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# **Preliminary Investigation for Determination of an Area in Need of Redevelopment**

**Borough Landfill Redevelopment Area Extension**

**BOROUGH OF SOMERVILLE  
SOMERSET COUNTY, NEW JERSEY**

Remington & Vernick Engineers, Inc.  
232 Kings Highway East  
Haddonfield, New Jersey 08033

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Craig F. Remington, L.S., P.P.,  
Vice President  
License #1877

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George R. Stevenson, Jr., P.P., AICP  
License #5487

*Mayor*  
Brian G. Gallagher

*Council*  
Sean Decker  
Jane Kobuta  
Thompson Mitchell  
Dennis Sullivan  
Patricia Webster  
Rob Wilson

*Borough Administrator*  
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Richard Goldsmith  
Milton Peabody

# **Borough Landfill Redevelopment Area Extension Preliminary Investigation**

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## I. INTRODUCTION

In order to remedy existing conditions, through facilitating the restoration of landfill areas lands and addressing trends suggestive of economic and physical deterioration to maximize the future development of these lands to a state that will contribute to and service the public health, safety and welfare, the Mayor and Council of the Borough of Somerville by the adoption of a resolution on February 7, 2006 authorized the Borough's Planning Board to conduct a preliminary redevelopment investigation. The purpose of this investigation is to determine whether the portion of the Borough designated as the study area, as described herein, qualifies under statutory criteria to be declared in need of redevelopment.

As negative land use conditions either emerge or are discovered in a particular area, New Jersey municipalities often turn to redevelopment planning as a means of enhancing the development attractiveness of parcels within a targeted area. This enhancement of marketability results from the ability to take advantage of the benefits that accrue under the umbrella of the redevelopment approach, as set forth by the Local Redevelopment and Housing Law (LRHL). Several key benefits include the ability by the municipality to:

- Partner with the private sector through entering into contractual redevelopment agreements which may be structured to provide for a cash contribution, land 'give back' for a specific municipal purpose, tax abatement, infrastructure improvement or extension, or improvements unrelated to a specific redevelopment project, but consistent with overall municipal objectives.
- Maintain greater control over development in a redevelopment area through the adoption of a redevelopment plan, terms of a redevelopment agreement, and ability to select a specific redeveloper.
- Leverage grant funding for planning and development activity that would not otherwise be available.
- Adjust development regulations to encourage development.
- Extend redevelopment planning to parcels of any size and enable current landowners to advance redevelopment initiatives consistent with the adopted plan.

The study, commissioned by the Planning Board, was conducted by Remington & Vernick Engineers in accordance with the Local Redevelopment and Housing Law. Enacted in 1992, the *Local Redevelopment and Housing Law* P.L. 1992, c.79 (C40A:12A-1 et seq.) provides municipalities with a means to address conditions of deterioration and lack of proper land use for lands and/or buildings which are abandoned, decayed, undeveloped/under-developed, or non-productive/under-productive and to actively redevelop such areas into productive assets for the community.

Additionally, the redevelopment statute gives municipalities the power to acquire private property for the purposes of redevelopment (through negotiation or condemnation); to clear and reprogram said 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 a municipality's redevelopment goals and objectives.

An area may be deemed in need of redevelopment given the applicability of certain criteria and undertaking of appropriate procedures outlined in the Local Redevelopment and Housing Law. If the study area is deemed an area in need of redevelopment, this would then permit the preparation and execution of a redevelopment plan, and – should the plan call for such action – the acquisition of buildings and land through condemnation, the leasing or selling of property without public bidding, and allow the area to qualify for financial incentives.

## II. REDEVELOPMENT PROCESS

The redevelopment statute requires a multi-step process that must be adhered to in order for the municipal governing body and planning board to exercise these powers lawfully. This process is outlined below.

- (1) The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of P.L.1992, c.79 (C.40A:12A-5).
- (2) The planning board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein.
- (3) The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution for formal action.
- (4) Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
- (5) Upon designation, the planning board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
- (6) The redevelopment plan, after review by the planning board, is referred to the governing body.
- (7) Upon receipt of the redevelopment plan from the planning board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the Redevelopment Statute.

### III. BOROUGH OVERVIEW

The Borough of Somerville was incorporated in 1909, and is 2.4 square miles in area<sup>1</sup>. The Borough is located in the center of Somerset County in central New Jersey. It is bordered to the south by Hillsborough Township, to the west by Raritan Borough, and to the north and east by Bridgewater Township. The Borough has excellent regional access, with direct access to Interstate 287 and Route 206. Additionally, the Borough is situated on New Jersey Transit's Raritan Valley Line, which provides commuter rail service to Newark, New Jersey for communities in Hunterdon, Somerset, Union, and Essex counties.

From 1970 to 1990 the Borough's population decreased by approximately 15%; however, from 1990 to 2000 the population increased by approximately 7% to 12,423, and is projected to continue increasing through 2030 to 14,760. The number of jobs in the Borough is projected to increase until 2010 to 19,860, and then decline to 18,800 in 2030. As shown below in Figure 3, since 1980, the number of building permits issued for housing in Somerville has varied.

The New Jersey State Development and Redevelopment Plan (SDRP) categorizes most of the Borough as part of the Metropolitan (PA1) Planning Area, which the State has prioritized as an area for redevelopment and reinvestment. A small strip of land on the southwestern side of the Borough is classified within the Environmentally Sensitive (PA5) Planning Area. Additionally, the Borough is part of the Bridgeville – Raritan – Somerville Designated Regional Center.

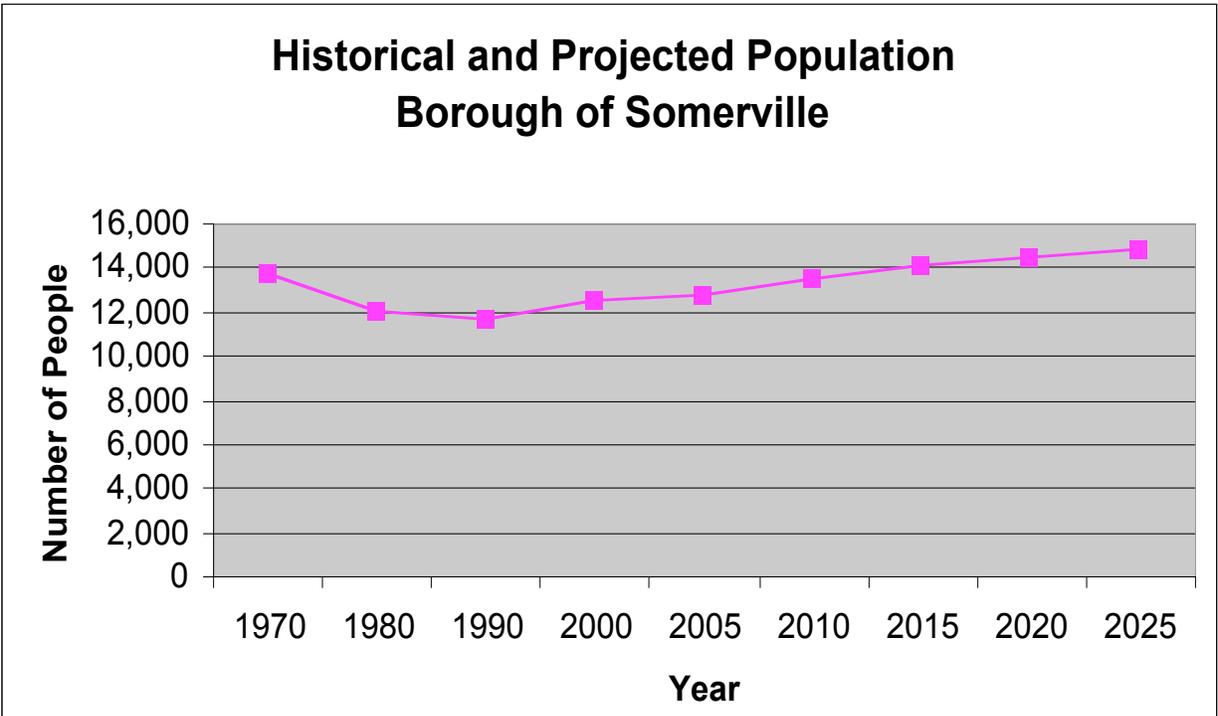
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<sup>1</sup> [http://www.reference.com/browse/wiki/Somerville,\\_New\\_Jersey](http://www.reference.com/browse/wiki/Somerville,_New_Jersey) (last visited October 17, 2005)

## IV. POPULATION AND HOUSING TRENDS

### Population

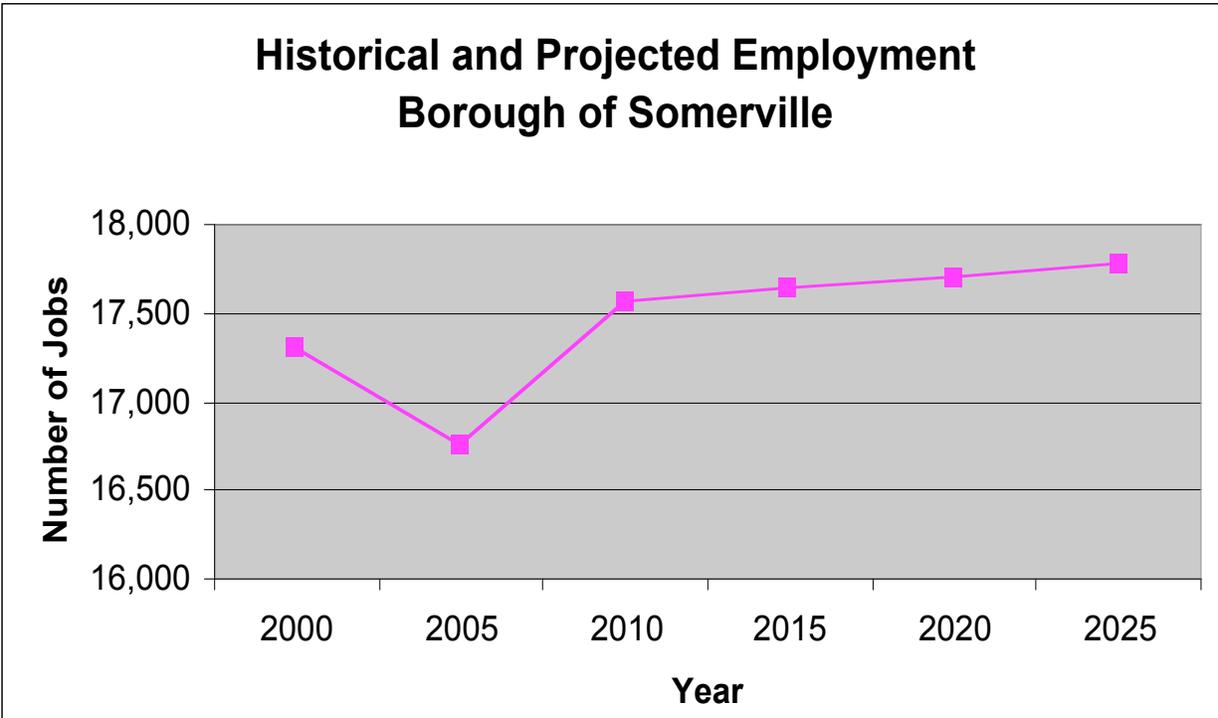
Figure 1.



Source: Bureau of the US Census (Historical Data); Draft Somerset Cross-acceptance Report, January 2005 (Projections)

## Employment

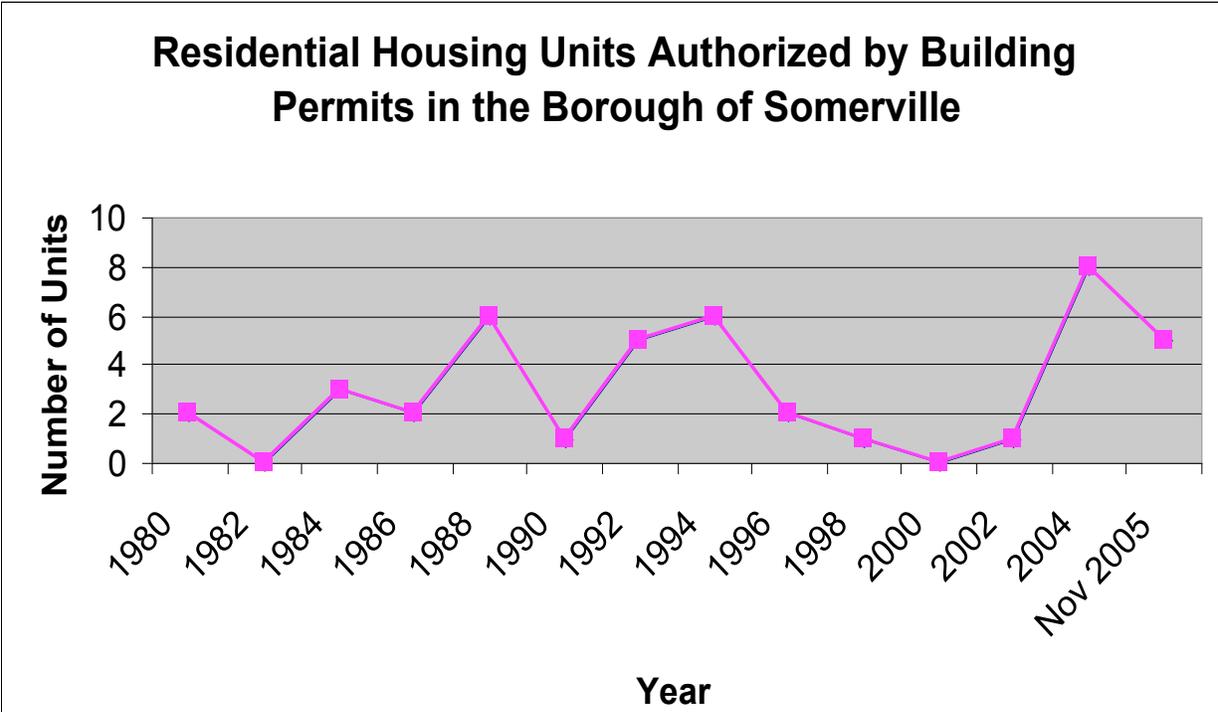
Figure 2.



Source: <http://www.nitpa.org/planning/forecasting/forecasting.html> [last visited October 2005] (Historical Data); Draft Somerset County Cross-acceptance Report, March 2005 (Projected Data)

## Residential Construction

Figure 3.



Source: <http://www.wnjpin.net/OneStopCareerCenter/LaborMarketInformation/lmi18/index.html> [January 2006]

## V. STUDY AREA AND BASIS FOR INVESTIGATION

### Study Area Delineation

The area under examination is generally bound by the New Jersey Transit right-of-way to the north, South Bridge Street to the east, Route 206 to the south, and Somerset Street to the west. The study area also includes three parcels, which front on the southern side of Route 206. The study area encompasses the site of a former landfill that has previously been declared an area in need of redevelopment. Specifically, the study area consists of the following tax parcels:

- **Block 123**                      Lots 2.01, 3, 3.01, 4, 5, 6, 6.01, 7, 7.01, 8, 9, 12, 12.01
- **Block 123.02**                Lots 1, 2
- **Block 123.03**                Lots 1.06, 4, 5
- **Block 124**                     Lots 1, 1.01, 1.02, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 17.01, 18, 18.01, 18.02, 19, 20, 21, 22, 23, 23.01
- **Block 125**                     Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
- **Block 126**                     Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

The boundaries of the study area were determined by the Borough given the presence of impediments to development (contamination and location in a flood plain); stagnant and a less than fully productive utilization of land; faulty arrangement; and physical deterioration. In aggregate, these conditions are detrimental to the health, safety, and welfare of the Borough. Additionally, the Borough recognized that these conditions have existed in the study area for some time, and that absent proactive Borough intervention in the form of redevelopment planning, said conditions are not likely to be remediated solely through private section initiatives.

### Description and Background

Uses within the study area include commercial, residential, and vacant and unimproved areas. The majority of the study area is located within the Metropolitan (PA1) Planning Area under the New Jersey State Development and Redevelopment Plan (SDRP), with the exception of three parcels in the southern section of the study area, which are situated within the Environmentally Sensitive (PA5) Planning Area (refer to Map 3).

The intent of the Metropolitan (PA1) Planning Area of the SDRP is to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;

- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities

The intent of the Environmentally Sensitive (PA5) Planning Area of the SDRP is to:

- Protect environmental resources through the protection of large contiguous areas of land;
- Accommodate growth in Centers;
- Protect the character of existing stable communities;
- Confined programmed sewers and public water service to Centers; and
- Revitalize cities and towns.

Additionally, the Borough is part of the Bridgeville – Raritan – Somerville Designated Regional Center. A regional center is characterized by a compact mix of residential, commercial, and public uses, serving a large surrounding area and developed at an intensity that makes public transportation feasible.

From a zoning standpoint, the study area parcels are located within the R-2 / Single Family Residence, B-6 / Shopping Center District, PO-R / Professional Office-Residential, B-2 / Central Business, B-3 / Business Service, B-5 / Highway Business, G / Garden Apartment, and I-1 / Industrial zoning districts.

The **R-2 / Single Family** district accommodates single family detached dwellings as well as community residences or shelters, and public administration buildings. The minimum lot size permitted is 6,000 square feet.

The **B-6 / Shopping Center** district provides for the development of retail uses, restaurants, professional offices, recreation uses, automotive dealers, beauty shops, dance studios and bowling centers, accessory apartments, child care centers, and medical and dental labs. Also, apartments are permitted on the second floor of non-residential buildings.

Uses permitted within the **PO-R / Professional Office-Residential** district include offices for finance, insurance, and real estate as well as general business purposes, single family detached dwellings, apartments in nonresidential buildings, photography studios, non-profit parks, municipal buildings and uses, and funeral homes.

The **B-2 / Central Business** district accommodates commercial uses including a variety of retail stores, restaurants, hotels, and medical offices. Additionally, one apartment unit, which is in conjunction with the main business use, is permitted above the main floors of a business structure.

The **B-3 / Business Service** district accommodates professional offices, specifically in the finance, insurance, real estate (FIRE), engineering, and advertising sectors. Also permitted in this zone are hotels, electrical repair shops, law offices, child care centers, and public administration offices.

Uses accommodated within the **B-5 / Highway Business** district include grocery stores, department stores, restaurants, automobile supply stores, professional offices, hotels and motels, and laundromats. Apartments located on the upper floors of nonresidential buildings are permitted.

Uses permitted within the **G / Garden Apartment** district include single family detached dwellings, two family dwellings, garden apartments, community residences, parks, and public administration offices.

The **I-1 / Industrial** district accommodates light manufacturing uses, laboratories, warehouses, transportation uses, public administration buildings, and professional office uses. It should be noted that light manufacturing uses within this district are limited to activities which involve the fabrication, reshaping, reworking or assembly or combining of products and which do not involve the synthesis of chemicals or chemical products or the processing on any raw materials.

## VI. MAPS OF STUDY AREA

Map 1. Access Routes in the Vicinity of the Study Area

