

RESOLUTION MEMORIALIZING ACTION ON GRIFFITH STREET  
REDEVELOPMENT AREA DESIGNATION ADOPTED NOVEMBER 3, 2005

RESOLUTION #05-021

WHEREAS, the appropriate limits of a proposed redevelopment area in the City of Salem were considered by the Salem City Planning Board at a public hearing thereon which was properly noticed by mail and by newspaper advertisement, and

WHEREAS, there was substantial public participation at which all persons who wished to comment were allowed to give testimony and ask questions of the Planning Board, its Planner, its Solicitor, and of each person testifying, and

WHEREAS, the Planning Board finds based upon the testimony presented and the City Planner's Report annexed as Schedule C, that many of the structures within the area shown on Schedules A and B are unsafe and/or obsolescent, and that the entire area meets the statutory criteria for designation as an area appropriate for redevelopment;

NOW, THEREFORE, the City of Salem Planning Board recommends that the area delineated by the map attached as Schedule A and the block and lot numbers attached as Schedule B be determined by the Salem City Council to be a redevelopment area.

The undersigned, Secretary of the City of Salem Planning Board, hereby certifies that the above is a true copy of a resolution adopted by a majority of the members of said Board voting in favor of said action, on the 3<sup>rd</sup> day of November, 2005, the date this resolution was adopted.

Barbara A. Wright  
SECRETARY, CITY OF SALEM PLANNING BOARD

Attest

SALEM CITY PLANNING BOARD  
SALEM COUNTY, NEW JERSEY

RESOLUTION #07-014

WHEREAS, an investigation and report by the City Planner was previously authorized by the Planning Board in regard to a proposed Main Street Redevelopment Area; and

WHEREAS, City Council directed the Planning Board to investigate the need for redevelopment in said area; and

WHEREAS, at a properly noticed public hearing on the amendment held on September 20, 2007 with a quorum being present, the Board took testimony from the City Planner about the Main Street Redevelopment Area and the proposed addition of Block 12, Lot 16, also known as 116 West Broadway, in accordance with a map and report prepared by Louis C. Joyce, IV dated September 20, 2007; and

WHEREAS, the Board has reviewed the Redevelopment Plan Amendment and finds it:

- A) consistent with the Master Plan; and
- B) consistent with the Redevelopment and Housing Law (NJS 40A:12A-7.)

NOW, THEREFORE, BE IT RESOLVED by the Salem City Planning Board that the said Main Street Redevelopment Plan is hereby approved and referred to Salem City Council for adoption.

Dated: October 18, 2007.

Carol Wright  
CAROL WRIGHT, SECRETARY

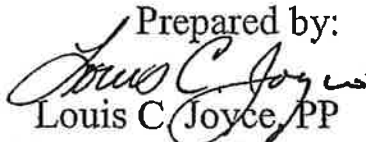
Benjamin F. Ford  
BENJAMIN FORD, CHAIRMAN  
CITY OF SALEM PLANNING BOARD

05-021

**DRAFT**

**REPORT OF FINDINGS OF AREA STUDY  
AND  
RECOMMENDATIONS OF  
CITY OF SALEM PLANNING BOARD TO  
SALEM CITY COUNCIL FOR DESIGNATION  
OF  
AREA IN NEED OF REDEVELOPMENT**

**September 22, 2005**

Prepared by:  
  
Louis C. Joyce, PP  
NJ License No. 02813

## INTRODUCTION

There exists in the City of Salem ("Salem") a tract of land generally bounded by Front Street, Griffith Street (both sides), the Fenwick Creek to Market Street and Hancock Street and Howell Street. In addition a specific parcel within Foreign Trade Zone No. 142 located on Walnut Street is hereby included within the study area.

This Area appears to the Governing Body of the City ("City Council") to exhibit improper, or lack of proper, development in the form of substandard, unsafe and dilapidated buildings and other factors determined to be detrimental to the safety, health, morals, or welfare of the City of Salem. City Council recognizes that such conditions have existed on the aforementioned tract for some time, that such conditions may be amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.

In 1992, the State of New Jersey empowered local municipalities to address conditions of deterioration and lack of proper use of lands by adopting the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq. and alternately referred to herein as the "Redevelopment Statute" or "Statute"). The purpose of the Redevelopment Statute is to provide municipalities with the tools and powers needed to plan or replan decayed, undeveloped and underdeveloped portions of a municipality and to actively redevelop said areas into productive assets for the community. These tools include the power to acquire, through negotiations or eminent domain, private property deemed necessary to effectuate redevelopment, to clear subject lands, to install infrastructure and/or other site improvements and to negotiate and enter into partnerships with public and private entities in order to accomplish the municipality's redevelopment goals and objectives.

Pursuant to the Redevelopment Statute, City Council has commenced the statutorily prescribed process to determine whether the Study Area qualifies under the Statute as an "Area in Need of Redevelopment". On August 15, 2005, City Council adopted

Resolution No. 05-159 (Appendix A), authorizing the City's Planning Board ("Planning Board") to conduct a preliminary investigation, to hold a public hearing and to make a recommendation regarding the appropriateness of designating the Study Area as an "Area in Need of Redevelopment".

## **I. REDEVELOPMENT: General Discussion**

The Redevelopment Statute requires a multi-step process before a municipality can exercise the powers granted by the Statute. Specifically, they are:

The Governing Body must direct the Planning Board to undertake an investigation of the area in question to determine whether it meets the criteria established (by N.J.S.A. 40A:12A-5) for an "Area in Need of Redevelopment".

The Planning Board must prepare and publish a map showing the boundaries of the area in question and the location of the various parcels therein. This map must include a statement setting forth the basis for the City's investigation.

The Planning Board must conduct the 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 said hearing are then referred (*in the form of a Planning Board Resolution*) to the Governing Body for formal action.

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".

Upon "Redevelopment Area" designation, the Planning Board is then required to prepare a Redevelopment Plan, which establishes the goals and objectives of the municipality in designating the area "In Need of Redevelopment" and further outlines the actions to be

taken to accomplish these goals and objectives. The Redevelopment Plan is then referred, in the form of a Planning Board Resolution, to the Governing Body for formal action.

Upon receipt of the Redevelopment Plan from the Planning Board, the Governing Body may act to adopt the Redevelopment Plan by Ordinance. The Redevelopment Plan then becomes an explicit amendment to the City's Zoning District Map and Zoning Ordinance. Only after completion of this public process is a municipality able to exercise the powers granted by the Redevelopment Statute.

This report to the Planning Board consists of a review of the Statutory criteria under which an area may be deemed to be "In Need of Redevelopment", the findings of the investigation of the Study Area as directed by City Council and an analysis of how these findings conform to the Statutory criteria. The report culminates in a final recommendation to the Planning Board.

## **II. SUMMARY OF STATUTORY CRITERIA**

The Redevelopment Statute (N.J.S.A. 40A:12A-5) states, in part, that: "A delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing., the governing body of the municipality, by resolution, concludes that within the delineated area *any of the following conditions is found* (emphasis added):

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be for commercial, manufacturing, or industrial purposes; untenable.

c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

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

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

g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Enterprise Zones Act," P.L. 1983, c.303 (C.52:27H-60 et. seq.) the execution of the actions prescribed in that act or the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 6 and 6 of P.L. 1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.144 (C.40A:21-1 et. seq.). The municipality shall not utilize any other

redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A:12A-1 et. seq.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

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

### **III. DESCRIPTION OF THE STUDY AREA**

The study area consists of :

Identification of the properties designated for inclusion into the study area for the "Area in Need of Redevelopment" investigation by the Salem City Planning Board.

Tax Map Sheet	Tax Block	Lot(s)
1	1	1, 1.01, 2, 3, 3.01, 4, 4.01, 17
2	3	1, 2, 3, 22, 23, 24, 25
3	4	1, 1.01, 2, 3, 4
7	11	28, 47, 48
8	12	19
44	94	1

Being generally the lands and parcels that are contiguous with Griffith Street, Fourth Street, Fifth Street, Fenwick Creek, and a singular parcel on Walnut Street that is also part of FTZ No. 142

Zoning of the study area is M-1 and M-2 the manufacturing zones.



From a visual inspection of the study area, several criteria for designation as a redevelopment area are obvious. In addition to currently operating industrial uses which date back to the early 20<sup>th</sup> century the study area contains unutilized brownfields sites, abandoned and deteriorating industrial structures, and vacant lands that have remained so for periods extending beyond ten (10) years.

It is acknowledged that some properties located within the Study Area that are in good condition. The inclusion of satisfactory properties within a designated Area in Need of Redevelopment is anticipated in the Statute. The properties are included only because the need to establish regular boundaries for the redevelopment area precludes their exclusion, and because of the proximity to the deteriorated and dilapidated structures.

#### **IV. CONCLUSIONS AND RECOMMENDATIONS**

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

5b. The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be for commercial, manufacturing, or industrial purposes; untenable.

5c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of mean 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.

5d. Areas with buildings or improvements which, by reason of

dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

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

The Redevelopment Statute says that if any one of the above conditions is found that the area qualifies to be designated as an Area in Need of Redevelopment. Based on the presence of defined statutory conditions, the Planning Board of the City of Salem hereby recommends that City Council declare the Study Area as an "Area in Need of Redevelopment." A map prepared by the Planning Board shows the official boundaries and parcels of the area that is recommended to be designated as an "Area in Need of Redevelopment" by the City Council.

Potential names for the designated area are:

**RESOLUTION NOL. 05-159****RESOLUTION DIRECTING THE PLANNING BOARD  
TO CONDUCT PRELIMINARY INVESTIGATION AS TO  
WHETHER CERTAIN AREAS ARE IN NEED OF  
REHABILITATION OR REDEVELOPMENT**

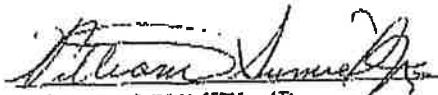
**WHEREAS**, the Common Council of the City of Salem believes that certain areas of the City are in need of redevelopment/rehabilitation in accordance with N.J.S.A. 40A:12A-1, et seq., said areas being more particularly described in the attached Schedule A: and

**WHEREAS**, the Common Council has been informed that the Planning Board will consider amendments and revisions to the City Master Plan which may include findings that certain areas are in need of rehabilitation or redevelopment; and

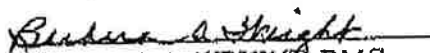
**WHEREAS**, the Common Council desires to exercise the powers, duties, responsibilities and authority set forth in the Redevelopment and Housing Law pursuant to N.J.S.A. 40A:12A-1, et seq., and to authorize the appropriate preliminary investigation by the Planning Board pursuant to N.J.S.A. 40A:12A-6.

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

1. That the Common Council hereby determines that the powers, duties, responsibilities and authority for redevelopment and rehabilitation as set forth in N.J.S.A. 40A:12A-1, et seq., shall be exercised by the Common Council.
2. That, pursuant to N.J.S.A. 40A:12-6, the Common Council hereby authorizes and directs the Planning Board to initiate and conduct a preliminary investigation to determine whether the areas set forth in the attached Schedule A are in need of redevelopment and rehabilitation and to report said findings to the Common Council in accordance with N.J.S.A. 40A:12A-1, et seq.

  
WILLIAM SUMIEL, JR.  
Council President

I hereby certify the above to be a true copy of a resolution adopted by the Common Council of the City of Salem at a meeting held on August 15, 2005.

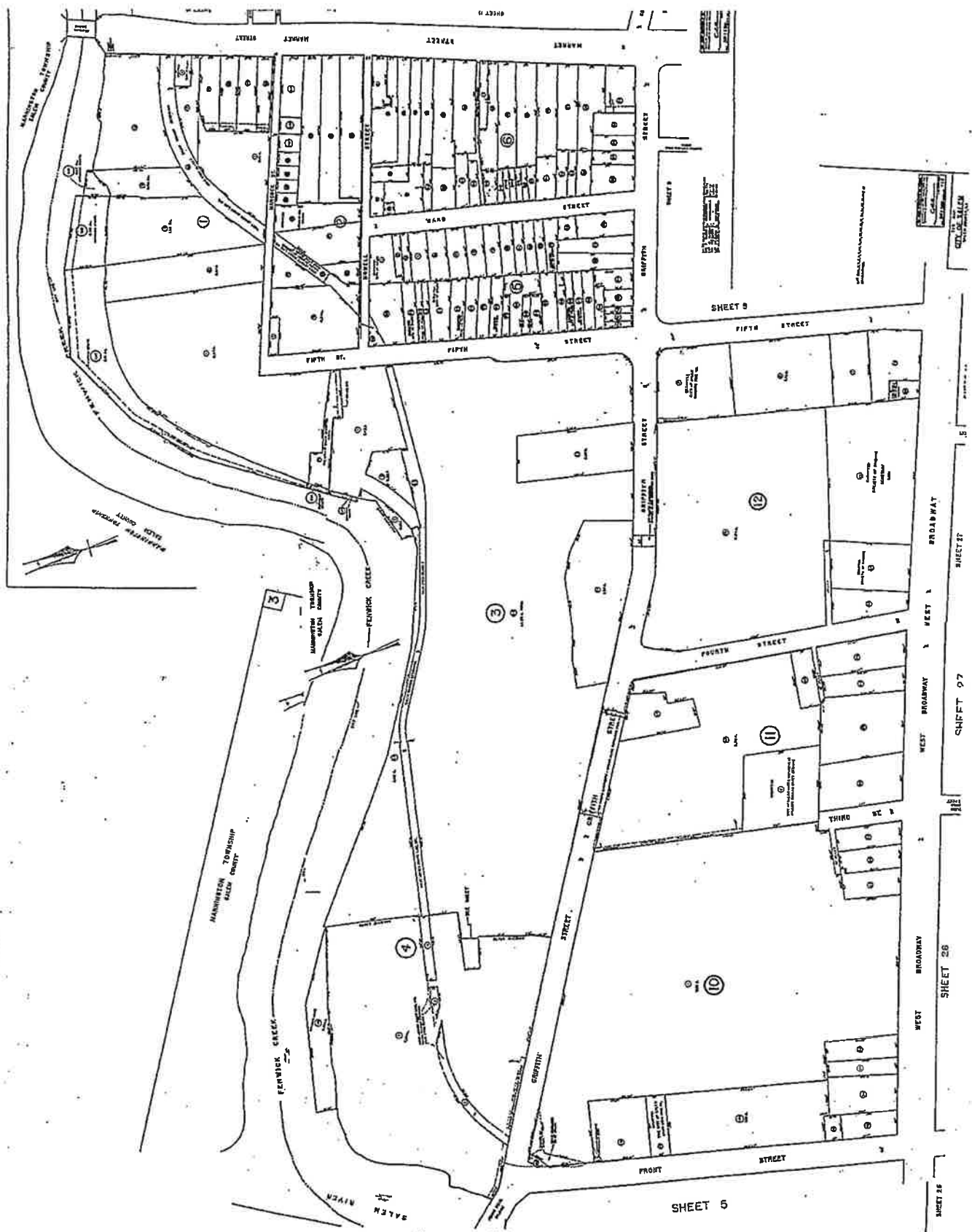
  
BARBARA A. WRIGHT, RMC  
City Clerk

## SCHEDULE A

Identification of the properties designated for inclusion into the study area for the "Area in Need of Redevelopment" investigation by the Salem City Planning Board.

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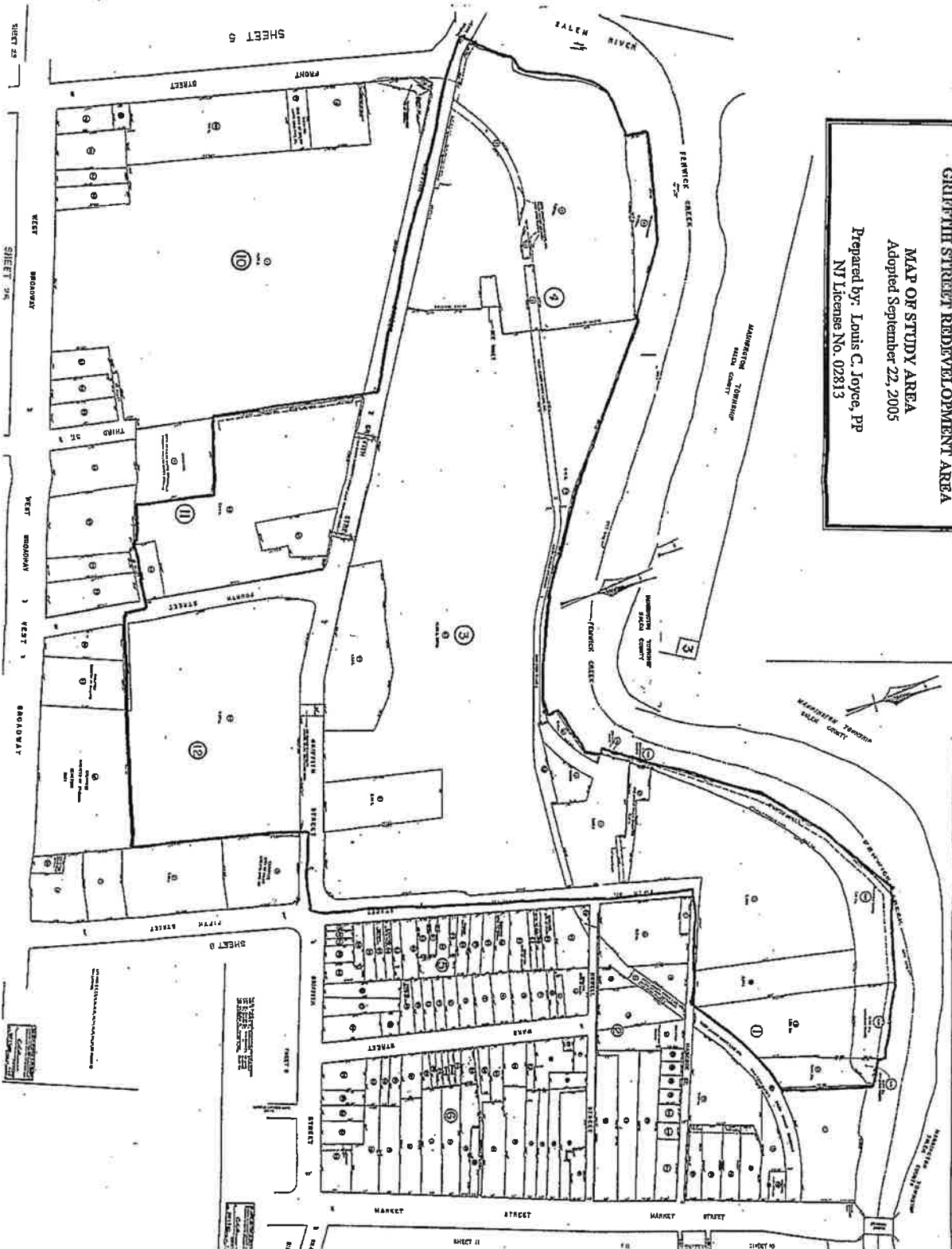


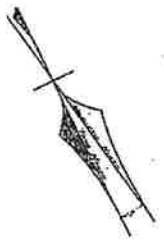


# GRIFFITH STREET REDEVELOPMENT AREA

MAP OF STUDY AREA  
Adopted September 22, 2005

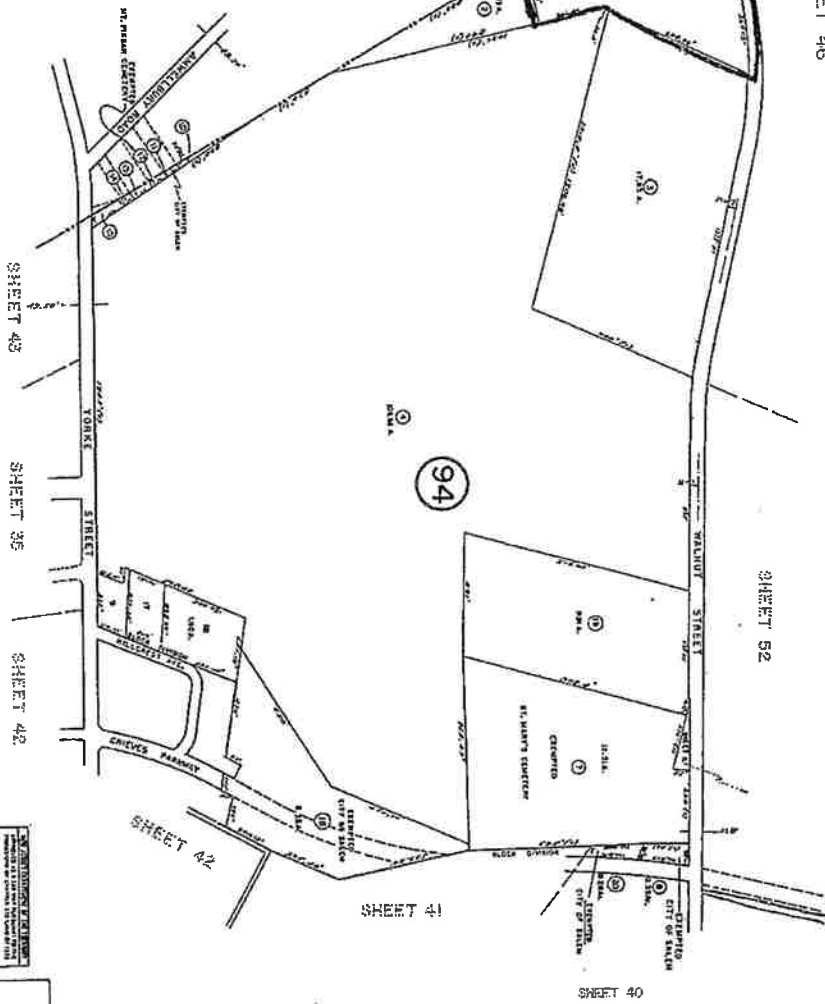
Prepared by: Louis C. Joyce, PP  
NJ License No. 02813





SHEET 46

ELSINBORO  
TOWNSHIP



GRIFITH STREET REDEVELOPMENT AREA

MAP OF STUDY AREA  
Adopted September 22, 2005

Prepared by: Louis C. Joyce, PP  
NJ License No. 02813

SEAL OF THE ENGINEER  
Louis C. Joyce  
Professional Engineer  
No. 02813  
NJ License No. 02813

CITY OF SALEM  
SALEM BOARD OF ENGINEERS  
SHOWN & COURTESY, ENGINEERS  
44