

RESOLUTION NO. 2017-39

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF ABERDEEN, COUNTY OF
MONMOUTH DESIGNATING CERTAIN AREAS IN
THE TOWNSHIP OF ABERDEEN AS "AREAS IN NEED
OF REHABILITATION"**

WHEREAS, the Township Council seeks to increase the commercial viability of the Route 35 corridor and adjoining Light Industrial (LI) zone district;

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the Township Council to determine, by Resolution, whether any area of the municipality is an area in need of rehabilitation according to the criteria set forth therein; and

WHEREAS, the Township Planner has provided the Township Council with a planning report dated March 8, 2016 (copy attached) indicating certain areas along the Route 35 corridor and adjoining Light Industrial (LI) zone district comply with the statutory criteria for designation as an area in need of rehabilitation as specified in Section 14 of the LRHL (N.J.S.A. 40A:12A-14); and,

WHEREAS, such a designation provides benefits to the Township of Aberdeen and the property owners within the designated area which will advance revitalization and reinvestment; and,

WHEREAS, the Township Council has determined that the areas identified in the Planner's Report satisfy one, or more, of the criteria set forth in N.J.S.A. 40A:12A-14; and,

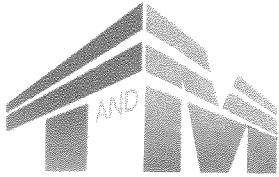
WHEREAS, the Township Council has further determined that a program of rehabilitation as defined in N.J.S.A. 40A:12A-3 may be expected to prevent further deterioration and promote overall development of the above described areas within the municipality; and

WHEREAS, on April 5, 2016, the Township Council adopted Resolution No. 2016-61 requesting the Planning Board to review this resolution and the aforementioned Planner Report and to offer its comments and recommendations regarding the potential designation of areas of the Township as areas in need of rehabilitation pursuant to N.J.S.A. 40A:12A-4; and

WHEREAS, on April 20, 2016, pursuant to N.J.S.A. 40A:12A-14, the Aberdeen Township Planning Board considered, at its regular meeting, the Planner's Report dated March 8, 2016 from Martin P. Truscott, PP, AICP of T&M Associates and reviewed and considered the proposed Resolution designating an area of the municipality along the Route 35 corridor and adjacent LI zone as an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen:

1. That the area shown in the accompanying map along the Route 35 corridor and adjacent LI zone is hereby designated as an "area in need of rehabilitation;" and,
2. A certified copy of this resolution shall be forwarded the Commissioner of the New Jersey Department of Community Affairs.
3. A copy of this resolution shall be forwarded to T&M Associates and the Aberdeen Township Tax Assessor.



YOUR GOALS. OUR MISSION.

ABDN-01770

March 8, 2016
Via email and First Class Mail

The Honorable Fred Tagliarini
Township of Aberdeen
One Aberdeen Square
Aberdeen, NJ 07747

**Re: Area in Need of Rehabilitation
Route 35 Corridor**

Dear Mayor Tagliarini:

As requested our office has reviewed certain information to determine if lands in the Route 35 corridor and adjoining areas can be designated as "areas in need of rehabilitation." Please consider this letter as a report to support the findings that the area depicted in Figure 1 is an "area in need of rehabilitation" pursuant to the criteria in the Local Redevelopment and Housing Law (LRHL).

The LHRL permits Aberdeen Township to designate an area in need of rehabilitation if the governing body of the municipality determines by resolution that the area exhibits one of the following conditions:

14.a. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that a program of rehabilitation, as defined in section 3 of P.L. 1992, c. 79 (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 following conditions such that (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 underutilization of properties in the area; (4) there is a persistent arrearage of property tax payments on properties in the area; (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.

In addition, the Township Council must determine that a program of rehabilitation may be expected to prevent further deterioration and will promote the overall development of the community.

The benefits of this designation are that the municipality can use all of the powers of redevelopment with the exception of eminent domain. The powers become effective once the Township adopts a redevelopment plan for the area. In addition, designation of an area in need of rehabilitation allows Aberdeen to grant five year tax abatements and exemptions to private property-owners to encourage reinvestment. The tax abatement could benefit commercial property owners, as well as, owners of residential properties in the area in need of rehabilitation.



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FINDINGS

Based on our review of the area delineated in Figure 1, we have determined the following:

1. NJ State Development and Redevelopment Plan (SDRP)

The majority of the shaded area is located in the Metropolitan Planning Area (Planning Area One) as identified on the mapping of the State Development and Redevelopment Plan. The state plan indicates that "Most of these communities [in the PA1] are fully developed, or almost fully developed, with little vacant land available for new development. Much of the change in land uses, therefore, will take the form of redevelopment."

The intent of the Metropolitan Planning Area is to:

- a. "Provide for much of the state's future redevelopment;
- b. Revitalize cities and towns;
- c. Promote growth in compact forms;
- d. Stabilize older suburbs;
- e. Redesign areas of sprawl; and,
- f. Protect the character of existing stable communities."

"These goals will be met by strategies to upgrade or replace aging infrastructure; retain and expand employment opportunities; upgrade and expand housing to attract a balanced residential population..."

The balance of the area which is not located in the PA 1 area are areas located along the shoreline of the Raritan Bay and along the stream corridor of Long Neck Creek and Matawan Creek. These areas are designated in the state plan as PA 5 Environmentally Sensitive Areas.

2. Master Plan

The 2005 Township Master Plan embraces the purposes of the NJ Municipal Land Use Law. Pertinent general purposes of the MLUL are as follows:

Purpose a. *"To encourage municipal action to guide the appropriate use or development of lands in this State, in a manner which will promote the public health, safety, morals and general welfare."* Rehabilitation and redevelopment will result in community improvements which are compatible with the municipal land use goals. Improvements to housing have beneficial impacts in health and safety.



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Purpose g. "To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses, and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens."

Rehabilitation and redevelopment in existing neighborhoods and commercial areas are consistent with existing land use patterns and encourage reinvestment. Renovation of homes and businesses is a means of adapting to demographic changes and new commercial trends.

The 2005 master plan describes the residential area of Cliffwood Beach (i.e. north of State Highway Route 35) as single family homes on lots approximately 5,000 square feet in size. The Cliffwood area south of State Highway Route 35 and north of the Parkway is a primarily a residential area with slightly larger lot sizes. The Cliffwood area also includes a large garden apartment complex, a light industry area and a new townhome development. The Route 35 corridor contains a mix of shopping centers, individual retail and service businesses, some light industrial uses and banquet facility.

An area in need of rehabilitation designation of the Cliffwood, Cliffwood Beach and Route 35 corridor is consistent with the following goal of the 2005 Master Plan:

"The quality of existing housing should be maintained or improved by means of rehabilitation, code enforcement, supportive improvements and other available means."

- This goal was reaffirmed in the 2015 Master Plan Reexamination Report.

The designation provides the municipality with the authority to offer short term tax exemptions for added residential improvements.

3. Census

Information concerning the age of the housing stock from the 2010-2014 American Community Survey 5-Year Estimates is provided in Table 1 below. The information indicates that in the area north of Route 35 (Cliffwood Beach, which encompasses the entirety of Census Tract 8025), 54% of the structures were built prior to 1960 and the median year structure was built is 1959. In the Cliffwood area, south of Route 35, generally east of Matawan Road (land encompassing the entirety of Block Group 2 within Census Tract 8026), 57% of the structures were built prior to 1960 and the median year structure built is 1958. Finally, the area west of County Road does not qualify based on the age of housing stock but is within the area where the infrastructure was constructed before 1962 as noted below.



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Table 1: Age of Housing Structure, Census Tract 8025

	Census Tract 8025		Census Tract 8026, Block Group 2	
	Units	% of Total	Units	% of Total
Built 2010 or later	0	0.0%	0	0.0%
Built 2000 to 2009	122	10.1%	0	0.0%
Built 1990 to 1999	22	1.8%	7	1.0%
Built 1980 to 1989	69	5.7%	75	11.2%
Built 1970 to 1979	121	10.0%	86	12.9%
Built 1960 to 1969	217	17.9%	119	17.8%
Built 1950 to 1959	345	28.5%	292	43.6%
Built 1940 to 1949	222	18.4%	57	8.5%
Built 1939 or earlier	91	7.5%	33	4.9%
Total:	1,209	100.0%	669	100.0%
Built Prior to 1960	658	54.4%	382	57.1%
Median Year Structure Built	1959		1958	

Source: 2010-2014 American Community Survey 5-Year Estimates

B25034: Year Structure Built (Housing Units)

B25035: Median Year Structure Built (Housing Units)

4. Infrastructure

Attached please find a memorandum dated February 19, 2016 from Mr. Timothy W. Gillen, PE, Office of Aberdeen Township Municipal Engineer, relative to the proposed area in need of rehabilitation, which indicates that the sanitary sewer and water utility facilities were constructed prior to 1964 and therefore older than 50 years.

Based on the above we recommend the Aberdeen Township Council adopt a resolution to designate the area shown in Figure One as an area in need of rehabilitation. The proposed area, with the exception of the commercial areas west of Cliffwood Avenue, meet two of the criteria of the Local Redevelopment and Housing Law criteria. The proposed designation is consistent with the purposes of the Municipal Land Use Law which provides the foundation of the Township Master Plan and Land Development regulations and supports the land use plan of the master plan.



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PROCEDURAL STEPS

An area may be designated in need of rehabilitation by resolution by the governing body designating the area. Prior to adoption of the resolution, the Township Council governing body must submit it to the Township Planning Board for its review. The Planning Board has 45 days to submit its recommendations regarding the proposed resolution, including any modifications which it may recommend, to the governing body for its consideration. The Council may adopt the resolution, with or without modification. The adopted resolution must be forwarded to the NJ Commissioner of Community Affairs to become effective.

If there are any questions concerning this letter of recommendation or the attachments, please contact my office.

Very truly yours,

T&M ASSOCIATES



MARTIN P. TRUSCOTT, PP, AICP, LEED-GA
CONSULTING PLANNER

Attachment(s):

Figure 1: Area in Need of Rehabilitation
Memorandum from Mr. Tim Gillen, PE

cc: Holly Reycraft, Township Manager (with attachment)
Karen Ventura, Township Clerk (with attachment)
Lee Cohen, Esq., Township Attorney (with attachment)
Tim Gillen, PE, Township Engineer (with attachment)





JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALESI, PE, PP, CME

TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP

Memo To: Marty Trescott, PP, AICP, T&M Associates
From: Timothy W. Gillen, PE, Office of the Municipal Engineer *Timothy W. Gillen*
Date: February 19, 2016
Re: Infrastructure within Proposed Rehabilitation Areas
Township of Aberdeen

As per your request, below is a brief excerpt regarding the infrastructure within the proposed Rehabilitation Areas.

In order to establish if the study area could be determined "In Need of Rehabilitation", this office was requested to ascertain the age of the water and sanitary sewer infrastructure. Based on mapping and studies prepared by, and/or filed in, the engineer's office, we confirmed that the sanitary sewer collection systems in the shaded areas were installed, based on dates in the title blocks of the construction drawings, no later than 1964. Accordingly, the existing sanitary sewerage collection and transmission systems in these areas are over 50 years old. In addition, the water utility facilities, including mains, tanks, wells, treatment plan, and services existed prior to the installation of the sanitary sewer collection system, thus making them over 50 years old as well. Based on the respective ages of both systems, and based on prior experience with utility facilities within these areas, both systems require ongoing repair and maintenance.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

TWG/blr