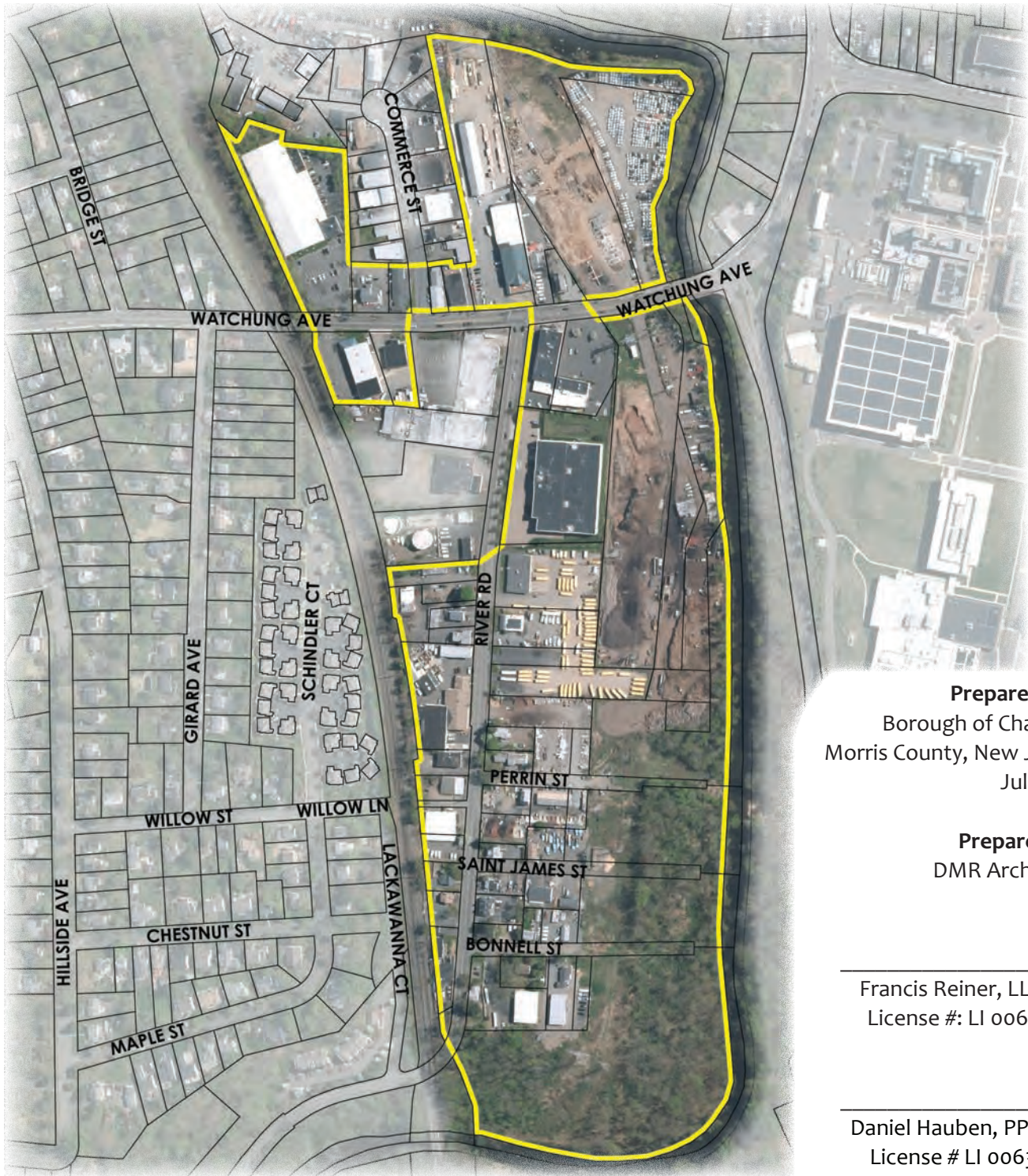


Report of

# Preliminary Investigation for Determination of an Area in Need of Redevelopment and Rehabilitation

Block 134, Lots 1-7 & 26-28; Block 135, Lots 1-8 & 13-14; Blocks 136-140 (All Lots)



**Prepared For:**  
Borough of Chatham  
Morris County, New Jersey  
July 2021

**Prepared By:**  
DMR Architects

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## BACKGROUND

INTRODUCTION	1
I. PURPOSE:	1
II. INTRODUCTION:	1
III. AREA OF INVESTIGATION OVERVIEW AND CONTEXT:	2
IV. PROPERTY DESCRIPTION:	2
V. DISCLAIMERS REGARDING INVESTIGATION:	3
CURRENT ZONING	8
I. CURRENT ZONING:	8
STATUTORY REQUIREMENTS	9
I. STATUTORY REQUIREMENTS FOR DESIGNATION:	9
II. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REHABILITATION” DESIGNATION:	9
III. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REDEVELOPMENT” DESIGNATION:	9
IV. COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES	10
REHABILITATION ANALYSIS	14
I. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REHABILITATION” DESIGNATION:	14
II. AREA DESCRIPTION:	14
III. LOCATIONS OF STORMWATER AND SEWER INSPECTIONS:	22

## SITE ANALYSES

BLOCK 135, LOT 8	25
BLOCK 135, LOTS 4, 6 & 7	28
BLOCK 135, LOT 5	33
BLOCK 135, LOT 3	36
BLOCK 135, LOT 2	42
BLOCK 135, LOT 1	45
BLOCK 136, LOTS 5 & 6	48
BLOCK 136, LOT 4	51
BLOCK 136, LOT 3	56

BLOCK 136, LOT 2	57
BLOCK 136, LOT 1	60
BLOCK 137, LOTS 1 & 5	61
BLOCK 137, LOT 2	63
BLOCK 137, LOT 3	66
BLOCK 137, LOT 4	69
BLOCK 138, LOT 1	72
BLOCK 138, LOTS 2 & 3	73
BLOCK 138, LOT 4	76
BLOCK 138, LOT 5	79
BLOCK 138, LOT 6	81
BLOCK 138, LOT 7	84
BLOCK 139, LOT 1	87
BLOCK 139, LOT 2	88
BLOCK 139, LOT 3	91
BLOCK 139, LOTS 4-7; BLOCK 140, LOTS 2, 3, & 6	94
BLOCK 140, LOT 1, 15	98
BLOCK 140, LOT 4	99
BLOCK 140, LOT 5	102
BLOCK 140, LOTS 7.01 TO 10	104
BLOCK 140, LOTS 7.02, 13, 14, 16, 17	108

## RECOMMENDATIONS

AREA WIDE ANALYSIS - REDEVELOPMENT	112
SUMMARY OF FINDINGS AND RECOMMENDATIONS	114
APPENDICES	







## **Acknowledgements:**

### **Mayor and Council**

Mayor Thaddeus J. Kobylarz  
Council President Jocelyn Mathiasen  
Council Member Frank Truilo  
Council Member Carolyn Dempsey  
Council Member Karen Koronkiewicz  
Council Member Irene Treloar  
Council Member Leonard Resto

### **Borough of Chatham**

Stephen W. Williams, Borough Administrator  
Tamar Lawful, Borough Clerk  
Vincent DeNave, PE, Borough Engineer & Zoning Official

### **Borough Professionals**

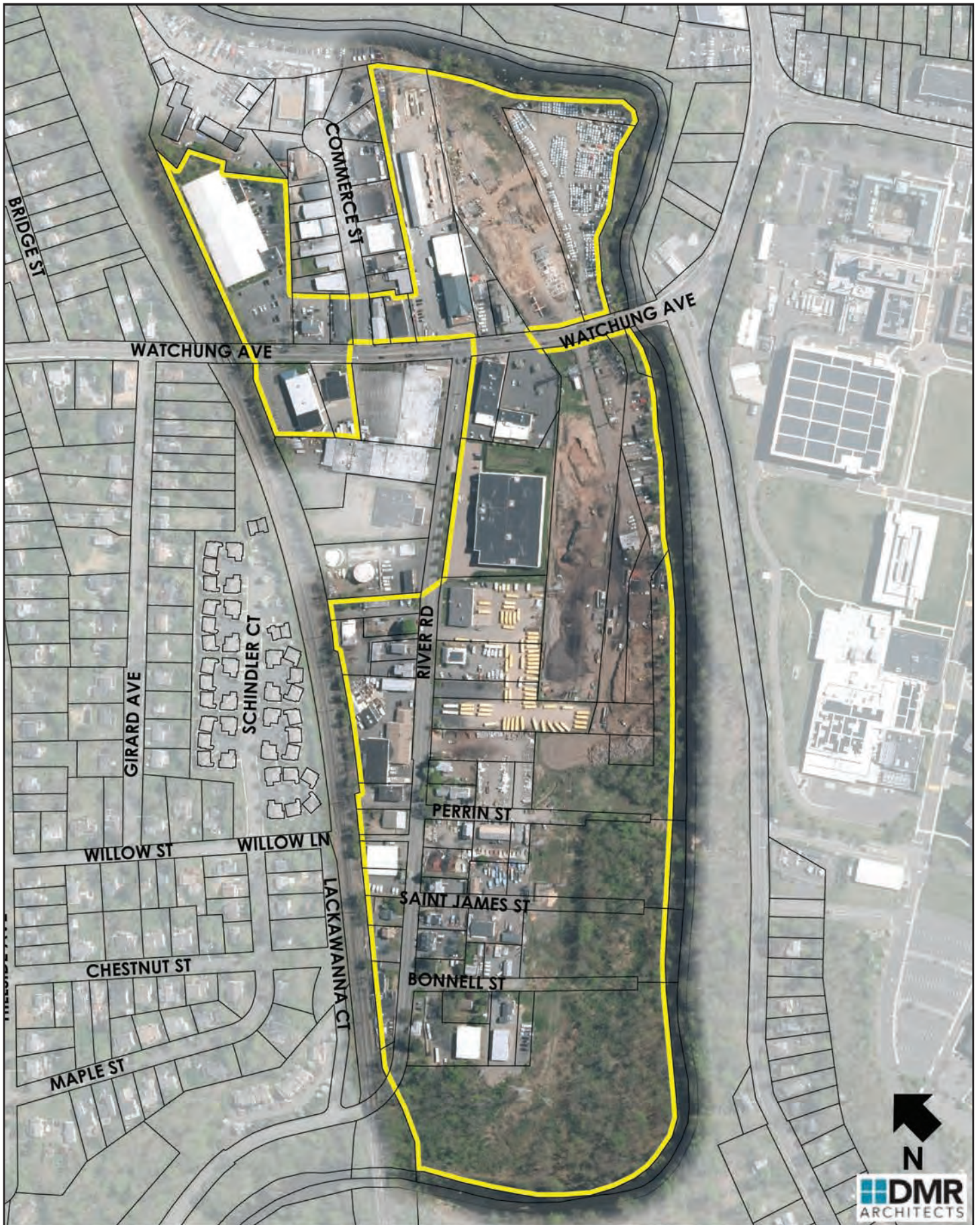
Kendra Lelie, PP, AICP, ASLA, Kyle McManus Associates, Borough Planner  
Vincent DeNave P.E., Borough Engineer  
Steven Kleinman, Borough Attorney

### **Planning Board**

Board Chair, Susan W. Favate  
Board Vice Chair, Matthew Wagner  
Mayor Thaddeus J. Kobylarz  
Borough Employee, Borough Administrator Stephen W. Williams  
Board Member & Environmental Commission Member Torri Van Wie  
Board Member & Zoning Board Member H. H. Montague  
Board Member & Council Member Frank Truilo  
Board Member Curt Dawson  
Board Member William Heap  
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### **Planning Board Professionals**

Vincent K. Loughlin, Esq., Board Attorney  
Kendra Lelie, PP, AICP, ASLA, Kyle McManus Associates, Borough Planner  
Vincent DeNave P.E., Board Engineer  
Robert C. Brightly, PE, Board Consulting Engineer



Map 1: Study Area



**I. PURPOSE:**

The Borough's Mayor and Council adopted Resolution No. 20-2-14 on August 17, 2020, which directed DMR Architects to undertake a preliminary investigation pursuant to the Local Redevelopment and Housing Law (LRHL), to determine whether the properties in an area generally along River Road and Watchung Avenue between the Passaic River and the NJ Transit Rail right-of-way the "Area of Investigation" or "Study Area") met the statutory criteria set forth in N.J.S.A. 40A:12A-5 and 14 to be designated as an area or areas in need of redevelopment (without condemnation) or rehabilitation, as follows:

Preliminary Redevelopment and Rehabilitation Investigation for:

Block 135, Lots 1, 2, 3, 4, 5, 6, 7, 8;

Block 136 Lots 1, 2, 3, 4, 5;

Block 137, Lots 1, 2, 3, 4, 5;

Block 138, Lots 1, 2, 3, 4, 5, 6, 7;

Block 139, Lots 1, 2, 3, 4, 5, 6, 7;

Block 140, Lots 1, 2, 3, 4, 5, 6, 7.01, 8, 9, 10, 13, 14, 15, 16

Preliminary Rehabilitation Investigation (only) for:

Block 134 Lots 1, 2, 3, 4, 5, 6, 7, 26, 27, 28

Block 135, Lots 13, 14

Block 140, Lots 11, 12, 12.01

Resolution 20-215, adopted on the same day, authorized DMR Architects to begin the Study

**II. INTRODUCTION:**

This report is written pursuant to Section 6 of the LRHL, serving as the "statement setting forth the basis for investigation." The LRHL requires the following procedures:

- a. No area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L. 1992, c.79 (C:40A:12A-5). The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality.
- b. After completing its hearing on this matter, the Planning Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area.



### **III. AREA OF INVESTIGATION OVERVIEW AND CONTEXT:**

The Borough of Chatham is a community of 8,881 people at the border of Morris and Union Counties, directly in between the City of Summit and the Borough of Madison. Chatham is a high wealth community with a median household income of \$169,524, where more than three-quarters of the adult population has earned a bachelors, graduate, or professional degree as their highest educational achievement. The median age of Borough residents is 41 years old, which is older than the median age of 37.9 years for the country as a whole.

The 2012 Survey of Business Owners conducted by the US Census Bureau counted 895 firms in the Borough. For comparison, the New Jersey Department of Labor and Workforce Development identified 304 private sector employment "units" (workplaces) in 2019 based on unemployment insurance data, employing a total of 2,921 workers in the Borough. Average annual wages for private sector employees working in the Borough were estimated at \$91,794 in 2019, whereas average wages for the 368 local government jobs and 31 federal government jobs in the Borough were \$66,765 and \$64,072, respective to order.

The Borough is directly across the Passaic River from the Short Hills mall, along NJ-24. Chatham also enjoys having a New Jersey Transit passenger rail station in its downtown roughly in the center of the municipality.

### **IV. PROPERTY DESCRIPTION:**

The Study Area is comprised of 62 parcels (lots) along River Road and Watchung Avenue, between Passaic River and the NJ Transit Rail right-of-way at the southeast side of Chatham Borough, near the border with the City of Summit. The lots in the Study Area have a combined area of approximately 51 acres, not including streets.

The uses in the study area are generally comprised of industrial and commercial uses as well as public utilities. There are also several dwellings in the area having between one and four dwelling units. The energy provider Jersey Central Power and Light owns a right of way easement varying in width across the properties closest to the Passaic River, with portions of the easement being wider than 300 feet. Based on NJ DEP GIS data and preliminary flood insurance rate map (PFIRM) data from FEMA, the lands closest to the River are likely encumbered by wetlands and 100-year flood plains.

The area represents a gateway into Chatham from Summit, to the east, as Watchung Avenue passes through the Study Area over the Passaic River and connects to River Road in Summit. River Road, then, connects to Morris Avenue, which leads to downtown Summit, or to NJ-24, which provides connections from I-78. The Study Area is also one mile from downtown Chatham and the Chatham train station.

In November, 2018, the Borough designated Lots 9 to 11 on Block 135, at the northwest corner of River Road and Watchung Avenue, as an area in need of redevelopment. The investigation report prepared by Topology, the planning firm selected to conduct the investigation and prepare a Redevelopment Plan, concluded that all three lots met criteria "d" (concerning general conditions on a property that are detrimental to the public safety and welfare) and "h" (a finding that redevelopment of a property would

be consistent with smart growth principles), and that Lot 9 met criterion "a" (concerning buildings that are in substandard condition). Conditions leading to these conclusions include a obsolete site layouts for an obsolescent use, hazardous circulation conditions, and a lack of maintenance on the sites. Minutes from a June 17, 2020 Planning Board meeting indicate that proposals for the Redevelopment Area at that time included 259 residential units.

The Borough's Master Plan describes the area as having a number of issues including containing prohibited uses (specifically noting outdoor storage as a principal use), parking and access arrangements that pose safety hazards to drivers on River Road and Watchung Avenue, and being aesthetically unpleasant and inadequately screened from the street, the Passaic River, or adjacent residential properties. The 2006 Master Plan Re-Examination Report called for the Borough to improve the "utilization and appearance" in the same manner the Borough strove to improve its downtown area.

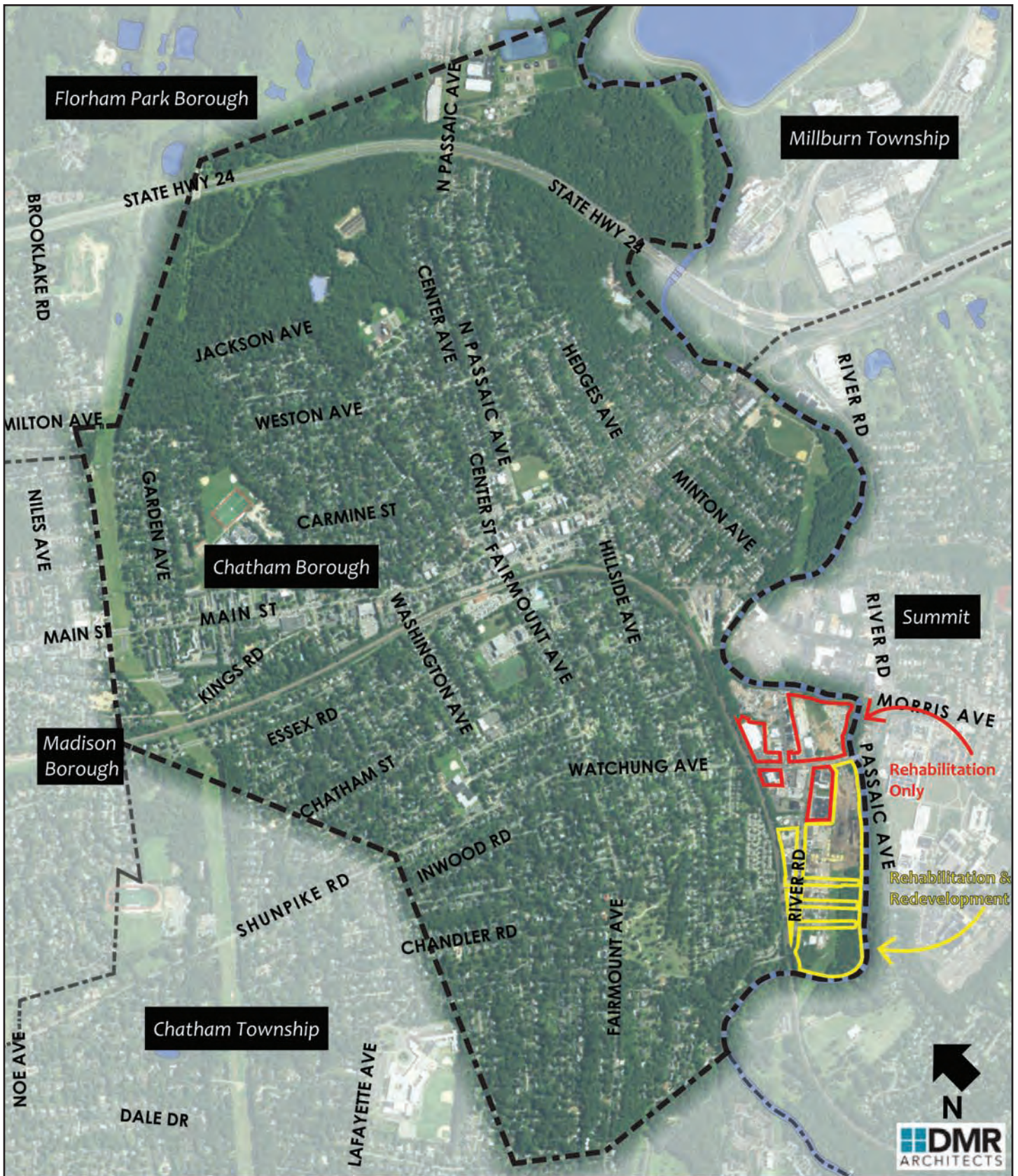
A 2010 Open Space and Recreation Plan recommended using Borough-owned property to create a "blueway" path along the Passaic River.

The 2013 Land Use Element Amendment added a Master Plan Goal (#10) that combined the recommendations of past Master Plan amendments and elements to generally call for maintaining permitted uses, with an emphasis on light manufacturing, assembly, and low toxicity/impact laboratories, and generally promoting attractive mixed use development with improved pedestrian accessibility streetscape improvements, and an overall enhanced aesthetic character to celebrate River Road and Watchung Avenue as gateways into the Borough. This effort would be supported by providing public access to the Passaic River. This led to the adoption of the Gateway Overlay Zone District.

#### **V. DISCLAIMERS REGARDING INVESTIGATION:**

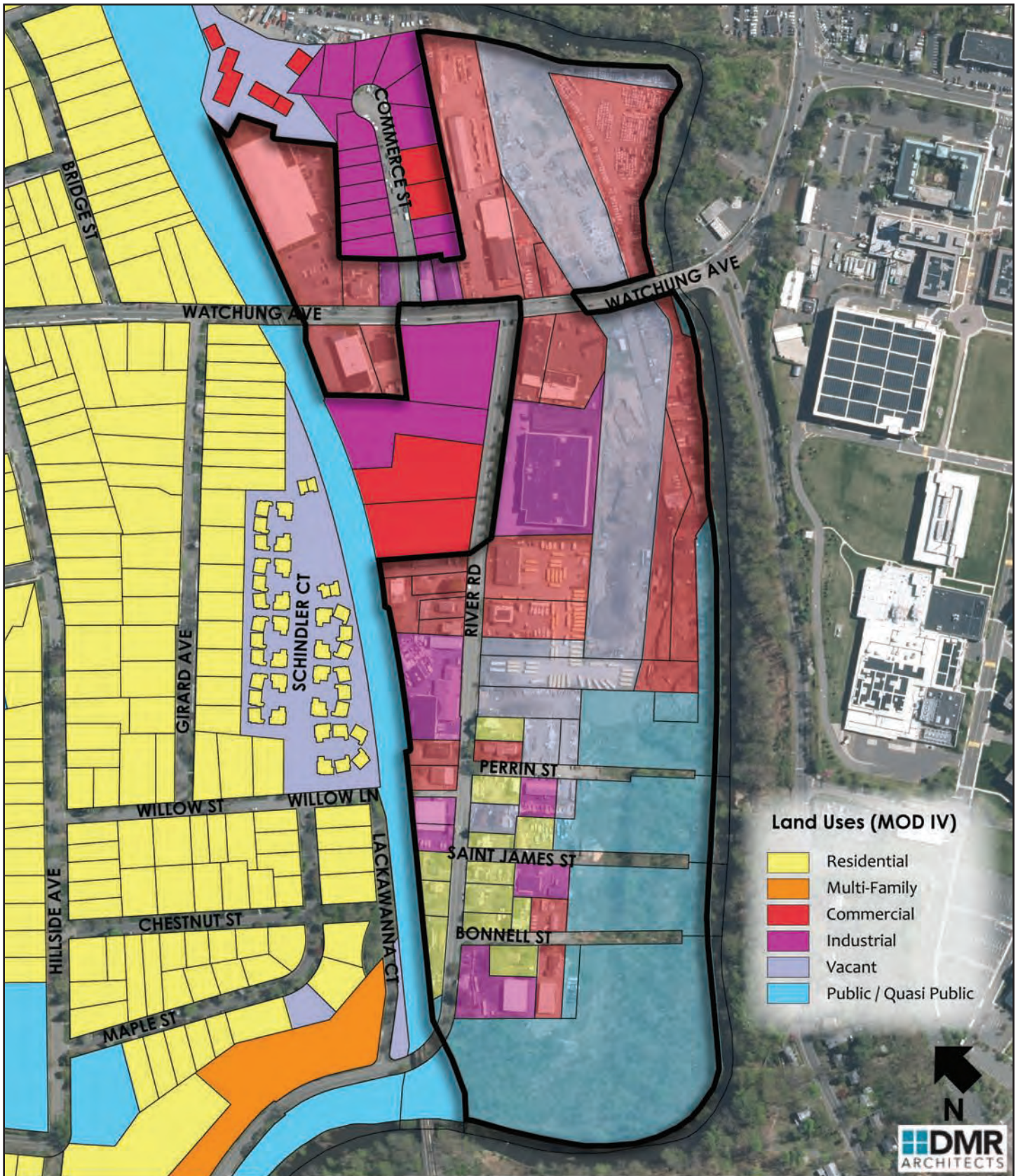
DMR's investigation of the Study Area included analysis of current and historical maps (including online services such as Google Maps), review and analysis of public documents provided by the Borough or made available by the County, and a site visit to the Study Area. It should be noted that DMR's in person investigation was generally limited to what is visible from the public rights-of-way. Therefore, DMR was unable to examine, in person, the conditions affecting all of the lands and properties in the study area, particularly longer lots and lands closest to the Passaic River.





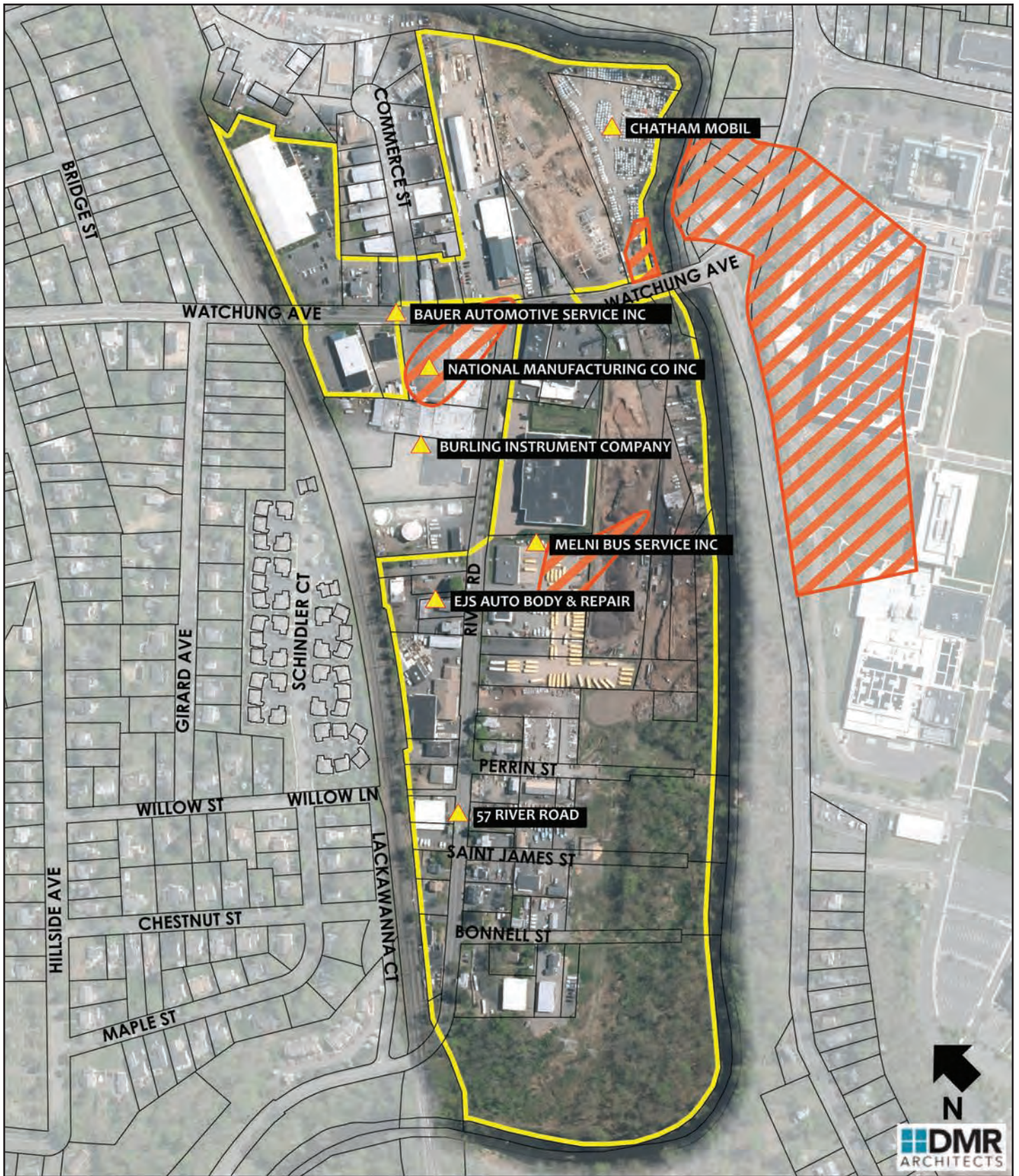
Map 2: Borough-wide map showing location of Study Area.





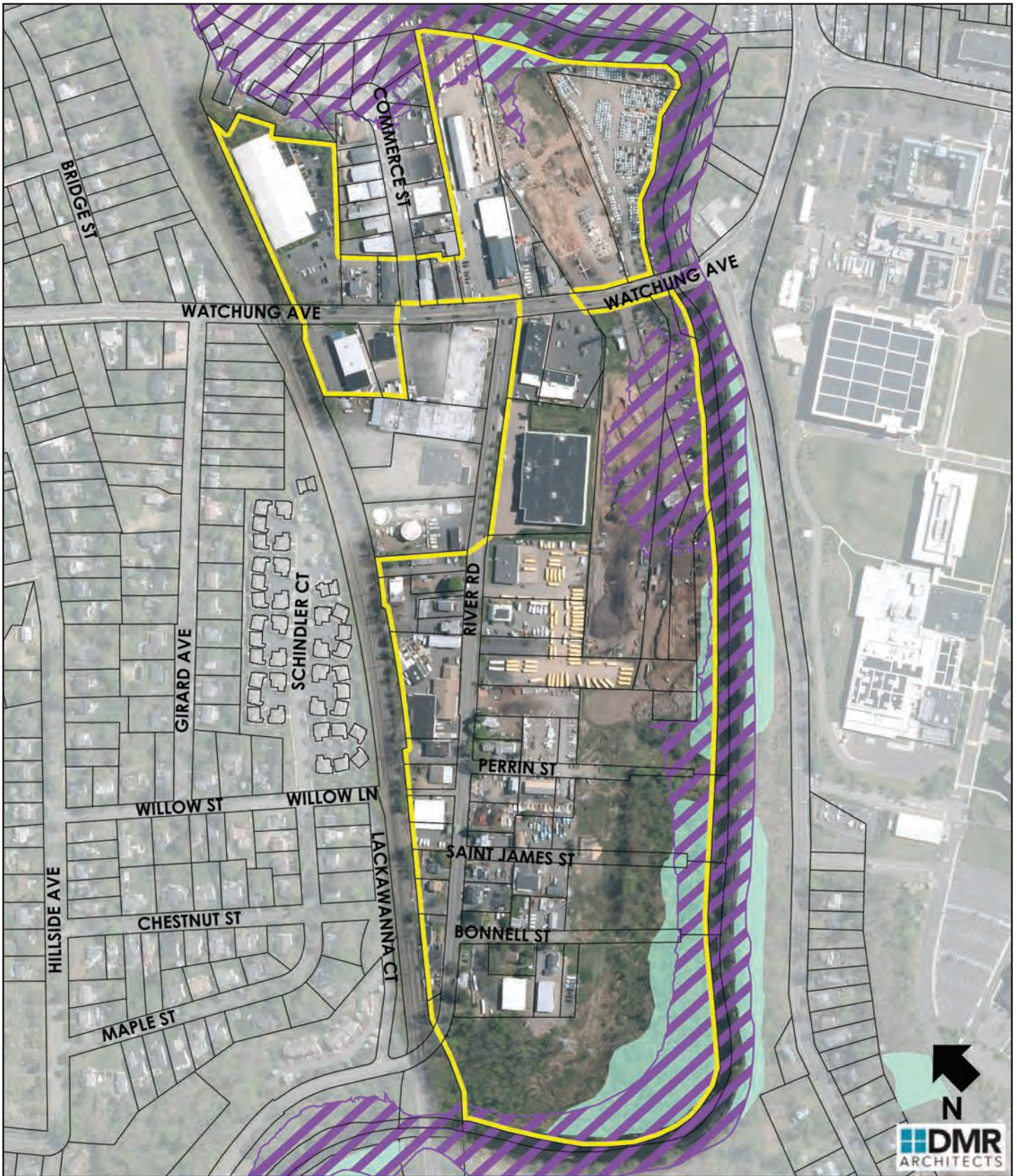


## INTRODUCTION



Map 4: Known Contaminated Sites (Yellow Triangles) and Contaminated Areas (Orange - Hatched Areas).





Map 5: 100-Year flood plain (purple) and likely wetland areas (blue-green).

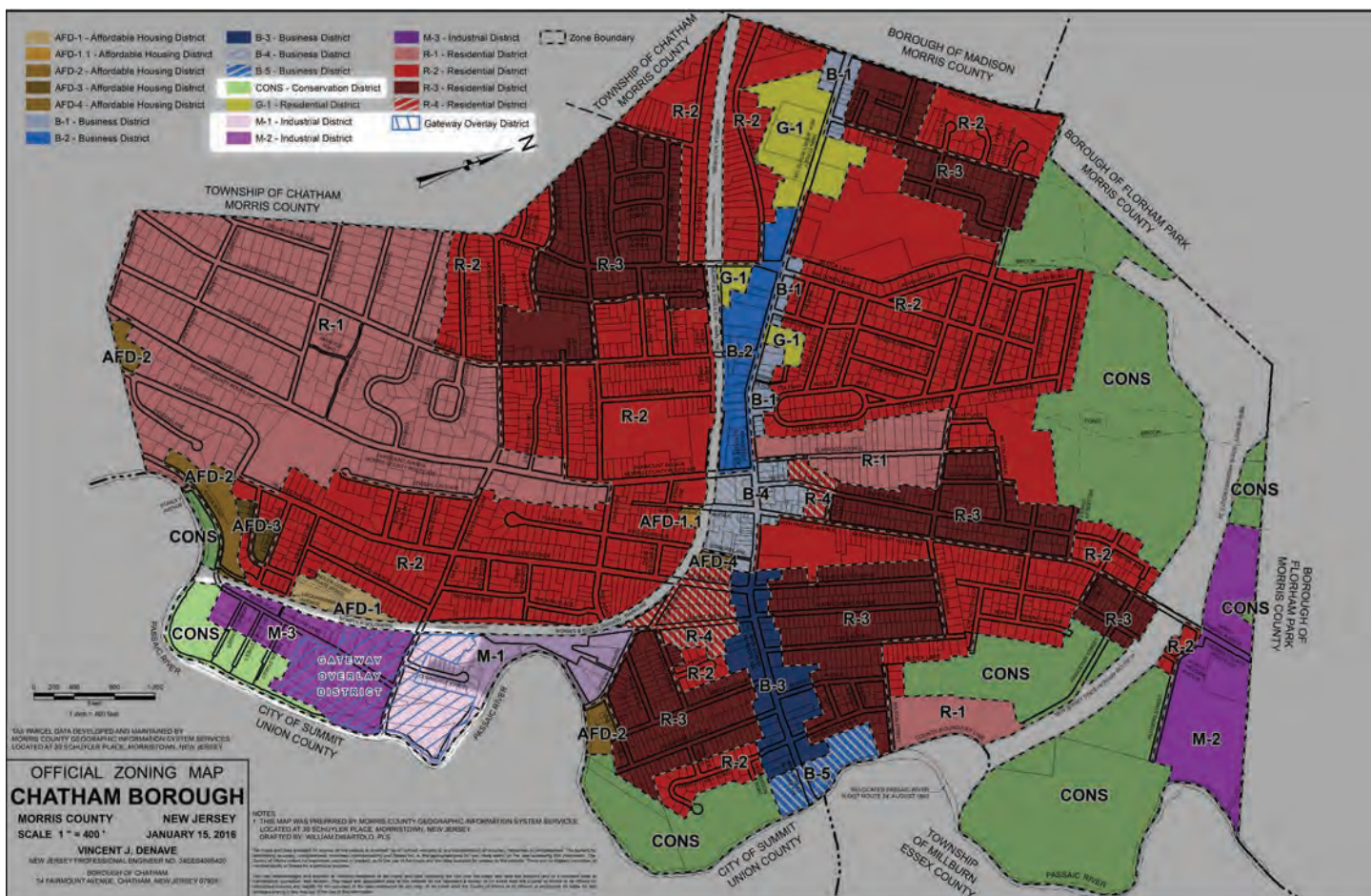


## **I. CURRENT ZONING:**

The properties in the Study Area are located in four (4) zoning districts including one overlay zoning district.

- **CONS (Conservation) Zone District:** The southernmost properties in the Study Area, consisting of Block 137, Lot 1; Block 138, Lot 1; Block 139, Lot 1; and Block 140, Lot 1, are all municipally owned lots within the Conservation zone. Use of these lots is limited to natural conditions, public parks, wildlife preserves, and non-commercial outdoor recreational uses. Heights, coverages, and setbacks of development is highly restrictive.
- **M-1 & M-3 (Industrial) Zone Districts:** The remainder of the lots in the Study Area are zoned for a range of industrial, office, and commercial uses. Residential uses are conditionally permitted in the M-1 District (northernmost part of the Study Area) and permitted by-right in the M-3 District (middle of the Study Area).
- **Gateway Overlay District:** This encompasses Lots 1, 2, 3, 4, 5, 6, 7, 26, 27, 28 on Block 134; Lots 9 through 14 on Block 135; and Lots 7.01 to 16 on Block 140. The zoning provides for mixed-use and/or townhouse development regulated by bulk and design standards intended to help redevelop this intersection to create a gateway style neighborhood at the entrance to the Borough from Summit, across the Passaic.

The full use and bulk standards can be found in Appendix 7 of this Report.



**Map 6:** Zoning Map prepared by Vincent DeNave, with Study Area Highlighted by DMR.

## **I. STATUTORY REQUIREMENTS FOR DESIGNATION:**

The laws governing redevelopment by municipalities in New Jersey are set forth in the LRHL, which is codified at N.J.S.A. 40A:12A-1 et seq. This statute grants the governing body of a municipality the power to authorize the Planning Board to conduct a study to determine whether an area is in need of redevelopment or rehabilitation; to make such a determination following the completion of the study; and to adopt a plan for redevelopment or rehabilitation of the designated area(s).

## **II. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REHABILITATION” DESIGNATION:**

DMR was also tasked with investigating whether the Study Area met the criteria at N.J.S.A. 40A:12A-14 for designation of an Area in Need of Rehabilitation. Pursuant to N.J.S.A. 40A:12A-14, a delineated Study Area may be designated in need of rehabilitation by a municipal governing body if it is determined that a program of rehabilitation, as defined at N.J.A.C. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community, and that there exist in that area any of the conditions listed below. The Rehabilitation Study Area can be investigated as a whole, and every individual parcel does not need to meet the specific criteria. The criteria are:

1. A significant portion of structures therein are in a deteriorated or substandard condition;
2. More than half of the housing stock in the delineated area is at least 50 years old;
3. There is a continuing pattern of vacancy, abandonment or under-utilization of properties in the area;
4. There is persistent arrearage of property tax payments thereon;
5. Environmental contamination is discouraging improvements and investment in properties in the area; or
6. A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

## **III. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REDEVELOPMENT” DESIGNATION:**

DMR was also tasked with investigating whether a portion of the Study Area is eligible for designation as an area in need of redevelopment. Pursuant to N.J.S.A. 40A:12A-5, a “delineated area” may be determined to be in need of redevelopment only if, after an investigation by the Planning Board and a public hearing for which notice has been given, it is found that the area meets one or more of the following criteria:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated or obsolescent or possess any of such characteristics, or are so lacking in light, air or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be

developed through the instrumentality of private capital.

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or other 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 areas 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 for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c. 79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The description of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Additionally, a redevelopment area “may include lands, buildings or improvements which of themselves area 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”. See N.J.S.A. 40A:12A-3.

#### **IV. COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES**

In DMR's experience investigating areas for Redevelopment designation, DMR has identified a number of common issues that may be cause for considering a site as being in need of Redevelopment. Due to the size of this particular area, DMR is providing the following list of common site issues and explanations of why each of those issues may justify a redevelopment designation, so that those explanations need not be repeated for each instance that an issue is called out in this report.

1. Front Yard Parking: As it pertains to streets that have commercial, industrial and manufacturing uses, any parking area in a front yard designed such that car must either back out into the street directly from parking



spaces or back into parking spaces from the street creates unsafe driving conditions on that street. Cars reversing into these types of streets have limited visibility and may not be able to see or be seen by moving cars in the right-of-way, putting both drivers at risk. Drivers that choose to back into front yard parking spaces in order to be able to pull forward out of the parking space later create unsafe road conditions by disrupting the flow of traffic in order to stop in the middle of the road and back into the parking space. This type of disruption can increase risks of accidents and exacerbate traffic. This condition is different from residential streets that have lower volumes of traffic and represent typical vehicle movements for those types of streets.

2. Parking, Circulation, and Access Management: A site that exhibits defective or nonexistent access, parking, and circulation management, reflected by problems with signage, striping, or physical mechanisms or controlling the movement or placement of vehicles into or within a site, may constitute obsolete or problematic layout and site arrangement that is harmful to the public safety and welfare. Poorly managed parking and circulation increases the risk of harm to people and property on and off site, and can create a sense of chaos for persons not familiar with informal practices on the site.
3. Surface Types: Excessive impervious cover, primarily paved parking and storage areas and other hard surfaces, prevent the absorption of stormwater into the ground and instead accelerate the flow of storm water toward low-lying sections of property where it is likely to pond, or onto adjacent properties and public rights of way. This can increase the rate of degradation of surfaces and structures in the water's path and where it pools up, which is especially problematic if the path and destination includes areas off-site from where the water originates. In addition, these conditions create concerns during freeze events. Similarly, DMR considers whether surfaces, especially uphill surfaces, are comprised of loose soil or gravel that is likely to be washed into the streets or adjacent properties during heavy storms, as this can impede safe and comfortable pedestrian movement on sidewalks or harm adjacent properties.
4. Downspout Positioning and Rooftop Drainage: DMR looks at the systems for divert storm water from roofs and gutters and how that diverted is released onto the site. Downspouts opening near building walls and/or onto paved surfaces (especially those near building walls) will not only accelerate the deterioration of those structures as a result of the freeze-thaw affect and general erosion but represent a dangerous condition during freeze events for pedestrians and vehicles, who may slip and fall or lose traction. DMR makes note of damage to walls and surfaces or accumulation of sediment near or around downspout and other drain openings to determine if there is a long history of water damage resulting from the drainage design, as this may provide hints about structural soundness and insulation quality in buildings, which affect health, safety, and quality of life for their occupants.
5. Site Drainage: In addition to considering the impact of surface conditions and building-based storm water diversion systems, DMR considers whether the site in question has strategically positioned, well graded, and well distributed storm drain inlets in the ground to collect storm water from surfaces into underground storm sewer systems, which would help to counteract problems caused by excess impervious surface or other drainage issues. One of the larger problems from poor site drainage include regular accumulation of stormwater in low-lying spots on or off-site, which can accelerate deterioration of surfaces or structures in those low lying areas. Those low lying areas might include sidewalks and roadways, which can create unsafe conditions for pedestrians or motorists, or adjacent properties, which can impact property rights and enjoyment of property.
6. Lack of Lighting: Adequate lighting is necessary on non-residential and multi-family properties that have large open areas used for operations, parking, and storage. If a site does not have enough lighting for these areas,



COMMON SITE ISSUES AND REASONS FOR THEIR  
CONSIDERATION

it may be considered faulty or obsolete site design. It may also be a safety hazard as a lack of lighting can contribute to accidents involving cars and/or pedestrians in the night time or early mornings, or could make an area attractive for criminal mischief.

7. Americans with Disabilities Act Compliance: A multi-family residential development or non-residential development that does not have safe and efficiently designed accommodations for persons with disabilities, including accessible parking spaces, building entrances, or facilities is inherently harmful to the public welfare by depriving people of equal access to housing, jobs, and services.
8. Screening and Buffering: A lack of screening or buffering between non-residential uses (especially industrial uses, parking, or storage) and residential uses or public rights-of-way can harm the public welfare by failing to abate the impact of business activities on the public or residents. Screening not only helps to reduce the visual impact of unpleasant or unappealing uses, but can also improve privacy and reduce the impact of noise and other nuisances on residents and the public. Consequently, a lack of screening on properties near residents or main roads deteriorates quality of life in the community.
9. Reliance on Adjacent Properties without Written Agreement: If one or more property owners relies on usage of another party's property for its regular operations, it may constitute an obsolete condition that creates confusion as to ownership and puts the future of the uses on the properties involved in jeopardy. If a property changes ownership and the new owner elects not to respect the informal arrangement for cross access or usage of the property by other owners, it may deny usage of the property by the other business, which could harm that business' operations.
10. Nonconforming Use: Zoning is an important tool for communities to assert some control over how land in their town is used and developed in a manner that promotes the public welfare. When zoning or design standards are updated, they tend to reflect current standards for sound planning, safety, and efficiency. By this understanding, any use design that is not permitted by current zoning standards is obsolete. A nonconforming use may be inherently benign, but may be detrimental to the public welfare by nature of its location (proximity to dwellings, bodies of water, road access). Additionally, a nonconforming condition may be allowed to continue due to "grandfathering" practices, but may still fit the definition of an obsolete condition and may still be considered harmful.
11. Undersized Driveways: Driveways that are undersized for their use are harmful to personal and property safety. A two-way driveway that has the width of a one-way driveway, for example, risks cars colliding with each other when going in opposite directions. There are also hazards associated with cars yielding to each other by backing out into the road or to parking areas to allow the other car to use the driveway. A narrow driveway between two buildings or structures and which is the sole means of access to the rear of a building can be harmful to public well-being if it is not wide enough for fire or other emergency vehicles to access the rear yard without striking building walls or other improvement

# **SITE ANALYSES REHABILITATION CRITERIA**

**I. STATUTORY CRITERIA FOR AN “AREA IN NEED OF REHABILITATION” DESIGNATION:**

DMR was also tasked with investigating whether the Study Area met the criteria at N.J.S.A. 40A:12A-14 for designation of an Area in Need of Rehabilitation. Pursuant to N.J.S.A. 40A:12A-14, a delineated Study Area may be designated in need of rehabilitation by a municipal governing body if it is determined that a program of rehabilitation, as defined at N.J.A.C. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community, and that there exist in that area any of the conditions listed below. The Rehabilitation Study Area can be investigated as a whole, and every individual parcel does not need to meet the specific criteria. The criteria are:

1. A significant portion of structures therein are in a deteriorated or substandard condition;
2. More than half of the housing stock in the delineated area is at least 50 years old;
3. There is a continuing pattern of vacancy, abandonment or under-utilization of properties in the area;
4. There is persistent arrearage of property tax payments thereon;
5. Environmental contamination is discouraging improvements and investment in properties in the area; or
6. A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

**II. AREA DESCRIPTION:**

The Study Area is comprised of 62 parcels (lots) along River Road and Watchung Avenue, between Passaic River and the NJ Transit Rail right-of-way at the southeast side of Chatham Borough, near the border with the City of Summit. The lots in the Study Area have a combined area of approximately 51 acres, not including streets.

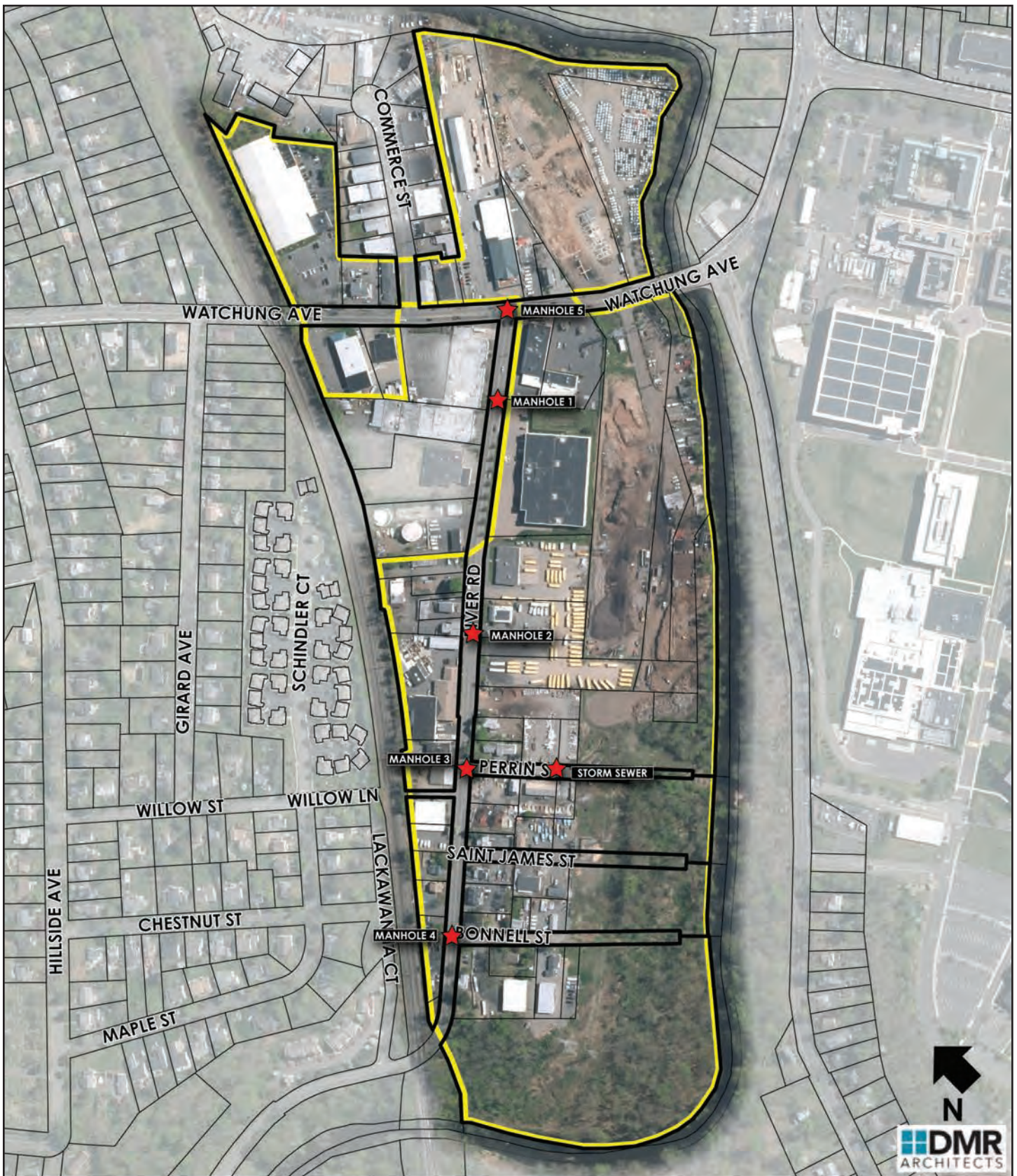
The uses in the study area are comprised of a multitude of uses sporadically located throughout the area with a mixture of industrial, commercial, single and multi family residential uses in addition to public, quasi-public and vacant property. The uses are not necessary contiguous to each other which creates a land use pattern that is inconsistent with compatible uses being located adjacent to and across the street from one another.

**1. Existing Sewer Lines:**

The existing sewer lines are over 50 years in age as evidenced by the maps provided by the Borough of Chatham Engineering Department, which date the sewer lines back to 1931, as well as the photos contained within this report. In addition, the sewer lines are clearly in need of repair as evidenced by both the condition of the sewer lines as well as what appears to be a more recent repair / replacement of the lines at Manhole #4 which is constructed with concrete.

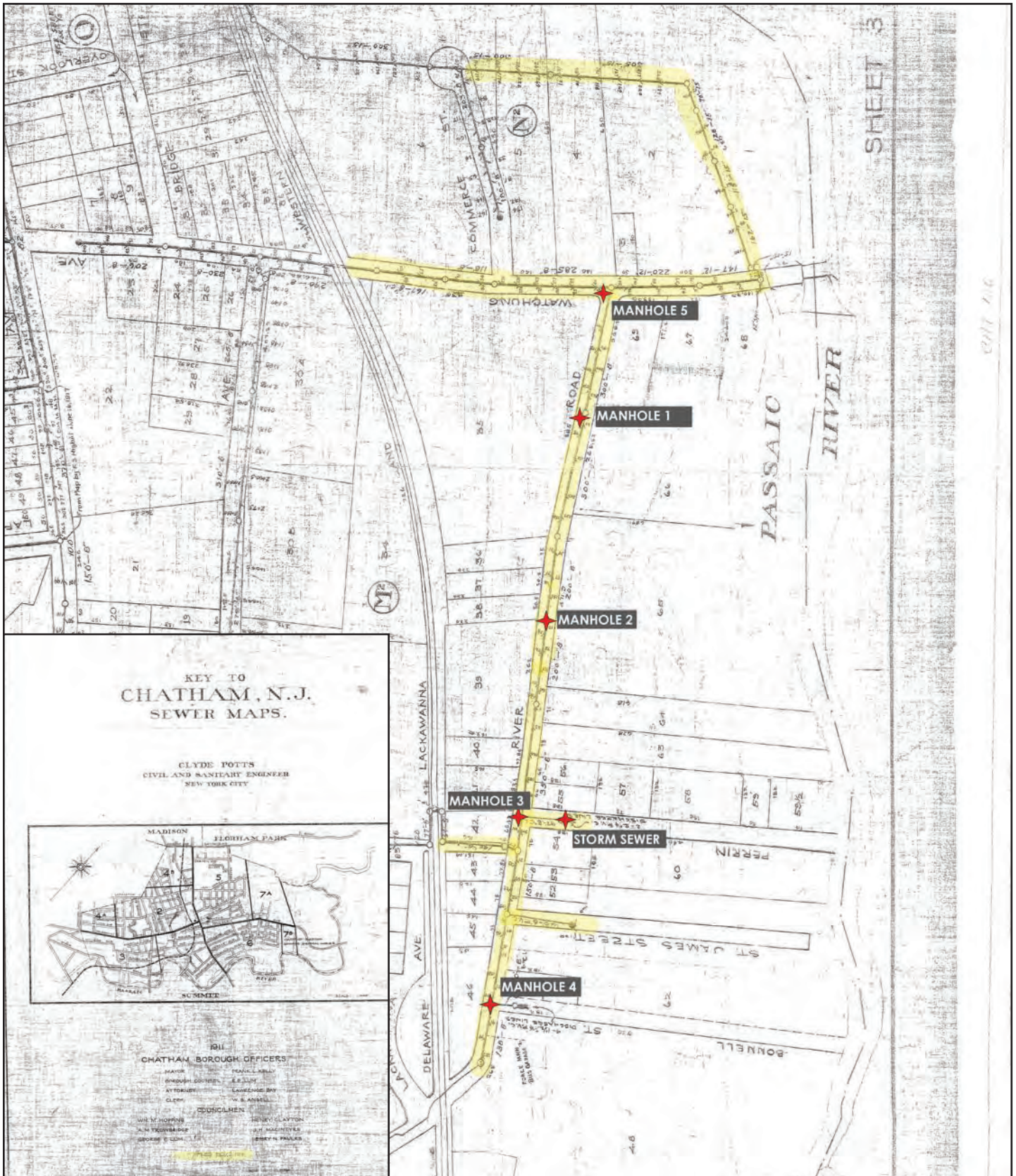
With the exception of Manhole #4, all of the existing sewer lines inspected including on both sides of Manhole #3 have a brick arch design which would be consistent with the age identified on the engineering drawings. Since the sewer line runs the length of Watchung Road and the lines is constructed of brick on both sides of Manhole #3, this would appear to have been a more recent repair and/or replacement. This further supports the need for repair or substantial maintenance, especially when considering potential redevelopment of various properties along Watchung Road.





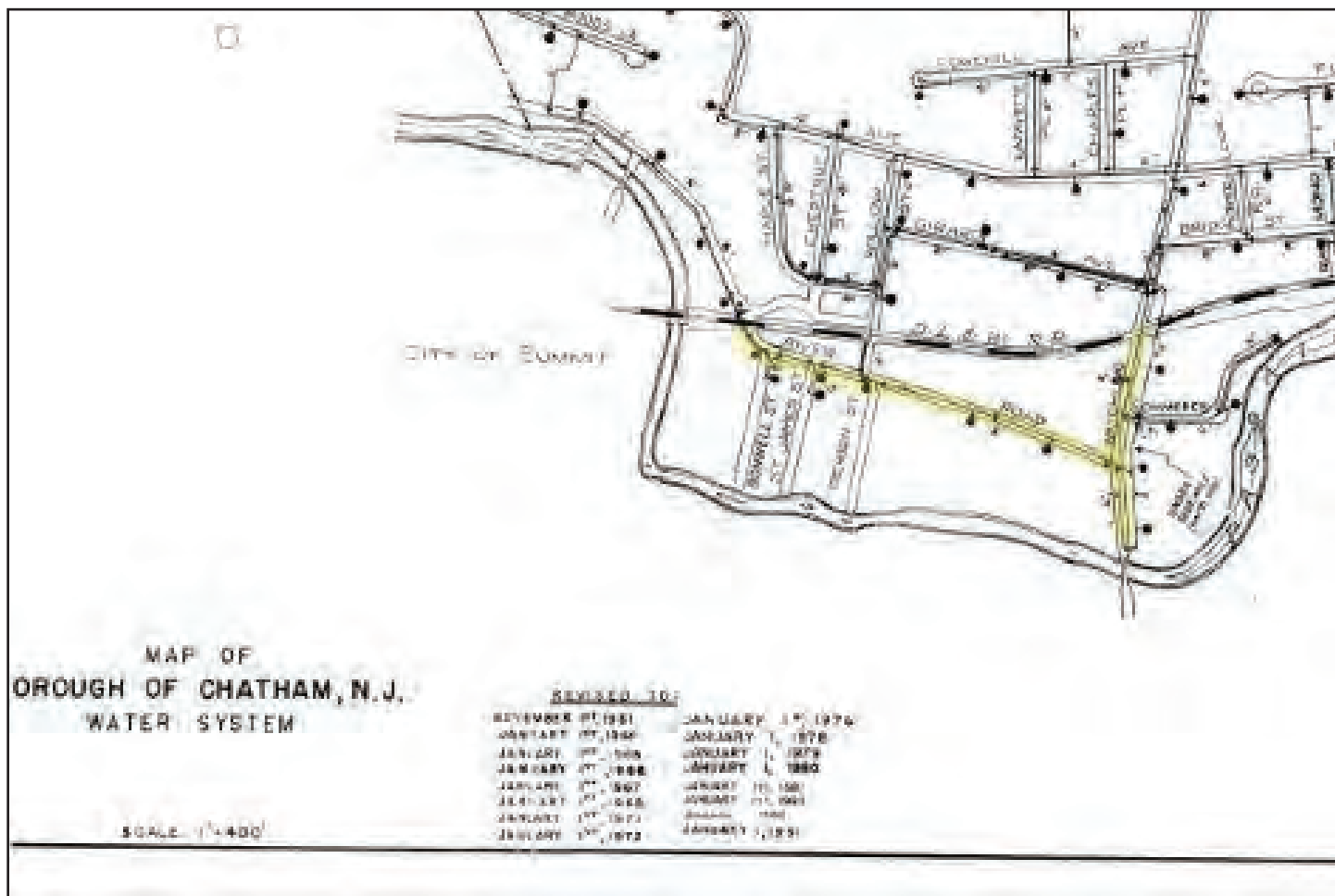
Map 7: Manhole and Storm Sewer Photo Locations





Map 8: Paper Sewer Map dated 1911, with manhole and storm sewer photograph locations.





Map 9: Paper Water Map dating back to 1961.



Image 1 - Manhole #1: Manhole cover with dated 1931 located on River Road.



Image 2 - Manhole #1: Brick arch sewer line located on River Road.



Image 3 - Manhole #1: Brick arch line located on River Road.



Image 4 - Manhole #2: Manhole cover with dated 1931 located on River Road.



Image 5 - Manhole #2: Brick arch line located on River Road.

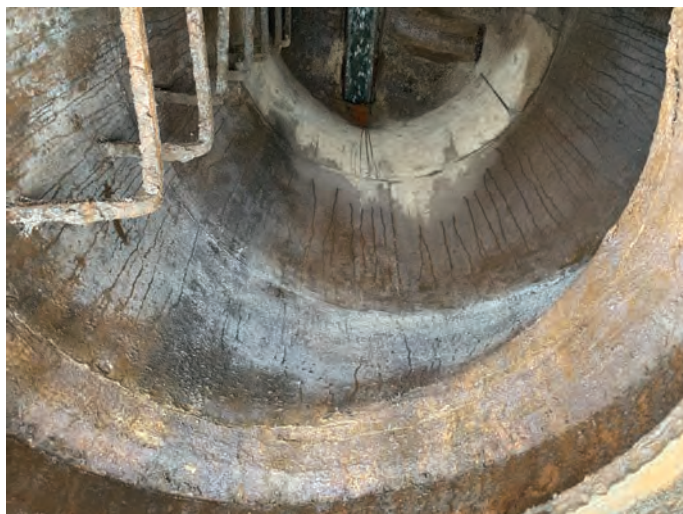


Image 6 - Manhole #2: Brick arch line located on River Road.





**Image 7 - Manhole #3:** Concrete sewer line located between two brick arch lines located on River Road.



**Image 8 - Manhole #3:** Concrete sewer line located between two brick arch lines located on River Road.



**Image 9 - Manhole #3:** Concrete sewer line located between two brick arch lines located on River Road.



**Image 10 - Storm-water:** Storm-water cover located on Perrin Street.



**Image 11 - Storm-water:** Debris located at the base of the storm-water line located on Perrin Street.



**Image 12 - Manhole #4:** Brick arch sewer line located on River Road.





Image 13 - Manhole #4: Brick arch sewer line located on River Road.



Image 14 - Manhole #4: Brick arch line located on River Road.



Image 15 - Manhole #4: Manhole cover with dated 1931 located on River Road.



Image 16 - Manhole #5: Sewer cover located at the intersection of River Road and Watchung Avenue.



Image 17 - Manhole #5: Sewer cover located at the intersection of River Road and Watchung Avenue with no visible date due to its condition.



Image 18 - Manhole #5: Brick arch line located at the intersection of River Road and Watchung Avenue.





**Image 19 - Manole # 5::** Brick arch line located at the intersection of River Road and Watchung Avenue.



**Image 20- Manole # 5::** Brick arch line located at the intersection of River Road and Watchung Avenue.



**Image 21 - Manole # 5::** Brick arch line located at the intersection of River Road and Watchung Avenue.

### **III. LOCATIONS OF STORMWATER AND SEWER INSPECTIONS:**

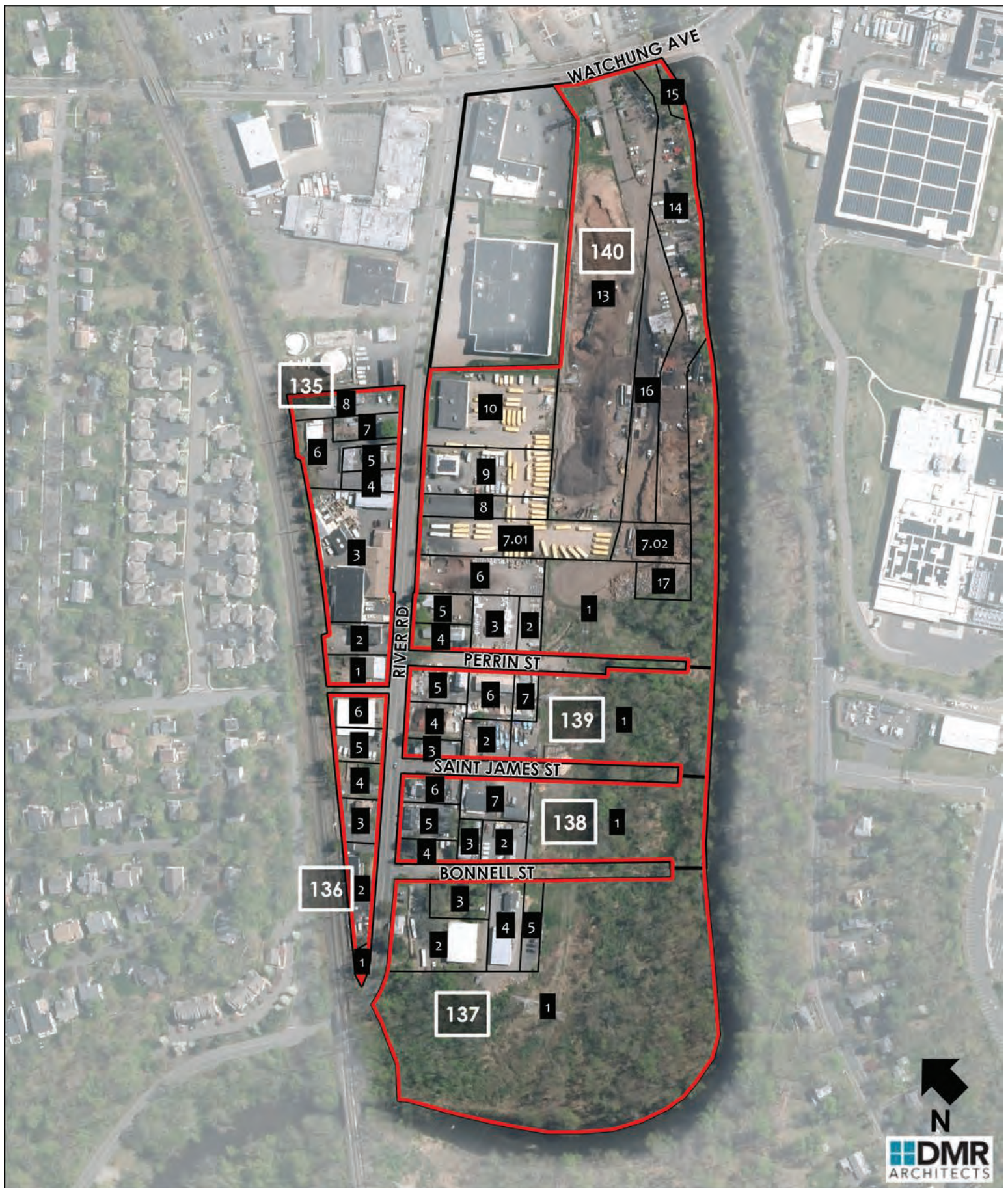
As a part of our due diligence to determine if the Block and Lots meet the statutory criteria for an area in need of rehabilitation, DMR conducted on-site inspections of manholes on Watchung Avenue and River Road on October 22nd, 2020. As indicated in the maps and as depicted in the site photos within this report, the sewer and storm-water infrastructure serving the Redevelopment Area is over 50 years old and is in need of repair or maintenance that newer infrastructure would not require. The DPW provided DMR with images from paper sewer, water, and storm utility maps dating back to 1931, showing the locations of manholes as well as storm-water inlets, sewer mains, and water lines and water valves.

### **IV. SUMMARY OF FINDINGS AND RECOMMENDATIONS:**

Based on our visual inspections as documented in this report, along with the maps which identify the approximately age of the various lines, the Area of Investigation meets the statutory criteria as an Area in Need of Rehabilitation that is consistent with the criteria listed in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-14. The Study Area is served by sewer infrastructure that is more than 50 years old, which is in deteriorating condition, and which the Township's Department of Public Works has told DMR requires substantial maintenance and repair.

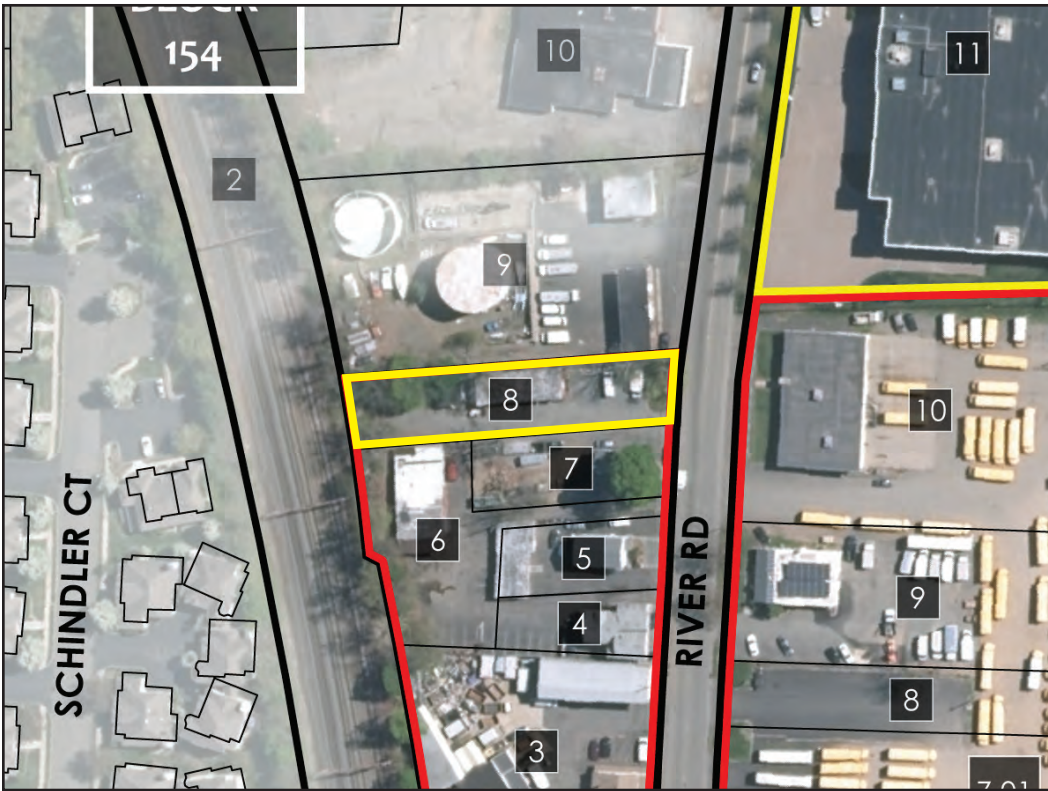
**SITE ANALYSES  
REDEVELOPMENT CRITERIA**





Map 10: Redevelopment and Rehabilitation Study Area





**Owner:**

Zukswert Remodeling Co.  
Inc.

**Property Use:**

Contractors Office and  
Storage

**Business Name:**

Zukswert Remodeling Co.  
Inc.

**Property Acreage:**

0.28 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$232,000
<u>Improved:</u>	<u>\$ 52,900</u>
Total:	\$284,900

**PROPERTY DESCRIPTION & DESIGNATION:**

The property is a ±250 foot deep by 50 foot wide lot occupied by a 1,365 square foot building containing a contractor's office along the northern edge of the property. The remainder of the lot is gravel covered and includes a shed and outdoor storage.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- The buildings on the lot are located on the side lot line whereas a setback of 10 feet is required, per §165-31.
- Buildings are required to be oriented toward the street instead of parking or circulation areas, and parking is required to the rear of buildings, per §165-32. The



building is oriented toward a central circulation area and parking is located in the front yard.

- All parking and loading areas and access drives must be paved and have clear designations for traffic flow directions and parking spaces, according to §165-82.B, whereas the surfaces of all of those areas are gravel and have no signs or striping to indicate traffic flow and parking areas. This can permit chaotic parking and circulation situations. (Criterion "d" per Section IV.2)

#### SITE LAYOUT ISSUES

- There is no clear physical separation between this lot and neighboring Lots 6 and 7. While this may not result in regular issues it creates the possibility of patrons of the restaurant on Lot 4 or any future businesses on Lots 6 and 7 using Lot 8 for access or parking. (Criterion "d" per Section IV.2)
- There is a lack of site lighting, which is necessary for safe circulation and security at night. (Criterion "d" per Section IV.6)
- There are no visible drainage systems on site. Consequently stormwater appears to accumulate on the driveway from River Road, where pavement on the site is most heavily eroded. (Criterion "d" per Section IV.5)

#### PROPERTY CONDITION

The surfaces of the parking and circulation areas are significantly deteriorated throughout the property but particularly near the site entrance. This is likely due to a combination of heavy and frequent truck traffic in and out of the site and stormwater accumulation toward the lowest lying areas of the lot that is exacerbated by the lack of drainage in the middle of the lot. See Figures 4, 5, and 7.



**Figure 1:** Google Streetview Image from September of 2013. Subject property on right.





Figure 2: Contractor's office building.



Figure 3: Contractor's office building, and unpaved parking area.



Figure 4: Worn out pavement and gravel driveway, muddy from recent rain. Tire tracks visible in lawn, to the right.



Figure 5: Driveway deterioration.



Figure 6: Outdoor storage and accessory building in rear of lot.



Figure 7: Driveway deterioration.



**Owner:**

Chatham Holdings, LLC

**Property Use:**

Vacant (Lots 6 & 7)  
Restaurant with  
apartments above (Lot 4)

**Business Name:**

N/A (Lots 6 & 7)  
The River Grille ( Lot 4)

**Property Acreage:**

0.7141 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 7	Lot 6	Lot 4	Total
Land:	\$ 238,000	\$293,300	\$224,500	\$ 755,800
Improved:	\$ 50,000	\$ 77,800	\$266,100	\$ 393,900
Total:	\$288,000	\$ 371,100	\$490,600	\$1,149,700

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property is comprised of two vacant lots (6 and 7) and one lot containing a mixed-use building having a ground floor restaurant with apartments above (4). The restaurant includes an outdoor terrace in the front yard that appears to encroach into the River Road right-of-way. Lot 6 previously contained a building (see 2015 aerial above) but is currently vacant and used as a parking lot.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**LAND DEVELOPMENT CONFORMANCE ISSUES**

- §165-31 requires the front of a building to be set back at least 10 feet from the



front lot line whereas the restaurant building encroaches into the pedestrian right of way, forcing pedestrians to walk in the cartway. See Figures 5 and 10. (Criterion "d")

#### SITE LAYOUT ISSUES

- The parking area at the rear of Lot 4 and south side of Lot 6 is accessed by a one-way egress lane adjacent to the restaurant building at on Lot 4. Due to the shape of the lot, the maneuvering space for the 90° parking behind the restaurant building is as little as 16 feet at the rear lot line of Lot 4, whereas 24 feet is required for safe maneuvering from a parking space at that angle. This triggers a hazard in the form of cars potentially striking buildings or other vehicles while making routine maneuvers. (Criterion "d" per Section IV.2 and 11)
- Since the driveway on Lot 4 is one-way in, drivers may only exit the site through Lots 6 or 7. Because the driveway surfaces on Lots 6 and 7 are in very poor condition, drivers may elect to exit from Lot 8; however, this could create conflicts between restaurant customers and vehicles associated with the contracting business on Lot 8, and would constitute an encroachment onto Lot 8 induced by poor site maintenance and access management on Lots 6 and 7. DMR also notes that there is no signage on Lots 6 or 7 indicating that they are associated with the restaurant on Lot 4 or that the driveway on Lot 6 is intended to be one-way egress only (for example, there are no "Do Not Enter" signs facing motorists on River Road). This also puts driver safety at risk. (Criterion "d" per Section IV.2 and 11)
- Figure 1 shows a dwelling on Lot 7 and a red building on Lot 6 in 2013. The driveway to the left of the dwelling is the driveway portion of Lot 6. Since the buildings on Lots 6 and 7 were been demolished, there have been no improvements to the appearance of the lots or to the access points and surfaces. Therefore, it appears that the layout issues plaguing the site are caused by obsolete layouts from before buildings on Lots 6 and 7 were demolished. (Criterion "d" per Section IV.2)
- Lack of site lighting on Lots 6 and 7 for parking and circulation purposes raise concerns about vehicle and pedestrian safety. (Criterion "d" per Section IV.6)



Figure 1: Google Streetview Image from September of 2013.

## **IMPROVEMENT DESIGN ISSUES**

- Downspouts along the north side of the restaurant building opens on to the entrance driveway, near the building wall. This creates two types of hazards: water from the downspout accelerates erosion of the driveway surface, putting vehicles at risk, and may even cause harm to the building wall and foundation as it penetrates the gaps between the pavement and the building. Stormwater is always best directed to planting areas or into underground systems. Figure 6 in the following pages shows how the pavement near the downspout was still wet hours after a rainstorm. (Criterion "d" per Section IV.4)
- Figure 7 also shows a puddle accumulating in the River Road right-of-way in front of Lot 4. The excessive amount of stormwater collecting in the street suggests that the site has an excess of impervious coverage that is not adequately addressed with on-site drainage systems. Excessive water in the right-of-way can accelerate damage to the road pavement on a street already experiencing heavy use from industrial activities. Damaged roads increase the likelihood of car accidents and generally make roads less usable. (Criterion "d" per Section IV.5)
- Although DMR did not have an opportunity to examine the rear of the building, there does not appear to be any means of ADA access to the restaurant. (Criterion "d" per Section IV.7)

## **PROPERTY CONDITION**

- The driveways and parking areas on the lots are severely deteriorated. This not only impacts the safety of circulation and parking on the properties but also creates the appearance of neglect and abandonment from River Road, especially as there is no signage indicating that Lots 6 and 7 are driveway or parking areas for the River Grille restaurant. (Criterion "d", dilapidation)

## **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: The property has over 200 police incidents recorded since 2014, including high numbers of motor vehicle accidents, nuisances that include party related noise and disputes, injuries related to falling, and trespassing. Since 2019, police have checked the property multiple times each week. The number of motor vehicle incidents recorded for this site is may be consistent with the investigation's findings that the site has parking, access, and circulation problems that are conducive to car accidents; however, DMR does not have detailed police reports on those incidents. The other incidents recorded for this site raise other concerns that the use or business occupying the site attracts or facilitates dangerous behaviors that are harmful to the public welfare. There have also been 11 fire calls from the restaurant since 2014.





**Figure 2:** Vegetation and deteriorated driveway on Lots 6 and 7, from across River Road.



**Figure 3:** Vegetation in front yard of Lot 7



**Figure 4:** Damaged driveway apron on Lot 6.



**Figure 5:** Damaged driveway on Lot 6



**Figure 6:** Commercial building on Lot 4.



**Figure 7:** Downspout opening onto driveway near building wall. Visibly wet pavement surface area.





Figure 7: Stormwater collecting near drain in River Road cartway.



Figure 8: Outdoor dining area in rear of Lots 4 and 6. Damaged parking area pavement.



Figure 9: Driveway to rear parking area blocked to protect outdoor dining area.



Figure 10: Steps to dining patio and restaurant entrance. No ADA accommodation.



**Owner:**

Lawson Realty, LLC.

**Property Use:**

Three(+) family dwelling  
Auto-repair shop

**Business Name:**

The Engine Exchange

**Property Acreage:**

0.17 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Three-family dwelling:  
Conditionally - not met  
Auto-repair shop: No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$234,500
<u>Improved:</u>	<u>\$290,100</u>
Total:	\$524,600

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a dwelling in the front yard with at least three apartments and an auto-mobile repair shop in the rear yard.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**LAND DEVELOPMENT CONFORMANCE ISSUES**

- Automobile repair shops are prohibited in the M-3 District. Multi-family dwellings are permitted with conditions that are not met on this site. Consequently, the uses on this site are prohibited. Auto-repair shops and residential uses are not compatible with each other due to the noise, odors, and other emissions related to the repair use. The exception is where a dwelling's sole occupants own the



repair shop and have complete control over the manner in which the repair shop use impacts their quality of life. (Criterion "d")

- There is only one parking space on the property for the three-family dwelling whereas the dwelling is required to comply with the Residential Site Improvement Standards (RSIS) parking requirements at N.J.A.C. 5:21-4.14, which could equate to at least 6 parking spaces for the whole property. A shortage of parking spaces means that cars are often forced to park in unsafe arrangements or to park illegally in nearby streets or properties. (Criterion "d")
- Generally, the driveways do not comply with restrictions at §165-82 on the spacing of driveways from each other or from property lines, access management designations, or other requirements that are intended to ensure safe ingress and egress from / to River Road. (Criterion "d" per Section IV.2 & 11)

#### **SITE LAYOUT ISSUES**

- Two driveways (generally varying in width but as narrow as 12 feet) run on the north and south sides of the property to connect to the service garage. There is no signage designating which driveway is for ingress or egress, leaving the possibility for conflicts between vehicles. (Criterion "d" per Section IV.2 & 11)
- There are no designated parking areas for cars associated with the car repair shop, and there appears to be only one parking space for the dwelling, directly in front of the house. (Criterion "d" per Section IV.2)

#### **IMPROVEMENT DESIGN ISSUES**

- Downspouts along the sides of the dwelling building open on to the driveways, near the building wall. Figures 4 and 6 in the following pages shows how the pavement near the downspout was still wet hours after a rainstorm. (Criterion "d" per Section IV.4)
- There are no ADA accessible entrances to the dwelling. (Criterion "d" per Section IV.7)

#### **PROPERTY CONDITION**

- The dwelling appears to be in good condition. DMR could not get a thorough view of the automobile service building from the River Road right of way, but it is in at least fair condition. The paved surfaces on the lot are in better condition than those on neighboring properties, but cracks are forming near areas where stormwater is prone to accumulating.
- There are trench drains at the lower points of the driveways, to collect stormwater before it reaches the street; however, the drains are clogged with sediment, limiting the drainage capabilities of the drains. (Criterion "d" per Section IV.5)

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: Since 2014 there have been four complaints on the site about loud noise, assault, or other nuisances affecting residents' quality of life.



**Figure 1:** Dwelling as viewed from River Road. Auto-repair garage in back.



**Figure 2:** Dwelling as viewed from River Road. Auto-repair garage in back. Car parked on pavers in front yard.



**Figure 3:** Deteriorated driveway to rear service shop.



**Figure 4:** Side building entrance. Roof leader downspouts opening onto driveway near building wall and stairs.



**Figure 5:** Car parked in front yard.



**Figure 6:** Side building wall. Roof leader downspouts opening onto driveway near building wall.



**Owner:**

Valley River Road, LLC

**Property Use:**

Various

**Business Name:**

Various

**Property Acreage:**

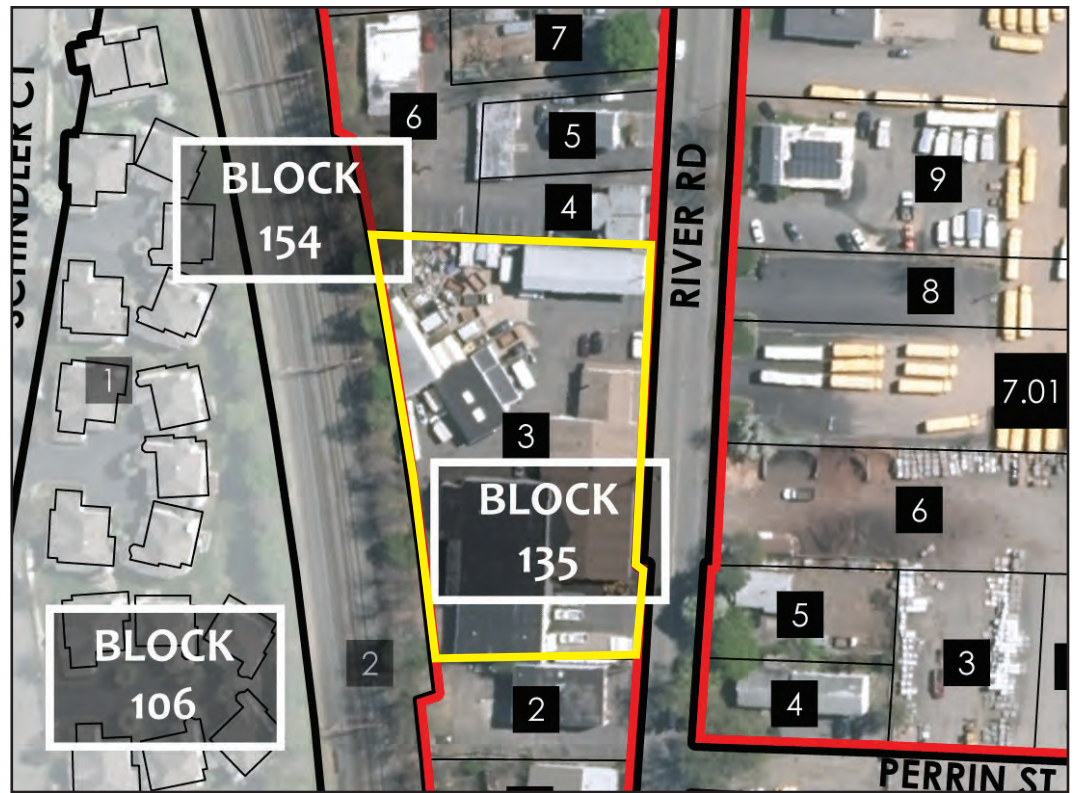
1.45 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$ 875,500
<u>Improved:</u>	<u>\$ 574,500</u>
Total:	\$1,450,000

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property is a large lot with multiple buildings having different functions and housing different businesses.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- Vehicles, materials, and equipment are stored in a loading area in the front yard (or side yard) at the south end of the lot in violation of §165-32.B(1), 32.I, and 32.J. That loading area is screened by open chain-link fencing whereas such fencing is inadequate for screening per §165-32.B(2). Other outdoor storage areas on the site are also not screened per §165-32.B(2). Consequently, nearby residents and

passersby on River Road are not protected from the visual impact of viewing stored equipment and materials. (Criterion "d", per Section IV.8)

- The site has a lot coverage of at least 90% whereas 75% coverage is required in the M-3 zone district. The impact on stormwater runoff from excess coverage on the site is likely made worse by the apparent shortage of well placed storm drains on the site. (Criterion "d", per Section IV.3 & 5)
- The principal orientation of buildings shall be to the street, whereas two buildings on the lot are oriented towards parking and circulation areas within the lot (§165-32.H). (Criterion "d", obsolete layout)

#### **SITE LAYOUT ISSUES**

- The multifarious buildings and their associated outdoor parking, loading, and activity areas are not organized in a particularly clean or orderly fashion. Figures 1 and 2 on the following pages show that yellow metal bins are stored on the rear of the property. Aerial images show that these bins and other vehicles and materials are sometimes organized in a chaotic fashion, though it is not clear how this affects public safety as there is generally enough space between buildings (24 to 30 feet) for vehicles to pass each other safely at slow speeds. Notwithstanding, the lack of separation of outdoor storage and parking areas is generally considered to be faulty site design and management as it can lead to chaotic parking arrangements and maneuvering and damage to vehicles. (Criterion "d", per Section IV.2)
- DMR did not identify any ADA accessible parking spaces on the property during its site visit nor during review of aerial and other imagery of the property. (Criterion "d", per Section IV.7)

#### **IMPROVEMENT DESIGN ISSUES**

- The front-most building on the property, which contains a ground-floor retail use and second story offices, does not have ADA accessible entrances. (Criterion "d", per Section IV.7)
- A downspout along the front wall of the front-most building, shown in Figure 13, opens onto and extends into the walkway in front of the building, in close proximity to the building wall. As this report has previously stated, releasing stormwater onto paved surfaces, and especially near building walls, accelerates deterioration of those improvements. Water damage is visible on the wall near this downspout. In this case, the downspout also creates a tripping hazard for anyone walking on that walkway. (Criterion "d", per Section IV.4)

#### **PROPERTY CONDITION**

- The front-most building on the property, which contains a ground-floor retail use and second story offices, exhibits signs of deterioration. Most immediately visible is rotting wood on the overhanging eaves in front of the store, old wood siding, and wood window frames and treatments (Figures 6-14). Aluminum siding on other parts of the building are rotting and becoming detached from the building wall (Figure 15). (Criterion "d", dilapidation)
- The walkway around the building is deteriorating at varying rates, but is most severe where it is not protected by the overhanging roof (Figure 15). DMR also observed a marble slab being used to cover what appears to be a hole forming in the lawn adjacent to the walkway (Figure 9). DMR did not remove the slab to observe in more detail, but the hole may be indicative of foundation issues. (Criterion "d", dilapidation)

#### **BOROUGH RECORDS:**

- Taxes: The Borough's Tax Collector indicates that the property owner is delinquent on 2019 and 2020 taxes. Specifically the property owner has paid all but approximately \$1,000 of its more than \$30,000 2019 tax bill and



has made only interest payments on 2020 taxes, resulting in a total backlog of \$24,033. DMR has no records from previous years.

- **Police:** The property has been the subject of over 30 police incidents since 2014, including seven (7) motor vehicle accidents, a high number of burglary alarms (likely including false alarms), and disturbances including incidents of assault. While DMR does not have specific details about the motor vehicle incidents, the number of vehicle accidents on or in front of the site raises may be indicative of problems with the safety of circulation, parking, and access management. There were also two fire calls made from the property in 2017 and 2018.



Figure 1: Commercial/Industrial storage building from River Road.



Figure 2: Driveway and parking to storage building and rear industrial building.



Figure 3: Front of commercial/Industrial storage building.



Figure 4: Damage to driveway entrance and cartway.



Figure 5: Entrance to Hanover Supply Co. store from River Road.



Figure 6: Entrance to Hanover Supply Co. store from River Road. Rotting wood visible on eaves. Multiple business mailboxes.





Figure 7: Cars parked adjacent to store. Lack of ADA accessibility due to abrupt grade change and overgrown pavement.



Figure 8: Rotting wood on eaves.



Figure 9: Marble block covering hole or ditch adjacent to walkway. Rotting siding visible on building.



Figure 10: Rotting wood on eaves. Roof leader opening over walkway.



Figure 11: Rotting wood on eaves.



Figure 12: Rotting wood on eaves. Cracked walkway.





**Figure 13:** Damaged downspout shoe, with water soaking walkway below. Visible water damage to building wall.



**Figure 14:** Faded paint and possible rotting of second story window frames.



**Figure 15:** Rotting and warping of siding, deteriorated walkway.



**Figure 16:** Outdoor storage of pallets, equipment, and other materials, and dumpster placed in truck maneuvering area.



**Figure 17:** Loading, outdoor storage, and truck parking area on south side of property, from across River Road.



**Figure 18:** Close up of south loading/storage area. Visible grade change across area.



**Owner:**

Jerry Rubin

**Property Use:**

Commercial

**Business Name:**

Hilife Vitamins  
Stone Natural Health  
Center

**Property Acreage:**

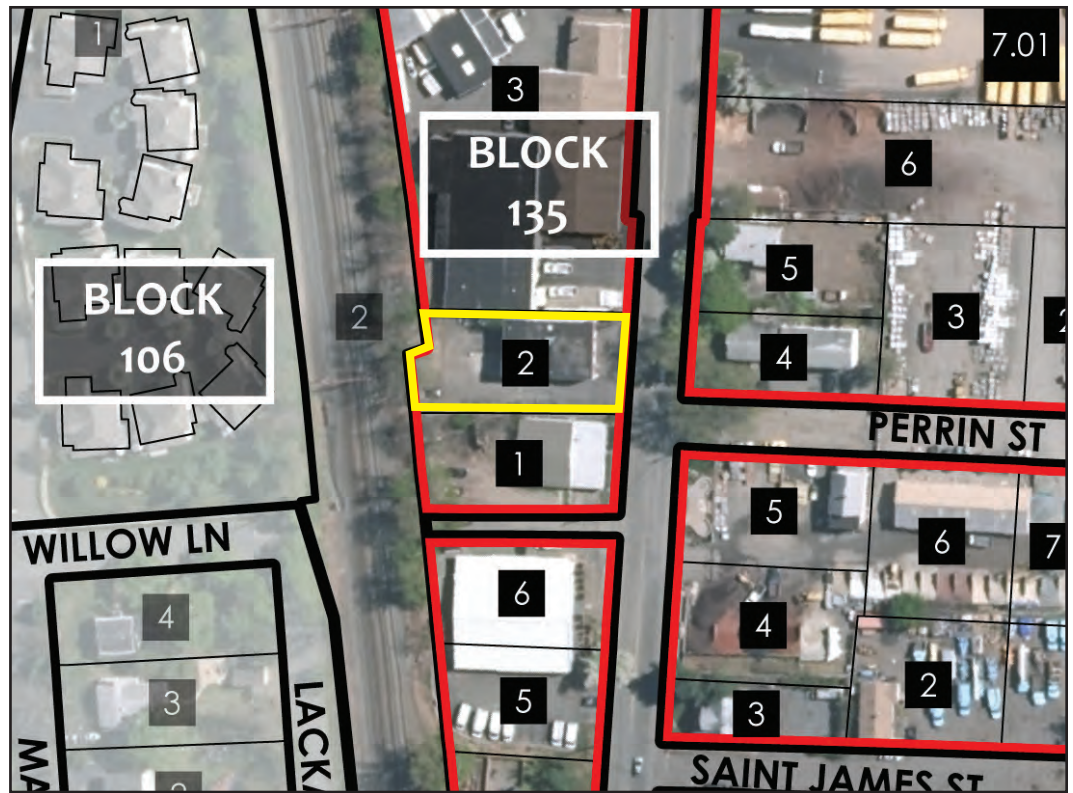
0.222 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$261,000
Improved:	\$271,000
Total:	\$532,000

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property consists of a single, two story building with two side-to-side office units. The front, side, and rear yards are paved for parking and loading purposes.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- There is a paved parking area in the front yard, which is prohibited by §165-32 and which has a flawed design with safety implications further detailed in this section. (Criterion "d", faulty layout)
- At least 90% of the lot is impervious coverage whereas the maximum permitted impervious coverage is 75%. (Criterion "d", excessive coverage, per Section IV.3)

## **SITE LAYOUT ISSUES**

- The location of the curb depression on River Road for vehicular access relative to the front yard parking area combined with the lack of striped spaces makes it likely that cars will park in tandem style in the front yard, which is not desirable or safe on a commercial property. See Figures 1 and 2. (Criterion "d", faulty layout, per Section IV.2)
- The driveway in the side yard has cars parked in an angled fashion. Angled parking is typically used where aisles provide circulation around the site as opposed to leading to a dead end. In the case of the arrangement on this site, any of the angle-parked cars must either turn around in the rear yard of the building, which may be fenced off and which has inadequate room for full circular turns, or execute a k-turn within the driveway, which is narrow. Angled parking such as this is often used where driveways or aisles are not wide enough for 90-degree parking. Due to the property damage risk associated with the required maneuvers and the lack of space to accommodate the maneuvers, this arrangement is faulty, obsolete, and unsafe. See Figures 2 through 5. (Criterion "d", faulty layout, per Section IV.11)
- The rear parking and storage area does not have adequate space to safely accommodate parking, partially due to the northeast corner of the area serving as a loading ramp. Consequently, areas intended for parking are not designed for safe occupancy, which increases risk of accidents or encourages parking in unintended ways or locations. (Criterion "d", faulty layout)
- The combination of the above factors demonstrates that the site has faulty and obsolete layout with respect to parking and circulation.

## **IMPROVEMENT DESIGN ISSUES**

- Lighting in the parking and circulation areas is limited and possibly inadequate for safe maneuvering at night. (Criterion "d" per Section IV.6)
- DMR did not identify any storm sewer or other drainage systems on the site. Visible wetness on the ground in the subsequent images demonstrate the manner in which water accumulates on the site. (Criterion "d" per Section IV.5)
- The main building entrances are not wheelchair accessible. (Criterion "d" per Section IV.7)

## **PROPERTY CONDITION**

There is no significant deterioration visible on the exterior of the building or on the paved surfaces surrounding it.

## **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Between 2014 and 2020 there were four (4) instances of traffic violations or complaints relating to this property, including one parking enforcement incident.





**Figure 1:** Office building viewed from River Road. Unit entrances are not ADA accessible.



**Figure 2:** Angled parking area in side yard of building.



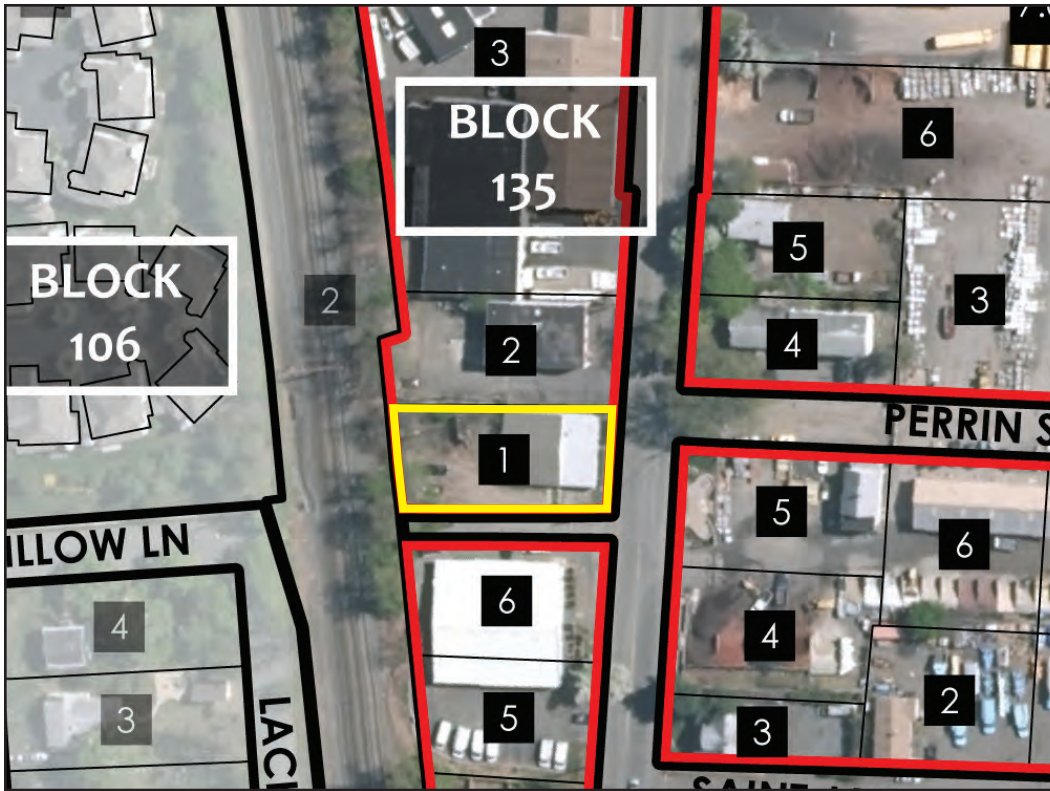
**Figure 3:** Close-up of un-striped parking area in driveway adjacent to building.



**Figure 4:** Southwest corner of building and adjacent parking, storage, and circulation, as viewed from adjacent Lot 1.



**Figure 5:** Rear parking and storage, and dumpster placement in rear yard. Visible grade change due to ramp to rear building wall.



**Owner:**

52 River Road LLC, Steve Losalto

**Property Use:**  
Vacant building

**Business Name:**  
Sinclair Homes, LLC

**Property Acreage:**  
0.214 Acres

**Zone District:**  
M-3 Industrial District

**Permitted Use:**  
N/A

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$ 257,000
<u>Improved:</u>	<u>\$ 90,400</u>
Total:	\$347,400

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a single-story commercial building and a rear gravel yard at the corner of River Road and a narrow right of way called Willow Lane. Although the building appears to have been vacant for a number of years, as the front windows are boarded up and there is minimal signage, it is actually the main office of a contracting business called Sinclair Homes, LLC.

Aerial images indicate that since 2013 or later the rear yard behind the building has been cleared of trees and is used for truck parking and other miscellaneous storage. Google Streetview images show that as recently as 2013 there was a downward angled loading ramp on the southeast side of the building. It has since been removed and there is now a doorway in its place, level with Willow Lane. It does not appear that the changes to the building or the removal of trees correspond with any permit applications submitted to or approved by the Construction Department.

This Report recommends designating the property as being in need of redevelopment



consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

#### **NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- All parking and loading areas and access drives must be paved and have clear designations for traffic flow directions and parking spaces, according to §165-82.B, whereas the surfaces of all of those areas are gravel and have no signs or striping to indicate traffic flow and parking areas. The absence of designations, especially on a property where surfaces are gravel, can allow for chaotic and hazardous arrangements and intermingling of parking and storage in open areas. (Criterion "d", faulty design, obsolete design, Section IV.2)

#### **SITE LAYOUT ISSUES**

- Although the ordinance does not require a planted buffer along the rear lot lines of the property due to the presence of the railroad right-of-way between the M-3 zone and any residential zone districts, the recent removal of trees from the rear yard of the property makes the storage and parking area behind the building more visible to residents on the other side of the tracks. A dwelling is visible on the other side of the tracks in the rear-middle ground of Figure 2, which means the storage area on the lot is visible to residents of that dwelling. (Criterion "d", faulty design, per Section IV.8)

#### **SITE CONDITION**

- The exterior of the building shows several signs of deterioration. Primarily, the wooden facade elements along the River Road facing facade are rotting out, and windows are partially boarded up. Masonry facade elements and a masonry walkway at the south side of the building are also damaged or missing pieces. Rotted exteriors can often indicate interior problems due to moisture or water penetration, insulation issues, or other conditions that affect the health and safety of occupants.
- As DMR did not enter the building, it cannot confirm that the interior of the building is in as deteriorated a state as its exterior. An spreadsheet provided to DMR by the fire inspector indicates that the interior is "ok".
- The rear yard has no apparent organization or access management, and is so overgrown as to suggest that minimal maintenance ever takes place. The lack of maintenance and organization is a deviation from land use standards that reduces safety on the property and constitutes an eyesore from dwellings across the railroad right of way. (Criterion "d", faulty design, obsolete design, Section IV.2)

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- In 2017 and 2019 there were three burglary alarm incidents and one incident relating to traumatic injuries.



**Figure 1:** Front of building. Rotting wooden door, frames. Water stained brick. Outdoor storage in front yard.



**Figure 2:** Gravel and deteriorated pavement driveway (unnamed public right-of-way) between Blocks 135 and 136.



**Figure 3:** Downspout extender. Damaged walkway visible at building side. Missing masonry treatment on front facade.



**Figure 4:** Materials and equipment stored on front yard.



**Figure 5:** Miscellaneous outdoor storage including randomly placed dumpster.



**Figure 6:** Side building entrances including loading door.



**Owner:**

NVTS LLC

**Property Use:**

Industrial - multi-tenant

**Business Name:**

Various

**Property Acreage:**

0.439 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$375,000
<u>Improved:</u>	<u>\$449,700</u>
Total:	\$824,700

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The site contains a warehouse style building that contains several business tenants. It has a gravel parking area in the River Road front yard as well as a paved parking area in the southern side yard, which also provides access to loading bays along the southern side of the building. Additional loading bays and building entrances are located on the north side of the building along Willow Lane.

This Report recommends designating the property as being in need of redevelopment consistent with criteria "a" and "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- Parking is located in the front yard, which is prohibited by §165-32 and 82.B. This condition predates the recent redevelopment of the site that occurred within

the past decade, but was not corrected as part of that redevelopment. The public safety risks related to this condition are expanded upon below.

**SITE LAYOUT ISSUES:**

- The parking area along River Road requires vehicles to either back into the parking area or back out from the parking area into the right-of-way. As stated in the context of other sites in this report, either ingress/egress method puts drivers on River Road in potential danger due to visibility issues or unpredictable maneuvers. This is also a prohibited condition that has not been corrected even though the site was redeveloped within the past decade. (Criterion "d", faulty & obsolete site layout, Section IV.1)
- Figures 4 to 6 show wet spots and puddles forming in the southern parking area. DMR observed a storm drain at the top of the driveway from this parking area, but did not see any storm drains in this parking area to safely and effectively remove water from the area. Consequently, it is likely that this parking area will need frequent repair and re-pavement. (Criterion "d", faulty & obsolete site layout, Section IV.5)

**IMPROVEMENT DESIGN ISSUES:**

- The warehouse building has no windows or roof penetrations to allow natural light or air to enter the building. This is unusual considering that the building is less than 10 years old, but is potentially deliberate. However, this design does not make for wholesome or healthful working conditions. (Criterion "a", lack of light and air)
- Do to the grading of the site, the condition of the pavement in the parking area along River Road and on Willow Avenue, and the placement of entrances along the exterior of the building, it does not appear that there is full ADA access to all businesses within the building. (Criterion "d", obsolete design per Section IV.7)

**PROPERTY CONDITION:**

- As the site was redeveloped within recent years, the building and the paved area on the south side of the lot are generally in good condition. The paved surfaces in the River Road front yard parking area and the Willow Lane driveway, however, are very deteriorated. This can be seen in Figures 1 to 3.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- In February of 2014 the building partially collapsed due to snow loads, leading to reconstruction and expansion to the building currently on the site.





Figure 1: Front-in / back-out parking in front yard onto River Road.



Figure 2: Steps to front entrance from deteriorated, inclining parking area.



Figure 3: Storm drain in front yard.



Figure 4: Parking and loading area, with visibly damp pavement and pooling water.

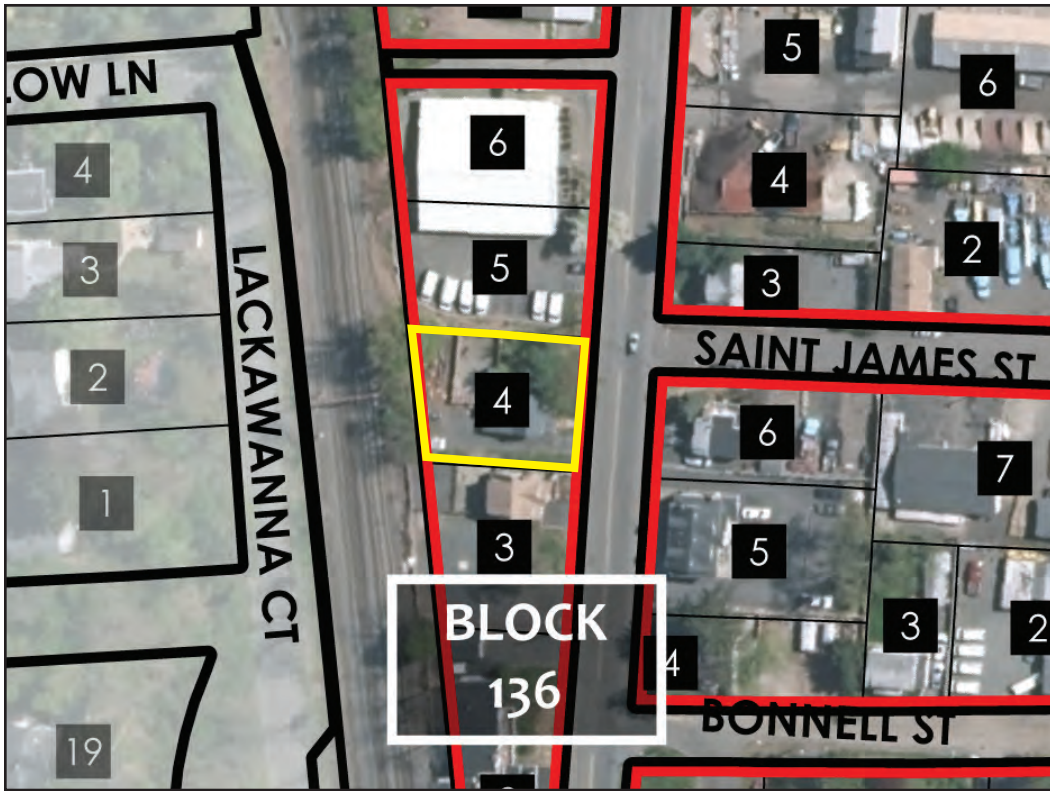


Figure 5: Parking spaces adjacent to retaining wall.



Figure 6: Driveway apron in fair condition.





**Owner:**

William P., III and Barbara Weichert

**Property Use:**  
Dwelling

**Business Name:**  
N/A

**Property Acreage:**  
0.179 Acres

**Zone District:**  
M-3 Industrial District

**Permitted Use:**  
No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$ 215,600
<u>Improved:</u>	<u>\$ 80,500</u>
Total:	\$296,100

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a dwelling which appears to contain at least two-dwelling units based on characteristics of the property. The property has a driveway from the street leading to a gravel parking area in the rear yard. Based on aerial imagery the rear yard is divided into a fenced-in yard for private recreation and an outdoor area for parking and storage.

Aerial photographs dating back to the year 2002 show that the site experienced a number of changes in terms of lot layout, grading, and the nature and scale of outdoor storage taking place on the site; however, property records provided to DMR by the Chatham Borough building department only refer to an alteration taking place in 1996. This raises questions as to whether the activities taking place on the site were properly permitted and, therefore, whether they comply with modern building standards.

Although the property does not meet the conditions for the dwelling use to be



permitted on the property, and although there are notable issues with the building and the site layout, this Report does not conclude that the severity of the individual issues affecting the site or the combination of those issues are great enough to constitute a detriment to the public health, safety, and welfare. This finding does not preclude the designation of the property as part of an area or group of properties as an area in need of redevelopment.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- Two-family dwellings are permitted in the M-3 district provided they meet the minimum requirements of the R-4 district. The lot does not meet the minimum lot size, frontage, or depth requirements for two-family dwellings in the R-4 district. Consequently, the use is not permitted.
- The surface of the site is generally gravel, whereas the §165-82.B(3) requires parking, loading, and driveway areas to be paved.

**SITE LAYOUT ISSUES:**

The walkway and steps descending from the front dwelling entrance lead directly into the River Road vehicular right of way, whereas it should connect to the driveway on the site so that the shoulder remains clear so as to discourage individuals from stepping into the road.

**PROPERTY CONDITION:**

As previously stated with respect to this property, there is no recorded history of the property being inspected or permits being obtained for alterations to the site for 24 years. The lack of inspection or permits on record might imply that alterations to the site were being carried out without obtaining proper permits or inspections to ensure that the work was completed properly. However, the investigation finds no direct evidence of faulty construction.

Visually, DMR notes that there is some rotting wood on the window treatments on the front building facade, which could be compromising insulation and allowing moisture intrusion. There is also a noticeable bend in the structural supports and roof of the porch, which could have a number of causes and consequences, not least of which is the collapse of the porch or damage to the front building wall. Additionally, although DMR was not able to inspect the foundation up close, cracks and gaps in the foundation are visible from the street.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Residents called the police twice in 2018 and 2019 regarding downed wires or other obstructions blocking the road and utilities problems.



Figure 1: Dwelling as viewed from across River Road.



Figure 2: Gravel driveway to rear parking area. Dumpster visible in rear.



Figure 3: Front porch from River Road. Slight bend in porch roof and supports is visible.



Figure 4: Steps and walkway to dwelling entrance.



Figure 5: Northeast corner of dwelling. Slight rotting of wood window treatments.



**Owner:**

Andrea Mara

**Property Use:**

Dwelling

**Business Name:**

N/A

**Property Acreage:**

0.192 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

No



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$221,400
<u>Improved:</u>	<u>\$110,800</u>
Total:	\$332,200

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a brick two-family dwelling fronting on River Road. The site has two driveways and parking areas, including a one-car driveway parking space right off of River Road and a rear yard gravel parking lot. There is a private, fenced in yard behind the dwelling building for residents.

Aerial images from the public domain and Google Streetview images from the years 2007 and 2013 show commercial vehicles parked in the rear yard, suggesting that for some time the property was used for commercial parking purposes.

Although the property does not meet the conditions for the dwelling use to be permitted on the property, and although there are notable issues with the building and the site layout, this Report does not conclude that the severity of the individual issues affecting the site or the combination of those issues are great enough to constitute a detriment to the public health, safety, and welfare. This finding does not preclude the designation of the property as part of an area or group of properties as

an area in need of redevelopment.

#### **NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- Two-family dwellings are permitted in the M-3 district provided they meet the minimum requirements of the R-4 district. The lot does not meet the minimum lot size, frontage, or depth requirements for two-family dwellings in the R-4 district. Consequently, the use is not permitted.
- Where two driveways are located on the same residential property and the same street they are required to be at least 45 feet apart from each other and at least 10 feet from any lot line, per §165-82.A, whereas the two driveways on the site are 30 feet apart and the south-most driveway is contiguous with the driveway on adjacent Lot 2.

#### **SITE LAYOUT ISSUES**

- The property has two driveways just 30 feet apart, and one of the driveways is immediately adjacent the driveway on the adjacent lot, which can have traffic safety implications if any two of the three driveways are used at the same time.

#### **IMPROVEMENT DESIGN ISSUES**

The retaining walls in front of the dwelling and surrounding the lower parking space off of River Road show signs of water related damage and staining. Additionally, the parking and driveway surfaces were still mostly wet at the time of DMR's site visit. These observations might suggest that the site's drainage systems might not be diverting rainwater quickly enough away from lower lying parts of the property.

#### **PROPERTY CONDITION**

The property generally appears to be in good condition, despite the above noted drainage questions.

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- The Construction Department records show that a permit was sought in 2018 to update the building to a two-family dwelling, which would cause the use to be permitted (although it would fall short of meeting the relevant residential district standards that are required for permission). The permit is shown as still being open.





Figure 1: Dwelling as viewed from across river road.



Figure 2: Patched crack in retaining wall along River Road.



Figure 3: Damaged driveway apron and missing curb blocks.



Figure 4: Water staining on retaining wall adjacent to parking lot.

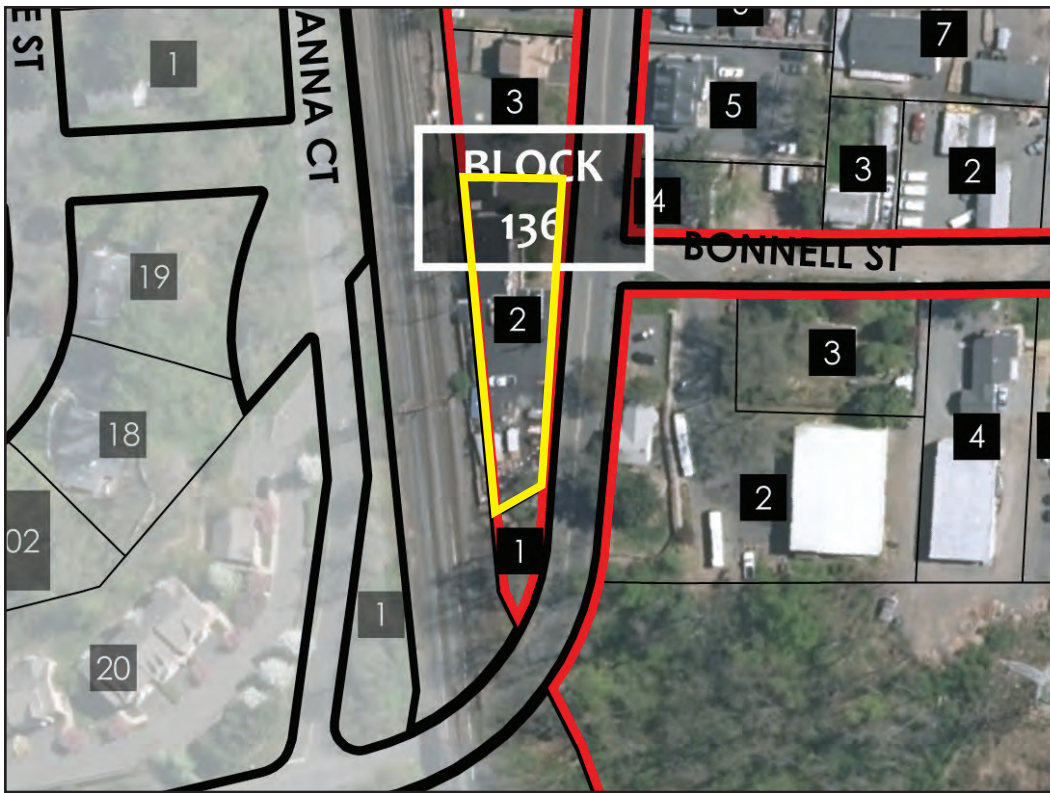


Figure 5: Deteriorated driveway and driveway apron leading to rear parking area.



Figure 6: Rear parking area as viewed from driveway apron. Additional deteriorated pavement visible.





**Owner:**

70 River Road LLC

**Property Use:**  
Dwelling

**Business Name:**  
N/A

**Property Acreage:**  
0.315 Acres

**Zone District:**  
M-3 Industrial District

**Permitted Use:**  
No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$276,800
<u>Improved:</u>	<u>\$173,400</u>
Total:	\$450,200

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property is a multi-unit dwelling having a parking lot with multiple accessory shed structures on its south side and a garage on its north side. There is one mailbox with what appears to be four compartments by the front door, but this does not necessarily mean that there are four separate units.

Although the property does not meet the conditions for the dwelling use to be permitted on the property, this Report does not conclude that the severity of the individual issues affecting the site or the combination of those issues are great enough to constitute a detriment to the public health, safety, and welfare. This finding does not preclude the designation of the property as part of an area or group of properties as an area in need of redevelopment.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

Multi-unit apartment buildings with more than two dwelling units are conditionally permitted in the M-3 District. The property does not appear to meet the conditions,



which include having at least 20,000 square feet of lot area and being located on the southeastern side of River Road.

**PROPERTY CONDITION:**

The building exterior is in good condition. The south parking lot is generally in good condition except that two trench-like holes were forming at the time of DMR's visit. The north-side driveway is also in fine condition except that the driveway apron is deteriorated and, based on the amount of water penetration visible during DMR's site visit, is likely exposed to a significant amount of stormwater, which would accelerate its rate of deterioration compared to the rest of the driveway.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: There were two (2) motor vehicle accidents related to this property in 2014 and 2016.



Figure 1: Dwelling as viewed from River Road.



Figure 2: Deteriorated driveway.



Figure 3: Stormwater outlets releasing into River Road cartway.



Figure 4: Parking lot, looking south.



Figure 5: Storage sheds at rear of parking lot. Visible holes and depressions in parking surface.



Figure 6: Southeast corner of dwelling. No ADA accessible entrance.



**Owner:**

Borough of Chatham

**Property Use:**

Vacant

**Business Name:**

N/A

**Property Acreage:**

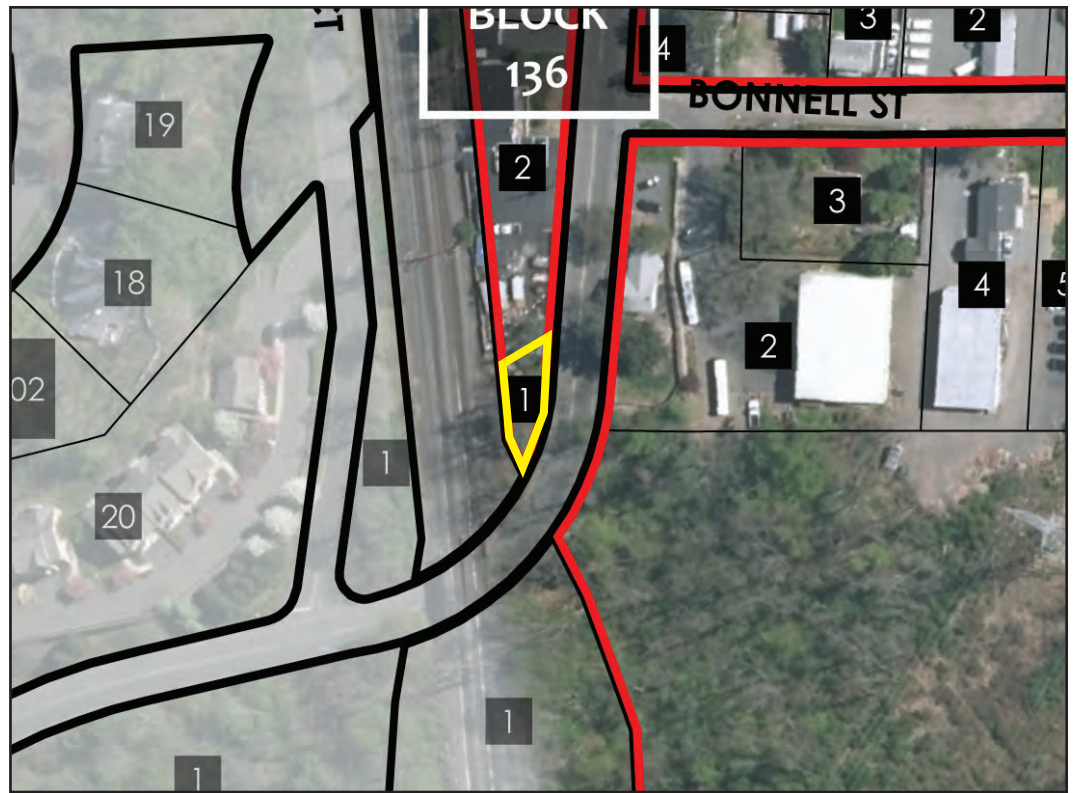
0.051 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

N/A



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

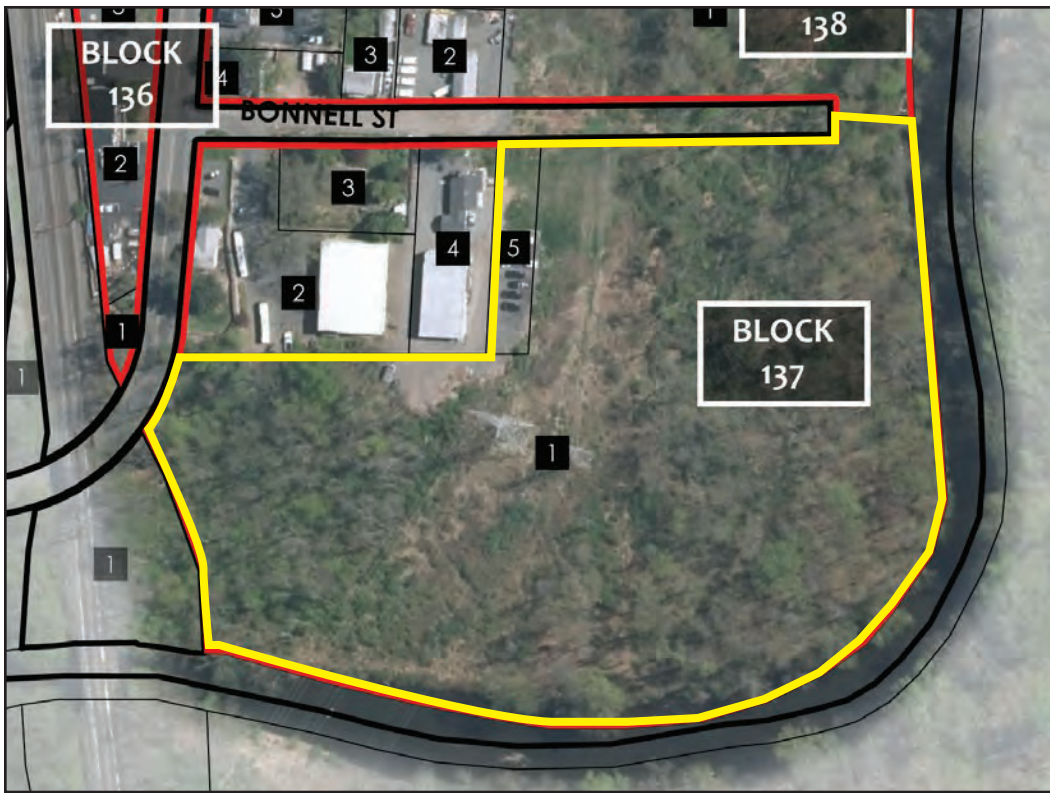
Land:	\$12,500
<u>Improved:</u>	<u>\$0</u>
Total:	\$12,500

**PROPERTY DESCRIPTION & DESIGNATION RECOMMENDATION:**

The lot is a narrow piece of land between River Road and the railroad right-of-way which contains no significant improvements. The property is owned by the Borough and is too small and has a grade too steep to be developed.

By virtue of being publicly owned land that, due to a combination of its location, size, and topography, is not likely to be developed through private capital, the site meets criterion "c" for redevelopment designation per N.J.S.A. 40A:12A-5.

Notwithstanding this criterion being met, this site could not realistically be redeveloped unless it is assembled with adjacent properties, which the Borough might find is appropriate or necessary for effective redevelopment of this and/or other properties in the Study Area consistent with the definition of a Redevelopment Area at N.J.A.C. 40A:12A-3.



**Owner:**

Borough of Chatham

**Property Use:**

Utility easement,  
woodland and wetlands

**Business Name:**

N/A

**Property Acreage:**

7.08 Acres

**Zone District:**

CONS Conservation  
District (Lot 1)  
M-3 Industrial District (Lot  
5)

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 1	Lot 5	Total
Land:	\$34,500	\$187,100	\$221,600
Improved:	\$ 0	\$ 0	\$ 0
Total:	\$34,500	\$187,100	\$221,600

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property is a large, mostly vacant tract owned by the Borough and bisected by a variable width right of way easement dedicated to JCP&L which extends south to north across the portion of the Study Area east of River Road. The only improvements on the tract are electrical transmission structures owned by JCP&L and pavement from Lots 4 and 5 on Block 137 that encroach into the Borough owned lots. It appears that parking for the industrial uses on Bonnell Street might encroach into the municipal properties.

By virtue of being publicly owned land that, due to its location, access, and topography, is not likely to be developed through private capital, the site meets criterion "c" for redevelopment designation per N.J.S.A. 40A:12A-5.

The property is not realistically developable due to a number of factors including, but not limited to, the significant width of the JCP&L power line right-of-way (generally about 150 feet) through the middle of the lot, floodplains and wetlands occupying the



portions of the lot closest to the Passaic River, and visibility issues that would arise from having a driveway to the westerly section of the lot on River Road.



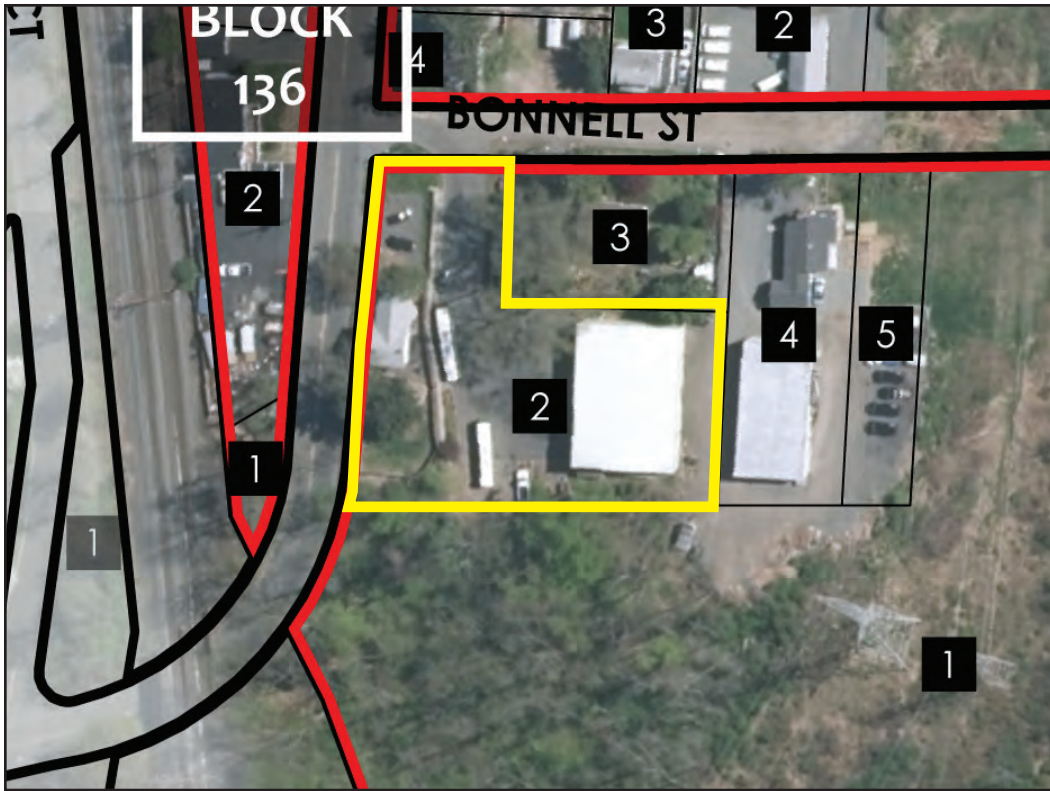
**Figure 1:** Subject property (left) and railroad overpass (middle)



**Figure 2:** Lot 1 and fence at boundary with Lot 2.



**Figure 3:** Vehicles parked near Lot 5.



**Owner:**

Broadway Elite Tours  
Realty, LLC

**Property Use:**

Bus Parking and Servicing,  
Dwelling

**Business Name:**

Unclear

**Property Acreage:**

0.707 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$503,500
<u>Improved:</u>	<u>\$262,300</u>
Total:	\$765,800

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a residential dwelling use and bus depot and servicing garage, with the dwelling being located along River Road and the bus depot and garage related facilities being set back toward the rear of the lot. DMR could not discern whether there was a direct relationship between the dwelling use and the garage, such as the dwelling occupant owning or working for the bussing business.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES**

- Neither single-family dwellings nor bus depots are permitted in the M-3 district.



- The bus depot use is not screened from the public right of way or adjacent dwellings as required in §165-32.B. See further discussion of this below.

#### **SITE LAYOUT ISSUES**

- The lack of screening on the bus depot section of the lot from the dwelling on Lot 2 or the adjacent dwelling on Lot 3 has forced the property owner on Lot 3 to create and maintain screening on that lot for quality of life purposes. The burden is always on the non residential use to erect and maintain screening from adjacent dwellings. The lack of screening constitutes a faulty site design that has a detrimental affect on quality of life for surrounding dwellings. (Criterion "d" per Section IV.8.)
- The proximity of bus depots and other industrial uses to residential properties can be detrimental to the wellbeing of residents in those nearby dwellings due to the noise, vibration, dust, and other pollutants generated by the industrial uses. In this particular instance, busses often idle for long periods of time, releasing harmful particulates into the air. This bus depot is located in between two dwellings and across Bonnell Street from another, and likely exposes residents of those dwellings to various emissions associated with the bus depot. (Criterion "d", detrimental use, per Section IV.10)

#### **PROPERTY CONDITION:**

- Railroad ties along the River Road frontage are losing stability, with the potential to collapse into the cartway. This could endanger motorists on River Road. (Criterion "d", dilapidation)
- Rotting is visible on the underside of the wooden roof eaves and wooden siding. See Figure 3.

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: There is one recorded noise complaint at the site in 2014 and one recorded vehicle accident on the site in 2017.





**Figure 1:** Parking (foreground), and dwelling (midground) on subject property.



**Figure 2:** Bus parking and service garage at east side of property. Dwelling parking in foreground.



**Figure 3:** Faded paint and potentially rotting wood on dwelling eaves and siding.



**Figure 4:** Collapsing and displaced wood railroad ties with retaining wall function.



**Figure 5:** Buses parked on inner part of property.



**Figure 6:** Dwelling entrance, from River Road.



**Owner:**

Lillian Daum

**Property Use:**

Dwelling

**Business Name:**

N/A

**Property Acreage:**

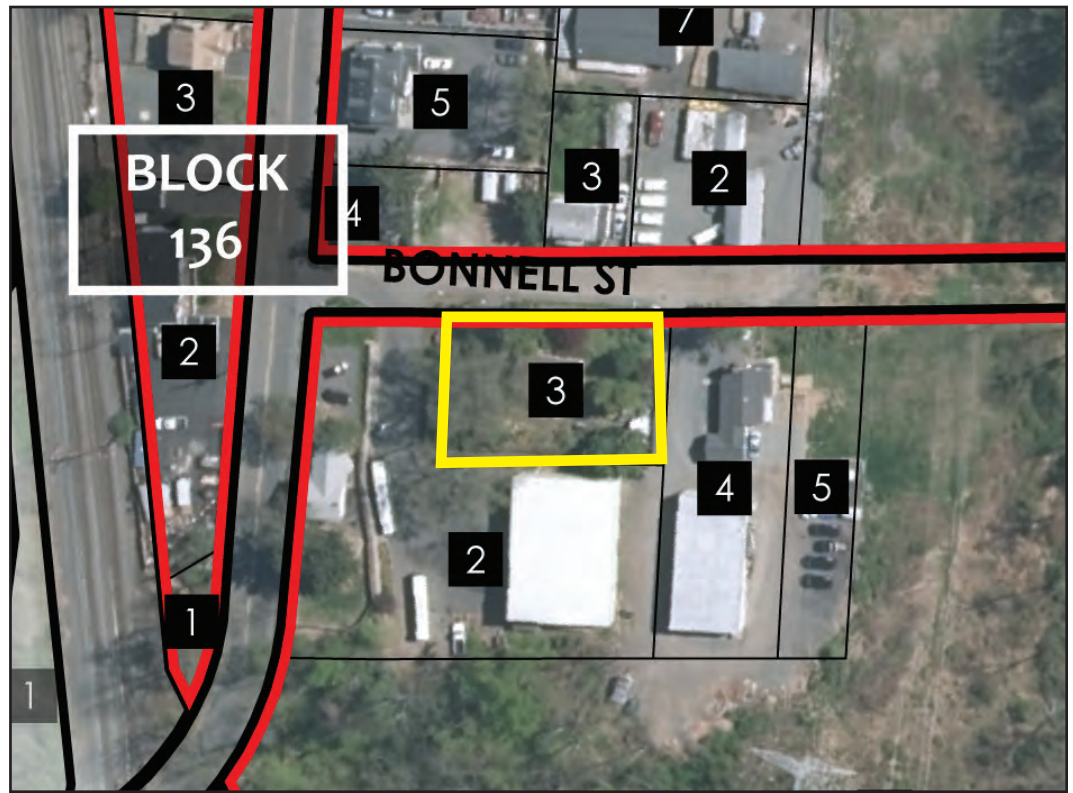
0.2496 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

No



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$275,000
<u>Improved:</u>	<u>\$ 60,600</u>
Total:	\$335,600

**PROPERTY DESCRIPTION:**

The site contains a dwelling in the center of a quarter acre lot surrounded by industrial uses. DMR was unable to determine whether the house contained one or two dwelling units.

Notwithstanding the known problems relating to this property, described in this section, this Report does not find that this property, at an individual level, meets the criteria to be designated an area in need of redevelopment. This does not preclude the property from being included in a larger area designation based on either conditions affecting the Study Area as a whole or based on a finding that inclusion of this property in the Study Area is necessary for effective redevelopment of neighboring properties.

**SITE LAYOUT ISSUES:**

The lot has no visible driveways or parking areas, indicating that the inhabitants park

on the street, which is an undesirable condition in a busy industrial area as unprogrammed long-term occupation of any part of the street may force larger vehicles to make unsafe maneuvers.

**PROPERTY CONDITION:**

DMR could make out very little of the buildings or other characteristics of the site due to the dense plantings throughout. The only noticeable defect is potential rotting of wooden elements of the house as seen on Figure 5.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: In 2014 there were four parking violations on or adjacent to the property, and one in 2016. Police records obtained for this investigation did not have the specific details regarding these incidents.





Figure 1: Dwelling visible in lot interior from street.



Figure 2: Dwelling entrance visible from street.



Figure 3: Dense plantings at lot perimeter. Variety of fence types.



Figure 4: Dwelling roof and siding visible from street.



Figure 5: Faded paint and possible wood rotting on roof eaves and siding.





**Owner:**

10 Bonnell Street, LLC

**Property Use:**

Contractors office and storage

**Business Name:**

All County Sewer & Drain

**Property Acreage:**

0.3392 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$ 319,500
<u>Improved:</u>	<u>\$209,000</u>
Total:	\$528,500

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The lot contains an office building and a garage associated with a contracting business.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- Parking in the front yard, in violation of §165-32 and 82.B. Further discussed in the next part of this section;
- The surface of the site is generally gravel, whereas the §165-82.B(3) requires parking, loading, and driveway areas to be paved. Gravel surfaces are difficult to stripe for parking and circulation management. (Criterion "d" per Section IV.2)



#### **SITE LAYOUT ISSUES:**

- Parking in the front yard between a building and planted area, such that the building and plants may prevent cross visibility between vehicles exiting the parking spaces and vehicles traveling by the main drive between the lot and Bonnell Street. (Criterion "d", faulty layout and design, per Section IV.1)
- Vehicles parked on land owned by the Borough (Block 137, Lot 5). (Criterion "d", obsolete site arrangement resulting in encroachments, Section IV.9)
- A portion of Borough-owned Lot 1 on Block 137 behind the lot has been cleared for circulation and storage purposes. (Criterion "d", obsolete site arrangement resulting in encroachments, Section IV.9)
- Portions of the circulation areas on the west side of the lot are located in adjacent Lots 2 and 3, which are under separate ownership. (Criterion "d", obsolete site arrangement resulting in encroachments, Section IV.9)
- In the event that any or all of the owners of the adjacent lots erected structures in the portions of their lots utilized by for operations on Lot 4 by All County Sewer and Drain or take any action to prevent use of their lands, there would not be enough room on Lot 4 to allow for storage of all of the vehicles currently occupying the adjacent lots as well as safe or efficient circulation patterns. Consequently, the arrangement of the site is obsolescent. DMR has not identified any documentation of easement that would permit the current or previous owners to occupy portions of the adjacent properties as they currently do. This is detrimental to those property owners whose lands are being used without compensation. (Criterion "d", obsolete site arrangement resulting in encroachments, Section IV.9)

#### **IMPROVEMENT DESIGN ISSUES:**

- The office building does not have an ADA accessible entrance. (Criterion "d" per Section IV.7)
- Additionally, the stairs to the main office building entrance has no safety railings, which is an unsafe and obsolete condition. (Criterion "d", faulty design)

#### **PROPERTY CONDITION:**

Windows and other wall penetrations on the office building are covered in plywood, which do not promote acceptable insulation. Additionally there is visible rot on some of the wood elements of the building facade and window treatments. (Criterion "d", dilapidation)

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: Records show a traffic offence incident and motor vehicle incident recorded in March and December of 2018.



**Figure 1:** Contractor's office (middle ground) and garage (rear ground)



**Figure 2:** Close-up of building. Mild paint and siding wear, possibly indicative of rotting wood.



**Figure 3:** Boarded up windows and other wall penetrations.



**Figure 4:** Another view of boarded-up windows/penetrations. Possible rotting wood on roof rake and window frames.



**Figure 5:** Rear of garage building.



**Owner:**

Borough of Chatham

**Property Use:**

Utility easement,  
woodland and wetlands

**Business Name:**

N/A

**Property Acreage:**

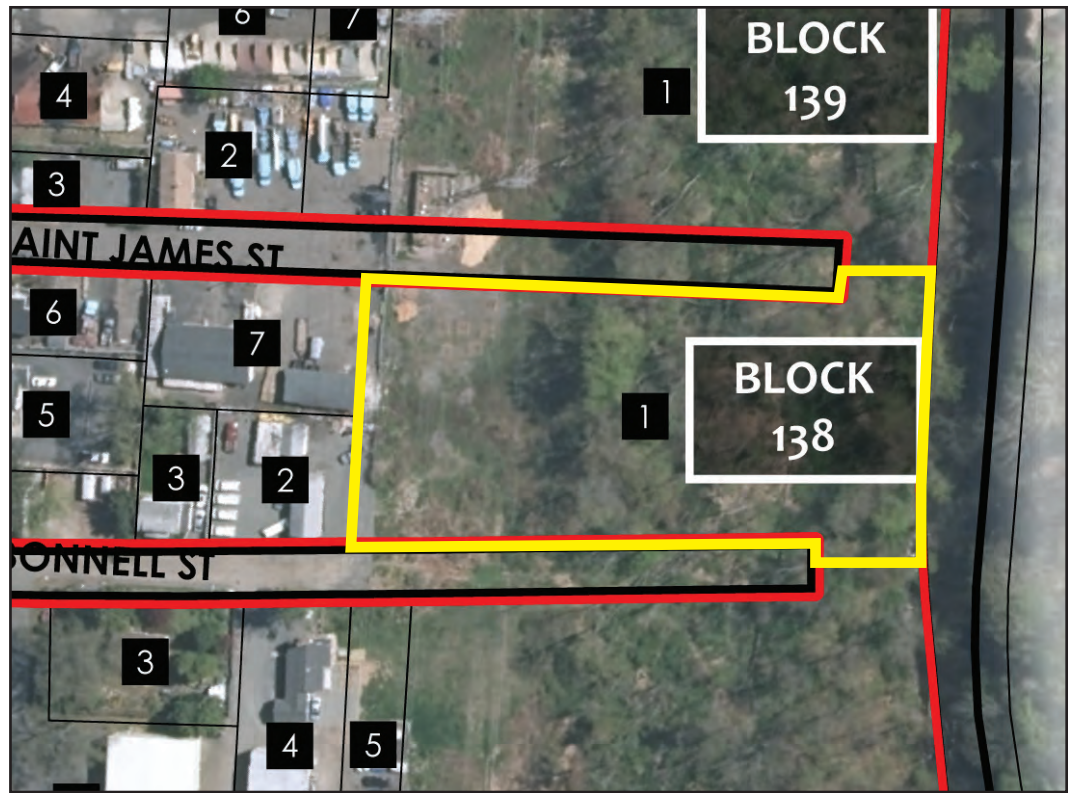
1.6 Acres

**Zone District:**

CONS Conservation  
District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

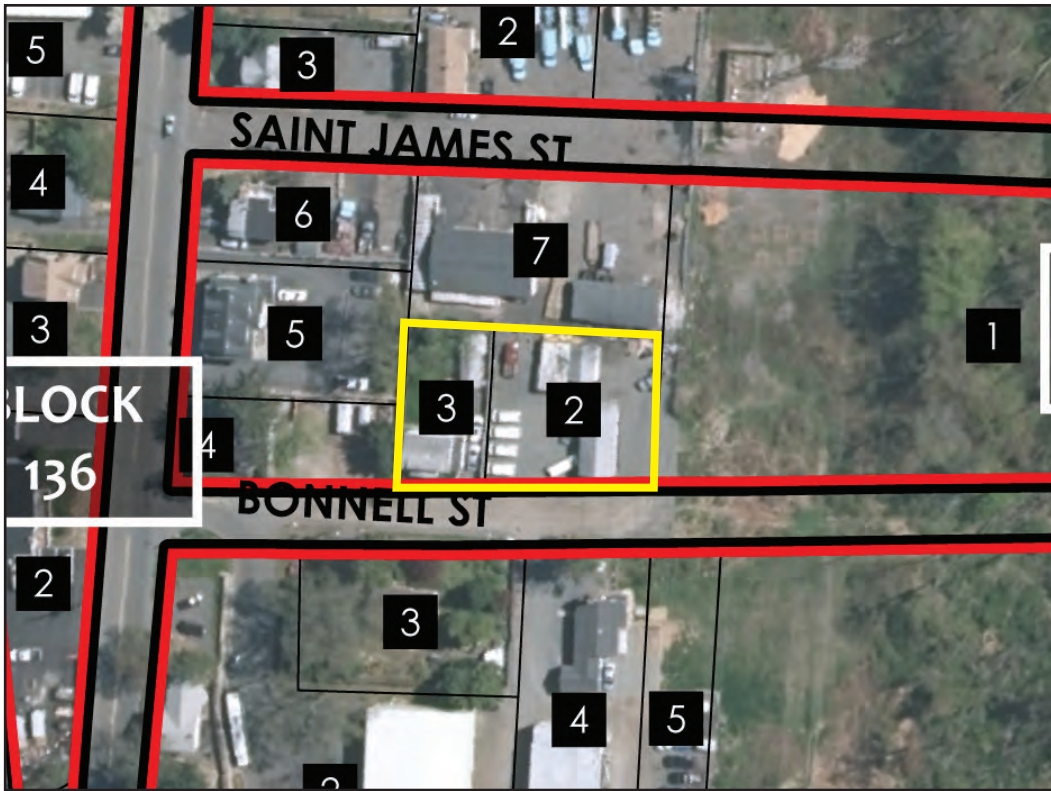
Land:	\$8,000
Improved:	\$ 0
Total:	\$8,000

**PROPERTY DESCRIPTION:**

The property is Borough owned land that is vacant with the exception of electrical transmission structures owned and operated by JCP&L. The eastern portion of the lot that is not within the JCP&L right-of-way is encumbered by flood plains and wetlands, making it unsuitable for development.

By virtue of being publicly owned land that, due to its location, accessibility and topography, is not likely to be developed through private capital, the site meets criterion "c" for redevelopment designation per N.J.S.A. 40A:12A-5.

The property is not realistically developable due to a number of factors including, but not limited to, the significant width of the JCP&L power line right-of-way (generally about 150 feet) through the middle of the lot, and floodplains and wetlands occupying the portions of the lot closest to the Passaic River. Notwithstanding, the lot meets criterion "c" rendering it eligible for redevelopment designation. D



**Owner:**

Albert J. Oldroyd, Jr.

**Property Use:**

Contractors office and  
storage & Dwelling

**Business Name:**

Paytas Contracting  
Marcos Gardening  
Services, Inc.

**Property Acreage:**

0.345 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Contractor's Office: Yes  
Single-Family Dwelling: No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 2	Lot 3	Total
Land:	\$265,000	\$207,500	\$472,500
Improved:	\$ 47,900	\$ 89,900	\$137,800
Total:	\$312,900	\$297,400	\$610,300

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The two lots, which are under common ownership, are occupied by a dwelling building (Lot 3), a contractors office building (Lot 2), and accessory buildings for storage purposes and paved areas for outdoor storage. The dwelling has a private yard and garage.

This Report recommends designating the property as being in need of redevelopment consistent with criteria "a" and "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and the expanded discussion in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- All parking and loading areas and access drives must be paved and have clear



designations for traffic flow directions and parking spaces, according to §165-82.B, whereas the surfaces of all of those areas are gravel and have no signs or striping to indicate traffic flow and parking areas. (Criterion "d", parking and access management per Section IV.2)

#### **SITE LAYOUT ISSUES:**

- There does not appear to be any form of parking or outdoor storage management on Lot 2, resulting in a visually chaotic pattern of car parking and outdoor storage. (Criterion "d", parking and access management per Section IV.2)
- There are no ADA parking arrangements on the site. (Criterion "d", parking and access management per Section IV.7)
- The open areas of the lot have limited site lighting, which could exacerbate safety issues relating to vehicular maneuvering and parking. (Criterion "d" per Section IV.6)

#### **IMPROVEMENT DESIGN ISSUES:**

The office and dwelling buildings lack ADA accessible entrances.

#### **PROPERTY CONDITION:**

- The wood siding materials and window treatments on the office building are rotting and wearing away. This can affect insulation and permit intrusion of water and moisture into the structural parts of the building or the work spaces therein.
- Windows also appear from the outside to be blocked or boarded up, which may be a fire safety hazard as well as an obstruction of access to natural air and light.
- The combination of the above conditions make the building unsuitable for occupancy. (Criterion "a")



**Figure 1:** Office building on Lot 2. Unmarked parking taking place on front and side. No ADA accessible entrance.



**Figure 2:** Rotting door and window frames. Moss accumulating on roof. Visible wear and shifting of siding materials.



**Figure 3:** Rotting and damaged window.



**Figure 4:** Miscellaneous and unmanaged parking and storage adjacent to office building.



**Figure 5:** Dwelling on Lot 3.



**Figure 6:** Roof leaders on dwelling.



**Owner:**

James C. & Mary A.  
Huettenmoser

**Property Use:**

Dwelling

**Business Name:**

N/A

**Property Acreage:**

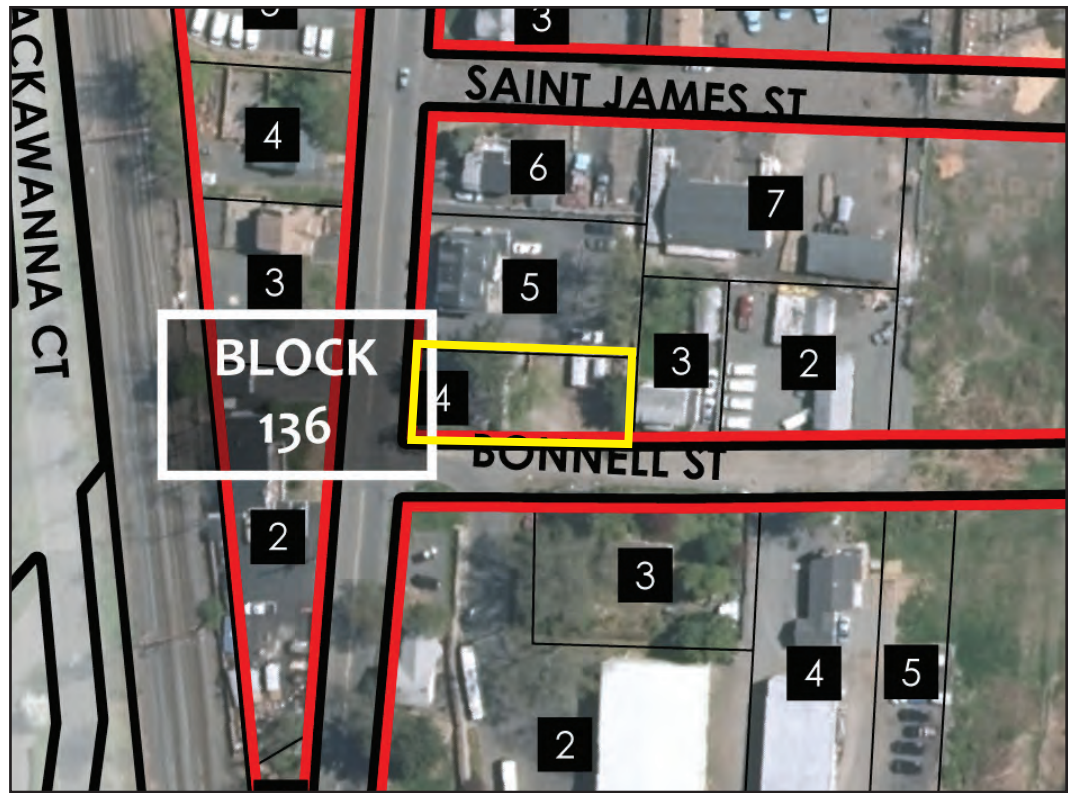
0.155 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Unclear



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$227,500
<u>Improved:</u>	<u>\$118,000</u>
Total:	\$345,500

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a dwelling building and an unpaved parking and storage area for non-residential accessory functions.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- The rear yard appears to be used for non-residential parking and storage purposes that are unrelated to the dwelling use. This is a nonconforming accessory use that reduces the quality of life for residents of the dwelling and is inconsistent with the zoning ordinance and with the concept of residential uses. (Criterion "d", detrimental use)

**IMPROVEMENT DESIGN ISSUES:**

- Downspouts open onto paved surfaces immediately adjacent to the building walls, which as previously discussed in this report creates hazards such as icy conditions that can cause people to slip, and accelerated wear of paved surfaces, wall materials, and building foundations. (Criterion "d", faulty design, Section IV.4)
- There appears to be no drainage in the commercial parking and storage area at the rear of the lot. (Criterion "d", faulty design, Section IV.5)

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: In 2014 and 2018 there were a total of three motor vehicle accidents; a high number considering the size and location of the property. The property also experienced an incident of trespassing.





Figure 1: Dwelling entrance.



Figure 2: Side dwelling entrance.



Figure 3: Downspout releasing onto steps, creating possibly slippery conditions during freezing weather.



Figure 4: Relationship between parking and dwelling on Bonnell Street.

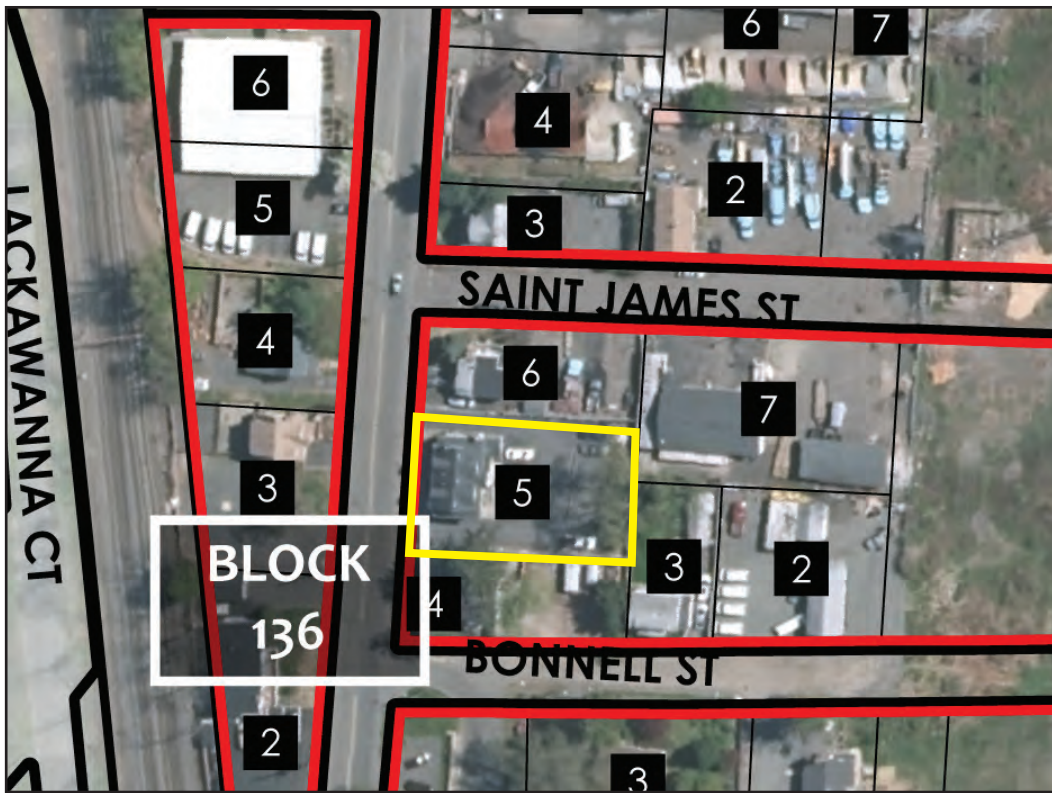


Figure 5: Rear commercial parking



Figure 6: Change in curb material.





**Owner:**

Antonio and Ida Molino

**Property Use:**

Mixed-use, with ground floor commercial

**Business Name:**

5k Deli

**Property Acreage:**

0.257 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$278,500
<u>Improved:</u>	<u>\$234,900</u>
Total:	\$ 513,400

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a delicatessen on the ground floor, with apartments above, and a rear yard parking area.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**IMPROVEMENT DESIGN ISSUES:**

Stormwater collected on the property is redirected into the River Road cartway, as shown in Figures 3 and 4. Sediment and wetness can be seen along the curb face, indicating the water released into the cartway tends to stagnate rather than being carried toward any storm drains. This could lead to damage to the roadway over time, which increases the risk of vehicular accidents. (Criterion "d", faulty design, Section



IV.5)

**PROPERTY CONDITION:**

The building and other improvements are generally in good condition.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: In 2014 and 2015 the property was the subject of complaints related to abandoned vehicles and noise disturbance. There was one motor vehicle accident in 2016, and four (4) fire alarms between 2016 and 2018.



Figure 1: Deli business sign in front yard.



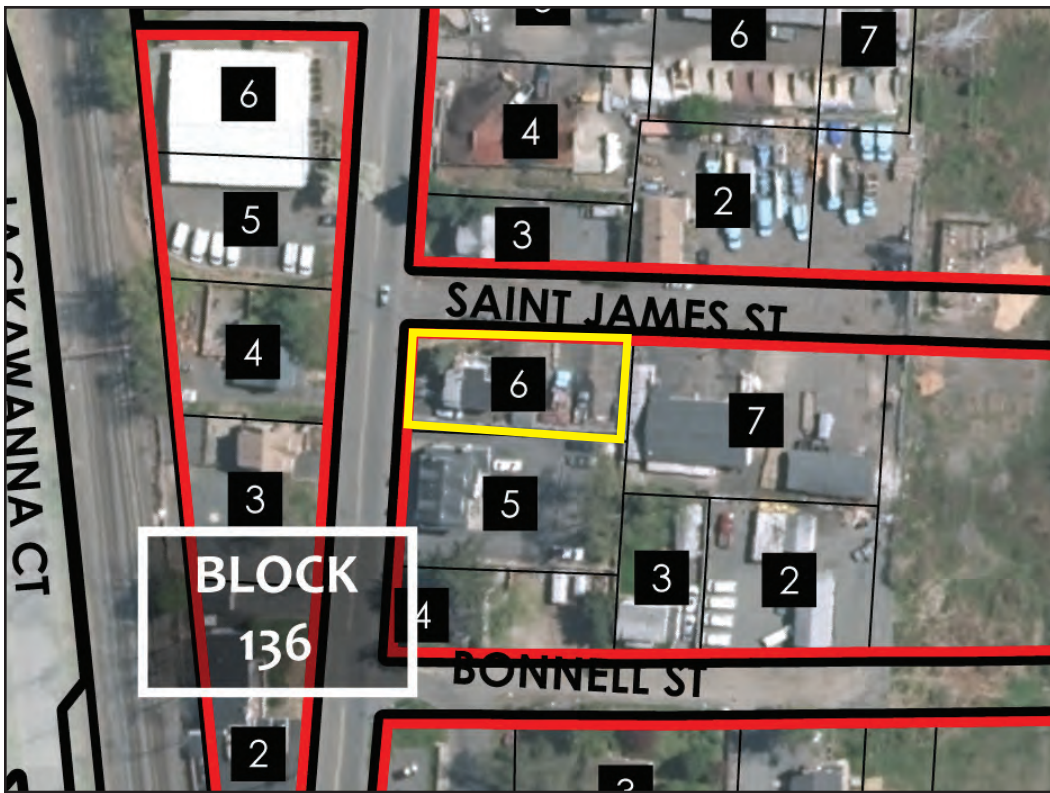
Figure 2: Side building entrances and rear parking area.



Figure 3: Damaged stormwater pipe opening into cartway. Visible sediment accumulation along curb.



Figure 4: Damaged stormwater pipe opening into cartway. Visible sediment accumulation along curb.



**Owner:**

Ernest & Evelyn Nash

**Property Use:**

Two- or more Family-Dwelling

**Business Name:**

N/A

**Property Acreage:**

0.155 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Unclear

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$227,500
<u>Improved:</u>	<u>\$101,200</u>
Total:	\$328,700

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a dwelling with two or more units, a front yard driveway with capacity for three cars, a rear deck, and a rear paved area used for non-residential parking and storage functions.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

The rear yard appears to be used for non-residential parking and storage purposes that are unrelated to the dwelling use. This is a nonconforming accessory use that reduces the quality of life for residents of the dwelling and is inconsistent with the zoning ordinance and with the concept of residential uses. (Criterion "d", detrimental



use)

#### IMPROVEMENT DESIGN ISSUES:

- There is a rear concrete deck behind the dwelling that is elevated at least two feet above grade but has no stair or other ramp access, or railings to prevent falls. The consequence of this could be persons falling off the deck and injuring themselves. (Criterion "d", faulty design)
- A downspout on the front building wall opens partway down the front of the building, causing water to soak the wall. This is likely to increase the rate of deterioration of the building and possibly the foundation over the long term. See Figure 2 (Criterion "d" per Section IV.4)

#### SITE LAYOUT

The front yard parking area requires vehicles to back-out into River Road, which is a busy road with heavy truck and car traffic. (Criterion "d", obsolete and faulty site layout per Section IV.1)

#### PROPERTY CONDITION:

A retaining wall and fence along the St. James Street side lot line and a rear wooden privacy wall at the rear lot line of the property are failing. See Figures 2 through 6. If not corrected, this could cause personal injury or property damage. (Criterion "d", dilapidation)

#### BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:

- Police: Incidents recorded in 2014 and 2015 included one motor-vehicle accident, nuisance disturbance, and a fall requiring medical assistance.



Figure 1: Dwelling (upper left) and front yard parking.





**Figure 2:** Downspout opening onto building wall, which is visibly wet from a recent storm.



**Figure 3:** Deteriorated conditions on St. James Street, warped fence and retaining structures.



**Figure 4:** Close-up of displaced retaining structures. Mild wood rotting visible on fence.



**Figure 5:** Cars parked in rear of property.



**Figure 6:** Close-up of rear wooden wall. No stairs from driveway to rear deck.



**Figure 7:** Rear property wall. Top of wall beginning to warp.



**Owner:**

St. James Street LLC

**Property Use:**

Contractors office

**Business Name:**

Unclear

**Property Acreage:**

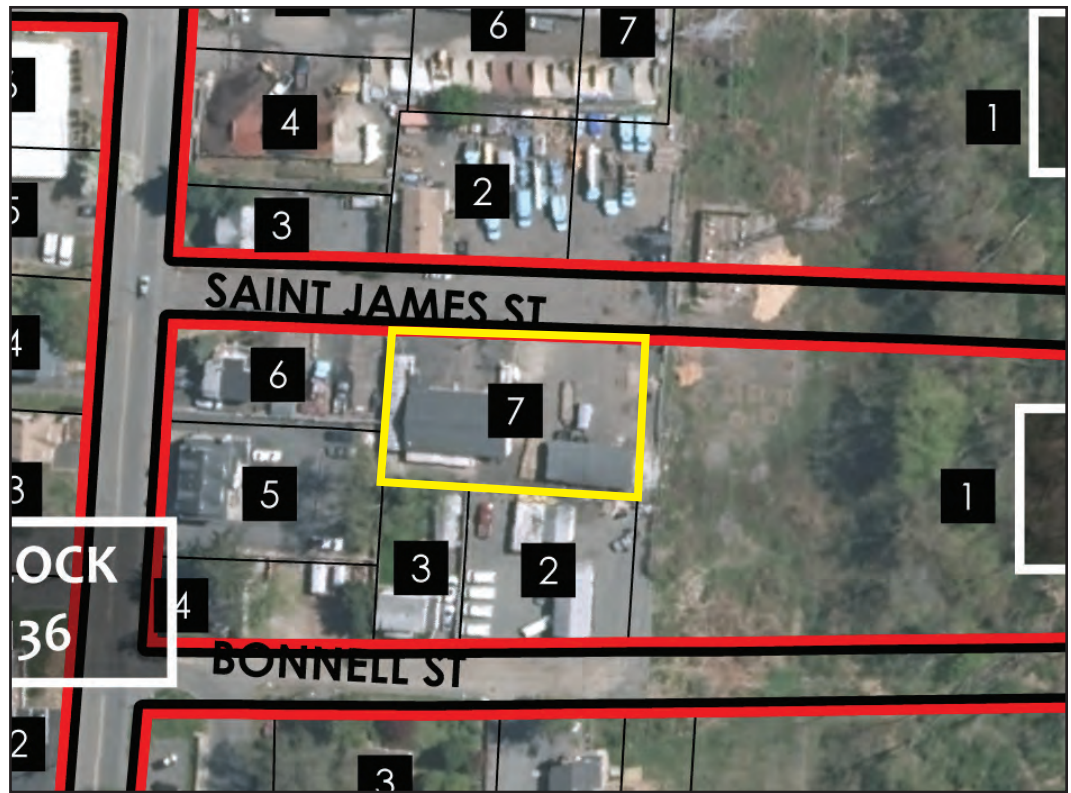
0.286 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$293,000
<u>Improved:</u>	<u>\$ 115,500</u>
Total:	\$408,500

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The lot contains two buildings associated with a contractor use. One building contains offices and garages, whereas the other is an open shelter structure for materials, vehicles, and equipment.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- The outdoor storage and parking areas are not screened from the public right-of-way as required by §165-32.B(2). This includes gravel mounds in front of the main operations building. (Criterion "d" per Section IV.8)
- The site lacks delineated parking and storage areas as required by §165-32

and 82.B. This can create chaotic maneuvering situations that increase the risk of accidents. (Criterion "d", problematic site design/layout, per Section IV.2)

**SITE LAYOUT ISSUES:**

- The property is entirely covered in impervious surfaces or buildings, which prohibits safe and adequate drainage of stormwater off of the site. (Criterion "d", excessive impervious cover, Section IV.3)
- There are no visible storm drains or other mechanisms of diverting water off-site. (Criterion "d", obsolete site design, Section IV.5)
- There is also a significant lack of site lighting, including freestanding lights or building-mounted lights, which create safety hazards on the site in the night or early mornings. (Criterion "d", lighting, Section IV.6)
- There are no delineated parking areas or parking spaces, which allows chaotic parking and maneuvering conditions to take place on the site. (Criterion "d", problematic site design/layout, per Section IV.2)
- Open outdoor storage and open storage sheds without fences or gates for screening or security purposes harms quality of life by forcing the public and residents to view operations and storage and fails to prevent trespassers from accessing equipment which is a potential safety and health hazard. (Criterion "d", faulty design, lack of security, Section IV.8)

**IMPROVEMENT DESIGN ISSUES:**

- The office section of the main building is not ADA accessible. (Criterion "d" per Section IV.7)
- There is no protective barrier surrounding the parking space shown in Figure 2, which creates a safety hazard. (Criterion "d", faulty design)

**PROPERTY CONDITION:**

- Parts of the parking and circulation areas are showing signs of water damage due to inadequate drainage. See Figures 1, 3, 4, and 5. (Criterion "d", Section IV.5)
- A retaining wall supporting a parking space raised approximately 3 feet above grade is beginning to collapse. See Figure 2. (Criterion "d", dilapidation)

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

As of September 14, 2020, the property owner was behind on its third quarter 2020 taxes and a portion of the second quarter taxes.





**Figure 1:** Business office entrance, with a non-ADA accessible staircase. Lower door at grade.



**Figure 2:** Gravel pile in front of collapsing retaining wall. Outdoor oil tank and other exterior equipment.



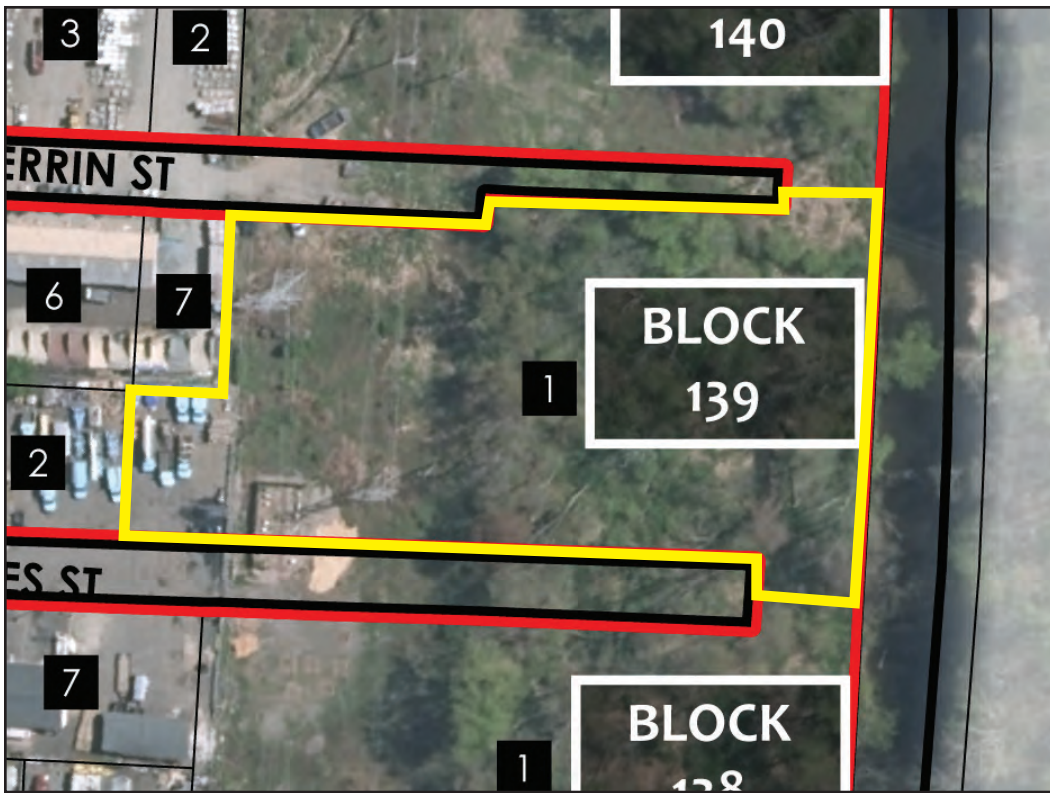
**Figure 3:** Dumpster located near office entrance.



**Figure 4:** Cars parked along property line of municipal tract.



**Figure 5:** Open storage and parking shelter.



**Owner:**

Borough of Chatham

**Property Use:**

Utility easement,  
woodland and wetlands

**Business Name:**

N/A

**Property Acreage:**

2.074 Acres

**Zone District:**

CONS Conservation  
District

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$10,400
<u>Improved:</u>	<u>\$ 0</u>
Total:	\$10,400

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property is Borough owned land that is vacant with the exception of electrical transmission structures owned and operated by JCP&L. The eastern portion of the lot that is not within the JCP&L right-of-way is encumbered by flood plains and wetlands, making it unsuitable for development.

The property can be designated consistent with criterion "c" at N.J.S.A. 40A:12A-5, as it is a vacant publicly owned property that is unlikely to be developed through instrumentality of private capital due to a number of factors including, but not limited to, the significant width of the JCP&L power line right-of-way (generally about 150 feet) through the middle of the lot, and floodplains and wetlands occupying the portions of the lot closest to the Passaic River. )



**Owner:**

Ernest & Evelyn Nash

**Property Use:**

Unclear

**Business Name:**

Unclear

**Property Acreage:**

0.241 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Unclear



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$270,500
<u>Improved:</u>	<u>\$ 65,600</u>
Total:	\$336,100

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property contains a 1.5-story building and a outdoor parking and storage areas for industrial vehicles and equipment, some of which encroach into part of the Borough-owned Lot 1. Although DMR presumed that the building on the site was a contractor's office based on the condition of and activity on the lot, the building is actually characterized by the fire inspector and the tax assessor as a residential use.

This Report recommends designating the property as being in need of redevelopment consistent with criteria "a" and "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and the expanded discussion in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- If the building on the lot is a residential use, then the storage and parking

activities for industrial vehicles and equipment on the site constitute nonconforming accessory uses which are detrimental to the quality of life for nearby residents. (Criterion "d", detrimental / nonconforming use, Section IV.10)

- The outdoor storage and parking areas are not screened from the public right-of-way as required by §165-32.B(2). (Criterion "d" per Section IV.8)
- The site lacks delineated parking and storage areas as required by §165-32 and 82.B.

**SITE LAYOUT ISSUES:**

- There is no manner of parking or circulation management on the site;
- There is minimal site lighting in the parking, circulation, and storage areas;
- There is minimal or no drainage to divert stormwater from the property;
- The outdoor storage areas are not screened from the right-of-way.
- These issues are consistent with criterion "d" at N.J.S.A 40A:12A-5. Their detrimental impacts are further detailed in Section IV earlier in this report.

**IMPROVEMENT DESIGN ISSUES:**

- The office building has no ADA accessible entrance. (Criterion "d" per Section IV.7)

**PROPERTY CONDITION:**

The one-story office is dilapidated, as can be seen in Figures 1 through 5 on the following pages. These signs include rotting siding, roof, and window materials; crumbling walls and foundations; and window openings or other wall penetrations that are uncovered or are covered with plywood. (Criterion "a" and "d", dilapidated building)





**Figure 1:** Office building with rotting siding, deteriorated chimney, collapsing gutters, plywood-covered windows, and unsafe stairs.



**Figure 2:** Open wall penetration, closer view of rotting siding, damaged curbs, downspout disconnected from gutter.



**Figure 3:** Other view of building with additional rotting wood features, damaged foundation.



**Figure 4:** Alley between Lot 5 (right) and Lot 6 (left).

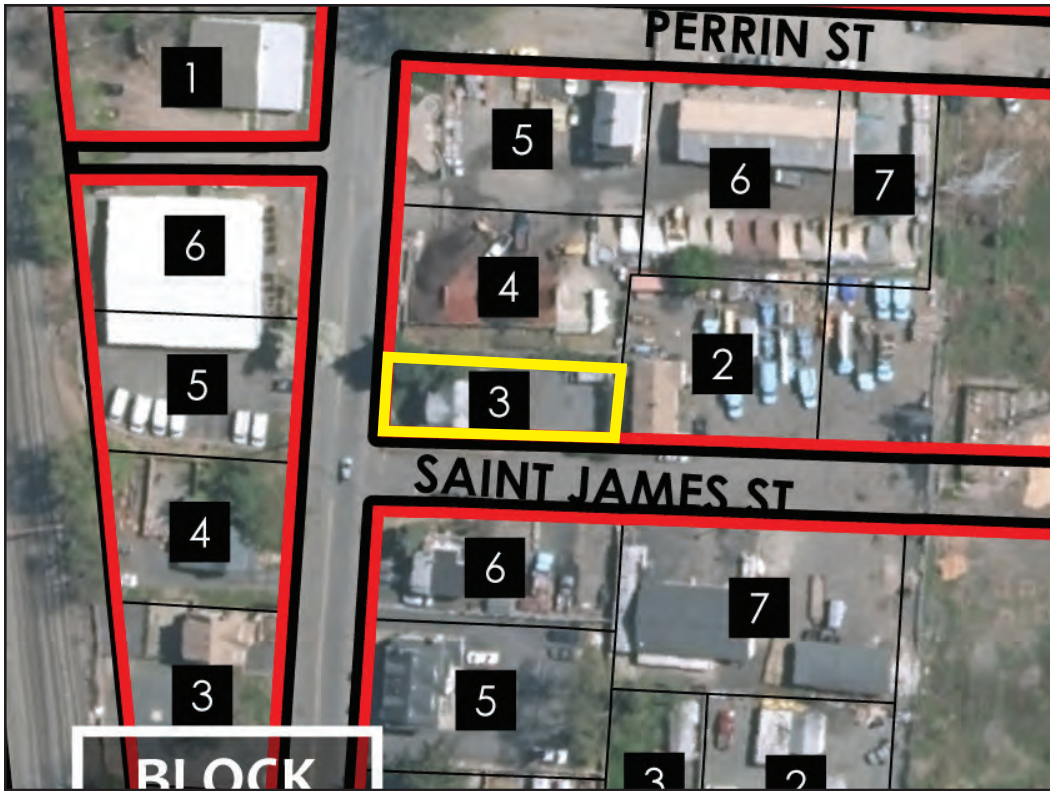


**Figure 5:** Rear of building visible from River Road. Deteriorated wood siding and bowing roof visible.



**Figure 6:** Contractor vehicles parked on site.





**Owner:**

James C. & Mary A.  
Huettenmoser

**Property Use:**

Two-unit dwelling

**Business Name:**

N/A

**Property Acreage:**

0.149 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$224,500
<u>Improved:</u>	<u>\$ 110,700</u>
Total:	\$335,200

**PROPERTY DESCRIPTION:**

The lot contains a two-story house and rear yard parking areas. The house has one entrance on River Road and one on St. James Street. There is a sign in the front yard for Stashluk Plumbing, Heating, Air Conditioning, and Generators, which is a business staffing and owned by the owners of this property. However, the business has an operating address in Summit. Google Streetview images show that this sign has been on the property for years.

The signage makes it unclear if the property is a dwelling, as it is classified by the tax assessor and other municipal departments, or an office.

This investigation does not find that the severity of the individual issues affecting the site or the combination of those issues are great enough to constitute a detriment to the public health, safety, and welfare requiring redevelopment. Consequently, this Report does not recommend designating this property on its individual merits, but this does not preclude the Borough from designating the property as part of an area



or group of properties.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

The sign that has been present in the front yard for several years appears to be for a commercial use unrelated to the present use of the site except with respect to its relation to the residents, which is a violation of signage regulations at §165-101.R.

**SITE LAYOUT ISSUES:**

- A portion of the rear yard is a gravel parking area that lacks delineated parking spaces

**IMPROVEMENT DESIGN ISSUES:**

- The stairs to the side entrance are uneven in height, which may increase the falling risk for the visually impaired, and only provide one handrail whereas two (2) handrails should be provided for safety.



Figure 1: Office building, as viewed from River Road.



Figure 2: Business sign on River Road.



Figure 3: Business sign on River Road. Steps from River Road visible.



Figure 4: Steps to side entrance. Risers not equal heights. Only one handrail provided.



Figure 5: Steps to front entrance.



Figure 6: Rear parking area. Partially paved, partially gravel.



**Owner:**

Libero/Umberto Fusco  
Holding LLC.

**Property Use:**

Contractors' offices and  
yards  
2-Family Dwelling (L 5)

**Business Name:**

Various

**Property Acreage:**

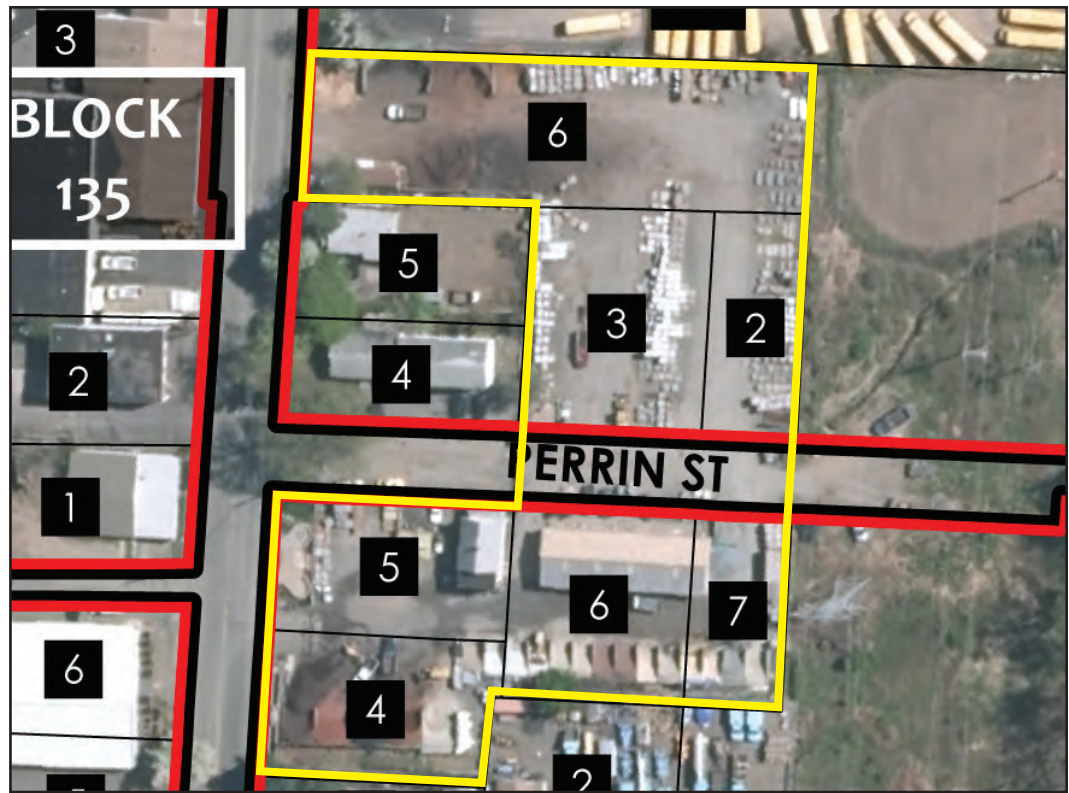
1.99 Acres  
(Including occupied  
portions of Perrin St.)

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Contractor: Yes  
Dwelling: No



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Block 139

	Lot 4	Lot 5	Lot 6	Lot 7	Total
Land:	\$229,100	\$239,400	\$241,800	\$198,100	\$908,400
Improved:	\$ 0	\$107,000	\$ 59,500	\$ 0	\$166,500
Total:	\$229,100	\$349,400	\$301,300	\$198,100	\$1,074,900

Block 140

	Lot 2	Lot 3	Lot 6	Total	Combined Total
Land:	\$201,000	\$274,100	\$346,400	\$821,500	\$1,729,900
Improved:	\$ 0	\$ 0	\$ 0	\$ 0	\$166,500
Total:	\$201,000	\$274,100	\$346,400	\$821,500	\$1,896,400

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The property consists of seven (7) lots spanning Blocks 139 and 140 and occupying a part of the Perrin Street right-of-way. The lots are generally used for outdoor storage related to one or more landscaping contractor businesses. While the lots cover a wide area, DMR has grouped them together in this section because they are generally under the same ownership, are interconnected, and have a common function related to contractor yard uses. A house on Lot 5 contains at least two dwelling units, as indicated by the two mail boxes adjacent to the building.

The lots have a shared internal circulation network with two access points onto River Road, on either side of Perrin Street and circulation aisles encircling buildings on Lots 6 and 7 on Block 139 and passing through storage areas on all lots. The area also includes an access easement on a vacated stretch of Perrin Street right-of-way (granted by ordinance 16-01), which allows the property owners and the businesses occupying the properties to not only block off Perrin Street but also to use the vacated right-of-way to store and display items.

Only Lots 5 and 6 on Block 139 contain buildings. Lots 4 and 7 on Block 139 and the three lots on Block 140 are improved only with fences, walls, and structures to manage storage of landscaping materials.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- §165-32.B prohibits outdoor storage in front or side yards and further prohibits outdoor storage from comprising more than 50% of whatever yard it occupies, whereas outdoor storage is present in every yard and makes up the whole or sole use of entire yards. (Criterion "d", obsolete site layout & usage)
- §165-32.B requires fences along any public street or residential property to be of a style that conceals outdoor storage from outside of the lot, and specifically prohibits chain link fencing, whereas the site uses chain link fencing which does nothing to conceal outdoor storage. (Criterion "d" per Section IV.8)

**SITE LAYOUT ISSUES:**

- Lack of site lighting;
- Lack of drainage infrastructure;
- Inadequate screening from the public rights-of-way or adjacent dwellings, creating an eyesore;
- Lack of defined parking areas or separation between parking, circulation, and storage areas.
- The detrimental impacts of these issues, consistent with criterion "d", are detailed in Section IV, "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", earlier in this report.

**PROPERTY CONDITION:**

A wheelchair ramp was recently installed on the front of the 2.5 story house on Block 139, Lot 5. Although DMR has not measured the dimensions of the ramp it appears too narrow to meet ADA standards. Furthermore, the ramp is missing railings along the lower 10 or so feet of the ramp. Elsewhere on the ramp, railings are leaning outward, indicating structural problems. Failure of the ramp or its railings could result in serious personal injury (Criterion "d" dilapidation)

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: Since 2015 police have reported incidents of trespassing, harassment, theft, suspicious persons, intoxicated driving, motor vehicle accidents involving property damage, parking enforcement, and disorderly conduct issues on the property. While DMR does not have the specific reports for these incidents, these records suggest that security on the property is lacking, and also reinforce the investigation's findings regarding vehicular circulation on the property.





Figure 1: Landscaping materials on Block 139, Lots 4 and 5.



Figure 2: Front of two-story building on Lot 5. Stormwater collected from roof released away from building.



Figure 3: Unsafe wheelchair ramp with missing and failing rails.



Figure 4: Cars parked on site and in Perrin Street.



Figure 5: Steps to side building entrance (middle ground) and close up of failing ramp rails in lower left corner of image.



Figure 6: Display boards leaning against shed structure on Block 139, Lots 6 and 7.





**Figure 7:** Outdoor storage of materials behind buildings on Block 139, Lots 5, 6, and 7.



**Figure 8:** Rear of shed on Block 139, Lots 6 and 7,



**Figure 9:** Close up of outdoor storage in Perrin Street right-of-way between Block 139, Lots 6 and 7, and Block 140, Lots 2 and 3.



**Figure 10:** Landscaping Materials on Block 140, Lot 6.



**Figure 11:** Landscaping Materials on Block 140, Lot 6.



**21 PERRIN STREET**  
BLOCK 140, LOT 1, 15

**Owner:**

Borough of Chatham

**Property Use:**

Woodland, wetlands,  
utility rights of way

**Business Name:**

N/A

**Property Acreage:**

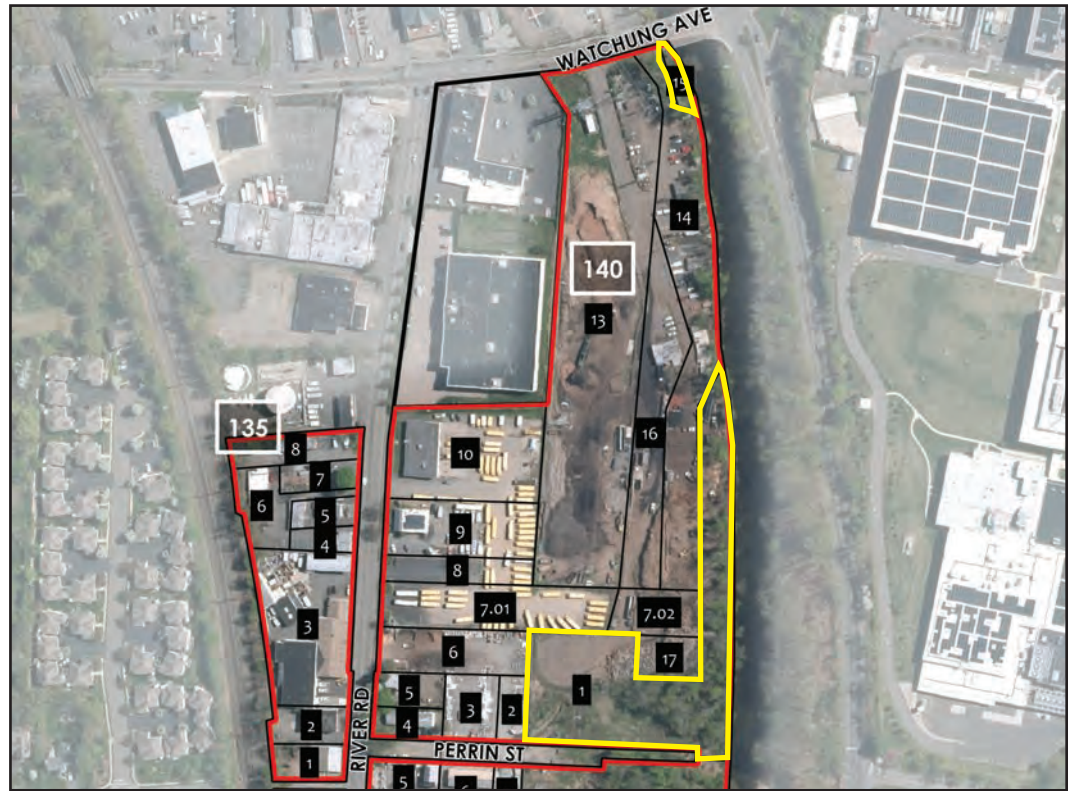
2.25 Acres

**Zone District:**

CONS Conservation  
District  
M-3 Industrial District  
Gateway Overlay Zone

**Permitted Use:**

Yes



**PROPERTY VALUE:**

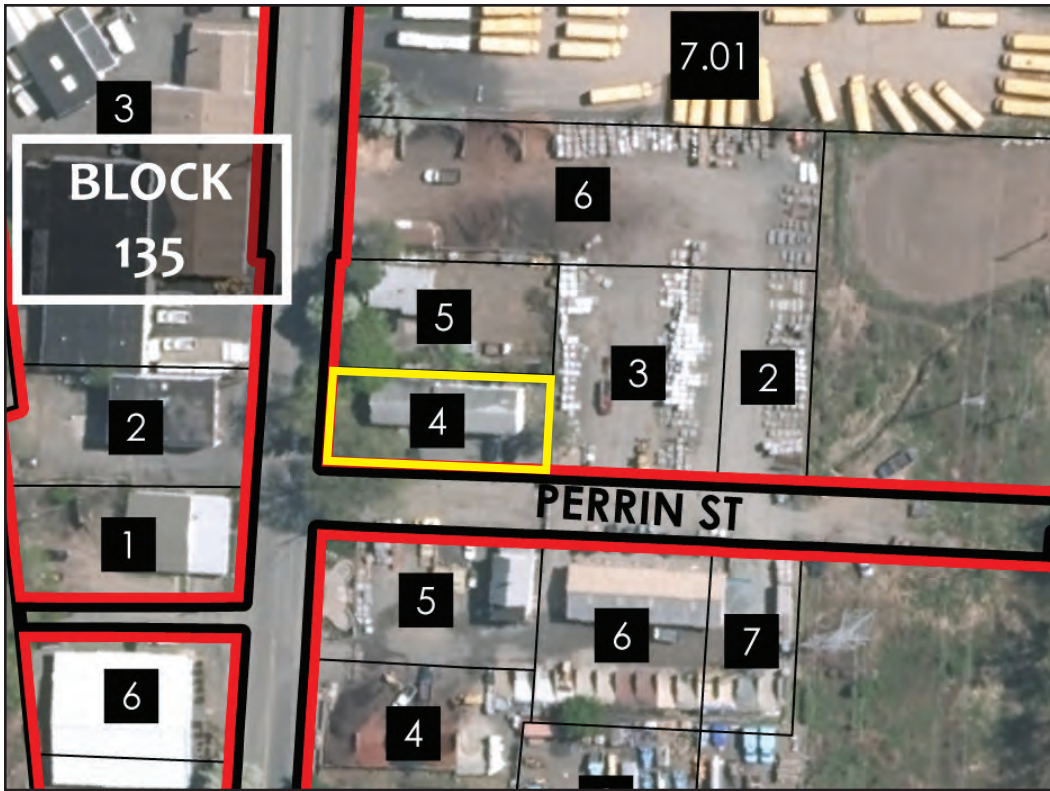
According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 1	Lot 15	Total
Land:	\$10,900	\$6,700	\$17,600
Improved:	\$ 0	\$ 0	\$ 0
Total:	\$10,900	\$6,700	\$17,600

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The two vacant Borough owned lots on Block 140 that are encumbered by wetlands and flood plains. They are separated from each other by Lot 14, which is part of the Rotondi & Sons contractor yard. The operations of the contractor yard appear to encroach into part of Lot 1. Neither lot's dimensions can accommodate development. Additionally, Lot 1 is not directly accessible from any public right of way.

The property can be designated consistent with criterion "c" at N.J.S.A. 40A:12A-5, as it is a vacant publicly owned property that is unlikely to be developed through instrumentality of private capital due to a number of factors including, but not limited to, limited access to Lot 1 due to the easement granted on Perrin Street, the size and shape of Lot 15, the significant width of the JCP&L power line right-of-way (generally about 150 feet) through the middle of the lot, and floodplains and wetlands occupying the portions of the lots closest to the Passaic River.



**Owner:**

Oreste & Immacolata  
Zecca

**Property Use:**

Contractor's office  
Apartments

**Business Name:**

M. Zecca Construction

**Property Acreage:**

0.205 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Contractor's Office: Yes  
Apartments: No

**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$252,500
<u>Improved:</u>	<u>\$293,200</u>
Total:	\$545,700

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

The lot contains a 3,440 square foot building containing with three units of which one is a contractor's office and at least one other is presumed to be a dwelling. The Perrin Street front yard of the building contains eight striped parking spaces.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- Apartments are permitted above ground level non-residential uses in the M-3 Zone, but at least one of the apartments on this property are on the same level as the contractor's office.
- Whereas parking is prohibited in any front yard per §165-32.J, the parking on this property is located in a secondary front yard. (Criterion "d" per Section IV.1)

**SITE LAYOUT ISSUES:**

- As shown on Figure 2 on the pages at the end of this property's section, there are two angled parking spaces directly adjacent to 90° parking spaces such that one



or more cars are at risk of being blocked in or striking another car when backing in or out of the space. (Criterion "d", faulty design, Section IV.2)

- Construction vehicles and other types of vehicles and equipment are stored on an unpaved surface in the 10-foot wide rear yard between the building and the rear property fence, and in such a manner that the vehicle can be blocked in by cars parked in the parking lot. This is an unsafe and inappropriate area to store such vehicles, as muddy conditions can reduce traction and vehicles can potentially damage parked cars or the building itself. (Criterion "d", obsolete layout indicated by need to park cars in unpaved side yard due to lack of space in parking area to accommodate contractor use)
- The parking area has capacity for only seven safely arranged and property sized parking spaces, including one in a space currently labeled "No Parking" in front of the business unit entrance. Given that two residential units could require as many as 4 parking spaces based on RSIS, this capacity may not be adequate to serve two apartments and one business, as well as vehicle and equipment storage required for the business. (Criterion "d", obsolete layout in form of inadequate parking capacity)

#### **IMPROVEMENT DESIGN ISSUES:**

Downspouts open up and release water where parking surfaces meet building wall. (Criterion "d" per Section IV.4)

#### **PROPERTY CONDITION:**

The property itself appears to be in acceptable condition; however, Perrin Street cartway is deteriorating, as is visible in Figures 1, 3, and 4.

#### **BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: Incidents recorded on this property are not relevant to this study.



**Figure 1:** Perrin Street building entrances and parking. Asphalt walkway from door is not connected to street.



**Figure 2:** Steps to side entrance.



**Figure 3:** Gravel surface of Perrin Street.



**Figure 4:** Inconsistent and unclear parking area striping, including a nonconforming ADA parking space.



**Figure 5:** Downspout opening onto parking area near building wall.



**Figure 6:** Downspout opening onto parking area near building wall. Construction vehicle in rear yard.



**Owner:**

Fuschetto Vincenzo

**Property Use:**

Contractors office

**Business Name:**

Vince Fuschetto  
Landscaping

**Property Acreage:**

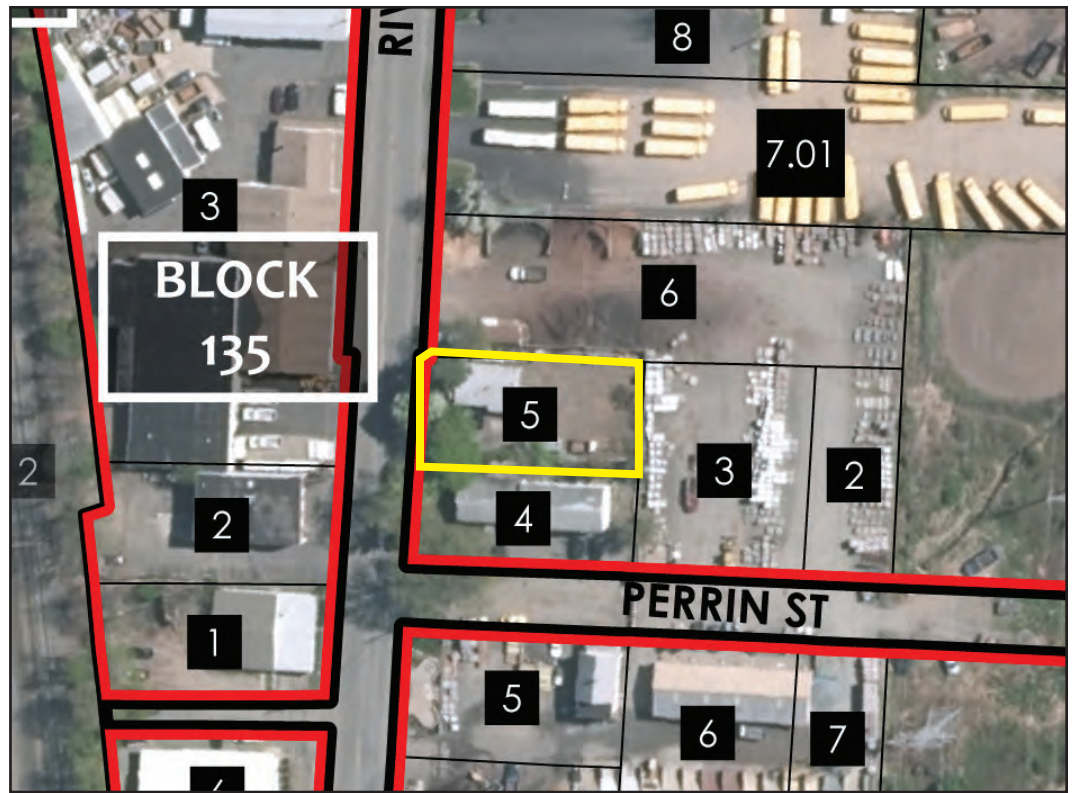
0.205 Acres

**Zone District:**

M-3 Industrial District

**Permitted Use:**

Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

Land:	\$252,500
<u>Improved:</u>	<u>\$ 77,000</u>
Total:	\$329,500

**PROPERTY DESCRIPTION:**

The property is occupied by a house that DMR understands to be used as a contractors office for the Vince Fuschetto Landscaping business. The side and rear yards of the property are used for parking and storage. DMR is not certain if the house is also occupied as a dwelling.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**SITE LAYOUT ISSUES:**

- A lack of site lighting
- A lack of striping and paved surfaces
- No visible ADA access or parking accommodations

- No visible drainage systems;
- Cars in the side yard are parked in a perpendicular fashion, with one on a somewhat steep slope. The car parked closest to the site entrance has limited visibility of the street past the fence shown in Figure 3.
- The pavement is generally in poor condition, especially at the rear and lowest-lying part of the property, likely due to poor drainage. Mud and sediment accumulation at the rear of the property supports this assumption.
- The detrimental impacts of these issues, consistent with criterion "d", are discussed in Section IV, "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES".

#### IMPROVEMENT DESIGN ISSUES:

- The handrails on each side of the front entrance stairs do not continue past the lowest step or onto the landing as should be practiced with an office building for safe and equitable access.

#### PROPERTY CONDITION:

- Moss and other plant material are accumulating on the porch roof. While not immediately harmful, this can cause damage to the roof over time if not cleaned up.
- Any pavement in the driveway and parking area is deteriorated and resembles gravel. DMR could not determine from the street whether there are storm drains in the parking area, which is downhill from River Road and therefore is likely to accumulate stormwater if there is inadequate drainage.



Figure 1: River Road building entrance. Incomplete railing system.



Figure 2: Moss and plant material accumulation on roof.



Figure 3: Side and rear parking area with varying grade.



**Owner:**

National School Bus  
Service (Lots 7.01, 8, 10)  
SPF Properties LLC (Lot 9)

**Property Use:**

School bus parking,  
Contractor's office

**Business Name:**

First Student (Lot 10)  
Pipe Works Home Services  
Inc (Lot 9)

**Property Acreage:**

3.04 Acres

**Zone District:**

M-3 Industrial District  
Gateway Overlay Zone

**Permitted Use:**

School bus parking - No  
Contractor's office- Yes



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 7.01	Lot 8	Lot 9	Lot 10	Total
Land:	\$342,000	\$314,000	\$479,500	\$ 706,500	\$1,842,000
Improved:	\$ 0	\$ 0	\$ 291,300	\$ 440,000	\$ 731,300
Total:	\$342,000	\$314,000	\$770,800	\$1,146,500	\$2,573,300

**PROPERTY DESCRIPTION & RECOMMENDED DESIGNATION:**

These properties are comprised of four (4) lots which are under two separate owners. DMR is analyzing these properties together because the rear of Lot 9 is used to connect the bus storage use on Lots 7.01, 8, and 10 despite having a different owner.

DMR has reviewed public property records dating back to the 1960s and can find no evidence of an easement agreement allowing use of the rear of Lot 9 for bus parking purposes related to the use on Lots 7.01, 8, and 10. This report presumes, that any arrangement allowing this encroachment is an unwritten "handshake" agreement.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- Bus parking and dispatching is not a permitted use in the M-3 zone. While it might predate the current zoning, the use is not consistent with the Borough's vision for the area. (Criterion "d" per Section IV.10)
- §165-32.B prohibits outdoor storage in front or side yards, prohibits outdoor storage from exceeding 50% of any yard area, and requires outdoor storage to be screened from the public right-of-way and from residential properties. The outdoor storage of busses on this property is contained in front, side, and rear yards and occupies more than 50% of most of those yards without any form of screening. (Criterion "d" per Section IV.1, 8)
- The impervious coverage on the properties is at least 90% whereas not more than 75% is permitted in the M-3 zones per §165-31. (Criterion "d", excessive impervious coverage, Section IV. 3)

**SITE LAYOUT ISSUES:**

- The lack of a recorded easement allowing National School Bus Service to connect its properties using the rear of Lot 9 could mean that the current or future owner of Lot 9 may choose at some point not to honor any prior "handshake" agreements. Separating the storage and operations activities on Lot 10 from storage on Lots 7.01 and 8 could exacerbate the nonconforming status of the bus storage/dispatch use by causing the parking and storage on Lots 7.01 and 8 to become accessory uses acting as principal uses. It should be noted that the outdoor storage (bus parking) component of the use already does not meet the definition of an accessory improvement/use because the lots comprising the bus service property have not been consolidated; (Criterion "d" per Section IV.9)
- Back-in / Back-out parking in the front yard of Lot 10. See Figures 9 and 10; (Criterion "d" per Section IV.1)
- Lack of site lighting in parking and storage areas across site; (Criterion "d" per Section IV.6)
- Angled parking in south side yards of Lots 9 and 10 require cars to turn around in the rear yard in order to safely exit the property. See Figure 11; (Criterion "d" per Section IV.2)
- The lack of screening and the wide area occupied by the outdoor storage causes the site to be an eyesore in the area; (Criterion "d" per Section IV.8)
- Although DMR was unable to enter the operations portion of the site, it should be noted that DMR did not observe any storm sewer inlets or other in-ground drainage systems. (Criterion "d" per Section IV.5)

**IMPROVEMENT DESIGN ISSUES:**

- Downspouts on building on Lot 9 open where pavement and wall meet. Water damage is visible on walls near the downspout opening. See Figure 6; (Criterion "d" per Section IV.4)
- No ADA accessible entrances - Entrances require ascending steps. (Criterion "d" per Section IV.7)
- Lack of protection around AC units, which exposes the units to the risk of being struck and damaged by vehicles in the adjacent driveway or by equipment or larger objects stored adjacent to the building, which may be moved by wind or other natural forces. (Criterion "d", faulty design)

**PROPERTY CONDITION:**

The side entrance stair on Lot 9 is in deteriorating condition and is missing a safety rail. See Figures 3 and 5. (Criterion "d", dilapidation)

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: There was a motor vehicle accident in 2014, and criminal related property damage in 2019.





Figure 1: Northwest corner of building on Lot 9.



Figure 2: Raised entrance area.



Figure 3: Deteriorated side door stairs, with missing safety rail.



Figure 4: Car parking area on Lot 8.



Figure 5: Southeast corner of building. Visible evidence of severe deterioration of side stair landing.



Figure 6: Downspout releasing onto pavement near building edge. Visibly deteriorated wall from water exposure.





Figure 7: Bus parking on Lot 7.01



Figure 8: Bus parking on Lots 8, 9, and 10.



Figure 9: Front yard parking requiring cars to directly back out to or back in from River Road.



Figure 10: Front yard parking requiring cars to directly back out to or back in from River Road.



Figure 11: Parking in side yard of Lot 10.



Figure 12: Rear parking on Lot 10, viewed from the north side yard.



## 3 TO 7 WATCHUNG AVENUE

BLOCK 140, LOTS 7.02, 13, 14, 16, 17

**Owner:**

Kamik LLC (Lot 13)  
S. Rotondi & Sons Inc.  
Angelo G Rotondi (Others)

**Property Use:**

Contractor Yard

**Business Name:**

S. Rotondi & Sons Inc.

**Property Acreage:**

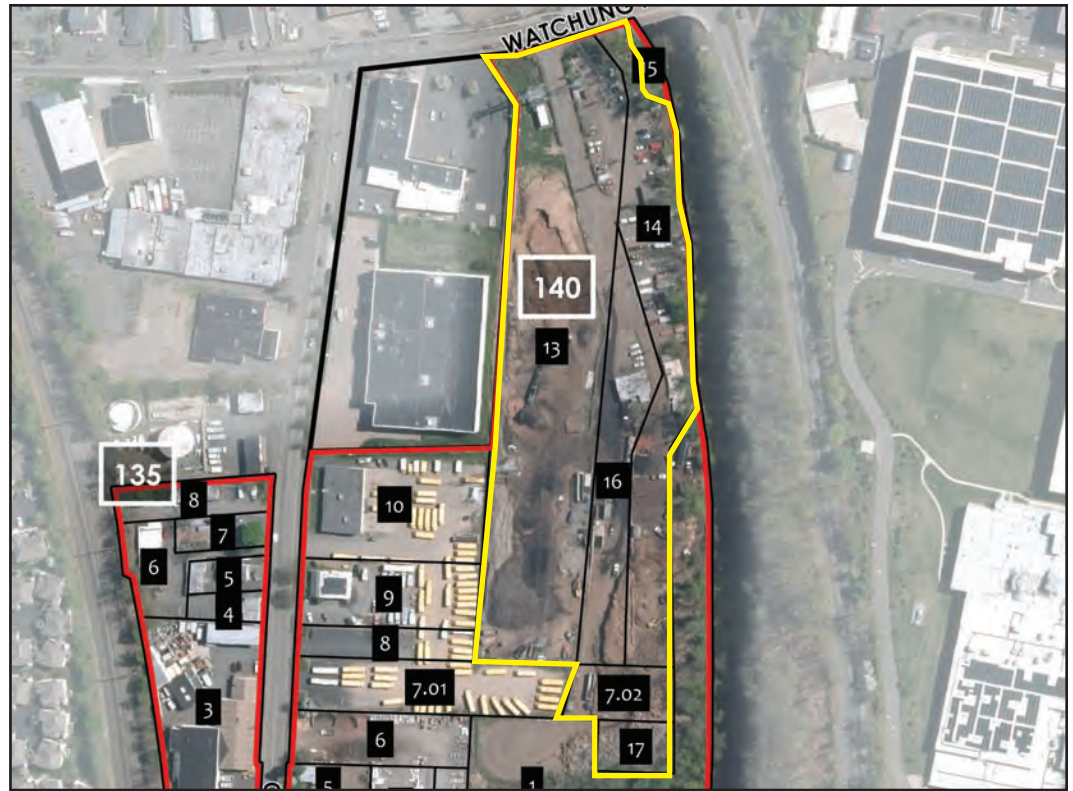
7.07 Acres

**Zone District:**

M-3 Industrial District  
Gateway Overlay Zone

**Permitted Use:**

No



**PROPERTY VALUE:**

According to the Borough of Chatham the assessed value for the delineated area is:

	Lot 7.02, 16- 17	Lot 13	Lot 14	Total
Land:	\$ 745,100	\$461,600	\$498,000	\$1,704,700
Improved:	\$ 151,800	\$ 0	\$ 49,500	\$ 201,300
Total:	\$896,900	\$ 461,600	\$547,500	\$1,906,000

**PROPERTY DESCRIPTION:**

The property is a large tract with two separate owners, that is generally used for landscaping and related contractor businesses. The Kamik property (Lot 13) is almost entirely within the JCP&L right-of-way, restricting possible uses. The Rotondi-owned lots are also within the JCP&L rights-of-way, but constrained by that right-of-way to a lesser degree. The activities on these lots are set far from the Watchung Avenue right-of-way. The lots closest to the river, including a portion of Lot 13, are at least partially within the 100-year floodplain.

This Report recommends designating the property as being in need of redevelopment consistent with criterion "d" at N.J.S.A. 40A:12A-5 based on the findings stated in this section and in Section IV "COMMON SITE ISSUES AND REASONS FOR THEIR CONSIDERATION FOR DESIGNATION PURPOSES", which details detrimental impacts to the health, safety, and welfare of the community from common site issues.

**NOTABLE LAND DEVELOPMENT COMPLIANCE ISSUES:**

- §165-32.B prohibits outdoor storage from occupying more than 50% of any yard where it is located, whereas outdoor storage constitutes the vast majority of the property.
- §165-32.B prohibits materials stored outdoors from exceeding six feet in height, so that they may be concealed by a 6-foot barrier, whereas the materials stores on site greatly exceed six-feet in height and cannot be properly screened. (Criterion "d" detrimental use as evidenced by the need to stack materials to unsafe height)

**SITE LAYOUT ISSUES:**

- A substantial portion of the site is within the 100-year flood plain. This makes it especially harmful to the community and the environment that the site is used for outdoor storage of loose materials and equipment related to the contractor use. (Criterion "d", site arrangement and design fails to account for flood risks)
- The site is oriented to Watchung Avenue and River Road in such a manner that the operations thereon, including piles of landscaping materials, are highly visible to the public. The appearance of the site has a detrimental impact on the character of the area, which the Borough desires to reshape as a gateway district. (Criterion "d" per Section IV.8)

**IMPROVEMENT DESIGN ISSUES:**

As DMR did not enter the site, DMR cannot determine if the contractor's office building located in the center of the lot and within the 100-year floodplain is designed to withstand a 100-year flood.

**PROPERTY CONDITION:**

As DMR did not enter the site, DMR did not have an opportunity to assess the condition or quality of structures or surfaces in the interior of the property.

**BOROUGH RECORDS CONCERNING ENFORCEMENT ACTIONS AT THE SUBJECT PROPERTY:**

- Police: The site experienced 12 motor vehicle incidents since 2014, indicating that there may be flaws with the circulation and access systems on the site. Other significant incidents during that same time frame include fires, trespassing, road hazards, traffic violations, theft, and traumatic injuries.





Figure 1: Main driveway from Watchung Avenue to operations area.



Figure 2: Driveway apron comprised of gravel and deteriorated pavement. Potholes forming.



Figure 3: Exposed pipes covered with plywood.



Figure 4: S. Rotondi and Sons garage building visible from Watchung Avenue



Figure 5: Direction sign for leaf disposal



Figure 6: JCP&L electric towers over property.





**Figure 7:** Debris piles in distance on Block 140 Lots 17 and 7.02.



**Figure 8:** Debris piles & outdoor storage on Block 140 Lots 17 and 7.02.



## **BASIS FOR AREA WIDE DESIGNATION**

The Local Redevelopment and Housing Law does not limit the Borough to designating an area as being in need of redevelopment based only on the applicability of the criteria at N.J.S.A. 40A:12A-5 to each individual property. Rather, the language of the law allows the Borough to make a finding of the applicability of the criteria to a "delineated area", which while not specifically defined is intended to mean the whole of the area and the properties therein that have been identified for the particular study.

## **AREA CHARACTERISTICS AND APPLICABLE CRITERIA**

The Study Area is comprised of a diverse mix of land uses, several of which are pre-existing nonconforming uses. Most unusual about this area is the mixture of industrial uses -- most of which operate outdoors rather than in enclosed areas -- and single-family, two-family, and three- or more-family dwellings in close proximity to each other, whereas contemporary zoning would separate these uses in order to preserve residential quality of life.

The three zones covering the Study Area -- the M-1 and M-3 Industrial Zones and the Gateway Overlay Zone -- have been crafted to permit the area to evolve from an older industrial district to a gateway with mixed uses and site layouts that promote an attractive aesthetic, better buffer the industrial activities in the area from the public right-of-way, and promote safer traffic conditions on River Road and Watchung Avenue. These include requirements to limit parking, storage, and activity in rear yards, to use screening, and to minimize outdoor storage activities in relation to total lot area.

However, the uses and improvements occupying most of the Study Area are well established, long-existing and, consequently, have not been redeveloped to meet current standards. In some cases, properties have been redeveloped but not in full compliance with the zoning. Pre-existing conditions that are not in line with current site design standards include a lack of properly designed drainage systems (if any); parking and industrial activity in front and side yards; a lack of screening; absent or faulty parking and circulation management; and buildings which are either deteriorating, not designed to code, or both. Roads, driveways, and parking areas throughout the Study Area are deteriorated due to a combination of poor drainage and the types of heavy vehicle activity associated with industrial uses.

Based on these and other conditions, DMR has come to the following conclusions:

- The mixture of industrial uses and residential uses is harmful to the well-being of those residing in the Area. During DMR's site visits, DMR noted that the industrial uses and related truck traffic produced airborne dust and caused burning sensations from breathing in the air, which is not conducive to wholesome living conditions. Additionally, the types of industrial uses likely cause vibrations, noise, and air pollution that are likely to affect quality of life for nearby residents and possibly accelerate structural deterioration in older dwellings;
- The location of industrial activity on the properties in the Area combined with the lack of or ineffective screening of those activities from the right-of-way and from adjacent dwellings is inconsistent with the Borough's vision for the Area as a gateway to the Borough, inconsistent with the zoning to achieve that vision, and detrimental to the public's well-being;
- Deficient drainage, faulty site design, and the nature of uses in the area, attributable to obsolete site design and use characteristics, deteriorates road, driveway, and parking area conditions such that they may cause harm to pedestrians or vehicles.

## AREA WIDE ANALYSIS - REDEVELOPMENT

BLOCK 135, LOTS 1, 2, 3, 4, 5, 6, 7, 8; BLOCK 136  
LOTS 1, 2, 3, 4, 5; BLOCK 137, LOTS 1, 2, 3, 4, 5;  
BLOCK 138, LOTS 1, 2, 3, 4, 5, 6, 7;

BLOCK 139, LOTS 1, 2, 3, 4, 5, 6, 7; BLOCK 140,  
LOTS 1, 2, 3, 4, 5, 6, 7.01, 8, 9, 10, 13, 14, 15, 16

July 2021

- Excessive impervious coverage combined with the topography of the area (generally sloping downward toward the Passaic River) and the lack of on-site drainage infrastructure on properties across the Study Area risk increasing flooding on lower lying properties and possibly exacerbating flood hazards associated with the River.
- Widespread use of parking areas and yards for outdoor storage for unrelated non-residential uses, including on residential properties, which deprives residents of quality of life and contradicts the purpose of residential uses.
- Widespread failure to screen outdoor storage and parking from the public rights of way or from residential properties, in violation of zoning and design requirements deteriorate the attractiveness of the area.
- Multiple incidents of uses encroaching on adjacent properties and relying on that encroachment for their operations harms property rights and creates a potential for businesses to be disrupted by changes to the properties on which they are encroaching.
- The lack of a continuous sidewalk network combined with the heavy truck traffic makes the area unsafe for pedestrians and/or bicycle users.

These and other factors identified in this report relating to individual properties are consistent with redevelopment Criterion "d":

*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.*

### INCLUSION OF LOTS NOT MEETING CRITERIA

The definition of a "redevelopment area" at N.J.S.A. 40A:12A-3 permits a municipality to include properties that do not meet the redevelopment criteria at N.J.S.A. 40A:12A-5 in a redevelopment area with properties that do meet one or more of those criteria if the municipality believes such inclusion is necessary for the proper redevelopment of those lots meeting the criteria.

This Report recommends that every lot in the Redevelopment study area, with the exception Lots 2 through 4 on Block 136, are necessary to include in any designated redevelopment area for the effective redevelopment of those lots meeting the redevelopment criteria. With the exception of those specifically identified lots, all of the lots in the area are needed to ensure that redevelopment occurs in an orderly fashion and that redeveloped properties have adequate frontage and space.

The finding that Lots 1 to 4 on Block 136 are not needed for effective redevelopment of the rest of the study area does not negate any finding that the study area including those lots meet rehabilitation criteria as addressed earlier in this report.



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

*Rehabilitation*

The water and sewer infrastructure serving the Study Area is more than 50 years old and, in some cases, almost 100 years old, and are in need of repair or replacement. As a result, the entire Study Area is eligible for designation as a rehabilitation area according to N.J.S.A. 40A:12A-14.

*Redevelopment*

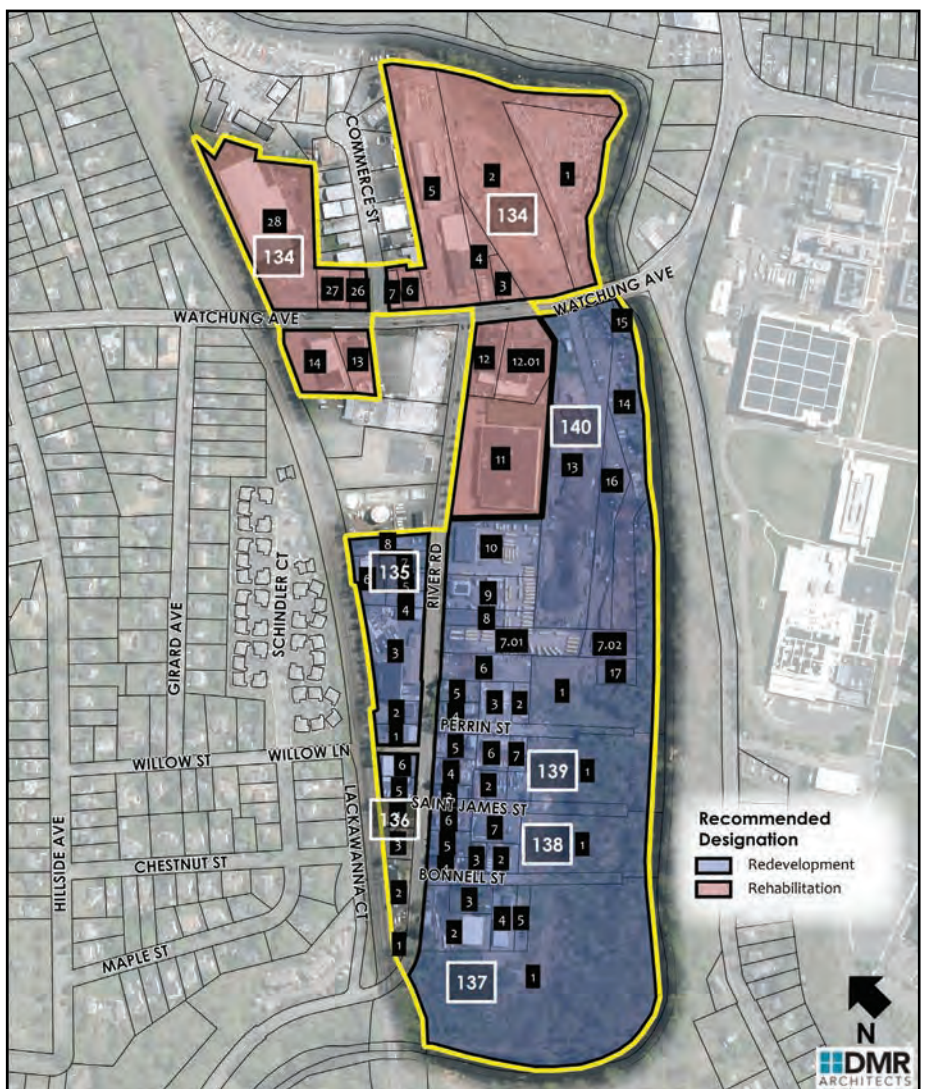
The investigation finds that many of the individual lots in the Study Area meet the "a", "c", and "d" criteria at N.J.S.A. 40A:12A-5 based on conditions that include unsound parking; lack of drainage; deteriorating buildings; lack of light and air in buildings; lack of site lighting; nonconforming uses that are incompatible with their surrounding uses or location; lack of screening; circulation issues; and various other conditions.

In addition, the investigation finds that the land use and development patterns across the entire Study Area have characteristics and conditions that are consistent with criterion "d", including obsolescent layouts and mixtures of uses that are harmful to the public safety, health and welfare; inappropriate land uses within the 100-year floodplain; impediments to putting privately owned land to the highest and best use due to the overlap of a JCP&L power line easement; widespread lack of drainage infrastructure; and other conditions.

*Recommendations and Next Steps*

The Borough should designate the Rehabilitation Only Study Area as an area in need of rehabilitation and designate the Redevelopment and Rehabilitation Study Area as an area in need of redevelopment.

The investigation does not find that Lots 1 to 4 on Block 136, at the southwestern end of the Study Area, are necessary for inclusion in a Redevelopment Area with the remainder of the Study Area; however, the Borough may choose to include those lots in the Redevelopment Area if it believes the lots are necessary for effective redevelopment of the Redevelopment Area.



Map 11: Recommended Designations