

*** DRAFT ***
IN NEED OF REDEVELOPMENT INVESTIGATION REPORT

SCHMITT REALTY SITE

**1631 Paterson Plank Road
Block 191 - Lots 15, 15.01, 15.02, And 15.03
Town of Secaucus**



New Jersey Sports & Exposition Authority

September 2017

Authorized by Resolution No. 2017-21 on July 20, 2017



NEW JERSEY SPORTS & EXPOSITION AUTHORITY

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**1631 PATERSON PLANK ROAD
BLOCK 191 – LOTS 15, 15.01, 15.02, AND 15.03
TOWN OF SECAUCUS**

SEPTEMBER 2017

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APPENDICES

- A. NJSEA Resolution No. 2017-21 dated July 20, 2017.

I. INTRODUCTION

The New Jersey Sports & Exposition Authority (NJSEA) has been petitioned by Pirhl, LLC to investigate the redevelopment potential of the property identified as 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, New Jersey. Pirhl is the contract purchaser of the property, currently owned by Schmitt Realty Company, Inc. The property is located in the Low Density Residential zone of the Hackensack Meadowlands District. The subject property may alternately be referred to herein as the “study area.”

In response to the receipt of a petition regarding this matter dated July 3, 2017, the NJSEA Board of Commissioners adopted Resolution No. 2017-21 on July 20, 2017, which authorized the staff to conduct an investigation of the subject property to determine if it meets the conditions to be designated an area in need of redevelopment.

The subject property consists of 3.14 acres, according to NJSEA GIS mapping, and was formerly utilized by the Schmitt/Eastern Concrete facility, a concrete plant that has been located on the property for over a century. This use is classified as a preexisting nonconforming heavy industrial use in the Low Density Residential zone. According to the petition, the concrete plant has ceased operations for over a decade.

The subject property fronts on Paterson Plank Road to the north, and is bounded by the Hackensack River to the west. The property also adjoins Trolley Park, a municipal park along the Hackensack River at the terminus of Paterson Plank Road. Residential uses, primarily multifamily uses in the form of townhomes and garden apartments, adjoin the subject property to the east and west.

The site contains five separate buildings that had been used in association with the concrete plant's operations. Numerous 2 feet by 4 feet concrete blocks are present on the property, stacked up to 8 feet high, and line portions of the site's boundary lines. Along the site's westerly boundary, these stacked blocks form a retaining wall along adjoining property. The site itself is covered with concrete one to two feet in depth.

The study area is delineated by a red boundary line on the aerial map in Figure 1. The subject properties and those within the surrounding area are located in the District's Low Density Residential zone, as shown on the existing zoning map for the redevelopment study area in Figure 2.

Figure 1 - Location Map
 In Need of Redevelopment Study Area - Schmitt Realty Site
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) - Secaucus, New Jersey

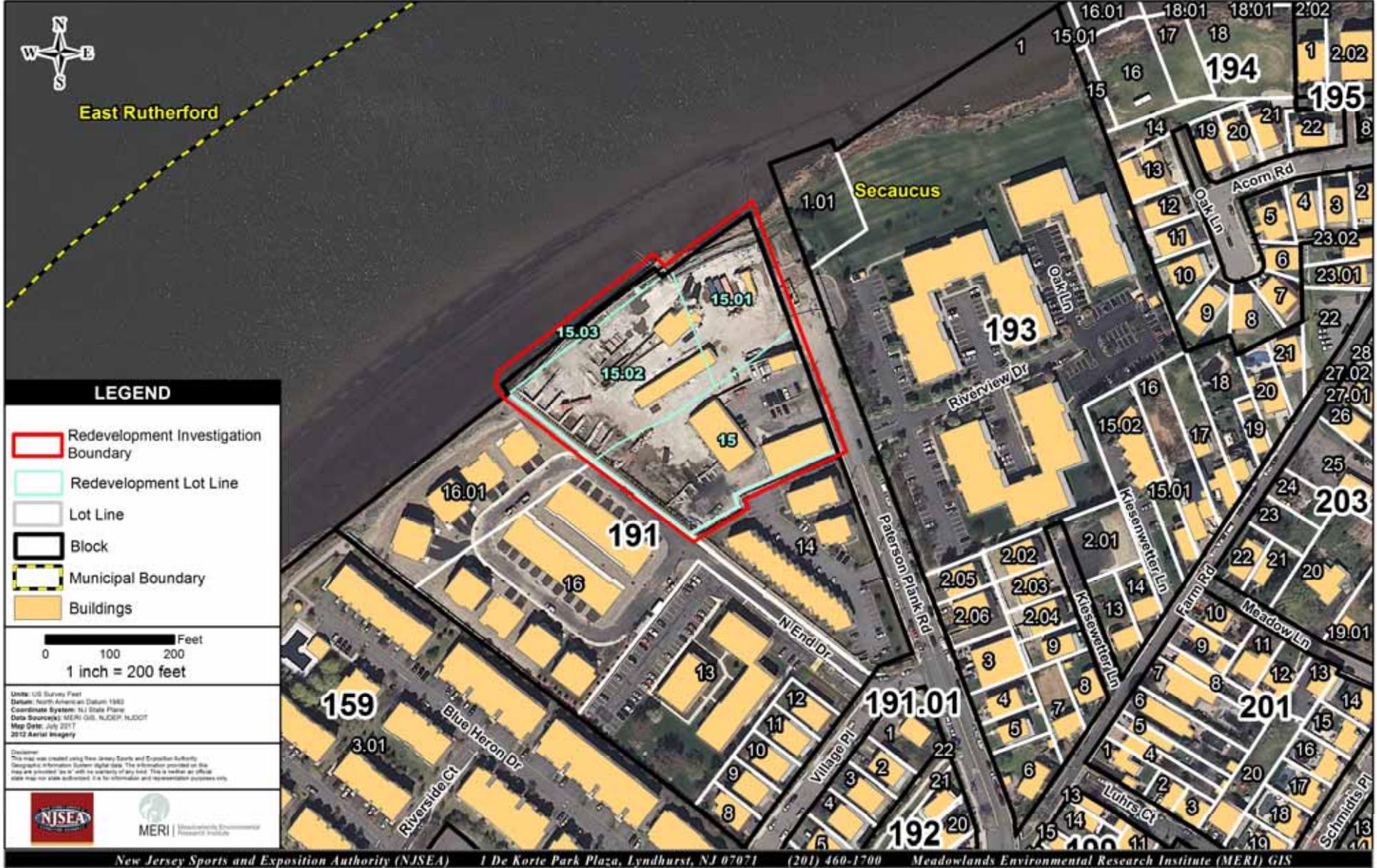


Figure 2 - Existing Zoning Map
 In Need of Redevelopment Study Area - Schmitt Realty Site
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) - Secaucus, New Jersey



The petitioner has submitted a planning report, prepared by Bowman Consulting Group, Ltd., dated August 9, 2017, which states that the study area should be declared an area in need of redevelopment in accordance with the following criteria of the NJSEA regulations:

- Criterion No. 1, N.J.A.C. 19:3-5.7(a)1, which states *“The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;”*
- Criterion No. 2, N.J.A.C. 19:3-5.7(a)2, which involves *“The discontinuance of the use of buildings previously utilized 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.”*
- Criterion No. 4, N.J.A.C. 19:3-5.7(a)4, which refers to *“areas with buildings or improvements that, 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.”*

The subject In Need of Redevelopment Investigation Report (“Report”) represents the results of the investigation of the study area to support the NJSEA Board of Commissioners’ determination regarding whether the study area should be declared in need of redevelopment.

II. REDEVELOPMENT POWERS AND PROCEDURES

1. Redevelopment Legislation - The NJSEA is authorized by statute, at N.J.S.A. 5:10A, to declare the entire Meadowlands District, or any portion therein, an area in need of redevelopment.

The procedure for taking such action is provided in the NJSEA statute at N.J.S.A. 5:10A-23, and codified in the District's redevelopment regulations at N.J.A.C. 19:3-5.1 *et seq.*

2. Redevelopment Investigation - N.J.A.C. 19:3-5.4 sets forth the provisions for the requirements of a redevelopment investigation. Upon adoption of a resolution by the Authority authorizing an investigation, the NJSEA staff shall conduct the investigation and prepare an "In Need of Redevelopment Report" (Report), which shall contain the following:

- a) A description of the methods and resources used to assess the area;
- b) A detailed description of the area, including, but not limited to, acreage, existing zoning, description of existing utility infrastructure, and other relevant characteristics;
- c) A site analysis for each lot within the area, listing, at a minimum, ownership, size, and characteristics which support the designation of the area as in need of redevelopment; and
- d) Findings comparing the listed characteristics of the area to each criterion of N.J.A.C. 19:3-5.7. NJSEA staff shall determine whether the existing conditions of the area in question meet the any of the following criteria:

1. *The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;*
2. *The discontinuance of the use of buildings previously utilized 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. *Land that is owned by the NJMC (NJSEA), or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land 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. *Areas with buildings or improvements that, 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. *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 contributing to and serving the public health, safety and welfare;*
6. *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;

7. *Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey 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 N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or*
8. *Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

Upon completion of the draft Report, a public hearing shall be held in accordance with N.J.A.C. 19:4-4.17 to afford opportunity for public comment on the Report and its findings. The Report shall be available for public inspection upon the issuance of the public notice in accordance with N.J.A.C. 19:3-5.5.

3. Resources – The evaluation of existing buildings and land uses within this study area and the immediately surrounding properties included the review of the following resources:

- Existing physical and natural conditions in and surrounding the study area;
- NJSEA aerial photographs and topographic maps;
- NJSEA Geographic Information Systems (GIS) data;
- Hackensack Meadowlands District Master Plan, 2004;
- Hackensack Meadowlands District Regulations: N.J.A.C. 19:3-5.1 *et seq.* (Redevelopment Areas) and N.J.A.C. 19:4-1.1 *et seq.* (District Zoning Regulations);
- Town of Secaucus Tax Maps;
- Municipal Property Tax information (NJ MOD-IV data);
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) dated September 30, 2005, and Preliminary FIRM as of August 29, 2014;
- NJSEA development application records/engineering files;
- Review of NJDEP Known Contaminated Sites List;
- NJDEP maps showing Conveyances and Leases of State-owned Tidelands;
- USDA Natural Resources Conservation Service Soils Survey; and
- “In Need of Redevelopment Report, Schmitt Realty Property” prepared on behalf of Pirhl, LLC by Sean A. Delany, P.P., of Bowman Consulting Group, Ltd., dated August 9, 2017.

III. GENERAL CONDITIONS OF STUDY AREA

Specific data regarding existing site conditions, characteristics and constraints are as follows:

1. Property Area - The study area is comprised of four lots, consolidated into one tax lot, within Block 191, in the Town of Secaucus, totaling approximately 3.14 acres, as detailed in the table in Figure 3 below. According to the Bowman report, the site’s area is 3.34 acres.

Figure 3. Properties Within In Need of Redevelopment Study Area

| Block | Lot | Address | Acres (GIS) | Acres (Tax) | Existing Land Use | Existing Zoning |
|-------|-------|--------------------------|-------------|-------------|-------------------|-------------------------|
| 191 | 15 | 1631 PATERSON PLANK ROAD | 1.283 | 3.226 | Industrial | Low Density Residential |
| 191 | 15.01 | 1631 PATERSON PLANK ROAD | 0.644 | 0.000 | Industrial | Low Density Residential |
| 191 | 15.02 | 1631 PATERSON PLANK ROAD | 1.092 | 0.000 | Industrial | Low Density Residential |
| 191 | 15.03 | 1631 PATERSON PLANK ROAD | 0.124 | 0.000 | Industrial | Low Density Residential |
| | | | 3.143 | 3.226 | | |

Source: NJSEA Geographic Information Systems (GIS), July 2017

The study area is located on Paterson Plank Road, a county road that terminates at a cul-de-sac at Trolley Park. There are three existing curb cuts along the westerly side of Paterson Plank Road for site access. One access point into the portion of the site used for the concrete plant is gated and fenced.

The property also fronts on the Hackensack River to the north, and is situated between garden apartment and townhouse developments, with additional residential uses in the surrounding vicinity. The site is located in the Low Density Residential Zone of the Hackensack Meadowlands District. The subject property’s condition is an anachronism as it is an obsolete pocket of industrial development enveloped by a thriving residential community.

The subject properties form an irregularly shaped lot with a surveyed area of 145,413 square feet (3.34 acres). The site contains five separate structures, consisting of one 2-story building (A), three 1-story buildings (B-D) and a structure associated with the shuttered concrete plant (E). The site is located on the western side of Paterson Plank Road with the Hackensack River located along the northern portion of the property. The site and buildings within the study area can be characterized as being in obsolete and dilapidated condition. This assertion is supported by the photographs in Figure 4.

The site’s surface is covered with concrete one to two feet in depth throughout the majority of the property. Stacked concrete blocks form a wall along the property’s northerly, westerly and southerly boundaries. Along the westerly property line adjacent to the Jacob’s Landing townhome development, a wall of blocks, stacked two to three units high, are used as a retaining wall, due to the higher grade on the adjacent property. Outdoor storage and operations associated with a paving company also exist at the premises. Various construction materials, debris, material stockpiles, and areas of overgrown vegetation are present throughout the property. The site is also the subject of an active spill investigation by the NJDEP stemming from the former industrial activities on the site.

These characteristics present significant development constraints on future development efforts on the property.

Surrounding uses are primarily residential. A map of existing land uses in and around the study area can be found at Figure 5. The following residential developments are adjacent to the subject property:

- Riverview Gardens, a multifamily apartment development located to the east of the site across Paterson Plank Road;
- Jacob's Landing, a multifamily townhouse development consisting of duplex and multi-unit townhouses to the west of the site; and
- Sussex Green, a 26-unit multifamily residential development located to the south of the site.

Recreational uses, in the form of Trolley Park to the east, and a waterfront walkway forming part of the Secaucus Greenway along the Hackensack River to the north, are also present adjacent to the subject property. Photographs of surrounding uses can be found at Figure 6.

Figure 4 – Photographs of Existing Conditions within In Need of Redevelopment Study Area

Building A



Photo A-1

View from Paterson Plank Road facing west.



Photo A-2

View from the site interior toward the northeast.

Building A is a two-story office building in a state of disrepair and obsolescence. Building damage and dilapidation, in the form of roof damage, cracks within the brick facade, whitewashed windows, and damaged window screens.

Building B



Photo B-1

View from Paterson Plank Road facing west.



Photo B-2

View from the site interior toward the south.

Building B is a one-story warehouse building which, although currently occupied, can be characterized as obsolete and in a state of disrepair. The building's exterior is primarily covered with brick, although portions of the building, namely the northern and western façades, have been covered with corrugated metal sheeting. The building's roof flashing is damaged. The building itself is obsolete for use as a warehouse, containing low ceiling heights and one loading door, with limited site area that could accommodate safe and efficient trucking circulation on the site. The limited fenestration on the building limits the provision of light and air to building occupants.

Figure 4 – continued

Building C



Photo C-1

View from Paterson Plank Road facing west.



Photo C-2

View of westerly building facade.

Building C is a one-story brick and concrete structure with one overhead loading door at the eastern façade and an exterior concrete platform at the western façade. The building is in significant disrepair, with cracks in the façade, weathering of building materials, and an obsolete layout that could not easily be adapted to accommodate the needs of contemporary industrial uses. Building C is located between Buildings A and B; the buildings share a central parking court accessed via two curb cuts on Paterson Plank Road. The asphalt areas on the site are in degraded condition.

Building D



Photo D-1

View of building's southerly and westerly elevations.



Photo D-2

View of building's easterly and northerly elevations.

Building D is a one-story concrete block structure in dilapidated condition. The building entrances and loading doors are boarded, and cracks in the building façade expose the block walls on portions of the building. The metal roof is rusted and deteriorated, and cracking was observed at portions of the building foundation.

Figure 4 – continued

Building E



Photo E-1

View of northwesterly building conditions.



Photo E-2

View of southerly and easterly building facades.

Building E, which housed the concrete plant operations, is dilapidated and an obsolete structure which cannot be adapted to any future use. Portions of the roof are missing, the metal façade is in disrepair, and the steel structure is rusted. Remnants of the former operations on the site, including cement silos, conveyor equipment, and vats of liquid used in the plant's operations, remain at the site.

Site Conditions



Photo SC-1

Debris and graffiti on site.



Photo SC-2

Open-top dumpsters and ponding on concrete surface.

Figure 4 – continued



Photo SC-3

Vats of liquid within remnants of concrete plant.



Photo SC-4

Stacks of concrete block and material stockpiles on site adjacent to Jacob's Landing townhome development.



Photo SC-5

Asphalt dumped on the property.



Photo SC-6

Debris on site.

The majority of the site is covered with a layer of concrete up to two feet in depth, and is overall in degraded condition. Stacked concrete blocks are present throughout the property. Additionally, evidence of dumping of debris and other materials was observed at the site. The property contains very little open space, which is limited to areas of overgrowth along portions of the site's perimeter.

Figure 5 - Existing Land Use Map
 In Need of Redevelopment Study Area - Schmitt Realty Site
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) - Secaucus, New Jersey

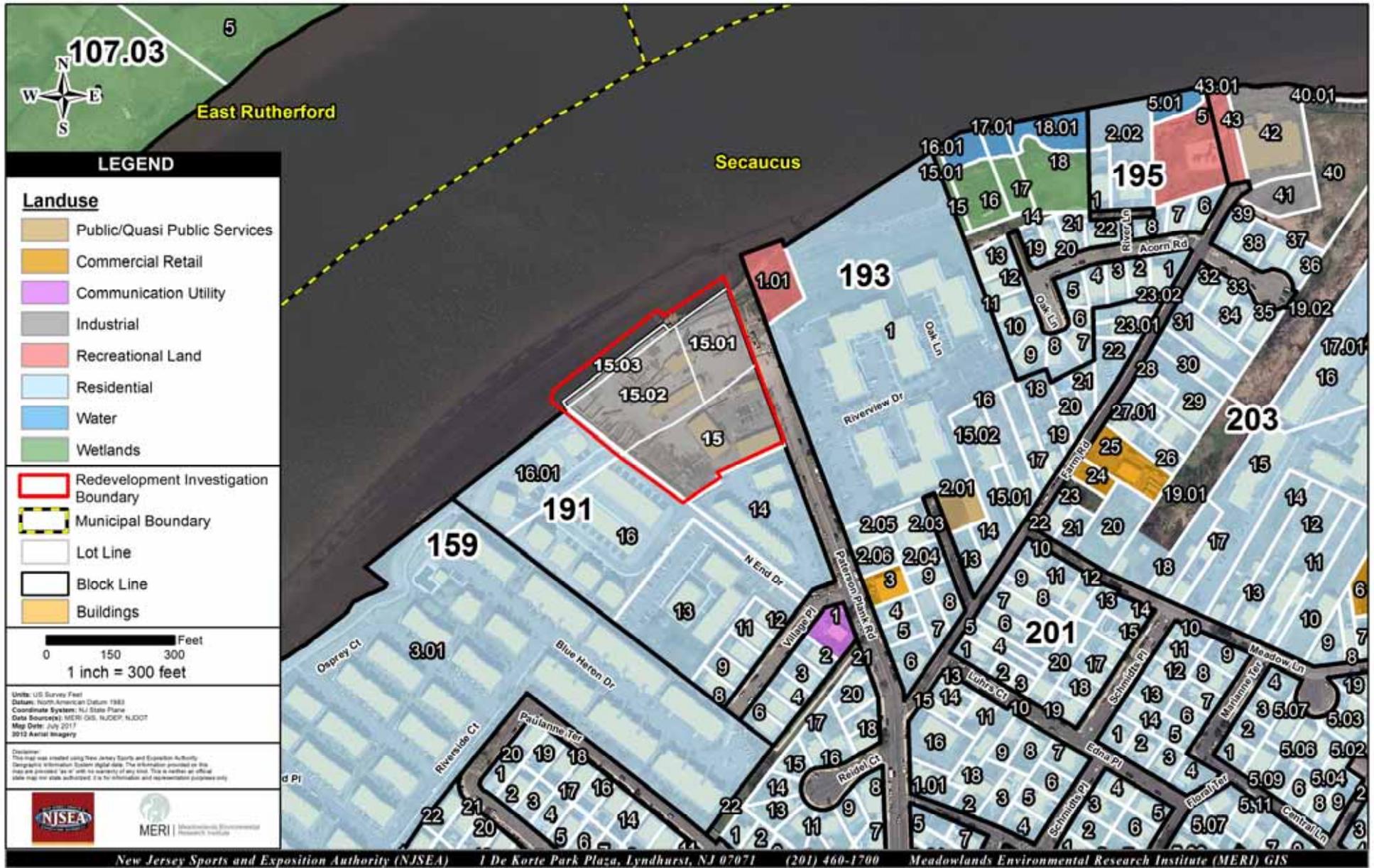


Figure 6 – Photographs of Neighboring Properties



Photo 1

Trolley Park, located to the east of the study area, along the Hackensack River at the Paterson Plank Rd. cul-de-sac



Photo 2

Riverview Gardens, a garden apartment complex located to the east of the study area across Paterson Plank Road.



Photo 3

View to the east of the Paterson Plank Road cul-de-sac bus stop at Riverview Gardens (see Photo 2).



Photo 4

View of Sussex Green, a mid-rise multifamily residential development adjoining the study area to the south.



Photo 5

Jacob's Landing, a townhome development to the west of the study area along the Hackensack River.



Photo 6

View of the Hackensack River and Secaucus Greenway riverfront walkway along the northerly portion of the site.

2. Zoning - The subject property is located entirely within the Low Density Residential (LDR) zone. The former concrete facility and current industrial usage of the property is not a permitted use in the LDR zone. (See Figure 2.)

The purpose of the Low Density Residential zone is to provide for the development and preservation of low-density residential uses and neighborhoods, and to provide for the development of community and institutional uses that are compatible with the character of a residential district.

The use and bulk regulations for the LDR zone are provided below.

- A. *The permitted uses in the LDR zone (N.J.A.C. 19:4-5.26) are:*
 - 1. *Community residences and shelters with five or less residents;*
 - 2. *Day care facilities;*
 - 3. *Essential public services;*
 - 4. *Parks or recreation facilities;*
 - 5. *Primary and secondary schools;*
 - 6. *Single-family and two-family dwellings; and*
 - 7. *Townhome dwellings.*

- B. *The special exception uses in the LDR zone (N.J.A.C. 19:4-5.27) are:*
 - 1. *Community residences and shelters with six or more residents;*
 - 2. *Health care centers;*
 - 3. *Houses of worship;*
 - 4. *Institutional uses;*
 - 5. *Manufactured home parks, not exceeding the density permitted for other single-family dwellings and conforming with all other regulations applicable to development within the Low density residential zone;*
 - 6. *Public utility uses, light; and*
 - 7. *Social services.*

- C. *The lot size requirements in the LDR zone (N.J.A.C. 19:4-5.28) are:*
 - 1. *Single-family and two-family dwellings:*
 - i. *Minimum lot area: 7,500 square feet;*
 - ii. *Minimum lot width: 75 feet; and*
 - iii. *Minimum lot depth: 100 feet;*
 - 2. *Townhome dwellings:*
 - i. *Minimum lot area: 10,000 square feet;*
 - ii. *Minimum lot width: 100 feet; and*
 - iii. *Minimum lot depth: 100 feet; and*
 - 3. *Other permitted uses and special exceptions:*
 - i. *Minimum lot area: 10,000 square feet;*
 - ii. *Minimum lot width: 100 feet; and*
 - iii. *Minimum lot depth: 100 feet.*

- D. *The bulk regulations in the LDR zone (N.J.A.C. 19:4-5.29) are:*
1. *Single-family and two-family dwellings:*
 - i. *Maximum lot coverage: 30 percent;*
 - ii. *Minimum open space: 40 percent; and*
 - iii. *Yards:*
 - (1) *Minimum front yard: 25 feet; or in the case where the Chief Engineer determines that the average prevailing setbacks of existing adjacent dwellings are less than 25 feet, the minimum front yard may be reduced accordingly to not less than 20 feet;*
 - (2) *Minimum side yard: 10 feet; and*
 - (3) *Minimum rear yard: 20 feet;*
 2. *Townhome dwellings:*
 - i. *Maximum lot coverage: 30 percent;*
 - ii. *Minimum open space: 35 percent;*
 - iii. *Maximum density: 10 dwelling units per acre; and*
 - iv. *Yards:*
 - (1) *Minimum front yard: 25 feet; except where the front yard setback of a building facade is staggered, the setback may be reduced to not less than 20 feet with an average setback for the building of 25 feet;*
 - (2) *Minimum side yard: 20 feet; and*
 - (3) *Minimum rear yard: 25 feet;*
 3. *Other permitted uses and special exceptions:*
 - i. *Maximum lot coverage: 30 percent;*
 - ii. *Minimum open space: 35 percent; and*
 - iii. *Yards:*
 - (1) *Minimum front yard: 25 feet;*
 - (2) *Minimum side yard: 20 feet;*
 - (3) *Minimum rear yard: 30 feet; and*
 4. *Maximum building height: 35 feet.*
- E. *The performance standards in the LDR zone (N.J.A.C. 19:4-5.31) are:*
All Category A performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Low Density Residential zone.

3. Wetlands – No wetland areas are indicated within the study area by NJSEA GIS mapping. Where the property adjoins the Hackensack River, there appears to be a bulkhead along the northerly portion of the site that delineates the shoreline.

The actual presence or absence of wetlands on a particular site is subject to further review and confirmation in accordance with due diligence procedures customarily followed by applicants for development, which may include a detailed wetlands study and a jurisdictional determination by the U.S. Army Corps of Engineers.

The property does appear on the NJDEP “Map showing Conveyances and Leases of State-owned Tidelands,” indicated that a grant was issued to Schmitt Realty Co. Inc. on March 22, 1965 for a portion of State-owned Tidelands in the northeasterly corner of the site. There are no active Tidelands claims on the subject property.

4. Soils – The soils map of the US Department of Agriculture Natural Resources Conservation Service Soil Survey indicates the following soil classification is present within the study area:

1. URWETB (Urban land, wet substratum, 0 to 8 percent slopes), composed primarily of “asphalt over human-transported material.”

Site-specific soils studies would be required at the time of any potential construction permit application to ensure that the appropriate construction methodologies will be utilized for the sound structural support of any future building at the site.

5. Contamination - The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The study area is listed as an active site in the NJDEP KCSL identified as the Schmitt Concrete Equip. Co. site, Public Interest (PI) #003949.

The subject property is also located adjacent to another property on the KCSL, identified as the Tilcon New Jersey, Inc. site, PI #022829. The Tilcon site has been developed as the Jacob’s Landing townhome development. A sign providing notice of an Environmental Investigation/Clean-up is posted on this property.

See Figure 7 for a map of sites on the NJDEP Known Contaminated Sites List.

6. Vehicular Access – The subject property contains frontage and access on the westerly side of Paterson Plank Road and can be accessed via three existing curb cuts. Paterson Plank Road becomes a dead end street at the subject property, terminating at a cul-de-sac at the municipal Trolley Park along the Hackensack River.

The subject property is located across the street from the Paterson Plank Road Cul-de-Sac bus stop, serviced by New Jersey Transit Bus Route 122. This route provides weekday service to the Port Authority Bus Terminal in New York City. There is currently no weekend bus service along this route. A connection to New Jersey Transit Bus Route 190, which provides service to the Port Authority Bus Terminal, Rutherford, Passaic, Clifton, and Paterson, is available at the Town’s municipal building at 1203 Paterson Plank Road. Access to passenger rail service via municipal shuttle bus service to and from the Frank R. Lautenberg Station at Secaucus Junction is available on weekdays from this bus stop as well.

7. Floodplain - Properties in the study area appear on the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map (FIRM), Map Number 34003C0266G, dated September 30, 2005. The entire study area is located within a special flood hazard area (SFHA) designated by FEMA as Zone AE, a 100-year floodplain where base flood elevations (BFE) have been determined. The properties in the study area have a BFE of 9 feet (NGVD29 datum). (See Figure 8.)

FEMA has published new Preliminary FIRMs as of August 29, 2014, which, pending public comment, are expected to become the new effective FIRMs in early 2019. The FEMA Preliminary FIRM for the study area, Map Number 34003C0266J, shows changes to the SFHA designation at the property in question. Specifically, the properties remain in Zone AE, but with a BFE of 8 feet (NAVD88 datum). (Note: FEMA’s Preliminary FIRMs utilize the NAVD88 datum to establish base

flood elevations, whereas previous FIRMs utilized NGVD29 datum. At the subject location, subtracting 1.1 feet from the elevation in the NGVD29 datum results in the corresponding elevation in the NAVD88 datum. The current BFE of 9 feet in the NGVD29 datum is equivalent to a BFE of 7.9 feet in the NAVD88 datum. Therefore, the BFE of the study area between the current Effective FIRM and the Preliminary FIRM is increased by 0.1 feet.)

The NJSEA also participates in FEMA's National Flood Insurance Program (NFIP) Community Rating System (CRS) and is certified as a Class 7 community, which qualifies flood insurance policy holders in a SFHA within the Hackensack Meadowlands District to a 15 percent discount in their flood insurance rates.

The NJSEA regulations require that all structures located in a SFHA have a finished floor elevation at a minimum of one foot above the FIRM's established base flood elevation. As the BFE on the Preliminary FIRM is slightly higher than the BFE on the Effective FIRM, the base flood elevation of the Preliminary FIRM becomes the regulatory BFE, and all new or substantially improved structures in the study area must have a finished floor elevation located at a minimum of 9.0 feet (NAVD88).

8. Utilities - Public utilities are available to the study area, including gas, water, electric and telephone service, as well as public sanitary sewer improvements. There are currently no on-site stormwater drainage improvements, and a depressed area of the site adjacent to the shuttered concrete plant contains an area of ponding water on a concrete surface.

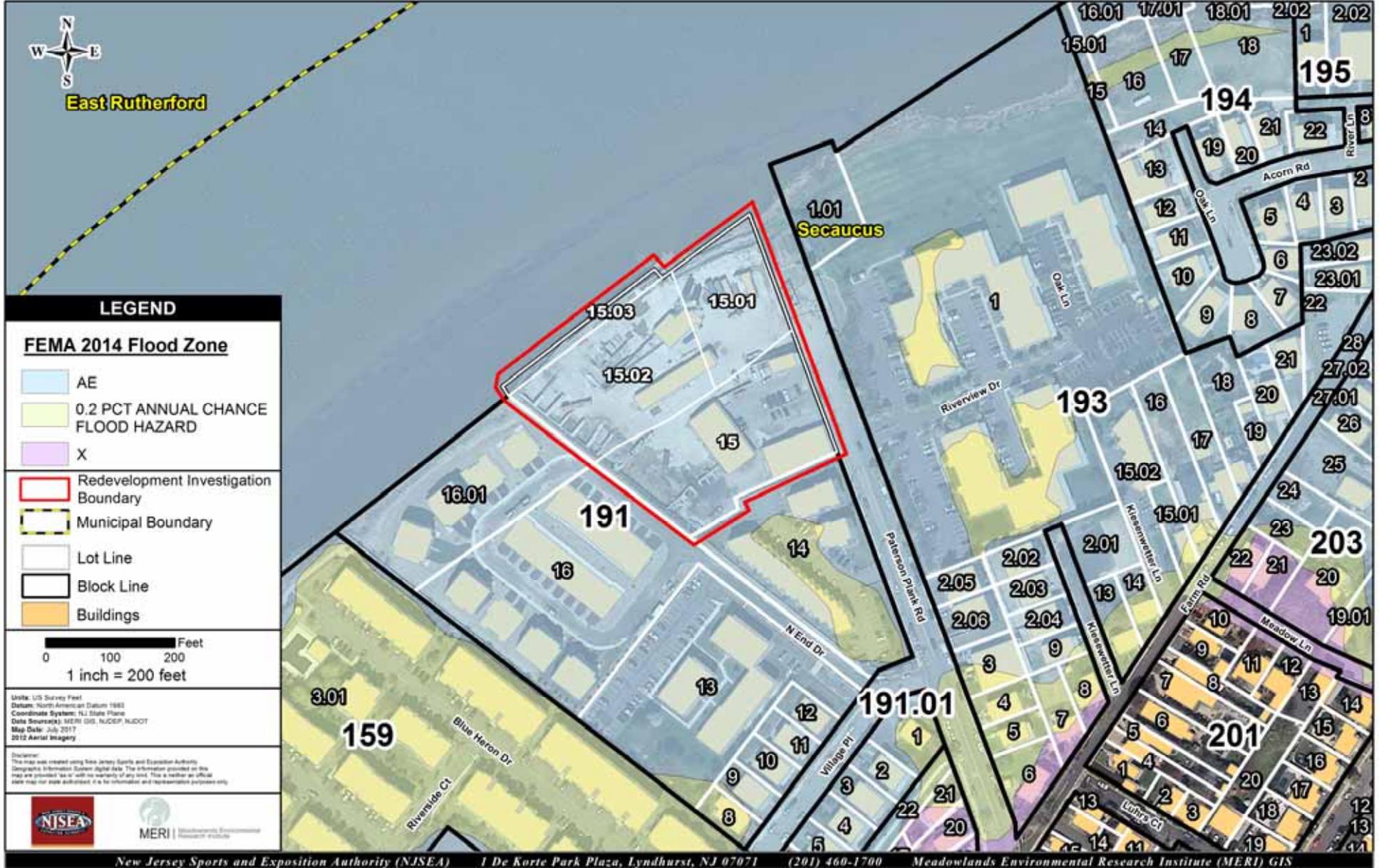
Public Service Electric and Gas Company (PSE&G) provides electric and gas service. Suez New Jersey (formerly United Water) and the Secaucus Municipal Utilities Authority provide water and sewer services, respectively. Will-serve letters will be required to be obtained for any proposed future development of the site.

9. Other Redevelopment Areas in Close Proximity - The NJSEA has not adopted any redevelopment areas proximate to the study area.

Figure 7 - Map of NJDEP Known Contaminated Sites
 In Need of Redevelopment Study Area - Schmitt Realty Site
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) - Secaucus, New Jersey



Figure 8 – Map of FEMA Special Flood Hazard Areas
 In Need of Redevelopment Study Area – Schmitt Realty Site
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, New Jersey



IV. FINDINGS

The parcels within the study area were evaluated in relation to the in need of redevelopment criteria established by NJSEA statute and regulations. N.J.A.C. 19:3-5.7(a) provides that an area shall be deemed to be in need of redevelopment if it is determined that any of the following conditions exist:

- 1. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.***

According to tax records, improvements on the site date to 1910. The site contains five separate structures, including the remnants of a concrete plant that has been closed for over 10 years. Additionally, according to NJSEA records, there have been no applications for building improvements/alterations since the Hackensack Meadowlands District was formed in 1968. The buildings on the site exhibit roof and façade damage, as well as limited fenestration that would allow for the passage of light and provide for ventilation. Evidence of outdoor storage of paving materials, construction debris, and other material stockpiles was also observed on the site. The majority of buildings on the site are vacant, and can be characterized as dilapidated, obsolete, and substandard in condition, evidenced by site inspections and the lack of permit history for this property in the past 50 years.

The most recent applications for occupancy certification were received in the early 2000's, primarily for Building C, the 2-story office building on the site. Secaucus Paving currently utilizes the subject property for outdoor parking and storage. The warehouse along the southerly property line is also utilized by a construction contractor. The outdated buildings and site conditions, lack of maintenance and improvements over the years, combined with concerns related to the site's environmental contamination investigation, create unwholesome conditions on the property.

- 2. The discontinuance of the use of buildings previously utilized 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;***

The use of the former concrete plant on the property has been discontinued for over a decade. The two buildings on Lots 15.01 and 15.02 are vacant, with broken windows and the buildings and doors boarded up. One of these structures is open to the elements, with a portion of the roof missing, and contains large vats of liquids used in the concrete manufacturing process that were not removed when the concrete plant ceased operations.

Of the three buildings on Lot 15, the southerly-most building on the site appears to be the only structure actively in use. The warehouse buildings could not easily be adapted to serve the needs of the modern industrial market due to low ceiling height and limited loading provisions. The cost to upgrade the existing buildings to comply with modern building codes would likely be cost-prohibitive. With no significant evidence of building maintenance or improvements, the buildings can be deemed to be in so great a state of disrepair such that they are untenable.

3. ***Land that is owned by the NJSEA, or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land 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;***

This criterion is not applicable to the study area.

4. ***Areas with buildings or improvements that, 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;***

The arrangement of buildings on Lot 15 represents an obsolete layout and faulty arrangement of buildings. The three buildings on the lot surround a central parking court of approximately 20 to 25 parking spaces. This arrangement results in little remaining area on the site to ensure adequate circulation for trucks and emergency vehicles. The condition of pavement and parking areas on the site is substandard and deteriorated. The current industrial and outdoor storage uses on the property, as well as the former use of the site as a concrete plant, are obsolete uses amidst a thriving residential neighborhood.

The site itself contains a large amount of impervious surfaces and extremely little open space and landscaping. The vegetation on the site primarily consists of overgrowth and weeds growing through cracked pavement. There are no on-site drainage facilities, resulting in ponding in certain areas of the site, representing a public health concern. Additionally, there is evidence of illicit activities occurring on the site, such as graffiti and dumping of debris. New residential development adjoins the property to the west and south, and the conditions on the subject property represent a detriment to the health, safety, morals and welfares of the community. Therefore, the subject criterion is applicable to the study area.

5. ***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 contributing to and serving the public health, safety and welfare;***

Although the properties in the study area are under common ownership by Schmitt Realty Company, other conditions on the site result in a stagnant and not fully productive condition of the land. New residential development adjoins the subject property to the west and south; yet, development of the subject property has remained stagnant. In this instance, development attempts on the site are significantly constrained by the site's condition, having a thick layer of concrete one to two feet deep resulting from the former industrial activities on the site.

The site has largely remained vacant and is an isolated, underutilized industrial property that has not contributed to the general welfare. The presence of this particular property in its current condition within a residential neighborhood can be determined to be a

detrimental impact to the public and the well-being of neighborhoods. The site's location along the Hackensack River, adjoining a public waterfront walkway to the north and municipal park to the east, make the site potentially useful and valuable for contributing to and serving the public health, safety, and welfare by providing for the redevelopment of a defunct industrial site in a manner more suitable to its surrounding land use pattern.

6. ***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;***

This criterion is not applicable to the study area.

7. ***Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey 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 N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or***

This criterion is not applicable to the study area. The subject property is not located within a New Jersey Urban Enterprise Zone.

8. ***Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.***

The subject property appears on the New Jersey Known Contaminated Sites List, and NJDEP records indicate there is an open remedial investigation at the site (PI #003949). Therefore, this criterion is applicable to the study area.

V. RECOMMENDATIONS

Based on the record in this matter, the NJSEA staff has determined that the conditions listed at N.J.A.C. 19:3-5.7(a)1, 2, 4, 5 and 8 exist at the Schmitt Realty property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, New Jersey.

Therefore, the NJSEA staff recommends that the Board of Commissioners of the New Jersey Sports and Exposition Authority make a determination that the properties in the subject study area, identified as 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, New Jersey, satisfy the regulatory criteria to be declared an area in need of redevelopment.

RESOLUTION 2017-21

**RESOLUTION AUTHORIZING NJSEA STAFF TO INVESTIGATE THE
REDEVELOPMENT POTENTIAL OF
THE SCHMITT REALTY PROPERTY IDENTIFIED AS
1631 PATERSON PLANK ROAD,
BLOCK 191, LOTS 15, 15.01, 15.02, & 15.03, IN THE
TOWN OF SECAUCUS, NEW JERSEY
FILE NO. SP-747**

WHEREAS, N.J.S.A. 5:10A-7(j) authorizes the New Jersey Sports and Exposition Authority (NJSEA) to determine the existence of areas in need of redevelopment or rehabilitation and to approve or undertake redevelopment projects therein; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the regulations governing redevelopment within the Hackensack Meadowlands District, including the process and criteria for establishing redevelopment areas and the preparation and adoption of redevelopment plans; and

WHEREAS, a petition, dated July 3, 2017, was received from Katharine A. Coffey of Day Pitney, LLP, submitted on behalf of Pirhl, requesting that the NJSEA investigate the redevelopment potential of the property located at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, which is located within the Low Density Residential zone of the Hackensack Meadowlands District; and

WHEREAS, the NJSEA staff has compiled preliminary information regarding the subject properties in accordance with the requirements of N.J.A.C. 19:3-5.2 to support this request; and

WHEREAS, in accordance with N.J.A.C. 19:3-5.3(e), the NJSEA staff must request authorization from the NJSEA Board of Commissioners to conduct an investigation of areas that may potentially be deemed in need of redevelopment; and

WHEREAS, the NJSEA staff requests authorization to conduct an investigation of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus to examine its redevelopment potential; and

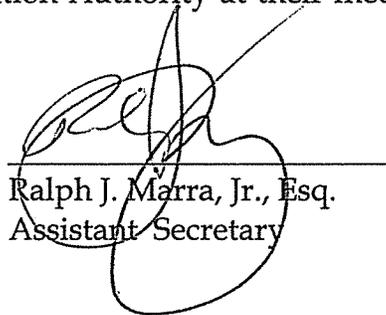
APPENDIX A

WHEREAS, the NJSEA staff also requests authorization to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and to hold a public hearing to obtain public comment on the report and its findings.

NOW THEREFORE BE IT RESOLVED, that the NJSEA staff is hereby authorized to conduct an investigation of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus to examine its redevelopment potential.

BE IT FURTHER RESOLVED, that the NJSEA staff is hereby authorized to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and hold a public hearing to obtain public comment on the report and its findings.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary