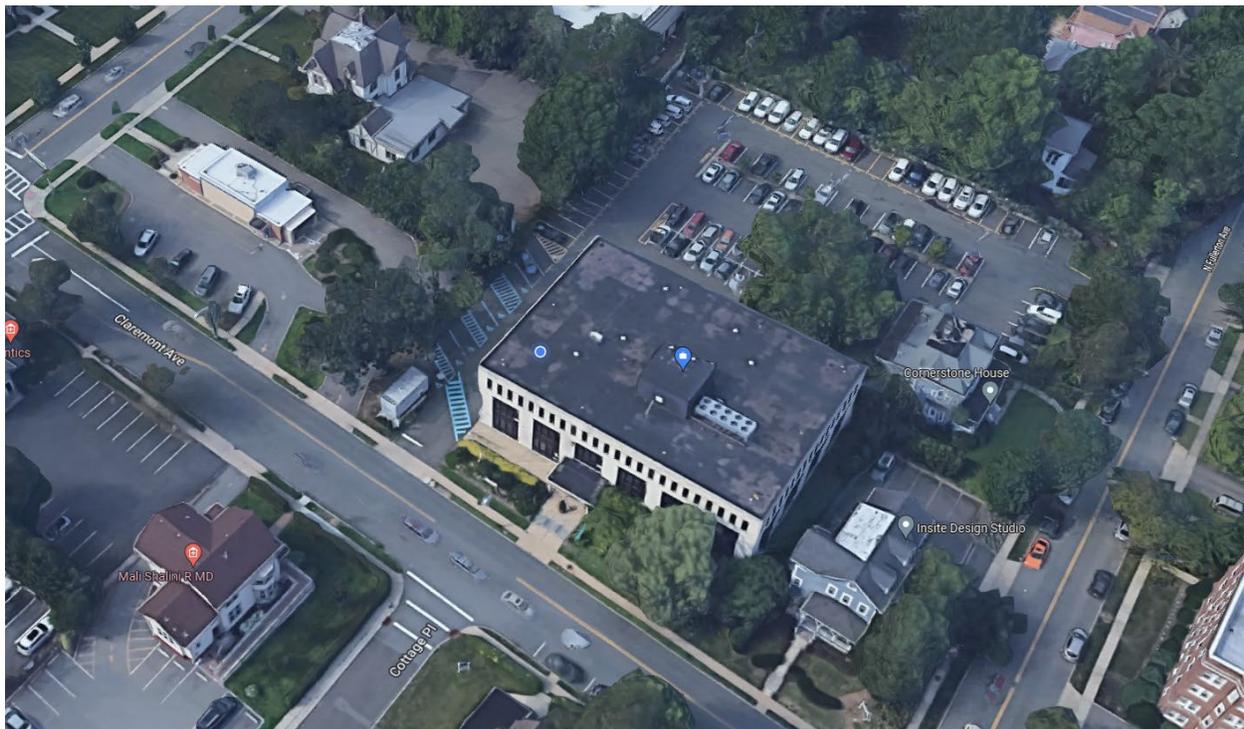


Preliminary Investigation Municipal Complex Area in Need of Redevelopment



July 11, 2022

Prepared for:
Montclair Township Planning Board
205 Claremont Avenue
Montclair, NJ 07042

Prepared by the Township of Montclair Department of Planning and Community Development
Janice Talley, P.P., AICP – Director

Photographs contained in this report were taken by Planning staff on June 24, 2022.

Maps courtesy of the Planning Department.

Aerial imagery courtesy of Google.

The original of this report has been signed and sealed in accordance with N.J.S.A. 13:41-1.2.



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Introduction

Township Resolution **R-22-132** adopted by the Montclair Township Council on June 21, 2022, authorizes the Montclair Township Planning Board to conduct an investigation to determine whether Block 2311 Lots 12, 14 and 15 (hereafter referred to as the “Study Area”) qualify as an area in need of redevelopment. The location of the subject properties is shown below in Figure 1. Resolution R-22-132 is included in Appendix 1 to this report.

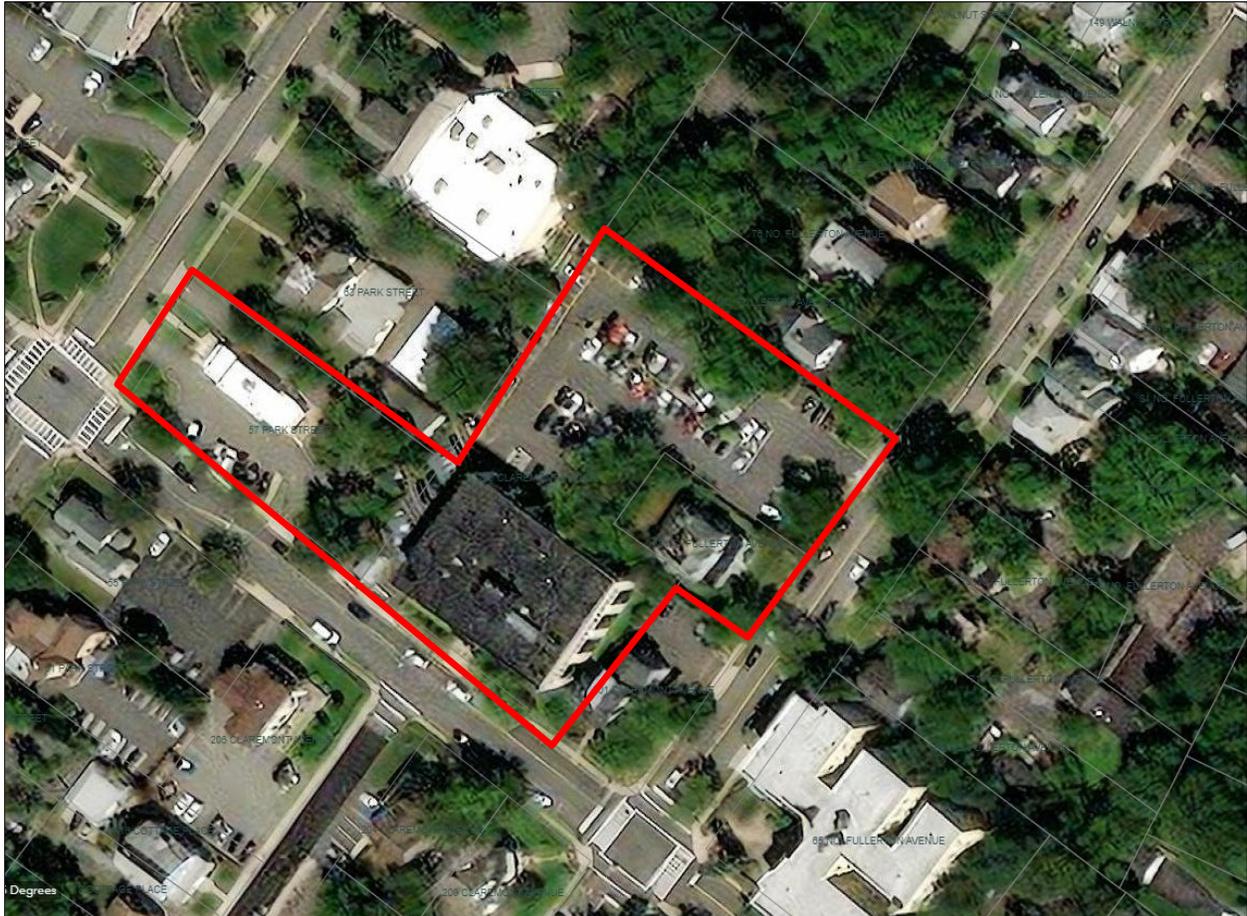


Figure 1: Location of subject properties.

Criteria for Redevelopment

The New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A) empowers municipal governments to exercise redevelopment and rehabilitation initiatives and establishes procedures for the process. The law establishes eight criteria to be considered when evaluating property for designation as an area in need of redevelopment and specifies that only one criterion must be present (N.J.S.A. 40A:12A-5). In addition, the law allows that redevelopment areas may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part (N.J.S.A. 40A:12-3).

The criteria are as follows:

- a. The generality of buildings are **substandard, unsafe, unsanitary, dilapidated, or obsolescent**, or possess any of such characteristics, or are so **lacking in light air, or space**, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings **previously used for commercial manufacturing**, or industrial purposes; the **abandonment** of such buildings; or the same being allowed to fall into so great a state of disrepair so as to be untenable.
- c. Land that is **owned by the municipality**, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its **location, remoteness, lack of means of access** to developed sections or portions of the municipality, or **topography, or nature of the soil**, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of **dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout**, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total **lack of proper utilization** of areas caused by the condition of the title, **diverse ownership** of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a **stagnant and unproductive condition** of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c.79(C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with **smart growth** planning principles adopted pursuant to law or regulation.

Study Area Overview

As outlined in Resolution **R-22-132**, the three parcels for consideration under this study are shown in Figure 2. The study area is 1.96 acres in size and fronts on Claremont Avenue, Park Street and North Fullerton Avenue. This area is characterized by a mix of office buildings, apartment buildings and two-family homes with heights ranging from one to three stories. It is located within walking distance to the Bloomfield Avenue business district as well as the Walnut Street train station.



Figure 2: Township tax map with Study Area parcels highlighted

Montclair Master Plan

The Study Area is designated for Public Use and Montclair Center Village in the Unified Land Use and Circulation Plan (Unified Plan) as shown in Figure 3. Lots 12 and 14 are in the Public Use district while lot 15 is in the Montclair Center Village (C₄) district. The Montclair Center Village district is described as follows:

Montclair Center Village (C₄) is a small-scale, dense area where single-family homes, apartments, and professional office buildings mix to create an urban village where residents can comfortably commute by transit, by bicycle, or on foot. Residents of this area can access most of their daily needs either in Montclair Center or the Walnut Street Station area, and professional office development will primarily serve a local clientele.

Parcels within the Montclair Center Village (C4) are principally residential but lie within short distance of three major transit nodes: the Walnut Street Station, Bay Street Station, and Bloomfield Avenue/Park Street and the enhanced bus station. Moreover, they are located between the Bloomfield/Glenridge Avenues and Walnut Street commercial corridors. As such, parcels within this zone represent the greatest opportunity for lower scale, dense, primarily residential development. Appropriate land uses include residential, professional office and surface parking.

The zoning should permit buildings up to 2 1/2 stories and 35 feet in height, with approximately 65% building coverage. Uses should principally be residential uses in a mix of elevator buildings and townhomes. Moderate amounts of small professional office buildings should be allowed where supported by circulation and public realm amenities. Parking should be limited to the rear or side of buildings.

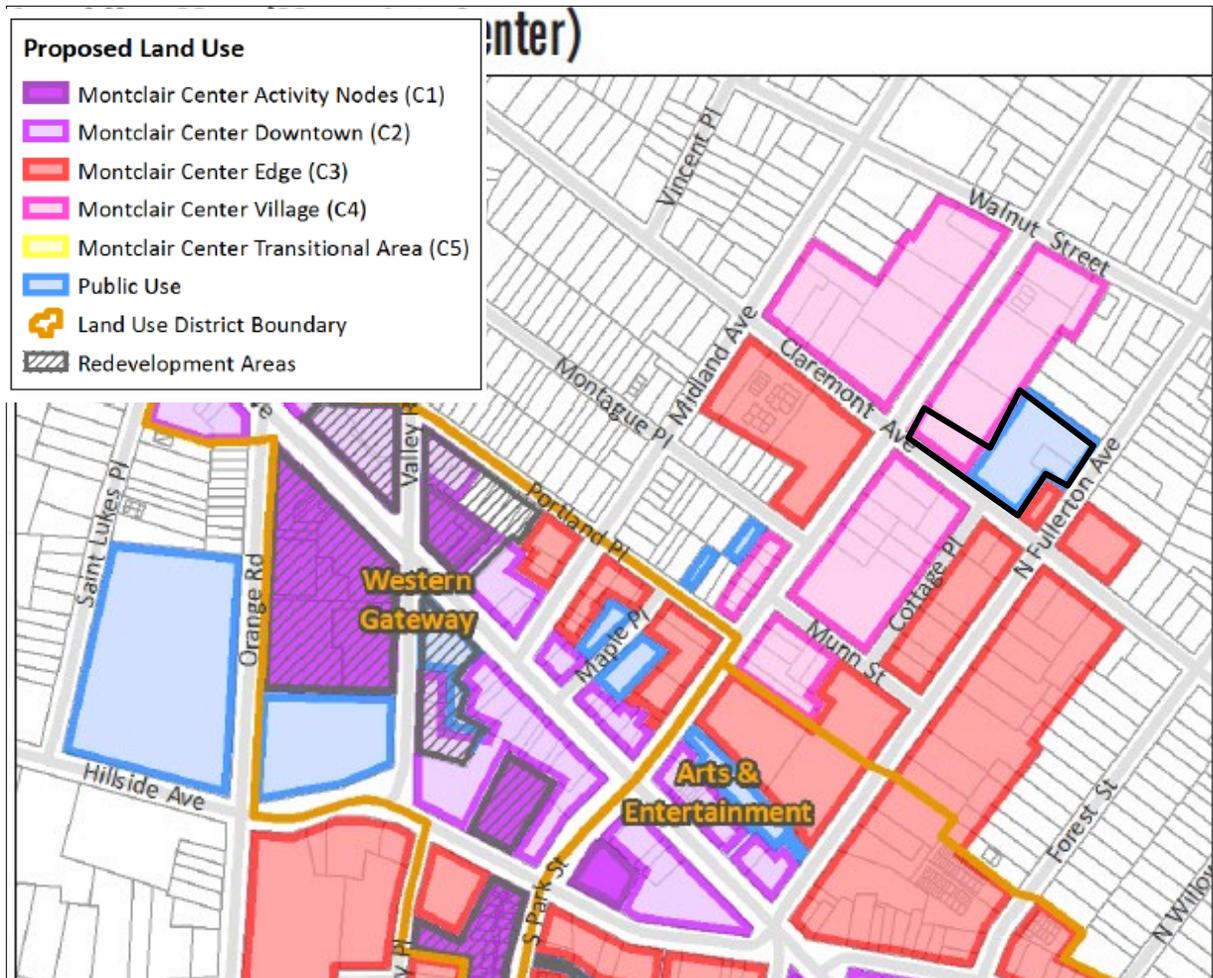


Figure 3: Land Use Map from Unified Land Use and Circulation Plan Element, page 72.

Zoning

As shown in Figure 4, Lots 12 and 14 are in the P Public Use zone. Permitted uses include public buildings and uses. Lot 15 is in the OR-3 Garden Apartment and Office Building Zone. Permitted uses include one- and two-family dwellings, multifamily dwellings, garden apartments, townhouses, office buildings, mixed-use buildings, museums, nursing homes, and assisted living facilities with a maximum height of three stories and 35 feet.



Figure 4: Study Area on the Township Zoning Map

New Jersey State Plan

In 1986, the New Jersey Legislature passed the New Jersey State Planning Act, which created the State Planning Commission and required the preparation and adoption of the State Plan. The most current adopted plan is dated March 1, 2001. The purpose of the State Plan is to:

Coordinate Planning Activities and establish statewide planning objectives in the following area: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services and intergovernmental coordination. (N.J.S.A. 52:18A-200(f), the state planning act)

The State Plan uses a policy map to differentiate areas from highest growth to lowest growth based on information, such as natural resources, sewer availability, etc. These differentiations are called planning areas, which range from PA1-Metropolitan to PA-8 State Park. Montclair is situated within Planning Area 1-Metropolitan Planning Area. The State Plan envisions this Planning Area to be a place where growth and redevelopment is promoted. The intent of the State Plan is to direct growth and development into areas served by public infrastructure as a means of more efficiently using public resources. This overarching goal has been consistent since the first State Plan was adopted in 1987. This means that municipal efforts to promote growth should be met with support, from both a financial and regulatory perspective, by the State.

The New Jersey State Development and Redevelopment Plan identifies Essex County as a PA1 Metropolitan Planning Area, as shown in Figure 8 below. The State Plan's intent for this area is to:

- provide for much of the state's future redevelopment;
- revitalize cities and towns;
- promote growth in compact forms;
- stabilize older suburbs;
- redesign areas of sprawl; and
- protect the character of existing stable communities.

(New Jersey State Plan, Section 4, page 190)

There are 11 total Policy Objectives outlined by the State Plan for the Metropolitan Planning Area. Several of most relevance to this study are pasted below:

1. **Land Use:** Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.
2. **Economic Development:** Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support appropriate redevelopment.
8. **Redevelopment:** Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.

(New Jersey State Plan, Section 4, pages 191-192)

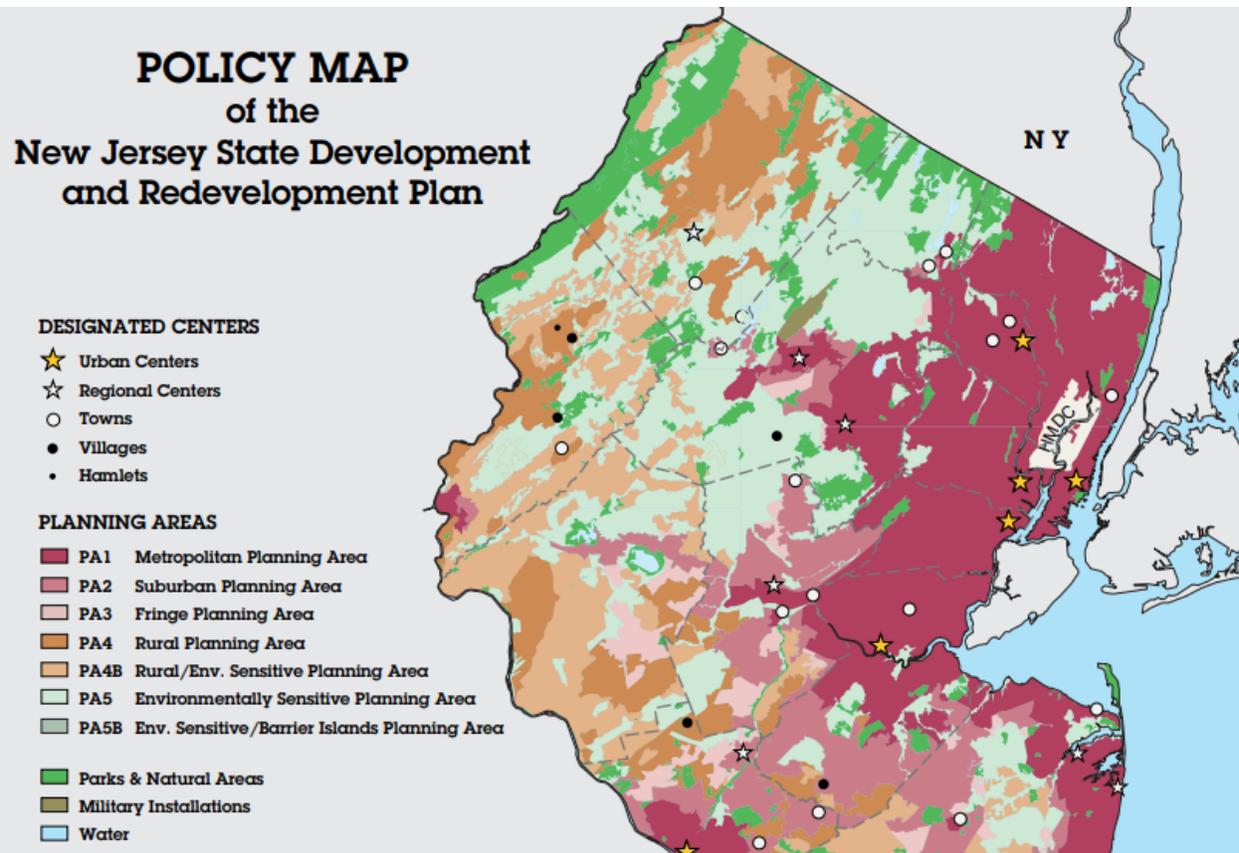


Figure 5: Map courtesy of the New Jersey State Development and Redevelopment Plan

Property Assessment

205 Claremont Avenue (Block 2311, Lot 14)

Ownership: Township of Montclair

Acreage: +/- 1.24 Acres

The property was originally comprised of two lots that were consolidated in 1969 when site plan approval was granted for construction of an office building to house Sperry Rand. The property contains a 34,000 square foot three-story office building with 113 parking spaces located behind the building. The building is set back 23 feet from Claremont Avenue. Access to the parking lot is from driveways on North Fullerton Avenue and Claremont Avenue.

In 1980, Montclair Township acquired the building and converted it to the current municipal building. The building currently houses the Township's Administrative Offices, Municipal Clerk, Personnel and Human Resources, Tax Assessor, Finance Department, Tax Collector, Legal Department, Parks, and Recreation Department, Planning and Community Development Department and Health Department. Total employment within the building fluctuates, but there are approximately 76 employees as of June 2022. Use of the property will expand with the planned relocation of the police department and municipal court to this location. In addition, there is great demand for additional community space for senior activities which are also anticipated to be provided at this location.

A Needs Assessment and Programming Study for the Municipal Building at 205 Claremont Avenue was conducted by The RBA Group in January 2002. The objective of the study was to define the space requirements and operational characteristics of the departments and facilities located within the building. The report concluded that the building is inefficient, overcrowded and outdated and that the outdated facilities and inadequate space will not meet the Township's needs with anticipated growth and continued development.

A separate report prepared by Staunton Chow, PC in 2005 provided an in-depth evaluation of the condition of the municipal. This report noted concerns about the roof, concluding that the roofing system has lived its expected service life and should be removed and replaced including the roof membranes, drains, leaders, cap, and penetration flashing. The open mortar joints on the exterior walls should be saw cut and repointed and the spalling brick units replaced. Bowed areas in the exterior walls were noted as needing further investigation. The exterior canopies were noted as structurally unstable. Interior issues include the lack of ADA-accessible bathrooms on all three floors, the lack of proper closure devices on building doors and the lack of a legal second means of egress from the 2nd-floor conference room. Issues with the HVAC systems were noted, including the condition of the air cooled condenser and chilled water pumps. The report recommended replacement of the air handling unit, fan coils, VAV boxes, exhaust fans, HVAC piping, ductwork, damper, and thermostat controls. The report recommended replacement of the boiler, hot water circulating pump, HVAC piping and thermostat controls for the heating system. The report recommended replacement of the hot water heater, hot water piping, cold water piping and service. It noted that fair condition of the natural gas piping, sanitary and vent piping, plumbing fixtures and drinking fountains. The cost for making these improvements was \$1.57 million in 2005.

Michael Perez, the custodian for the municipal building at 205 Claremont Avenue, was interviewed in June 2022 about current conditions. Mr. Perez reported that the municipal building is plagued by a leaky roof and leaky pipes that have led to a pervasive problem with mold. In addition, the external walls are separating from the floor plate above the second floor leading to structural issues. The brick façade exterior is crumbling. The plumbing consists of galvanized pipes which are rusting from the inside out, creating blockages and frequent flooding problems inside the building.

In addition, the total number of parking spaces on site is not sufficient for the municipal building. The parking lot must accommodate parking for 25 Township vehicles, plus parking for Township employees and visitors. Parking ratios for municipal buildings require between 136 and 170 parking spaces¹ and only 113 parking spaces are provided.

The configuration of the parking lot is unsafe. Parking spaces are undersized, measuring only 8.5 feet wide and between 15.5 and 17.5 feet in length with aisles ranging between 20 feet and 22 feet. These spaces are significantly smaller than the parking spaces required in Montclair's zoning code, coupled with drive aisles that provide less room for maneuvering vehicles. Montclair Code requires that parking spaces be 9 feet wide and a minimum of 19 feet long with aisles measuring 24 feet. The undersized parking spaces combined with the undersized access aisles create unsafe parking and circulation conditions. This configuration makes it difficult for vehicles to navigate and park, particularly for larger vehicles. Finally, a large generator located on the northern side of the driveway entrance from Claremont Avenue creates sight distance limitations for vehicles exiting the driveway.

¹ American Planning Association. Planning Advisory Service Report Number 510-511: **Parking Standards**. Chicago: 2002.



Figure 6: Municipal building viewed from Claremont Avenue.



Figure 7: Claremont Avenue driveway entrance to the municipal building.



Figure 8: Sight distance limitations at Claremont Avenue driveway.



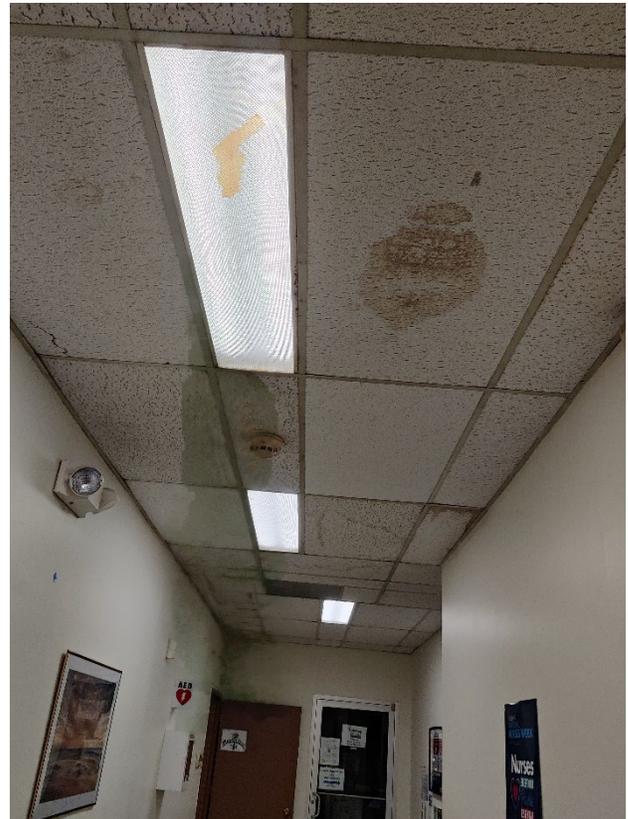
Figure 9: Entrance to municipal building parking lot from North Fullerton Avenue.



Figure 10: Parking lot behind municipal building.



Figure 11: Ponding water on roof.



Figures 12a and 12b: Discolored ceiling tiles from leaky pipes.



Figure 13: Mold-covered air vents in municipal office.



Figure 14: Area where interior wall is separating from floor plate.



Figure 15: Damaged windows and ceilings in municipal building office.



Figure 16: Damaged wall in third-floor office.



Figures 17a and 17b: Damaged windows.



Figure 18: Area where the floor plate on the third floor is separating from the wall.



Figure 19 Area where brick facade is falling off building facade.

Application of Redevelopment Criteria

The conditions on Lot 14 meet criteria a, d, and h for designation as an area in need of redevelopment per **N.J.S.A. 40A:12A-5**. This property should be included in the redevelopment area designation.

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.

The existing building is substandard, dilapidated, and obsolescent as noted by the poor condition of the roof, exterior walls, HVAC systems and interior plumbing. This dilapidated condition has led to continuous leaks and mold which is conducive to unwholesome working conditions. In addition, the building is obsolete for its current use as a municipal building it does not provide sufficient space to meet the full demand of a municipal building. Additional space is needed for senior services and the anticipated relocation of the police department.

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.

The building is dilapidated and obsolete as noted by the poor condition of the roof, exterior walls, HVAC systems and interior plumbing. This dilapidated condition has led to continuous leaks and mold which is detrimental to the health, safety and welfare of employees and visitors to the building. The parking lot and driveways have a faulty arrangement and design leading to difficulty for vehicles to safely maneuver in the parking lot and access/exit from the parking lot and is detrimental to the safety and welfare of employees and visitors to the property.

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

The New Jersey State Plan encourages transit-oriented, compact development and redevelopment within Metropolitan Planning Areas (PA1). The site's location near the Walnut Street train station presents ample opportunity for redevelopment.

57 Park Street (Block 2311, Lot 15)

Ownership: Township of Montclair

Acreage: +/- .44 Acres

This property is 19,190 square feet in area and contains a one-story building with a gross building area of 1,560 square feet. A parking lot for 11 vehicles is located between the building and Claremont Avenue, with two driveways providing one-way ingress and egress on Park Street and two driveways providing one-way ingress and egress on Claremont Avenue. The property is a rectangular in shape and located at the corner of Park Street and Claremont Avenue. The site is level and at street grade.

The property originally contained a five-family dwelling which was demolished in 1961, at which time the present drive-through bank was constructed. The building was utilized as a drive-through branch until 2019 when PNC Bank closed this branch bank. The property was acquired by Montclair Township in 2021 and is currently used for overflow parking for the municipal building.



Figure 20: Property at 57 Park Street viewed from Park Street.



Figure 21: Property at 57 Park Street viewed from Claremont Avenue.

Application of Redevelopment Criteria

Lot 15, Block 2311 meets criteria d and h for designation as an area in need of redevelopment per **N.J.S.A. 40A:12A-5**.

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.

Drive-through banks are purpose-built structures and have become largely obsolete with the onset of automatic teller machines (ATMs) and online banking.² Brick-and-mortar banking locations have become smaller, more tech-focused and staffed with loan officers and finance specialists in addition to tellers. In some instances, branch banks have been replaced with stand-alone ATMs.

The small, one-story building located at 57 Park Street is surrounded by excessive pavement served by four separate driveways. This is twice the required amount of parking required for an office use, which is permitted in the zone. The four curb cuts associated with the driveway use limit on-street

² NJ.com. "The death of the bank drive-thru? Pneumatic tubes dwindling in digital N.J." https://www.nj.com/business/2015/03/the_death_of_the_bank_drive-thru_pneumatic_tubes_dwindling_in_digital_nj.html. March 10, 2015.

parking on Park Street and create additional hazards to pedestrians. This office building from the 1960's stands as a barrier to development that conforms to the policies the OR-3 zone is intended to implement. It's one-story design, excessive impervious coverage, parking location between the building and the street, and excessive number of curb cuts is obsolescent and deleterious and has a faulty design. As a result, the property is detrimental to the welfare of the community.

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

The New Jersey State Plan encourages transit-oriented, compact development and redevelopment within Metropolitan Planning Areas (PA1). The site's location near the Walnut Street train station presents ample opportunity for appropriate redevelopment.

68 North Fullerton Avenue (Block 2311, Lot 12)

Ownership: Township of Montclair

Acreage: +/- .18 Acres

This property is 7,800 square feet in size and contains a historic house built in 1897. The building currently contains Cornerstone House, an emergency shelter established in 1989 and operated by the Salvation Army. The facility contains 23 beds for both individuals and families. Access to the building is from stairs fronting on North Fullerton Avenue. A patio and playground area are in the rear yard. A board-on-board fence separates the property from the adjacent municipal complex. No parking is provided onsite.



Figure 22: View of building at 68 North Fullerton Avenue from street.

Application of Redevelopment Criteria

The Local Redevelopment and Housing Law allows that redevelopment areas may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part (N.J.S.A. 40A:12-3). The current condition of this property is not detrimental to the public health, safety, or welfare. The lot, however, protrudes 60 feet into the rear yard area of the municipal building lot (205 Claremont Avenue). One of the issues with the property at 205 Claremont Avenue is the difficult configuration of the parking lot, compounded by sight distance problems at both driveways. Inclusion of the lot at 68 North Fullerton Avenue which creates an opportunity for a better layout of the municipal complex while also improving the functionality and access to 68 North Fullerton Avenue. Therefore, the inclusion of this property is necessary, with or without change in its condition, for the effective redevelopment of the study area.

Appendix 1: Council Resolution 22-132

R-22-132
TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING A STUDY TO DETERMINE WHETHER BLOCK 2311, LOTS 12, 14 & 15, QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT

June 21, 2022

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., provides that the Township Council may by resolution determine, pursuant to N.J.S.A. 40A:12A-5, that a proposed area may be determined to be in need of redevelopment, according to the criteria set forth therein, subject to review and recommendation of the Planning Board; and

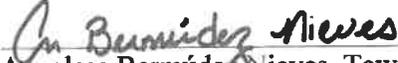
WHEREAS, it is the public interest to determine whether Block 2311, Lots 12, 14, & 15 on the Tax Map of the Township, bordered by Claremont Avenue, North Fullerton Avenue, and Park Street meet the criteria for an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Montclair, that The Township Planning Department, through the Manager, is directed to undertake a study pursuant to N.J.S.A. 40A:12A-5, to determine whether Block 2311, Lots, 12, 14 & 15 meet the criteria to be designated an area in need of redevelopment, and to report the findings and conclusions to the Township Council; and

BE IT FURTHER RESOLVED that the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (a "Non-Condemnation Redevelopment Area").

ROLL CALL VOTE						
COUNCIL MEMBER	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Councilor Cummings			✓			
Deputy Mayor Hurlock		✓	✓			
Councilor Price Abrams			✓			
Councilor Russo						✓
Councilor Schlager			✓			
Councilor Yacobellis			✓			
Mayor Spiller	✓		✓			

I HEREBY CERTIFY the foregoing to be a true copy of Resolution R-22-132 adopted by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on June 21, 2022.


Angelese Bermudez Nieves, Township Clerk