



*Lawrence Industrial Park*

# 40 ENTERPRISE AVENUE

BLOCK 601; LOTS 1, 2, 3, 4, 5, 6, 7, 8

TOWNSHIP OF LAWRENCE NJ

JULY 23, 2021



AREA IN NEED OF REDEVELOPMENT PRELIMINARY INVESTIGATION



40

**PRELIMINARY INVESTIGATION FOR 40 ENTERPRISE AVENUE**  
**TOWNSHIP OF LAWRENCE, MERCER COUNTY**

**TOWNSHIP OF LAWRENCE MAYOR AND COUNCIL**

James Kownacki, Mayor  
Christopher Bobbitt, Council Member  
Cathleen Lewis, Council Member  
Michael Powers, Council Member  
John Ryan, Council Member

**TOWNSHIP OF LAWRENCE PLANNING BOARD**

Terrence O. Leggett, Chair  
Maria Connolly, Vice Chair  
James S. Kownacki, Mayor  
Kevin P. Nerwinski, Manager  
Christopher Bobbitt, Councilman  
Ian Dember  
Phillip Duran  
Kim Taylor

James Parvesse, PE CME, Municipal Engineer and Board Secretary  
Edwin Schmierer, Planning Board Attorney  
Elizabeth McManus, PP AICP LEED AP, Planning Consultant

**TOWNSHIP OF LAWRENCE STAFF**

James Parvesse, PE CME, Municipal Engineer and Board Secretary  
Brenda Kraemer, PE PP CME, Assistant Municipal Engineer  
Susan Snook, Administrative Assistant

Prepared for the Township of Lawrence:



Elizabeth K. McManus, PP, AICP, LEED AP  
*New Jersey Licensed Planner #5915*



Brett L. Harris, AICP

## **TABLE OF CONTENTS**

INTRODUCTION.....	1
STATUTORY AUTHORITY AND PROCESS.....	1
DESCRIPTION OF STUDY AREA .....	3
PLANNING AND ZONING CONTEXT .....	5
CRITERIA FOR DESIGNATION OF AN AREA IN NEED OF REDEVELOPMENT.....	6
BENEFITS OF REDEVELOPMENT PLANNING .....	7
REVIEW OF STUDY AREA AND REDEVELOPMENT CRITERIA.....	8
CRITERION A.....	9
CRITERION B.....	13
CRITERION D.....	14
CRITERION H.....	17
RECOMMENDATIONS.....	18





## **INTRODUCTION**

The Township of Lawrence seeks to determine whether the 8 parcels located between Enterprise Avenue, the Assunpink Creek, and US Route 1 meet the statutory requirements for designation as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law ("LRHL") (*N.J.S.A. 40A:12A*).

The Mayor and Township Council has authorized, by Resolution 123-21, attached hereto as Appendix A, the Township Planning Board to undertake an investigation to determine whether the identified parcels may be designated as a "Non-Condemnation" Area in Need of Redevelopment. In the case of this investigation, the governing body has already determined condemnation powers will not be used, branding this a "non-condemnation redevelopment area". The Township of Lawrence will not seek to condemn any privately owned properties within the area studied for the purposes of redevelopment and will instead rely on market forces to drive the assemblage of land for new development. The parcels identified in the Resolution are as follows, and will be referred to as the "Study Area":

- Block 601; Lots 1, 2, 3, 4, 5, 6, 7, 8

This report was provided to the Planning Board for review at a public hearing to be held on August 16, 2021, and may be revised, pursuant to the Planning Board's recommendations subsequent to the public hearing.

## **STATUTORY AUTHORITY AND PROCESS**

Under New Jersey's LRHL, municipalities are empowered to determine whether an area is in need of redevelopment, to adopt a redevelopment plan, and to implement redevelopment projects. The statute requires a multi-step process that must be adhered to in order for the municipal governing body and planning board to exercise these powers lawfully. This process is summarized below:

1. The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of the LRHL.
2. The planning board must then prepare a map showing the boundaries of the Study Area and the location of the various parcels therein.
3. The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution.

4. Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
5. Upon designation, the planning board or governing body then authorizes preparation of a redevelopment plan, which establishes the land development goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
6. The redevelopment plan is adopted by the Governing Body by ordinance after introduction, referral to the Planning Board, and a public hearing. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

This report meets the requirement listed under step 3, above, for a preliminary investigation and provides the Planning Board and Township Council with the necessary information to determine the appropriateness of a redevelopment designation for the Study Area.

Only after completion of this public process is a municipality able to exercise the powers granted under the LRHL for areas in need of redevelopment. These powers include but are not limited to:

- Acquire land or building identified for redevelopment acquisition in the redevelopment plan through lease, purchase, or eminent domain.
- Offer long-term tax abatements and exemptions for a period of up to 30 years from the completion of the project, or not more than 35 years from the execution of the financial agreement between the municipality and the urban renewal entity.
- Clearing an area, install, construct, or reconstruct streets, facilities, utilities, and site improvements.
- Negotiating and entering into contracts with private redevelopers or public agencies for the undertaking of any project or redevelopment work.
- Making loans to redevelopers to finance any project or redevelopment work.
- Entering buildings or property to conduct investigations or make surveys; contracting with public agencies for relocation of residents, industry, or commerce.
- Enforcing laws, codes and regulations relating to use and occupancy; repairing, rehabilitating, demolishing, or removing buildings.

- Exercising other powers, including the power to do all things necessary or convenient to carry out its plans.

## **DESCRIPTION OF STUDY AREA**

The Study Area is comprised of 8 parcels, which for the most part, operate as one contiguous site. The Study Area consists of Block 601; Lots 1-8, and the total area is approximately 16-acres. The Study Area was occupied by industrial uses, and is currently near vacant.

Located on the municipal border with the City of Trenton and the Township of Hamilton, the Study Area is in the southern portion of Lawrence Township. Directly adjacent to the Study Area, to the north, is US Route 1, however there is no access to the highway. The Delaware and Raritan State Park Trail runs parallel to Route 1, on the opposite side of the highway, and further north are industrial uses and wooded areas. The Assunpink Creek and associated woodlands are adjacent to the east of the Study Area. Opposite this natural area, and further east is a residential neighborhood in Hamilton Township. To the southwest, is the City of Trenton, and predominately industrial uses, except for the Bo Robinson Assessment & Treatment Center. Adjacent to the southwest is a recycling center. Similar industrial uses and wooded areas exist to the south and west.

## AERIAL MAP





## PLANNING AND ZONING CONTEXT

The 1995 Master Plan and subsequent 2006 and 2013 Reexamination Reports outline the vision for the future of Lawrence Township. Generally, the Master Plan aims to guide the physical and economic development of the Township with goals and objectives that benefit the public health, safety, and welfare of the community. The 1995 Master Plan outlines several goals and objectives. The land use goal is as follows:

*“Foster a well-balanced, diverse community with a mix of residential housing types, institutional, commercial, and limited industrial uses along with ample open space and public facilities. The land use plan and development regulations are designed to minimize land use conflicts and to reduce adverse impacts of development on other activities in the Township.”*

Additionally, the 1995 Master Plan emphasizes the preservation and enhancement the character of the built environment through the promotion of good design.

The parcels within the Study Area are in the Limited Industrial (LI) Zoning District. The purpose of the LI district is to promote light industrial and related uses. The permitted uses are as follows: office, light industrial uses, wholesale distribution centers and warehouses, industrial parks, research and engineering offices, and governmental uses. The permitted accessory uses are: the incidental sale of goods, off-street parking, fences and walls, signs, garages, storage buildings and tool sheds, restaurant or employee cafeterias, satellite dish and television antennae, walk-up automatic banking tellers, and accessory uses customarily incidental to a principal use. Significant general district regulations include a 5-acre minimum lot size, 50-foot perimeter setback, maximum impervious cover of 75%, maximum floor area ratio of 20%, and the prohibition of exterior storage.

The New Jersey State Development and Redevelopment Plan (SDRP) is a statewide policy document that is meant to act as a guide for public and private sector investments throughout the state. The Plan outlines and designates areas as various Planning Areas. The Study Area is within the Metropolitan Planning Area (PA-1). The Metropolitan Planning Area is meant to:

*“Provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.”*

## **CRITERIA FOR DESIGNATION OF AN AREA IN NEED OF REDEVELOPMENT**

For the Study Area to found in need of redevelopment, the Planning Board must recommend, and the Township Council must find, that the conditions of the area meet one or more of the eight criteria that are specified under the Local Redevelopment and Housing Law *N.J.S.A 40A:12A-5* (LRHL). The criteria outlined in the LRHL are as follows:

- 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 a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d) 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 properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f) 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 Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et

seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the above criteria, the LRHL states:

*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:12-3).*

The following sections of this report presents an evaluation of the conditions of the Study Area with respect to the preceding criteria.

## **BENEFITS OF REDEVELOPMENT PLANNING**

Aside from the obvious benefits of ameliorating deteriorating or unsavory conditions, redevelopment planning has tremendous benefits to the community from a land use planning perspective. First and foremost, it enables the municipality to establish new zoning parameters for redevelopment, parameters that can in some cases represent a significant departure from status quo zoning with respect to physical form, building materials and design and density. Whether treated as superseding existing zoning or as an overlay, a redevelopment plan offers the opportunity to be creative and meet emerging needs of the community through a small scale, self-contained planning process. Further, it can set forth a vision of how to best integrate redevelopment with existing structures and Township infrastructure.

Second, and almost equally as important, designation of a redevelopment area and preparation of a redevelopment plan offers the governing body, where they deem appropriate, the ability to offer tax incentives to redevelopers that can quickly spur new development. This can come in the form of both short- and long-term tax abatements designed to help offset development costs, something that can assist in the creation of new businesses and facilities.

## REVIEW OF STUDY AREA AND REDEVELOPMENT CRITERIA

The Study Area has a history of industrial uses. Today's site conditions include environmental contamination, as well as, dilapidation, unwholesome working, unsafe and unsanitary conditions, obsolescence and a faulty arrangement and design. Additionally, there is a pattern of vacancy that has existed, and continues to exist to this day. The site is a prime area for redevelopment.

The Study Area consists of 8 parcels, and approximately 8 buildings. There are two large buildings on the western portion of the site that are broken down into multiple spaces. See the following map, which identifies the various buildings.

### BUILDING BREAKDOWN MAP





Most of the site is impervious surfaces which are used for parking, and vehicle, trailer, and material storage. Small portions on the fringes of the property are wooded, including most of Lot 1, which is the northeastern-most lot. The conditions of the Study Area are described in detail along with the applicable redevelopment criteria, which are criteria a, b, d, and h.

## CRITERION A

Criterion a is defined in the LRHL as follows:

*“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.”*

The buildings located in the Study Area are substandard, unsafe, unsanitary, dilapidated, and obsolescent. The building conditions are outlined below, and further detail can be found in Appendix B in the form of supplemental photos.



Building 10D-15A Interior; Photographer: E. McManus; June 22, 2021

As seen in the photo above, there are large holes in the roof, vegetation growing inside the buildings, stagnant pools of water, the accumulation of trash and debris, and water damage that are evident throughout the buildings on the site. There are many substandard, unsafe, unsanitary, dilapidated conditions that can be found on the site, perhaps the greatest being the dilapidated roofs and their resulting impact to the



buildings and site. Significant holes in the roof and resulting water intrusion and damage can be found on buildings 10D, 14D, 15A, 8, and 10. The roof of building 15A is as follows.



*Building 15A Exterior Roof; Photographer: Jim Kyle; June 22, 2021*

The substandard and dilapidated roofs of the buildings have led to unsafe and unsanitary interior buildings conditions. There is extensive water damage and pools of water inside the buildings, which can be seen in the pictures below.



*Building 10D-15A Interior; Beth McManus; June 22, 2021*



*Building 15-7 Interior; Beth McManus; June 22, 2021*



The structural integrity of the buildings may be compromised by the water damage. Water intrusion in the buildings has resulted in mold and has the potential to make the unsafe and dilapidated conditions worse. The combination of these conditions has led to unwholesome working conditions. The unsafe and unsanitary standards are intensified by the significant amount of trash and debris located throughout the buildings and site, as seen in the photos below.



*Building 10D-15A Interior; Beth McManus; June 22, 2021*



*Building 15-7 Interior; Beth McManus; June 22, 2021*



*Building 10D-15A Interior; Photographer: Beth McManus; June 22, 2021*



The site's buildings are obsolescent. Not only has the extensive damage at the site caused the buildings to be obsolete in their ability to be re-occupied, but the buildings also do not address the needs of modern industrial users which require much enhanced loading dock access for truck delivery/pick-up and the associated drive aisles to serve those loading docks. Instead, only Building 15 offers just two (2) loading docks that are accessible to tractor trailers.



In addition to the buildings being in poor condition, the site improvements are also unsafe, unsanitary, and dilapidated. Portions of the site are overgrown with vegetation and additional areas host unsecured trash, such as tires, a non-functioning recreational vehicle, building materials, and dirt. Additionally, stormwater on the site is not properly addressed. The site contains no detention or retention ponds, or other stormwater management facilities that provide proper treatment or storage. The most significant evidence of improper stormwater management is the loading dock area at the rear of Building 15 which had not less than 6 inches of water at its entrance during a late June 2021 site visit.

Given the substandard, unsafe, unsanitary, dilapidated, and obsolescent nature of the buildings which have created unwholesome working conditions, the Study Area meets criteria a. The unwholesome working conditions, created by the building's great state of



disrepair has contributed to and exacerbated the pattern of vacancy and therefore deterioration that exists on the site.

## CRITERION B

Criterion b is defined in the LRHL as follows:

*“The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.”*

The Study Area is nearly vacant and has a significant history of vacancy. Vacancy has increased recently due to the great state of disrepair that exists, which has led to many of the buildings to be untenable. See also photos in Appendix B for more evidence of the existing vacancy.

Based on information provided by the property owner, the R&D building, and buildings 7, 8, 6, 1, 10D, 14D, and 15A have been vacant for over 10 years, with many being vacant for over 25 years. This level of vacancy far exceeds the 2 consecutive years referenced in the LRHL. The discontinuance of these buildings, in combination with their conditions, results in of abandonment of half of the buildings located on the site.



Building 6 Exterior; Photographer: Jim Kyle; June 22, 2021

As one can see in the prior image, building 6 has broken and boarded up windows, a broken gutter, and vegetation on the façade that contribute to an appearance of abandonment, and serve as a significant barrier to any reoccupancy efforts.

Approximately half of the buildings, but approximately one-third of the floor area, were recently occupied up until 2019. They include buildings 30, 7E, 15, 11, 10/14, and a month-to-month ground lease for All County Recycling. According to information provided by the Developer, these buildings are classified as recently occupied, however a majority of them meet the statutory requirement of being vacant for two consecutive years. Building 7E was recently occupied by Amazon, with a lease that ended in May 2021, and now sits vacant. The building is empty, as shown in the photo below.



Building 7E Interior; Photographer: Beth McManus; June 22, 2021

Given the abandonment of the buildings, the significant vacancies, which far exceed two consecutive years, and the great state of disrepair, the Study Area meets criterion b. The untenable nature of the buildings in the Study Area can be attributed to the substandard building conditions and also the dilapidation, and obsolete layout of the site.

#### CRITERION D

Criterion d is defined in the LRHL as follows:

*"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."*



The dilapidation of the site has been thoroughly documented above, and can be further evaluated through the photos in Appendix B. The industrial past of the site has resulted in serious issues that face the Study Area today. Environmental contamination, which can be detrimental to the safety and health of the community, has been found on the site. Additionally, the site is no longer functional, with faulty arrangement or design, and an obsolete layout.

Based on the information the developer provided, the subject property has a history of environmental contamination that dates to 1979. Contaminants were found in the groundwater, the soil, and inside the buildings. Along with the general operations/use of the site, there were multiple aboveground and underground storage tanks that contributed to the site contamination. Five monitoring wells were installed in May 2013 to assess current ground water quality. Benzene, chlorobenzene, and TCE, were found at levels that exceed NJDEP Groundwater Quality Standards (GWQS), so a Classification Exception Area/Well Restriction Area (CEA/WRA) and a Remedial Action Permit for Ground Water were recommended. The CEA's can be depicted on the map below.

#### CLASSIFICATION EXCEPTION AREA (CEA) MAP



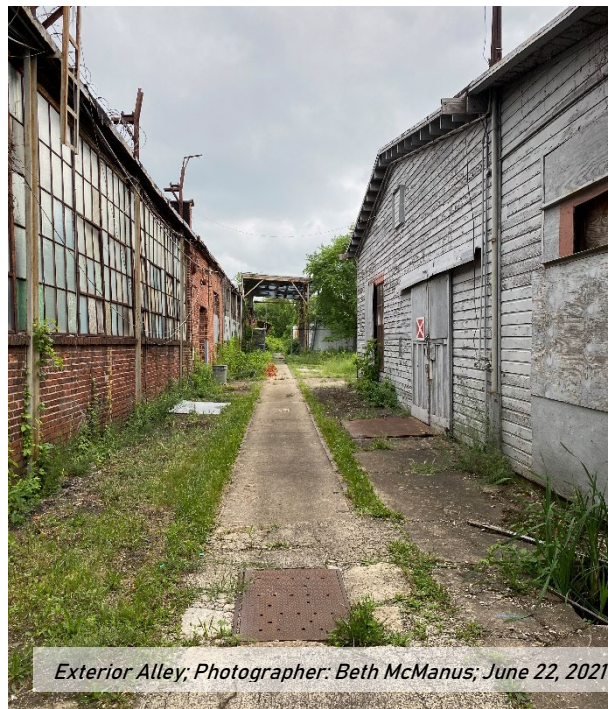


Based on the information the developer provided, it was determined that groundwater sampling will be conducted biennially to determine the levels of benzene, chlorobenzene, and TCE. The environmental constraints that exist on the site are detrimental to the safety and health of the community.

The site was historically an industrial use and is not designed for modern industrial users which require much enhanced loading dock access for truck delivery/pick-up and the associated drive aisles to serve those loading docks. The faulty design, specifically the arrangement of buildings, the lack of adequate truck access to the buildings, and truck parking, creates a barrier for potential tenants. There is a minimal setback between buildings 10D-15D and buildings 7-15, as noted in the picture below.



*Exterior Building; Photographer: Jim Kyle June 22, 2021*



*Exterior Alley; Photographer: Beth McManus; June 22, 2021*

The overcrowding of the buildings, results in an obsolete layout that cannot support with modern industrial facilities. Access to the site is limited which further contributes to the obsolescence of the Study Area.

There is a significant amount of unsecured trash and debris located throughout the site, both inside the buildings and outside. Trash outdoors has the potential to create conditions that can be detrimental to safety, health, morals, and welfare of the community. The unsecured trash has a very unsightly appearance, and it can serve as a barrier to occupancy either due to its appearance and/or due it being a nuisance on the site. Additionally, the unsecured trash may create a negative environmental impact by releasing contaminants into stormwater flow and/or the adjacent Assunpink Creek. Examples of the trash can be found in the images that follow.





Site Exterior Photographer: Beth McManus June 22, 2021



Site Exterior Photographer: Beth McManus June 22, 2021

Given the Study Area's dilapidation and obsolescence, specifically the overcrowding of buildings, faulty arrangement, obsolete layout, and environmental contamination, which are detrimental to the safety, health, morals, or welfare of the community, the Study Area meets criteria d.

## CRITERION H

Criterion h is defined in the LRHL as follows:

*"The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation."*

The Study Area is in Metropolitan Planning Area (PA-1). The State's policy documents recommend these areas accommodate future redevelopment and growth. By targeting redevelopment efforts in areas with existing public infrastructure, smart growth principles are met. The Study Area is served by existing public infrastructure and is in a key transition area between municipalities and land uses, making it an ideal location for redevelopment consistent with smart growth planning principles.



## RECOMMENDATIONS

Based on the analysis contained in this Preliminary Investigation, the site meets Criteria a, b, d, and h for designation as an area in need of redevelopment contained in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5) are met for the Study Area. The following map depicts the recommended Redevelopment Area.

### RECOMMENDED REDEVELOPMENT AREA MAP



**clerk@lawrencetwp.com**

# MEMORANDUM

**TO: Planning Board**

**FROM:** Kathleen S. Norcia, MMC, Municipal Clerk

**DATE:** March 17, 2021

**RE: 40 Enterprise Avenue**

Attached please find a copy of Resolution No. 123-21, adopted by the Lawrence Township Council at its meeting of March 16<sup>th</sup>, designating the above property as a non-condemnation area in need of redevelopment.

RECEIVED

MAR 18 2021

ENGINEERING DEPT.

Township of Lawrence  
County of Mercer

**Resolution No. 123-21**

**RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF LAWRENCE TO CONDUCT A PRELIMINARY INVESTIGATION AND HEARING, AND TO MAKE A RECOMMENDATION, WHETHER THE PROPERTY DESIGNATED AS BLOCK 601, LOTS 1 THROUGH 8 ON THE TOWNSHIP'S OFFICIAL TAX MAP, COMMONLY KNOWN AS 40 ENTERPRISE AVENUE, SHOULD BE DESIGNATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

**WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain property or areas in the State is, and serves, a public purpose and is in the public interest; and**

**WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws implementing Article VIII, Section III, including the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), which provides for the redevelopment or rehabilitation of underutilized, unused, fragmented, deteriorated and generally blighted property or properties and areas in the State; and**

**WHEREAS, the Redevelopment Law establishes a process for the governing body of a municipality to determine whether a certain parcel or parcels of land in the municipality constitute an area in need of redevelopment; and**

**WHEREAS, N.J.S.A. 40A:12A-4.a.(1) empowers the governing body of a municipality to initiate the process by authorizing and directing its Planning Board, by resolution, to conduct a preliminary investigation and hearing, and make a recommendation, whether any particular parcel or parcels of land in the municipality satisfy any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as an area in need of redevelopment; and**

**WHEREAS, pursuant to N.J.S.A. 40A:12A-6.a, "[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, Township Council believes that it is in the best interests of the residents of the Township that the Township Planning Board conduct, pursuant to N.J.S.A. 40A:12A-6, a preliminary investigation and hearing, and make a recommendation, whether the property designated as Block 601, Lots 1 through 8 on the Township's official tax map, commonly known as 40 Enterprise Avenue (the "Study Area"), satisfies any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condemnation Redevelopment Area; and**

**Township of Lawrence  
County of Mercer**

**WHEREAS, the Study Area consists of a warehouse building of approximately 299,850 square feet which was constructed in 1948, surrounded by underutilized land totalling approximately 29 acres, and is currently zoned LI (limited industrial):**

**WHEREAS, the warehouse space is vacant and deteriorating and doesn't appear to be in a condition suitable for any permitted use:**

**NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence as follows:**

- 1. The foregoing recitals are incorporated herein as if set forth at length.**
- 2. The Planning Board is hereby directed to conduct a preliminary investigation and hearing, and to make a recommendation, whether the Study Area satisfies any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condensation Redevelopment Area.**
- 3. In order to assist it in its preliminary investigation, the Planning Board shall utilize the services of its professional planner, Kyle + Associates, LLC, to conduct an inspection of the Study Area and prepare a written report evaluating whether and how the Study Area meets any of the criteria set forth in N.J.S.A. 40A:12A-5 in order to be designated as a Non-Condensation Redevelopment Area.**
- 4. The Township's professional staff, insofar as other professional services are required to assist the Planning Board in its undertaking pursuant to this Resolution, are hereby authorized to render professional services to assist the Planning Board.**
- 5. Before proceeding to a public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels of property included therein, and there shall be appended to the map a statement setting forth the basis of the preliminary investigation.**
- 6. The Planning Board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a recommendation that the Study Area should be designated as a Non-Condensation Redevelopment Area.**
- 7. The hearing notice shall specifically state that the Study Area is being investigated for potential designation by Township Council as a Non-Condensation Redevelopment Area and that the Township shall not exercise the power of eminent domain to acquire any property should the Study Area be designated as a Non-Condensation Redevelopment Area, and shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Township Clerk.**
- 8. A copy of the hearing notice shall be published in a newspaper of general circulation in the Township once each week for two (2) consecutive weeks, provided that the last publication shall not be less than ten (10) days prior to the date set for the hearing.**



**Township of Lawrence  
County of Mercer**

9. A copy of the hearing notice shall be mailed at least ten (10) days prior to the date set for the hearing to the last owner, if any, of each parcel of property within the Study Area according to the assessment records of the Township and also to all persons, at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in any such parcel.

10. The hearing notice shall be published and mailed by the Township Clerk or by such clerk or official as the Planning Board shall otherwise designate.

11. At the hearing, which may be adjourned from time to time, the Planning Board shall hear all persons who are interested in or would be affected by a recommendation that the Study Area should be designated as a Non-Condensation Redevelopment Area, and all objections to such a recommendation and evidence in support of such objections, given orally or in writing, shall be received and considered and made a part of the public record.

12. After completing its hearing on the matter, the Planning Board shall submit to the Township Council, in the form of a Resolution with supporting documentation, its findings and conclusions whether the Study Area meets any one or more of the criteria set forth in N.J.S.A. 40A:12A-5, together with its recommendation whether the Study Area should be designated as a Non-Condensation Redevelopment Area.

13. In the event that the Planning Board finds that the Study Area satisfies any one or more of the criteria set forth in N.J.S.A. 40A:12A-5 and recommends that the Study Area be designated as a Non-Condensation Redevelopment Area, the Planning Board also may make recommendations concerning a potential redevelopment plan for the Study Area pursuant to N.J.S.A. 40A:12A-7.e, including but not limited to suggested permitted primary and ancillary uses and bulk requirements, in the event that Council should designate the Study Area as a Non-Condensation Redevelopment Area.

14. The Clerk shall cause a copy of this Resolution to be transmitted forthwith to the Planning Board.

15. This Resolution shall take effect immediately.

**Adopted: March 16, 2021**

**RECORD OF VOTE**

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bobbitt	✓					✓	
Ms. Lewis	✓						
Mr. Powers	✓						✓
Mr. Ryan	✓						
Mayor Kownacki	✓			3			

## APPENDIX B – ADDITIONAL SITE PHOTOS



Building on street frontage. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021



R&D Building Interior. Photographer: Beth McManus, June 22, 2021



Building 7 Front Exterior. Photographer: Beth McManus, June 22, 2021



Building 7 Front Exterior. Photographer: Beth McManus, June 22, 2021



Building 10D-15A Interior. Photographer: Beth McManus, June 22, 2021





Building 10D-15A Interior. Photographer: Beth McManus, June 22, 2021



Building 10D-15A Interior. Photographer: Beth McManus, June 22, 2021



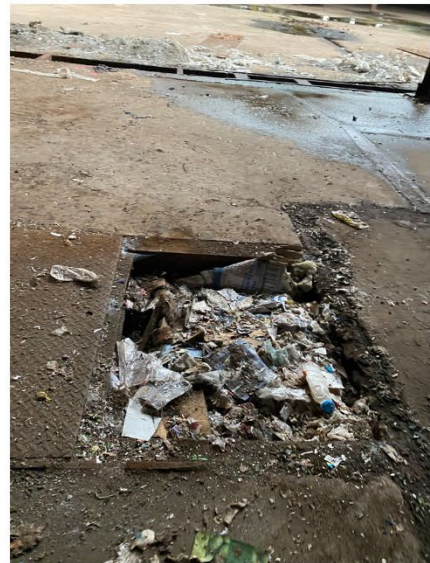
Building 11 Exterior. Photographer: Beth McManus, June 22, 2021



Building along street frontage. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021





Building 15-7 Exterior. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021



Building 15-7 Interior. Photographer: Beth McManus, June 22, 2021



Soil Test behind Building 7E. Photographer: Beth McManus, June 22, 2021



Eastern Alley. Photographer: Beth McManus, June 22, 2021





R&D Building along Creek. Photographer: Beth McManus, June 22, 2021



Building 30 Exterior. Photographer: Beth McManus, June 22, 2021



Overall Site Aerial Image. Photographer: Jim Kyle, June 22, 2021



Northeastern View. Photographer: Jim Kyle, June 22, 2021



Aerial Image. Photographer: Jim Kyle, June 22, 2021



Building 7E Exterior . Photographer: Jim Kyle, June 22, 2021