



**2019**

Preliminary Investigation of an Area in Need of  
Redevelopment (Condemnation-Eligible) for

# Block 36



**NOVEMBER 5, 2019**

Readington Township, Hunterdon County, New Jersey

**Clarke Caton Hintz** | 100 BARRACK STREET | TRENTON, NJ | 08608



# Preliminary Investigation of an Area in Need of Redevelopment (Condemnation-Eligible) for

## Block 36

Readington Township, Hunterdon County, New Jersey

Adopted pursuant to N.J.S.A. 40A:12A-1, *The New Jersey Local Redevelopment and Housing Law*, as a Condemnation-Eligible Preliminary Investigation by the Planning Board on \_\_\_\_\_.

Endorsed by the Township Committee on \_\_\_\_\_.

Prepared for Readington Township by

**Clarke Caton Hintz**

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*The original document has been signed and sealed in accordance with the laws and regulations governing the practice of New Jersey Professional Planners (NJSA 45:14A and NJAC 13:42-1.3(b))*



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## INTRODUCTION

The Township Committee of Readington directed the Planning Board, pursuant to Resolution #R-2017-77 (adopted on July 5, 2017), to conduct a preliminary investigation to determine whether the area known as the Block 36 tract qualified as an *area in need of redevelopment* (AINR), according to the criteria established at N.J.S.A. 40A:12A-1 et seq., known as the “Local Redevelopment and Housing Law” (a.k.a “LRHL”, See Appendix A). The lots included in this initial resolution included Block 36 Lots 5, 5.02, 5.04, 65 and 66. Subsequently, on June 4, 2018, the Township Committee added Block 36 Lot 4 to the area to be studied, pursuant to resolution #R-2018-60. Both of these resolutions directed the Planning Board to undertake an investigation such that the power of eminent domain could not be exercised in the event the area was designated an area in need of redevelopment.

On August 5, 2019, the Township Committee adopted resolution #R-2019-83, which authorized and directed the Planning Board to study Block 36 Lots 4, 5, 5.02, 5.04, 65 and 66 (the “Study Area”). Unlike previous resolutions, this resolution authorized the use of eminent domain should the study area be designated an area in need of redevelopment. However, the use of eminent domain, should the Township opt to exercise that power, would be limited to include acquisition of real property on the following lots only:

**Block 36 Lots 65 and 66:** to construct a new planned municipal collector roadway (with an anticipated right-of-way width of 50 feet) that would provide access between the Study Area and US Route 22 on Block 36; and

**Block 36 Lot 65:** the former Whitehouse Diner site, with no limitations.

Subsequent to the Township Committee resolution, the Planning Board directed this office to undertake such a study.

### NJ Local Redevelopment and Housing Law: Redevelopment Process

- Governing body directs the planning board to undertake a preliminary investigation to determine whether or not an identified area is in need of redevelopment.
- Planning board conducts an investigation and holds a public hearing on the proposed redevelopment-area designation.
- Based on the planning board's recommendation, governing body may designate all or some of the study area as an “area in need of redevelopment”.
- The governing body prepares a redevelopment plan for the area, or directs the planning board to prepare the plan.
- The governing body adopts the redevelopment plan
- The governing body or another public agency/ authority designated as the “redevelopment entity” that oversees the implementation of the redevelopment plan.
- The redevelopment entity selects a redeveloper(s) to undertake a project(s) that implement the plan.



This report, which constitutes a *Preliminary Investigation* of the Block 36 Study Area, is the statutorily-enabled vehicle by which the Planning Board may respond to the Township Committee's request to study the area in question. It provides an examination of the existing conditions of the study area, depicted through photography, written descriptions and data analysis. The study is based on multiple in-person site and building inspections along with other data. The analysis and compiled information is compared to the criteria contained within the LRHL and, based on that comparison, a recommendation is made as to whether it should be classified as an AINR.

### Statutory Authority and Process

Under New Jersey's *Local Redevelopment and Housing Law*, N.J.S.A. 40A:12A-1 et seq., (LRHL) municipalities are empowered to determine whether an area is in need of rehabilitation or redevelopment, to adopt a redevelopment plan, and to implement and carry out redevelopment projects. The Township of Readington must follow the statutorily defined process set forth in the LRHL. This process may result in the adoption of a redevelopment plan, which is a new set of development regulations, along with the ability to offer enhanced fiscal tools that may act as incentives to prospective redevelopers. Ultimately, it is a means to lay the groundwork for redevelopment that benefits, both, the public and private interests.

## STUDY AREA DESCRIPTION

The *Study Area* is located south of US Highway Route 22 and consists of 79.81 acres of improved and unimproved land. It contains the Gables Boarding House, the former Whitehouse Diner, the former Interstate Iron Works facility and Hionis Greenhouses horticultural operation.

It is bounded by the following uses:

- Single-family residences to the northwest, west and east;
- US Highway Route 22 and multi-family, age-restricted apartments to the north;
- The Norfolk Southern Company railroad right-of-way which services NJ Transit's Raritan Valley Line to the south.

### Study Area Properties

#### Interstate Iron Works (Interstate) Tract - Lots 5, 5.02 and 5.04

The Interstate Tract, (13, 15 and 20 Mullen Road) is owned by SAR I, LLC (Valley National Bank) and is located in the southern and central part of the Study Area. The Interstate Tract, which has access to Mullen Road and Maple Lane, contains an unsecured, abandoned industrial building with over 100,000 square feet in floor area and associated parking areas and driveways. The



remainder of the developed portion of Interstate Tract is unmaintained and comprised of overgrown vegetation, debris and trash. The northern half of Lot 5 and all of Lots 5.02 and 5.04 contain critical lands including wooded freshwater wetlands and wetlands buffers. An existing sanitary sewer easement traverses Lot 5.02 running from east to west and then crossing onto Lot 5 running in a north/south direction.

The use has been abandoned, and the property is in ownership transition to facilitate the development of affordable housing pursuant to Readington's 2015 Declaratory Judgement action in superior court to create a compliant third round housing plan element and fair share plan. Readington has entered a court-approved settlement with the owner (SAR) for the development of 192 multi-family apartments. Consistent with the settlement, the property has been rezoned Village Residential Affordable Housing-1 (VRAH-1) to permit this multi-family residential development.

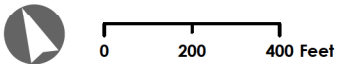
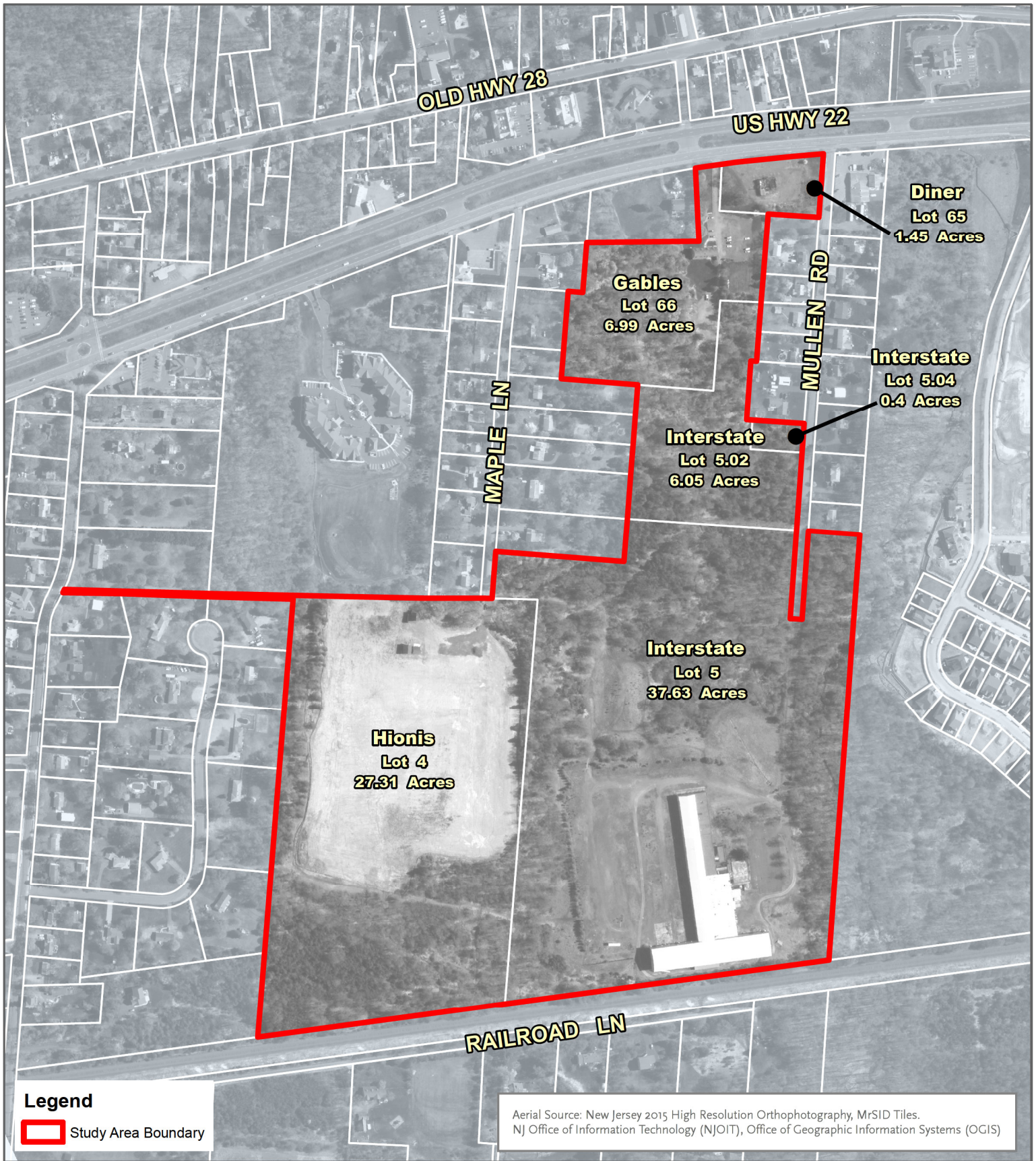
#### **Whitehouse Diner (Diner) Site - Lot 65**

The northern portion of the Study Area includes the Diner Site which is owned by Save Associates, Inc. The Diner Site is 1.61 acres and contains an abandoned building which was formerly used as a diner over 30 years ago. The building occupies 45% of the site. Although the building has been breached by trespassers, a chain-link fence surrounding the structure creates a barrier to access. While there are small areas of cracked pavement visible, the majority of the site is comprised of debris, soil and mulch stockpiles, weeds and overgrown vegetation. A restaurant is not a permitted use.

#### **The Gables Boarding House (Gables) Site – Lot 66**

The Gables Site, also owned by Save Associates, Inc., contains one (1) multi-family residential building, which is known as the Gables Boarding House and is centrally located on the lot. The limited frontage on US Highway Route 22 provides a driveway access to the parking area serving the building. The Gables Boarding House has thirty bedrooms, five (5) bathrooms, a kitchen and laundry facility and an unfinished attic on the upper floor. This lot contains a gravel driveway and parking area. The majority of the land area surrounding the building and parking area is lawn while the remaining land to the south of the residential building is wooded freshwater wetlands. It is not a permitted use.





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Architecture  
Planning  
Landscape Architecture

PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT

## Exhibit A: Block 36 Study Area

Lots 4, 5, 5.02, 5.04, 65 & 66

LOCATION:  
Readington Township, Hunterdon County, NJ

DATE:  
November 2019



## **Hionis Greenhouses (Hionis) Site – Lot 4**

The Hionis Site contains an agricultural use, where annuals and perennials are grown in fields for sale/distribution off-site. The site is just over 27 acres in area. Water for the use is drawn from a well located within a building. A vacant and dilapidated single-family house exists that is not part of the agricultural use nor is it occupied or used as a residence. The southern portion of the property is traversed by a public sanitary sewer line and freshwater wetlands. It is a permitted use.

## **Utilities**

### **Sanitary Sewer Service**

The southern half of the Interstate Tract, the Diner Tract and the northeastern corner of the Gables Tract is within the Readington-Lebanon Sewer Authority (RLSA) Readington-Whitehouse sewer service area (NJ0098922), as shown on the adopted Hunterdon County Future Wastewater Service Area (FWSA) Map, dated May 16, 2013.

### **Water Service**

In accordance with the Township Engineer, Mr. Robert S. O'Brien, perusal of Hunterdon County Health Department records and private data sources, the Study Area tract is not serviced by public water and each site is serviced by a private potable well.

## **Access**

The Gables Site and the Diner Site are accessed from the eastbound side of US Highway Route 22, which is a four lane at-grade divided highway without sidewalks. The Gables Site access is a 20-foot driveway providing ingress and egress. The Diner Site was accessed via a circular drive providing separate 50-foot ingress and egress access points. The Diner Site drives are currently blocked off from access via wood planks and cinder blocks.

The Interstate Tract is accessible from Mullen Road, a Township-owned road with a 40-foot right-of-way width and 20-foot wide cartway. There are fourteen (14) single-family residential dwellings and one commercial use fronting on Mullen Road. Sidewalks are not present on Mullen Road. Access to Mullen Road from the Interstate Tract is via a 25-foot asphalt driveway located at the end of Mullen Road. There is a secondary access to the Interstate Tract from Maple Lane, which is a Township-owned road containing a 40-foot right-of-way width and 20-foot wide cartway. This access to Maple Lane from the Interstate Tract is via a small unimproved driveway located at the end of Maple Lane. There are sixteen (16) single-family residential dwellings fronting on Maple Lane. Sidewalks are not present on Maple Lane.



Hionis is accessed via Maple Lane, but a narrow (unpaved) finger of land, 25-feet in width, extends out to School Lane to the west.

### Environmentally Sensitive Features

The Study Area contains, approximately, 58 acres of developable acres. The remaining 22 acres are composed of wetlands, wetlands buffers and a non-trout stream buffer. The headwaters of a tributary to the Chambers Brook, which is a non-trout stream containing a 100-foot buffer, is located at the southeast corner of the Study Area. A swath of wetlands and associated buffers bifurcate the tract, traversing the Study Area from the southeast corner to the northwest corner.

### Zoning

The Study Area is located in the Village Residential/Senior Citizen 4 (VR/SC 4), Professional Office (PO) and Village Residential Affordable Housing 1 (VRAH-1) zoning districts. The PO Zoning District applies to the Diner Site and a small portion of the Gables Site. The majority of the Gables Site and all of the Hionis Tract are located in the VR/SC 4 Zoning District.

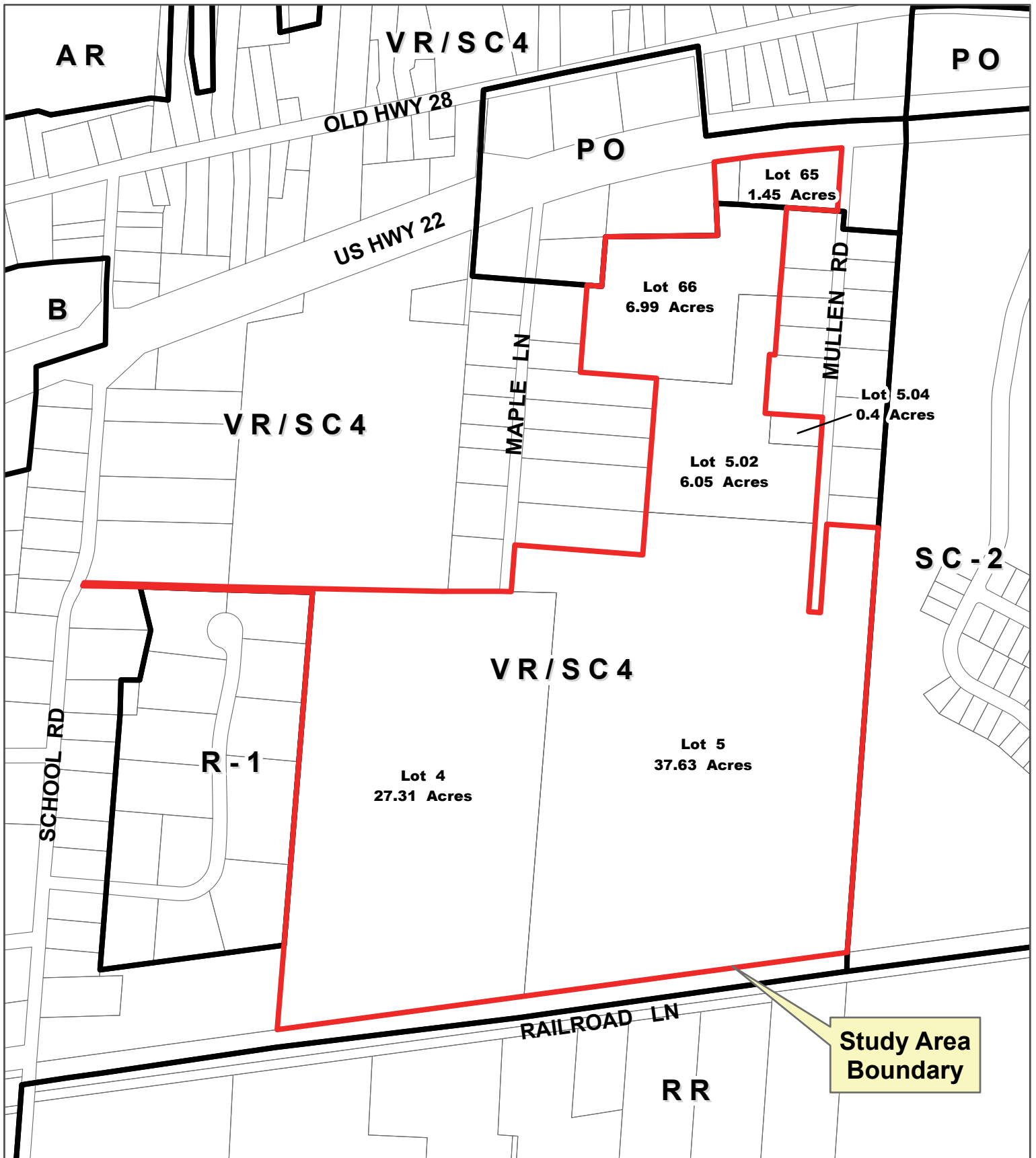
The PO District permits the following uses:

- Professional and general offices, excluding medical and dental offices.
- Banks, not including drive-in facilities.
- Small appliance repair services, excluding automotive repair.
- Public and private open space and parks.
- Child-care centers.

The VR/SC 4 district is comprised of the base zoning as VR with SC 4 as an overlay district. The VR district permits the following uses:

- Detached single-family dwellings.
- Townhouses and apartments on tracts of 20 acres or greater in size at a density not to exceed two (2) dwelling units per acre.
- Agriculture.
- Public and private open space and parks.
- Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefore shall be the same as for single-family dwelling units located within this District.





0 200 400 Feet

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PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT

## Existing Zoning

Block 36 Study Area

LOCATION:

Readington Township, Hunterdon County, NJ

DATE:

November 2019

Study Area  
Boundary



The SC 4 overlay district permits the following age-restricted residential uses:

- Apartment dwellings at a density not to exceed three (3) dwelling units per acre.
- Assisted-living residences.

The Township re-zoned the Interstate Tract to Village Residential Affordable Housing-1, which permit multi-family residential development consistent with a settlement of litigation related to the Township's affordable housing obligation. This is the VRAH-1 district, which permits up to 192 apartments, 48 of which would be dedicated to occupancy by low- and moderate-income households.

### Development Application History

11 Zoning Board of Adjustment (ZBA) applications and decisions since 1985, as follows:

Res. Date	App. No.	Applicant	Approval
<b>Diner Site</b>			
6/20/89	1114	Christo Diner Co, Inc.	Use and bulk variances and site plan approval for expansion of diner
3/15/94	839	Christo Diner Co. Inc.	Use and bulk variances and site plan approval for expansion of diner
10/26/95	524A	Christo Diner Co. Inc.	Amended site plan approval
9/17/2015		Plaza 22 Corporation	Denial of development application proposing a mixed use of retail on the first floor and apartments on the second floor in a two-story building.
6/16/2016		Plaza 22 Corporation	Appeal of zoning officer decision denying zoning permit for the construction of the diner. ZBA agreed with the zoning officer regarding the ability to construct due to the expiration of the previous approvals but indicated the use is considered pre-existing non-conforming.
<b>Interstate Tract</b>			
5/13/85	118	Bramco Partnership	Site plan approval to permit building additions
11/10/86	159	Bramco Partnership	Site plan approval to permit building additions
10/19/89	1119	Bramco Partnership	Denial of interpretation that the storage of outside material was exempt from use variance approval
12/17/98	637	Bramco Partnership	Use variance approval for additions and site improvements
10/18/01	2001-37	Bramco Partnership	Site plan approval: bifurcated application from Resolution #637 approval
6/19/03	2003-57	Bramco Partnership	Request of extension in completing improvements from Resolution #2001-37 approval



There have been several informal proposals for high-density market rate homes, which were a non-conforming use in the VR zoning district. The Township found the proposed densities unacceptable. However, pursuant to Readington's 2015 Declaratory Judgement action with respect to affordable housing, the Township has entered into a settlement with the owner of the Interstate property for the development of 192 multi-family apartments, and has rezoned to permit such a use. No redevelopment has yet to occur.

Readington is considering multi-family inclusionary development on the Hionis site, as part of its affordable housing obligation. It is included in the Township's court-approved settlement with Fair Share Housing Center.

Private-sector initiatives for redevelopment have, as of yet, failed to proceed in the Study Area that would ameliorate the dilapidated, obsolescent and stagnant conditions that exist.



## APPLICATION OF REDEVELOPMENT CRITERIA TO THE STUDY AREA

Criteria set forth in the LRHL at N.J.S.A. 40A:12A-5 provides the basis for the determination of an area in need of redevelopment (AINR). Although there are a variety of factors that could apply to an area, an area qualifies as being in need of redevelopment if it meets at least one (1) of the eight (8) statutory criteria. These criteria are commonly identified by the letter (a-h) corresponding to the paragraphs of Section 5 of the LRHL. They relate to the impact of a particular area on public health, safety and welfare, primarily through conditions of deterioration, obsolescence, disrepair and faulty designs. The absence of use and an area's relationship to an Urban Enterprise Zone or "smart growth" area are also addressed in the criteria.

In addition to the criteria contained at N.J.S.A. 40A:12A-5, the LRHL also permits the designation of areas, or portions of study areas that are not necessarily detrimental to the public health, safety and welfare to be designated as an area in need of redevelopment when their inclusion facilitates the redevelopment of the remaining area. At N.J.S.A. 40A:12A-3, the LRHL defines a "redevelopment area" or "area in need of redevelopment" to 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."*

### Redevelopment Criteria "a" through "d" (N.J.S.A. 40A:12A-5)

- a. The generality of buildings is 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 untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency, or redevelopment entity, or unimproved 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.



## Summary of Findings for the Study Area

The Study Area meets “a”, “b” and “d” criteria since the buildings and properties are abandoned, unsafe, dilapidated, obsolete in layout and have characteristics that contribute to unwholesome living conditions.

### The Interstate Tract

The Interstate Tract meets criterion “b” as the use of the building which was previously used for an industrial purpose is discontinued and has been abandoned and has fallen into such a state as being untenable. In addition, the Interstate Tract meets criterion “d” as the condition of the building and site improvements are detrimental to the safety, health and welfare of the community due to dilapidation and obsolescence. Lots 5.02 and 5.04 within the Interstate Tract consist of undeveloped wooded areas including areas of freshwater wetlands. As such, for the purposes of this Preliminary Investigation, these lots are lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of the area.

### The Diner Site

The Diner Site meets criterion “b” as the use of the building which was previously used for a commercial purpose is discontinued and has been abandoned and has fallen into such a state as being untenable. In addition, the Diner Site meets criterion “d” as the condition of the buildings and site improvements are detrimental to the safety, health and welfare of the community due to dilapidation and obsolescence.

### The Gables Site

The Gables Site meets criterion “a” as the generality of the building is substandard, unsafe, obsolescent and lacking in light, air and space which is conducive to unwholesome living. In addition, the Gables Site meets criterion “d” as the condition of the buildings and site

### Redevelopment Criteria “e” through “h” (N.J.S.A. 40A:12A-5)

- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of real property therein or other conditions, resulting in the stagnant or not fully productive condition of land potentially useful and valuable for contributing 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 Urban Enterprise Zones Act,” P.L. 1983, c.303 (C.52:27H-60 et seq.) (subject to limited redevelopment powers)
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.





improvements are detrimental to the safety, health and welfare of the community due to obsolescence.

The following discussion provides substantial evidence that the Study Area meets Criteria “a”, “b” and “d”, exhibiting abandonment, unsafe conditions, dilapidation, faulty arrangement, obsolescence and characteristics that lead to unwholesome living conditions.

### **The Hionis Site**

The Hionis site is a conforming agricultural use. Although it does contain a dilapidated and vacant home, the overall site does not exhibit characteristics that would satisfy the criteria for the designation of the site, in and of itself, as an area in need of redevelopment.

### **The Interstate Tract**

#### **Building**

Over time, lack of maintenance has been manifested in the dilapidation of the building on the Interstate Tract. As evidenced in the photographs provided in this report, the building has been allowed to fall into such a state of disrepair that it is not only untenable but creates health and safety concerns. Such dilapidation contributes to the chronic vacancy and abandonment.



**Interstate Tract: Broken and open window**



As further evidence of building dilapidation and abandonment and its impact on community health, safety and welfare, the Construction Official issued Notices of Unsafe Structure for the Interstate Tract. A Notice of Unsafe Structure was issued on September 10, 2009 in which the building was deemed in an unsafe condition and the owner was ordered to demolish the structure or correct the unsafe conditions. The Construction Official notes that the vacant building was unguarded and had open windows and doors which deemed it a fire hazard and unsafe in accordance with N.J.A.C. 5:23 2.32(a). A second Notice was issued on December 2, 2009 indicating that the building remained in an unsafe condition. (See appendix for copies of the Notices of Violation).

The continued vacancy and abandonment of the building has resulted in a building that is not secure and not adequately maintained as depicted in the photographs showing open doors and windows, graffiti on the interior wall indicating trespass and illegal activities and weeds covering the building. An unsecure building presents opportunities for vandalism, squatting, vector harborage and fire hazards. The continued allowance of weeds covering the building contributes to further dilapidation through the weakening of the façade components.



**Interstate Tract: Open door, debris and overgrown weeds covering building**

Due to the discontinuance of the building which has led to abandonment, the building has become untenable because of the severity of disrepair therefore meeting criterion “b” of the LRHL.



**Interstate Tract: View through open door to interior for building**

### **Site Conditions**

There are also safety, health and welfare detriments present on the Interstate Tract site that directly relate to the discontinued use and obsolescence of the building. Functional obsolescence is the reduction in the usefulness or desirability of an object or place in which it is not easily changed. The usefulness and desirability of the Interstate Tract is significantly reduced based on the physical condition of the site and building, the lack of adequate site access and the presence and location of the environmental constraints. These existing conditions are not easily changed or cured and have resulted in an abandoned building and site leading to dilapidation. As evidenced by the photographs that follow, signs of dilapidation such as the presence of trash, debris, graffiti and damaged site elements such as broken fencing and defaced signage suggest criminal activity related to trespassing and vandalism. In addition, there are signs of disrepair of the site as a result of the obsolescence such as the presence of standing water and unmaintained parking and driveway areas. Trash and debris strewn throughout the site is evidence of trespassing and vandalism creating a criminal element and a safety concern for the surrounding community.





Interstate Tract: Trash and Debris



Interstate Tract: Broken fence

Damage to site elements such as fencing and signage and graffiti is evidence of criminal activity such as trespass and vandalism which creates a safety concern for the surrounding community.



Interstate Tract: Existing sign damage





**Interstate Tract: Graffiti on building**

The unmaintained nature of the site has led to overgrown weeds and a lack of maintenance for stormwater management. The presence of standing water may lead to mosquito breeding resulting in a health impact for the surrounding community.



**Interstate Tract: Standing water and weeds against building**

## Summary

The building and site conditions of the Interstate Tract meet the criteria to deem an area in need of redevelopment due to abandonment, dilapidation and obsolescence. Meeting the LRHL criteria is further bolstered as the presence of an abandoned building and certain site conditions also violate a local standard. In accordance with Readington Township Code §176-3, it is illegal to maintain or allow to be maintained any abandoned structure or property constituting a public nuisance. As indicated on the sidebar, the site would be considered a public nuisance as the physical condition of the site and building may be an attractive nuisance to children, presents itself as unsafe for human use, is in a condition that is capable of being a fire hazard, is littered with trash and debris, contains overgrown weeds and is unsecured.

With no active use and no effective maintenance, the groundwork is laid for activities that violate Readington’s regulations and are detrimental to the public health, safety and welfare.

## Diner Site



Diner Site: Front façade with roof falling in on building

## Building

Over time, lack of maintenance has been manifested in the dilapidation of the building on the Diner Site. As evidenced in the photographs provided in this report, the building has been allowed to fall into such a state of disrepair that it is not only un-tenantable but creates health and safety concerns. Such dilapidation contributes to the chronic vacancy and abandonment.





As further evidence of building dilapidation and abandonment and its impact on community health, safety and welfare, the Construction Official issued Notices of Unsafe Structure for the Diner Site. A Notice of Unsafe Structure was issued for the Diner Site on April 22, 2014 in which the building was deemed an unsafe condition as the existing structure was experiencing a roof collapse and windows and doors were unguarded and open. The Construction Official ordered the owner to demolish the building or correct the unsafe condition. (See appendix for copies of the Notices of Violation)

The condition of the building is dilapidated as the structural elements of the building, such as the failing roof which is damaged and falling in on the building interior leaving the building open to the elements.



**Diner Site: Open rear door and weeds covering the building**

An unsecure building presents opportunities for vandalism, squatting, vector harborage and fire hazards.

Due to the discontinuance of the building which has led to abandonment, the building has become untenable because of the severity of disrepair therefore meeting criterion “b” of the LRHL.



**Diner Site: Debris at access point from Route 22**

### **Site Conditions**

Safety, health and welfare detriments are present on the Diner Site that directly relate to the discontinued use and obsolescence of the building. Functional obsolescence is the reduction in the usefulness or desirability of an object or place in which it is not easily changed. The usefulness and desirability of the Diner Site is significantly reduced based on the physical condition of the site and building. This existing condition is not easily changed or cured and has resulted in an abandoned building and site leading to dilapidation.

As evidenced by the photographs that follow, signs of dilapidation such as the presence of trash and debris represent illegal dumping and unauthorized site work. In addition, there are signs of disrepair of the site as a result of the obsolescence such as the presence of unmaintained parking and driveway areas. The unauthorized site work through the placement of wood pieces and concrete block at the site entrance is hazardous and illegal.





**Diner Site: Soil stockpile**



**Diner Site: Mulch stockpile**

The continued allowance of weeds covering the building contributes to further dilapidation through the weakening of the façade components. The presence of soil and mulch stockpiles is evidence of illegal dumping and unauthorized site work which may lead to erosion and the harboring of rodents and animals.





**Diner Site: Weeds in parking area and enveloping building**



**Diner Site: Weeds and overgrown vegetation surrounding building area**

The unmaintained site displays overgrown vegetation and weeds which provides refuge for rodents as well as creating an unsightly environment negatively impacting the welfare of the surrounding community and the traveling public on the US highway and local roads.



## Summary

The building and site conditions of the Diner Site meet the criteria to deem an area in need of redevelopment due to abandonment, dilapidation and obsolescence. Meeting the LRHL criteria is further bolstered as the presence of an abandoned building and certain site conditions also violate a local standard. In accordance with §176-3, it is illegal to maintain or allow to be maintained any abandoned structure or property constituting a public nuisance. As indicated on the sidebar, the site would be considered a public nuisance as the physical condition of the site and building may be an attractive nuisance to children, presents itself as unsafe for human use, is in a condition that is capable of being a fire hazard, is littered with trash and debris, contains overgrown weeds and is unsecured.

With no active use and no effective maintenance, the groundwork is laid for activities that violate Readington's regulations and are detrimental to the public health, safety and welfare.

## Gables Site

### Building

#### Building Code Deficiencies

The Gables Boarding House is located on Lot 66 and contains 30 bedrooms, five (5) bathrooms, a kitchen and laundry facility and an unfinished attic on the fourth floor. Dwelling units are located in the basement and on the first and second story of the building. According to the owner, the building is a converted barn that provided housing for veterans coming home from World War II. The building contains elements of obsolescence in layout and function.

### Readington Township Code §176-2: Public Nuisance Definition

A public nuisance is an abandoned structure or property which meets any one or more of the following criteria:

- A. The physical condition or the use of any premises in a manner which would be regarded as a public nuisance at common law;
- B. Any physical condition, use or occupancy of any premises or appurtenances thereto which would be regarded as an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements, excavations and unsafe fences or structures;
- C. Any premises which has unsanitary sewerage or plumbing facilities;
- D. Any premises designated as unsafe for human habitation or use;
- E. Any premises which is manifestly capable of being a fire hazard or are manifestly unsafe or unsecured as to endanger life, limb or property;
- F. Any premises from which the plumbing, heating and/or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
- G. Any premises which is unsanitary or which is littered with rubbish or garbage or which has an uncontrolled growth of weeds; or
- H. Any structure or building that is in a state of dilapidation, deterioration or decay, faulty construction, overcrowded, open,



Functional obsolescence is the reduction in the usefulness or desirability of an object or place in which it is not easily changed.

Michael Hanrahan, AIA, of Clarke Caton Hintz, performed an interior walk through of the building and concluded, as evidenced in his memorandum dated November 5, 2019 (See Appendix C), there were eight (8) instances of life safety deficiencies and three (3) instances of accessibility deficiencies. The life safety deficiencies include the lack of evidence of a sprinkler system, inappropriate width of stairways and hallways, varying stair tread widths and riser heights and inadequate window openings. The accessibility deficiencies include a front entrance that is not considered accessible, common area spaces such as the kitchen and laundry facilities located in the basement which does not include a means of access for the handicapped and the lack of fully accessible bathrooms. All of the instances noted as life safety and accessibility deficiencies represent a building that is not currently in compliance with the International Building Code and as such, is obsolete in layout creating public health, safety and welfare impacts for residents and visitors of the building.

#### **State Boarding House Regulation Deficiencies**

In addition, perusal of the State regulations governing rooming and boarding houses pursuant to N.J.A.C. 5:27-1.1, we have found that the Gables Boarding House does not comply with the following regulations:

- Pursuant to N.J.A.C. §5:27-6.1 (a), every exterior door shall be equipped with heavy duty dead latching locksets. The main entrance door and the door to the basement does not comply with this requirement as a heavy duty latching lockset was not evident.
- In accordance with N.J.A.C. §5:27-7.3 (a), at least one living room containing comfortable chairs sufficient to provide seating for at least two-thirds of the residents or intended residents at any one time, shall be provided. The Gables Boarding House does not contain a living room.







Given the non-compliant elements within the Gables Boarding House in accordance with the International Building Code and the State boarding house regulations, the building is obsolete in layout and contains unsafe conditions meeting criterion "b" of the LRHL.





Gables Site: First floor building interior with view of bathroom entrance



Gables Site: Lack of deadbolt lock for front door of building



### **General Building Conditions**

Criterion “a” states that when the generality of a building is substandard, unsafe or obsolescent as to be conducive to unwholesome living, the area may be determined to be in need of redevelopment. The dictionary defines unwholesome as a condition that is not conducive to health or moral well-being. While there are many building deficiencies when compared to International Building Code and State Boarding House regulations, the overall condition of the building lacks sufficient light, adequate common area gathering spaces and life safety concerns. The substandard general condition of the building may lead to an unwholesome condition which is bolstered by evidence received from the Readington Township Police Department.

Based on police records provided between 2010 and August 2017, the Readington Township Police Department received an average of 24 calls per year and logged 1.8 arrests per year for the Gables Boarding House. The average number of arrests per year for the Township was 420. Given that the estimated population for Readington Township in 2015 was 15,974, the average number of arrests per person was 0.03. The owner of the Gables Boarding House indicated that the facility averages a vacancy of one or two rooms at any one time. Given an average of 28 residents at the Gables Boarding House and the average number of yearly police calls and arrests, each resident in the Gables Boarding House may be exposed to 0.85 police calls per year and 0.06 arrests per year. When compared to the overall police arrest volume for the Township, the arrest average at the Gables is approximately 50% higher than the Township resident average.

The general substandard condition of the building is evidenced by Mr. Hanrahan’s building code assessment, although the police data record may or may not be correlated with the condition.

### **Site Conditions**

Due to the length of time the property has been used as a boarding house, many elements of the site layout and improvements do not comport with current Township zoning and design standards which contributes to the site in its present condition to be an obsolete layout. The following site elements are not in compliance with current zoning and design standards:

### **Zoning Regulations**

Use. The Gables Boarding House lot is split between the Village Residential (VR) district and the Professional Office (PO) district. With the exception of the entrance drive area, the majority of the lot located within the VR district. In accordance with §148-18 and §148-22.1, boarding houses are not permitted in either district and as such the existing use is non-conforming and not in compliance with the zoning for the lot.





## Design Standards

### *Parking and Access.*

**Paving.** Pursuant to §148-70 C(1), all parking and access drives shall be paved in accordance with the State Department of Transportation current Standard Specifications for Road and Bridge Construction. As depicted in the photograph below the existing parking area and access drive is composed of gravel and not in compliance with the paving regulation. The gravel composition of the parking area creates an uneven surface making it area difficult for residents and visitors, especially for the handicapped and disabled, to traverse the parking area.





**Delineation.** In accordance with §148-70 C(3), parking lots shall have adequate designations to indicate traffic flow and hairpin striped parking spaces. Because the parking area is composed of gravel, the required delineation is not provided. The lack of parking delineation results in vehicles parked haphazardly throughout the site with the increased potential of vehicle to vehicle and vehicle to pedestrian conflicts.

**Curbing.** Pursuant to §148-70 C(5), parking areas with more than eight (8) spaces shall have permanent granite block curbing to delineate all parking spaces, to control erosion, to protect landscaping and to channelize traffic flow at all entrance and exit drives. The existing parking lot and driveway access do not contain any curbing resulting in an exacerbation of erosion, haphazard vehicle movements and parking layout.

**Separation.** In accordance with §148-70 C(6), there shall be a clear separation between pedestrian circulation and vehicular traffic. With the exception of the sidewalk leading from the gravel parking area to the front entrance of the building, methods to separate pedestrians from vehicles are not provided. This condition creates safety issues for the pedestrian as the path of travel is not adequately discerned from vehicular traffic.

**Accessibility.** Pursuant to §148-70 C(7), handicapped parking shall have immediate access to building entranceways and walks. The parking area does not contain separate parking spaces delineated as handicapped parking. This condition can result in the disabled and handicapped to



**Gables Site Deficiency: Lack of ADA parking, curbing, directional arrows, parking delineation and asphalt paving**





traverse an uneven gravel parking lot creating an unsafe environment for those needing the use of handicapped parking spaces.

### *Plantings*

The site is not compliant following regulations pertaining to landscaping in parking areas:

- §148-70 A(1) which requires a screen planting, no less than four feet in height, between off-street parking and any lot line or street line except for where a building intervenes or where the distance between such areas and the lot line or street line is greater than 150 feet.
- §148-70 A(3) which requires one tree per every three parking spaces meant to break up the view of the parked cars.
- §148-70 A(6) which requires ten-foot planting strips separating parking areas of a twenty-vehicle width or greater.
- §148-70 A(7) which requires no less than 10% of a parking area consist of buffer areas and islands.

Given there are no plantings located in or around the parking area, the parking layout is deficient in terms of containing the required plantings. This condition contributes to a negative aesthetic impact for the residents, visitors and surrounding property owners.



### *Lighting*

In accordance with §148-67, all parking areas, walkways and driveways shall be adequately illuminated for security and safety purposes. The existing parking areas, walkways and driveways



do not contain any lighting fixtures creating a very dark atmosphere for the users creating significant security and safety concerns.

### ***Stormwater Management***

In accordance with §148-65, the Township's Stormwater Control Ordinance, stormwater management techniques shall be implemented to ensure the goals for stormwater control are achieved. Stormwater management techniques include structural and non-structural best management practices (BMP's) that achieve the required performance standards for stormwater runoff quantity and rate, groundwater recharge, erosion control and stormwater runoff quality. This site does not include any stormwater controls increasing the potential for pollutants to be carried by uncontrolled stormwater into environmentally critical areas. The stormwater management for this site is obsolete and faulty due to the lack of any stormwater mechanisms to achieve the Township's stormwater control goals.

### ***Refuse Disposal***



**Gables Site Deficiency: Lack of refuse disposal screening and containment**

Pursuant to §148-75, all trash and recyclables shall be provided within a principal or accessory structure or within a screened enclosure. The existing refuse containers are not enclosed or screened creating a negative aesthetic impact for residents, visitors and surrounding property owners. In addition, the lack of delineation and containment could cause vehicles to block access to the refuse disposal area, deferring the collection which may lead to the overflow of trash and the potential for rodent infestation and pollution without the proper containment structures.

## ***Block 36: Preliminary Investigation of an Area in Need of Redevelopment***



## CONCLUSIONS AND RECOMMENDATIONS

### Satisfaction of Criteria

This report and appendices constitutes the preparation of a preliminary investigation for determining an Area in Need of Redevelopment as directed by the Township Committee of Readington Township. It is the conclusion of this preliminary investigation that the Study Area qualifies under the criteria set forth at N.J.S.A. 40A:12A-5, to be designated as an Area in Need of Redevelopment, based on the conditions of the Interstate, Gables, and Diner sites, Block 36 Lots 5, 5.02, 5.04, 65 and 66. The Study Area satisfies criterion “a” since the Gables Site contains a building that is substandard, unsafe and conducive to unwholesome living, criterion “b” since the buildings on the Interstate Tract and Diner Site are abandoned and untenable, and criterion “d” since the buildings and site conditions are dilapidated and are obsolete in layout. As has been discussed herein, the generality of the Study Area exhibits conditions that are detrimental to public health, welfare and safety. Through the tools included within the NJ Local Redevelopment and Housing Law, a Redevelopment Plan may be articulated to eliminate the adverse conditions of the Study Area.

### Additional Considerations

#### Not All Lands Must Satisfy Criteria

The definition of redevelopment area, pursuant to the LRHL at N.J.S.A. 40A:12A-3 allows lands that do not meet the criteria at N.J.S.A. 40A:12A-5 to be included in a redevelopment area if deemed necessary for effective redevelopment:

*“...an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) or determined heretofore to be a “blighted area” pursuant to P.L.1949, c.187 (C.40:55-21.1 et seq.) repealed by this act, both determinations as made pursuant to the authority of Article VIII, Section III, paragraph 1 of the Constitution. 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.”*

This means that the Hionis site, which has not been found to meet the redevelopment criteria, may be included if deemed necessary.

#### Why Include Hionis?

As indicated herein, the Interstate site has been rezoned to permit 192 multi-family apartments pursuant to Readington’s settlement of the Township’s affordable housing compliance plan. Although not as far along as Interstate the Hionis site is being contemplated for ~150 multi-family apartments in the same context as Interstate. To that end, the Township is planning to partner



with developers to construct 342 multi-family apartments within Block 36 (Interstate and Hionis) with ~25% of those dwellings deed restricted for occupancy by low- and moderate-income families.

Together, Hionis and Interstate are anticipated to generate, approximately, 1,880 vehicle trips per day. Today Maple and Mullen have ~160-180 trips per day. This dramatic increase in trips would have a detrimental effect on both Maple Lane and Mullen Lane, which provide the only access to Hionis and Interstate. Both Maple and Mullen are undersized (40-foot ROW, 20-foot pavement) with existing small, stable, single-family neighborhoods fronting on them. To accommodate the multi-family redevelopment contemplated, additional street ROW would need to be condemned and taken from 30 residential lots, leaving many with inadequate off-street parking.

### **Planned New Municipal Collector Road**

To avoid these negative impacts, the Township is planning for a new public collector road, separate from Mullen Road and Maple Lane, that would convey traffic from the planned multi-family development to US Route 22. This road would run through the middle of the block, through the Gables and Diner site. Furthermore, it would serve to consolidate access to the Gables and Diner site. By routing the new road to avoid connection to either Mullen Road or Maple Lane, no widening of those roads is necessary. The proposed road will ensure that the character of the neighborhoods remains intact and that property takings of those lots is unnecessary. The construction of a new minor collector road, compliant with RSIS, will protect the physical integrity and character of the existing neighborhoods on Mullen Road and Maple Lane.

Readington has identified the planned new collector road within the 2019 Master Plan Reexamination Report. It is also included as the preferred option for access in the settlement with SAR (Interstate) and within the VRAH-1 zone. Furthermore, Readington has initiated pre-application meetings with the NJ Department of Transportation and the NJ Department of Environmental Protection, both of which will need to issue permits for the road. The cost of the road will be shared by the redevelopers in Block 36. It is in the Township's interest for Interstate, Hionis and the other sites use the planned collector roadway as sole access, rather than Maple Lane or Mullen Road.

The affordable housing compliance strategies coupled with the planning for circulation that takes into account increasing vehicle trips while protecting existing neighborhoods represents a comprehensive approach to the re-planning of Block 36. Therefore, the Hionis site, Block 36 Lot 4, should be included as part of the redevelopment area in order to provide for the effective redevelopment of the study area.

### **Recommendation**

Block 36 Lots 4, 5, 5.02, 5.04, 65 and 66 should be designated as an area in need of redevelopment.





## SUBSEQUENT PROCEDURAL STEPS

### Public Hearing

Upon receipt of this preliminary investigation, the Planning Board is required to hold a public hearing. Notices for the hearing are required to be published in the newspaper of record in the municipality once each week for two (2) consecutive weeks. A copy of the notice should be mailed to the last owner of record of each property within the proposed Redevelopment Area. The newspaper notice should be published in the official paper.

### Planning Board Recommendation to Township Committee

Once the hearing has been completed, the Planning Board makes a recommendation to the Township Committee that the delineated area, or any part of such an area, should or should not be determined to be an Area in Need of Redevelopment. The Township Committee may then adopt a resolution determining that the delineated area, or portion, is a Redevelopment Area. Notice of such determination is then sent to each objector who has sent in a written protest.

### Redevelopment Plan

If so designated by the Township, the next action would be the creation and adoption of a redevelopment plan for the Redevelopment Area. A Redevelopment Plan is adopted by ordinance by the Township Committee before any project is initiated. Depending on the nature of the Redevelopment Plan, it may contain some or all of the land use controls for a particular Redevelopment Area. Furthermore, a plan may be created in such a way as to provide for detailed recommendations regarding circulation, open space, housing, urban design and architecture. At a minimum, pursuant to N.J.S.A. 40A:12A-7.a, a redevelopment plan is required to address a series of required elements.

#### **Redevelopment Plan: Required Elements (N.J.S.A. 40A:12A-7.a)**

- The plan's relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.
- Pursuant to N.J.S.A. 40A:12A-7.c., the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law", N.J.S.A. 40:55D-1 et seq



## **APPENDIX A**

**Township Committee Resolutions R-2017-77, R-2018-60 & R-2019-83**



**RESOLUTION OF THE TOWNSHIP OF READINGTON  
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY DIRECTING THE  
PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF THE  
BLOCK 36 STUDY AREA AS A POSSIBLE AREA IN NEED OF REDEVELOPMENT  
(NON-CONDEMNATION)**

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-1*, et seq. (the "Redevelopment Law") the Township Committee ("Township Committee") of the Township of Readington (the "Township") may direct the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the Township constitute areas in need of redevelopment; and

**WHEREAS**, the Township Committee seeks to have the Planning Board undertake a preliminary investigation of the following area, which is depicted on a map dated June, 2017 entitled the "Block 36 Study Area", attached hereto as "Schedule A" and which consists of the Gables Boarding House, the former Whitehouse Diner, the Interstate Iron Works facility, a small portion of Route 22 and includes the following lots and blocks on the official Township Tax Map:

*Block 36, Lots 5, 5.02, 5.04, 65 and 66*

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-6*, the Township Committee shall state whether the redevelopment area shall be a "non-condemnation redevelopment area" which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the Redevelopment Law, or whether the redevelopment area shall be a "condemnation redevelopment area", which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment Law,

**WHEREAS**, upon the completion of the preliminary investigation and public hearing, the Planning Board shall provide recommendations to the Township Committee as to its investigation of the Study Area, all in accordance with Section 6 of the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF READINGTON AS FOLLOWS:**

1. The Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to Section 6 of the Redevelopment Law, specifically, *N.J.S.A. 40A:12A-1*, et seq., to determine whether the Block 36 Study Area (the "Study Area") depicted on the attached map satisfies the criteria set forth in Section 5 of the Redevelopment Law, specifically,

N.J.S.A. 40A:12A-1, et seq. and should be designated as an area in need of redevelopment.

2. Any redevelopment area created pursuant to this authorization shall be a "non-condemnation" Redevelopment area pursuant to N.J.S.A. 40A: 12A-6.

3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

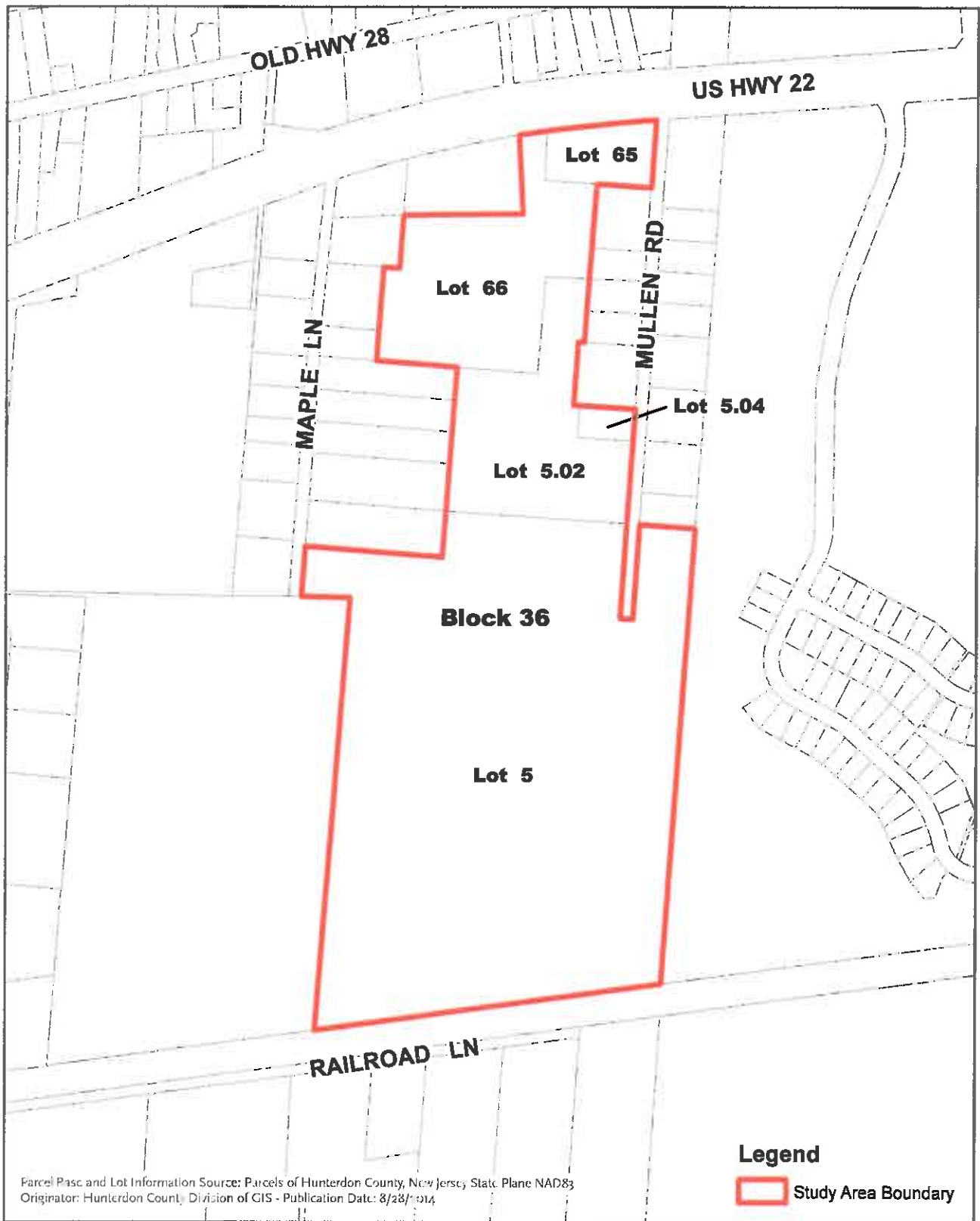
4. The Planning Board shall conduct a public hearing, after giving due notice, of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A-6.

5. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

6. After conducting its investigation, preparing a map of the Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Committee as to whether the Township Committee should designate all or a portion of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

7. The Township Clerk, or her designee shall forward a copy of the Resolution to the Readington Township Planning Board.

8. This Resolution shall be effective immediately.



0 200 400 Feet

Clarke Caton Hintz



Architecture

Planning

Landscape Architecture

PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT

## Block 36 Study Area

Lots 5, 5.02, 5.04, 65 & 66

LOCATION:

Readington Township, Hunterdon County, NJ


DATE:

June 2017

**CERTIFICATION**

***I, VITA MEKOVETZ***, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 5<sup>th</sup> of July, 2017.

***IN WITNESS WHEREOF***, I have hereunto set my hand and seal of this Township this 6<sup>th</sup> of July, 2017.

  
\_\_\_\_\_  
Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk



**TOWNSHIP OF READINGTON  
RESOLUTION**

**AMENDING RESOLUTION #R-2017-77 DIRECTING THE PLANNING BOARD TO  
CONDUCT A PRELIMINARY INVESTIGATION OF THE BLOCK 36 STUDY AREA AS  
A POSSIBLE AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION) TO  
INCLUDE BLOCK 36, LOT 4**

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-1*, et seq. (the "Redevelopment Law") the Township Committee ("Township Committee") of the Township of Readington (the "Township") may direct the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the Township constitute areas in need of redevelopment; and

**WHEREAS**, at its regular meeting held on July 5, 2017, the Township Committee adopted Resolution #R-2017-77 requesting the Planning Board to undertake a preliminary investigation of the area depicted on a map dated June, 2017 entitled the "Block 36 Study Area", attached to said Resolution as "Schedule A" and consisting of the Gables Boarding House, the former Whitehouse Diner, the Interstate Iron Works facility, a small portion of Route 22 and including the following lots and blocks on the official Township Tax Map:

*Block 36, Lots 5, 5.02, 5.04, 65 and 66; and*

**WHEREAS**, the Township Committee wishes to expand the preliminary investigation it previously directed of the Block 36 Study Area to include Block 36, Lot 4 on the official Township Tax Map; and

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-6*, the Township Committee shall state whether the redevelopment area shall be a "non-condemnation redevelopment area" which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the Redevelopment Law, or whether the redevelopment area shall be a "condemnation redevelopment area", which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment Law,

**WHEREAS**, upon the completion of the preliminary investigation and public hearing, the Planning Board shall provide recommendations to the Township Committee as to its investigation of the amended Study Area, all in accordance with Section 6 of the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*.

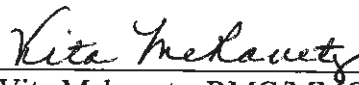
***NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:***

1. The Township hereby amends Resolution #2017-77 previously adopted on July 5, 2017 to add Block 36, Lot 4 to the properties comprising the Block 36 Study Area and the Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to Section 6 of the Redevelopment Law, specifically, N.J.S.A. 40A: 12A-1, et seq., to determine whether the amended Block 36 Study Area (the "Amended Study Area") depicted on the attached map satisfies the criteria set forth in Section 5 of the Redevelopment Law, specifically, N.J.S.A. 40A:12A-1, et seq. and should be designated as an area in need of redevelopment.
2. Any redevelopment area created pursuant to this authorization shall be a "non-condemnation" Redevelopment area pursuant to N.J.S.A. 40A: 12A-6.
3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Amended Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.
4. The Planning Board shall conduct a public hearing, after giving due notice, of the proposed boundaries of the Amended Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A-6.
5. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Amended Study Area is a redevelopment area. All objections to a determination that the Amended Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
6. After conducting its investigation, preparing a map of the Amended Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Committee as to whether the Township Committee should designate all or a portion of the Amended Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.
7. The Township Clerk, or her designee shall forward a copy of the Resolution to the Readington Township Planning Board.
8. This Resolution shall be effective immediately.

**CERTIFICATION**

I, **VITA MEKOVETZ**, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 4<sup>th</sup> day of June, 2018.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 5<sup>th</sup> day of June, 2018.

  
\_\_\_\_\_  
Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk

**RESOLUTION OF THE TOWNSHIP OF READINGTON  
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY DIRECTING THE  
PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF THE  
BLOCK 36 STUDY AREA AS A POSSIBLE AREA IN NEED OF REDEVELOPMENT  
(CONDEMNATION)**

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law") the Township Committee ("Township Committee") of the Township of Readington (the "Township") may direct the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the Township constitute areas in need of redevelopment; and

**WHEREAS**, the Township Committee seeks to have the Planning Board undertake a preliminary investigation of the following area, which is depicted on a map dated June, 2017 entitled the "Block 36 Study Area", attached hereto as "Schedule A" and which consists of the Gables Boarding House, the former Whitehouse Diner, the Interstate Iron Works facility, Hionis Greenhouse facility and a small portion of Route 22 and includes the following lots and blocks on the official Township Tax Map:

*Block 36, Lots 4, 5, 5.02, 5.04, 65 and 66*

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6, the Township Committee shall state whether the redevelopment area shall be a "non-condemnation redevelopment area" which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the Redevelopment Law, or whether the redevelopment area shall be a "condemnation redevelopment area", which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment Law,

**WHEREAS**, upon the completion of the preliminary investigation and public hearing, the Planning Board shall provide recommendations to the Township Committee as to its investigation of the Study Area, all in accordance with Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A-6.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF READINGTON AS FOLLOWS:**

1. The Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to Section 6 of the Redevelopment Law, specifically, N.J.S.A. 40A:12A-1, et seq., to determine whether the Block 36 Study Area (the "Study Area") depicted on the attached map satisfies the criteria set forth in Section 5 of the Redevelopment Law, specifically, N.J.S.A. 40A:12A-1, et seq. and should be designated as an area in need of redevelopment.



2. Any redevelopment area created pursuant to this authorization shall be a "condemnation" Redevelopment area pursuant to N.J.S.A. 40A: 12A-6.

3. The exercise of the power of eminent domain within any area in need of redevelopment designated pursuant to this resolution shall be limited in scope to include acquisition of real property on the following lots only:

a. Land on Block 36 Lots 65 and 66 that is necessary to construct a new planned municipal collector roadway (with an anticipated right-of-way width of 50 feet) that would provide access between the Study Area and US Route 22 on Block 36 and

b. The entirety of Block 36 Lot 65, the former Whitehouse Diner site.

4. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

5. The Planning Board shall conduct a public hearing, after giving due notice, of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A-6.

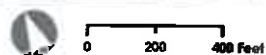
6. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

7. After conducting its investigation, preparing a map of the Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Committee as to whether the Township Committee should designate all or a portion of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

8. This Resolution is specifically intended to supersede and replace Resolution # R-2017-77 and Resolution # R-2018-60 previously adopted by the Township Committee and all parts of those Resolutions which are inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

9. The Township Clerk, or her designee shall forward a copy of the Resolution to the Readington Township Planning Board.

10. This Resolution shall be effective immediately.



**Clarke Caton Hintz** ● ● ●

Architecture

Planning

Landscape Architecture

PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT

## Exhibit A: Block 36 Study Area

Lots 4, 5, 5.02, 5.04, 65 & 66


LOCATION  
Readington Township, Hunterdon County, NJ

DATE  
August 2019

**CERTIFICATION**

I, **VITA MEKOVETZ**, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 5<sup>th</sup> day of August, 2019.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 6<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk



## **APPENDIX B**

### **Notices of Construction Code Violations: Interstate & Diner**





## NOTICE OF UNSAFE STRUCTURE

Permit/Control #: \_\_\_\_\_  
Date Issued: 4/22/2014  
Violation #: V-14-016

### IDENTIFICATION

Work Site Location: 649 RT 22 Readington Township, NJ  
Block: 36 Lot: 65 Qualification Code: \_\_\_\_\_  
Owner in Fee: PLAZA 22 CORP  
Owner Address: PO BOX 63 WHITEHOUSE NJ 08888  
Agent/Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
To: ☒ Owner ☐ Other:  
☐ Agent/Contractor

DATE OF INSPECTION: 4/22/2014 DATE OF THIS NOTICE: 4/22/2014

### ACTION

**Take NOTICE** that as a result of the inspections conducted by this agency on 4/22/2014 on the above property, an unsafe condition has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32.

The building or structure or portion thereof, deemed an unsafe condition is described as follows:

(NONE)

THE EXISTING STRUCTURE, A DINER OF USE GROUP A-2 PRESENTLY HAS A ROOF SYSTEM COLLAPSED UPON THE INTERIOR AND CONTAINS DOORS AND/OR WINDOWS THAT ARE UNGAURDED AND/OR OPEN.

You are hereby **ORDERED** to:

[ ] Vacate the above structure by \_\_\_\_\_

[X] Demolish the above structure by 5/23/2014, or correct the above noted unsafe conditions by no later than 5/23/2014.

Failure to correct the unsafe condition or refusal to comply with this **ORDER** will result in this matter being forwarded to legal counsel for prosecution and assessment of penalties up to \$500.00 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this **ORDER**.

Any building or structure vacated pursuant to this **ORDER** shall not be reoccupied unless and until a certificate of occupancy is issued by the Construction Official.

If you wish to contest this **ORDER**, you may request a hearing before the Construction Board of Appeals of the COUNTY OF HUNTERDON within 15 days of receipt of this **ORDER** as provided by N.J.A.C. 5:23A-2.1. The Application of the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the specific sections of the Uniform Construction Code in question and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and the nature of the relief sought by you, and you may also append any documents that you consider useful.

The fee for an appeal is \$100.00 and should be forwarded with your application to the Construction

Board of Appeals Office at: ADMIN BUILDING  
PO BOX 2900  
FLEMINGTON, NJ 08822

If you have any questions concerning this matter, please call: (908) 534-2164

By **Order** of \_\_\_\_\_

Construction Official

Date: 4/22/14



## NOTICE OF UNSAFE STRUCTURE

Permit/Control #: \_\_\_\_\_  
Date Issued: 9/10/2009  
Violation #: V-09-068

### IDENTIFICATION

Work Site Location: 20 MULLEN RD BRAMCO LLC Readington Township, NJ  
Block: 36 Lot: 5 Qualification Code: \_\_\_\_\_  
Owner in Fee: STEPHEN B. RAVIN  
Owner Address: 80 ROUTE 4 EAST PARAMUS NJ 07652  
Agent/Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_

To: ☒ Owner ☐ Other:  
☐ Agent/Contractor

DATE OF INSPECTION: 8/24/2009 DATE OF THIS NOTICE: 9/10/2009

### ACTION

**Take NOTICE** that as a result of the inspections conducted by this agency on 8/24/2009 on the above property, an unsafe condition has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32.

The building or structure or portion thereof, deemed an unsafe condition is described as follows:

(NONE)

5:23-2.32(a) ...All buildings or structures that shall become unsafe, .....shall be taken down and removed or made safe and secure. A vacant building that is unguarded or open at door or window shall be deemed a fire hazard and unsafe within the meaning of this chapter.

You are hereby **ORDERED** to:

- [ ] Vacate the above structure by \_\_\_\_\_  
[X] Demolish the above structure by \_\_\_\_\_, or correct the above noted unsafe conditions by no later than 9/25/2009.

Failure to correct the unsafe condition or refusal to comply with this **ORDER** will result in this matter being forwarded to legal counsel for prosecution and assessment of penalties up to \$1,000.00 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this **ORDER**.

Any building or structure vacated pursuant to this **ORDER** shall not be reoccupied unless and until a certificate of occupancy is issued by the Construction Official.

If you wish to contest this **ORDER**, you may request a hearing before the Construction Board of Appeals of the COUNTY OF HUNTERDON within 15 days of receipt of this **ORDER** as provided by N.J.A.C. 5:23A-2.1. The Application of the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the specific sections of the Uniform Construction Code in question and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and the nature of the relief sought by you, and you may also append any documents that you consider useful.

The fee for an appeal is \$100.00 and should be forwarded with your application to the Construction

Board of Appeals Office at: ADMIN BUILDING  
PO BOX 2900  
FLEMINGTON, NJ 08822

If you have any questions concerning this matter, please call: (908) 534-2164

By **Order** of

Construction Official

Date:

9/16/09



## NOTICE AND ORDER OF PENALTY

Permit/Control #: \_\_\_\_\_  
Date Issued: 12/2/2009  
Violation #: V-09-085

### IDENTIFICATION

Work Site Location: 20 MULLEN RD Readington Township, NJ  
Block: 36 Lot: 5 Qualification Code: \_\_\_\_\_  
Owner in Fee: BRAMCO LLC  
Owner Address: PO BOX 300 WHITEHOUSE NJ 08888  
Agent/Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
To: ☒ Owner ☐ Other:  
☐ Agent/Contractor

### ACTION

- ☒ On 12/2/2009, you were found to be in violation of the State Uniform Construction Code Act and Regulations promulgated thereunder. A ☐ **Notice of Violation and Order to Terminate**, ☒ **Notice of Unsafe Structure**, ☐ **Notice of Imminent Hazard** was issued. Reinspection of the work site on 12/2/2009 revealed the following violation(s) remain:  
N.J.A.C 5:23-2.18 Inspections  
Building remained unguarded
- ☐ On \_\_\_\_\_, you were found to be in violation of the State Uniform Construction Code Act and Regulations promulgated thereunder, in that you ☐ **made a false or misleading written statement, or omitted required required information in an application or request for approval; or** ☐ **failed to obtain a construction permit; or** ☐ **failed to request required inspections; or** ☐ **allowed occupancy prior to receiving a certificate of occupancy.**
- ☐ On \_\_\_\_\_, you were found to be in violation of the State Uniform Construction Code Act and Regulations promulgated thereunder. A **Stop Construction Order** was issued. Reinspection of the work site on \_\_\_\_\_ revealed a failure to comply with that **Stop Construction Order**.

### PENALTY

Therefore, you are hereby **ORDERED** to pay a penalty in the amount of \$500.00 for each violation for a total penalty of \$500.00.

Further, take **NOTICE** that for each ☒ week ☐ day that any of the said violations remain outstanding after 12/3/2009 an additional penalty of \$500.00 per ☒ week ☐ day shall result

If you wish to contest this **ORDER**, you may request a hearing before the Construction Board of Appeals of the COUNTY OF HUNTERDON within 15 days of receipt of this **ORDER** as provided by N.J.A.C. 5:23 A-2.1. The Application of the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the permit number, the specific sections of the Regulations in question, and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and the nature of the relief sought by you. You may also append any documents that you consider useful

The fee for an appeal is \$100.00 and should be forwarded with your application to the Construction

Board of Appeals Office at: ADMIN BUILDING  
PO BOX 2900  
FLEMINGTON, NJ 08822

If you have any questions concerning this matter, please call: (908) 534-2164

NOTICE and ORDER of PENALTY:

Construction Official

Date: 12/2/09



## APPENDIX C

Memorandum from Michael Hanrahan, AIA Re: Gables





## Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

Gables Boarding House  
631 US Highway 22 East  
Whitehouse Station, NJ 08889

November 5, 2019  
CCH Project #:300.78

Re: Code Citation Memo

100 Barrack Street  
Trenton NJ 08608  
clarkecatonhintz.com  
Tel: 609 883 8383  
Fax: 609 883 4044

Dear Readington Township Planning Board,

The Clarke Caton Hintz team visited The Gables, a boarding house on Tuesday, October 17, 2017 to review the building for deficiencies related to current building code. In addition, our office revisited the site on September 18, 2019 to find the existing conditions unchanged.

The existing building consists of a two story wood framed structure with a basement and an attic. Dwelling units are located at basement, first, and second story of the building. Per the 2015 International Building Code (IBC) New Jersey Addition, the existing building is classified as an R-2 residential, use group of Type 5B (combustible / unprotected) construction. The following is a list of deficiencies observed during the building walk through that would apply if the building were construction per the current applicable construction codes.

### Life Safety Deficiencies

- Per section 903.2.8 of the 2015 NJIBC a sprinkler system is required for all Group R occupancies; a sprinkler system is not currently installed.
- Per table 1020.2 of the 2015 NJIBC corridors must be at least 36 inches wide. Existing corridors measure 33 inches wide, the code required minimum egress width is not provided.
- Per table 1011.2 of the 2015 NJIBC the minimum required egress width for stairways must not be less than 44 inches. The existing stairways are 32" at their widest point, the width of the stairs is further diminished at the basement level. The code required minimum required egress width for stairs is not provided.
- Per section 1020.4 of the 2015 NJIBC dead end corridors must not exceed 20 feet in length. Existing corridors exceed the maximum permitted length for dead end corridors.
- Per section, 1030.2 of the 2015 NJIBC windows of sleeping rooms located in the basement of an R-2 occupancy must have a net clear opening of 5.7 square feet.

Philip Caton, FAICP  
John Hatch, FAIA  
George Hibbs, AIA  
Brian Slauch, AICP  
Michael Sullivan, AICP

*Emeriti*

John Clarke, FAIA  
Carl Hintz, AICP, ASLA



## Clarke Caton Hintz

The existing openings located in the sleeping rooms of the basement units are 4.7 square feet and do not meet the requirements of this section.

- Per section 1011.5.2 of the 2015 NJIBC stair risers must not exceed 7 inches and height and stair treads must be at least 11 inches in depth. The existing stairs have a riser height of 8 inches and a tread depth of 9-1/2 inches. The existing riser height and tread dimensions do not meet the requirements of this section.
- Per section 707.3.2 of the 2015 NJIBC a one hour rated fire barrier must be provided to separate building areas from an interior exit stair. The existing exit stair is not separated from the building with a one hour fire barrier at the first and second floors and does not comply with the requirements of this section.
- Per section 718.3.2 of the 2015 NJIBC draftstopping must be installed to subdivide the attic in line with the separation wall of the units below. A visual inspection of the attic revealed no draftstopping is currently installed.

### Accessibility Deficiencies

- Per section 1105.1 of the 2015 NJIBC sixty percent of public entrances must be accessible. The main entry to the building requires a step up to the first floor level and is not accessible.
- Per section 1107.3 of the 2015 NJIBC rooms or spaces available to residents must be accessible. The common kitchen for the building is located in the basement and is not served by an accessible means of egress. The existing building does not meet the requirements of this section.
- Per section 1107.6.2.3.2 of the 2015 NJIBC all units located on the ground floor of a building of type R-2 use without elevator service must be accessible. In order to meet the requirements of this section, all ground floor units would have to be fully accessible with access to fully accessible bathrooms. The bathrooms at the first floor of the existing building have a step at the entrance door to the bathroom. The doors and fixtures in the bathrooms do not provide the code required clearances. This section would not be met because there are no accessible bathrooms on the ground floor level.

If the building were constructed today as it currently exists it would not be in compliance with the currently adopted codes and standards for the State of New Jersey for the reasons listed above. Due to the multiple life safety and accessibility issues, it is the opinion of Clarke Caton Hintz that the existing building is obsolete and may pose a life safety danger to its occupants.



Clarke Caton Hintz

Sincerely,

Michael J. Hanrahan, AIA  
Associate Principal



## APPENDIX D

2019 Master Plan Reexamination Report:

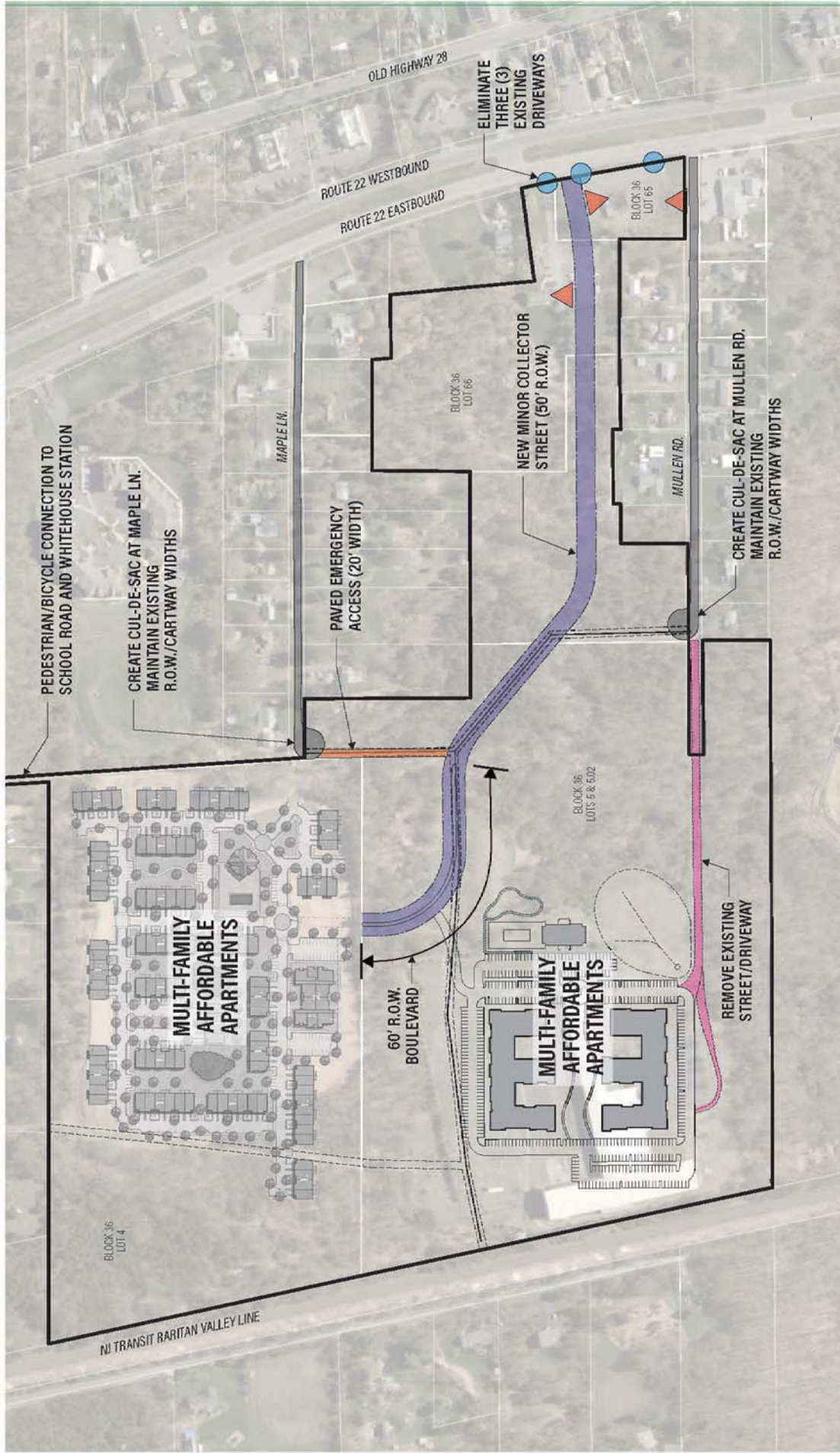
Block 36 Proposed Multi-Family Housing + Circulation

***Block 36: Preliminary Investigation of an Area in Need of Redevelopment***

READINGTON TOWNSHIP, HUNTERDON COUNTY, NJ

NOVEMBER 4, 2019 | APPENDICES





0 200 400 FT

**Clarke Caton Hintz**

- Architecture
- Planning
- Landscape Architecture

LOCATION  
Readington Township, NJ

DATE  
February 2019

## Block 36 Redevelopment: Proposed Multi-family Housing + Circulation