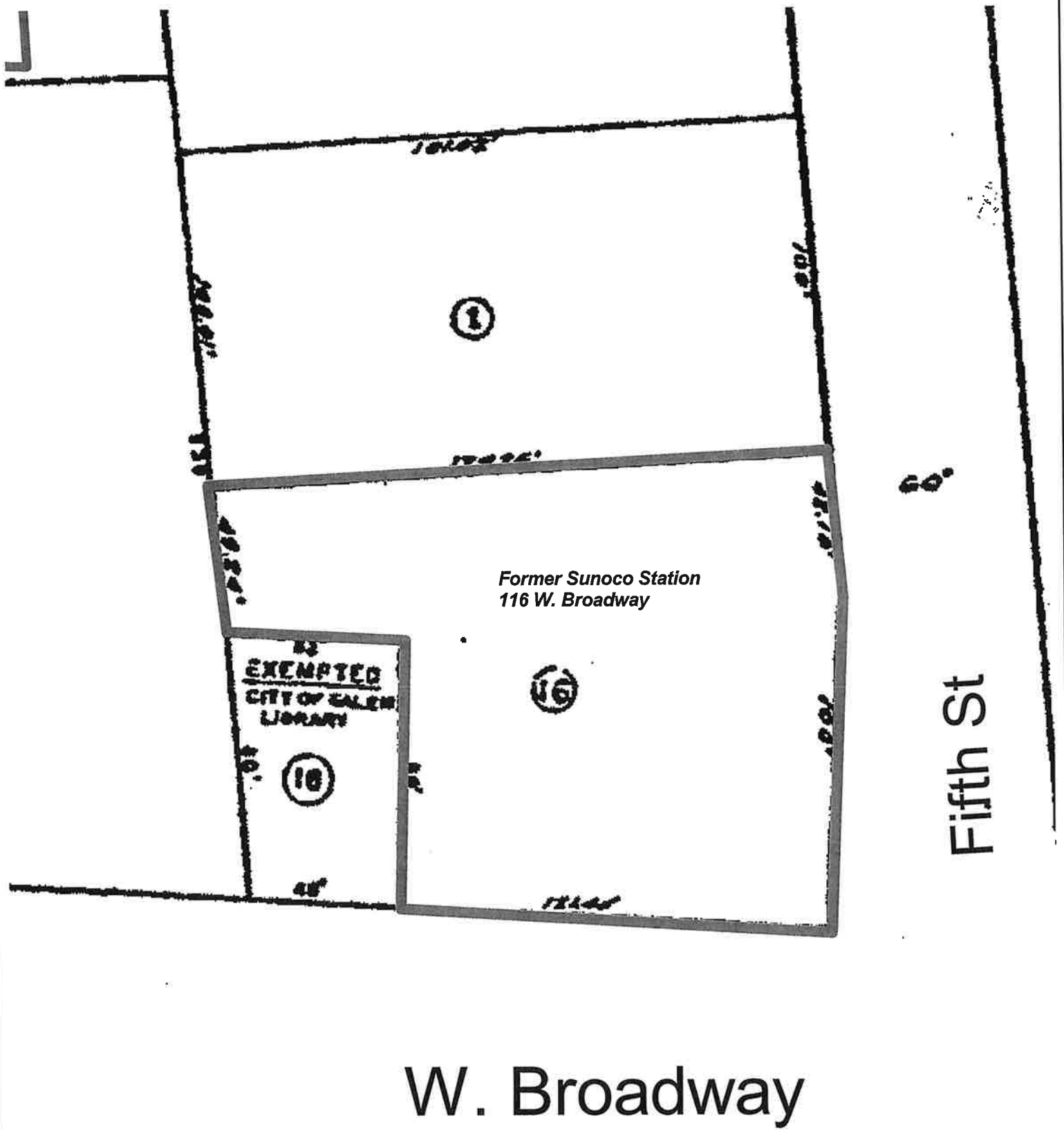
The Planning Board finds that the following statutory criteria exist within the mapped study area: (NJSA 40A:12A-5)

5d. 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.

5e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contribution to and serving the public health, safety and welfare.

The Redevelopment Statute says that if any one of the above conditions is found that the area qualifies to be designated as an Area in Need of Redevelopment. Based on the

presence of defined statutory conditions, the Planning Board of the City of Salem hereby recommends that City Council declare the subject parcel as an “In Need of Redevelopment.” It is recommended that the Main Street Redevelopment Area Map, adopted on June 11, 2001 be amended to include Block 12 Lot 16 consistent with the findings of this report. The Main Street Redevelopment Area Map (amended) is attached hereto identified as Map 2.



BLOCK 12 LOT 16
CITY OF SALEM
SALEM COUNTY, NJ

Main Street Redevelopment Area - Amendment

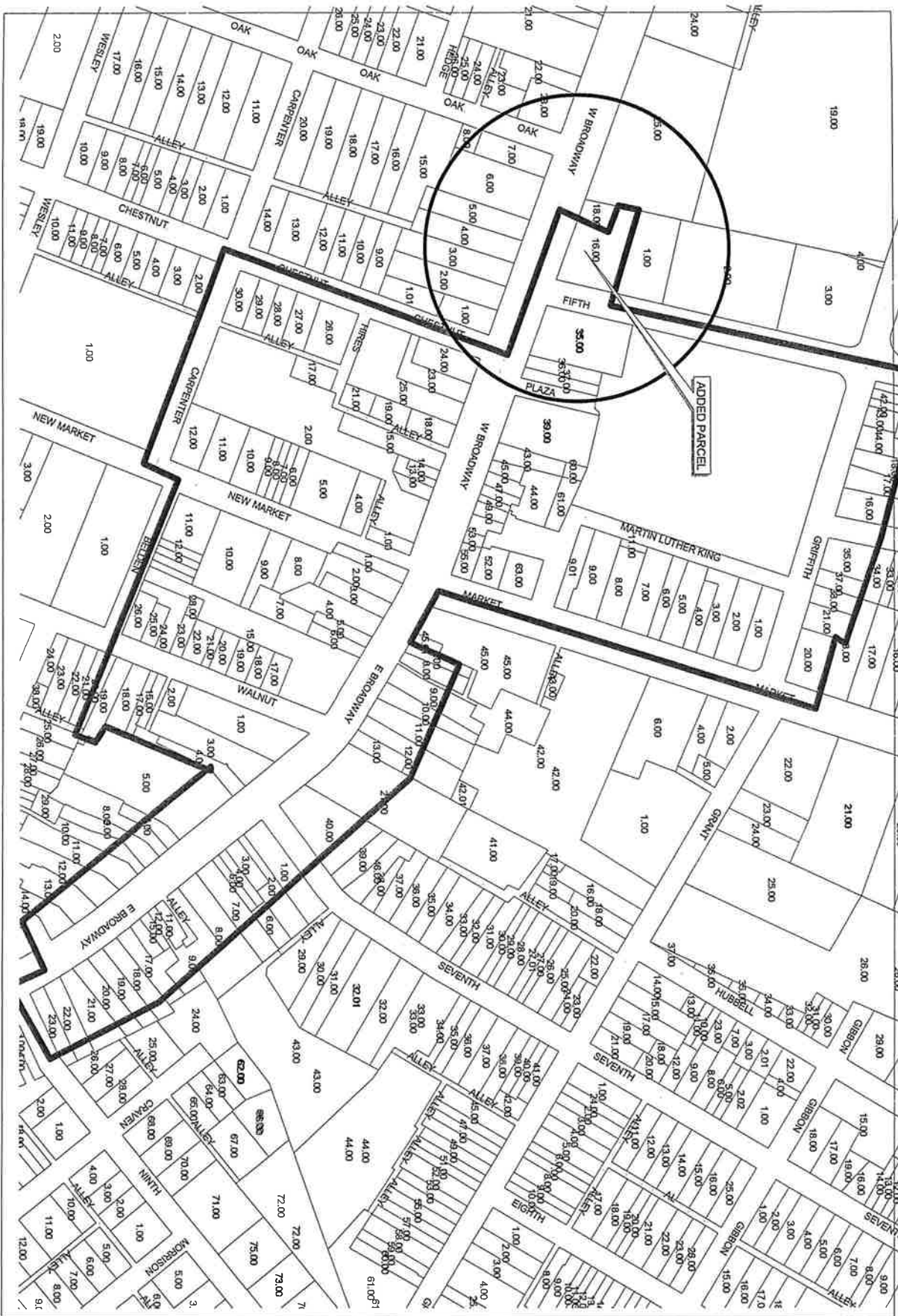
SCALE: 1"=100'



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PROFESSIONAL ENGINEERS, PLANNERS, LAND SURVEYORS,
LANDSCAPE ARCHITECTS, & ENVIRONMENTAL SCIENTISTS
6 EAST HIGH STREET, GLASSBORO, NJ 08028





CITY OF SALEM
SALEM COUNTY, NJ

MAIN STREET REDEVELOPMENT AREA

SCALE: 1"=200'



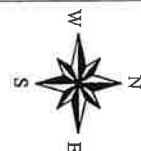
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MAP 2

Louis C. Joyce, PP, AICP
NJ License No. 02813

adopted June 11, 2001 Res 01-101
amended September, 20, 2007



RESOLUTION NO. 01-101

**A RESOLUTION DETERMINING A CERTAIN AREA
OF THE CITY OF SALEM TO BE IN NEED OF
REHABILITATION AND DIRECTING THE PLANNING
BOARD TO PREPARE A REDEVELOPMENT PLAN**

WHEREAS, the Common Council of the City of Salem ("the Council") believes that certain areas of the City are in need of redevelopment /rehabilitation in accordance with N.J.S.A. 40A: 12a -1 et seq., said area being more particularly described in the attached Schedule "A" (hereinafter referred to as "the area"); and

WHEREAS, the Council, pursuant to Resolution No. 01-38, authorized the City of Salem Planning board ("the Planning Board") to undertake a preliminary investigation pursuant to N.J.S.A. 40:12a-6 to determine whether the area is in need of rehabilitation pursuant to the criteria set forth in N.J.S.A. 40A:12a-5; and


WHEREAS, the Planning Board gave and published the appropriate notice and conducted a public hearing on the issue on May 23, 2001; and

WHEREAS, the Planning Board has recommended that the area be determined to be a redevelopment area by the Council; and

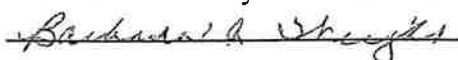
WHEREAS, the council has determined that the Planning Board's recommendation is supported by substantial evidence, including but not limited to the matters discussed in the document entitled "Redevelopment Area Investigation and Report; Main Street Redevelopment Area dated May 7, 2001;

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, in the County of Salem and State of New Jersey as follows:

1. The area delineated on Schedule "A" hereto is, pursuant to N.J.S.A. 40A:12a-6 (s), hereby determined to be in need of redevelopment and is hereby designated as "the Main Street Redevelopment Area".
2. The Planning Board is pursuant to N.J.S.A. 40A:12a-7(f), hereby directed to prepare a proposed redevelopment plan for the said redevelopment area for submission to this Council for consideration.


ROBERT D. JOHNSON
Council President

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Common Council of the City of Salem at a meeting held on June 11, 2001.

 BARBARA A. WRIGHT, RMC, City Clerk

MAIN STREET REDEVELOPMENT AREA: Property List

Sheet 4 - Tax Block 5 – Lots 15, 16, 17, 18, 35 – 44.

Sheet 4 - Tax Block 6 – Lots 17, 18, 20, 21, 32 – 35, 37, 38.

Sheet 9 - Tax Block 13 – Lots -- All

Sheet 9 - Tax Block 107 – Lots -- All

Sheet 15 - Tax Block 27 – Lots 7 – 13, 21, 40, 45.01.

Sheet 16 - Tax Block 28 – Lots 1 – 9, 11, 12, 15 – 23.

Sheet 28 - Tax Block 57 – Lots -- All (except 26 – 30).

Sheet 29 - Tax Block 61 – Lots – All

Sheet 29 - Tax Block 62 – Lots 1 – 5, 7 – 14, 15, 17, 18 – 24.