

# AREA IN NEED OF REDEVELOPMENT STUDY ADDENDUM

**CONDEMNATION REDEVELOPMENT AREA  
FIRST WARD STUDY AREA**

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY**

Prepared for Garfield Planning Board  
BA# 3030.03  
Dated: November 2, 2017



## Introduction

On August 11, 2015, the Garfield City Council authorized the City Planning Board to conduct a preliminary investigation to determine if the aforementioned properties noted herein constitute an “area in need of redevelopment” under the condemnation provisions of the New Jersey Local Redevelopment and Housing Law (LRHL). The Planning Board then directed Burgis Associates, Inc. to prepare this study for the Planning Board’s review and recommendation to the City Council. The Study Area comprises the following blocks and lots:

1. Block 24.01, all lots
2. Block 24.02, all lots
3. Block 31.01, Lots 9.01 and 10
4. Block 31.02, all lots
5. Block 34.01, Lot 10
6. Block 34.02, all lots
7. Block 48.02, all lots
8. Vacated portion of Hepworth Place, as shown on the official tax map of the City of Garfield. Based on existing conditions, each portion of the vacated street has been apportioned to Lot 9.01 of Block 31.01 and Lot 10 of Block 34.01.
9. Vacated portion of Commerce Street contained entirely within Block 48.02.

In response, Burgis Associates prepared a report dated May 2, 2017 for presentation and public hearings before the City Planning Board.

As a result of the public hearing process that ensued, report corrections and clarifications were publically discussed and presented in testimony by this office. For ease of review, this addendum documents only those items that were discussed and testified to as a matter of public record and are presented in this document for incorporation into the final report. No other changes other than what is presented herein are proposed.

## SUMMARY OF CHANGES

The following highlights and summarizes the changes to be incorporated into the final document:

- Page 2 was corrected to reflect that the City Council (correcting the reference to Township) directed that authorized study would be based on “condemnation” as opposed to “non-condemnation”;
- The reference to the City Fire station was corrected to reflect that it was not abandoned but rather was to be abandoned by the City and offered for redevelopment;
- The designation criteria for Block 34.02 Lot 41: 19 Atlantic Street and Block 48.02 Lot 16.01: 31 Atlantic Street (Garofalo Brothers) was expanded as testified to at the November 26, 2017 public hearing;
- Area wide statistics of the redevelopment study area for each block by acreage with corresponding mapping demonstrating the breakdown of each lot by area and designation as testified to at the November 26, 2017 public hearing is added to the conclusion section of the Report.
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## Addendum Details

The following details the proposed changes summarized above.

### Page 2 Correction:

This statutory amendment was designed to enable property owners and the public to know at the outset of the process if land acquisition would ever be considered as part of the process. In this instance, the *City Council*, by Resolution, chose the “*condemnation*” approach to the ‘area in need of redevelopment’ study.

## Revised City of Garfield Firehouse Description

### BLOCK 31.02 LOT 35 & 37: 89-97 MIDLAND AVENUE

Owner(s): City of Garfield  
111 Outwater Lane, Garfield, NJ 07026



**Property Use(s):** Fire Company Headquarters

**Property Area:** 13,171 square feet

**Building Description:** Two story firehouse building

**Property Class:** 15C – Public Property

**Zoning District:** CA

**Permitted Use(s):** Yes

**Exterior Condition:** Good

**Improvement to Land Ratio:** 2.32 to 1

**Recent Development Applications and Approvals:** None

**Recent Construction Permits and Certificates:** None

**Uniform Fire Code Violations:**

1. 11/18/2010: N.J.A.C. 5:70-3, 906.3. Garfield Fire Co. #1 (97 Midland Avenue), 2<sup>nd</sup> floor and meeting room, no extinguisher (1 every 2,500-sq. ft.).
2. 11/18/2010: N.J.A.C. 5:70-4.11(i). Garfield Fire Co. #1 (97 Midland Avenue), engine room, 2<sup>nd</sup> floor and rear room, emergency lighting must be installed.

3. 11/18/2010: N.J.A.C. 5:70-4.11(k). Garfield Fire Co. #1 (97 Midland Avenue), engine room, rear room both doors, no exit signs.

**Zoning Violations:** None

**Health Code Violations:** None

**Contamination:** None

**Police Department Activity**

1. 2/21/16: lost articles
2. 2/19/16: animal complaints
3. 10/20/15: MV stop
4. 9/27/15: pedestrian contact
5. 4/2/15: training
6. 4/2/15: administrative duties
7. 2/10/15: damaged City property
8. 11/5/14: attending meetings (outside)
9. 10/18/14: blocked driveway
10. 11/1, 10/30 & 10/28/13: special detail
11. 10/22/13: general disputes
12. 10/1/13: MV stop
13. 7/9, 7/8/13: special detail
14. 6/4/13: theft from MV
15. 5/29/13: administrative duties
16. 5/11/13: found articles
17. 3/21/13: criminal mischief
18. 11/4/12: motor vehicle crash – non-injury
19. 5/8/12: City ordinance complaints
20. 5/7/12: complaints
21. 4/17/12: City ordinance complaints
22. 1/24/12: parking complaints
23. 1/18/12 MV stop
24. 12/7/11: investigation
25. 12/5, 12/2, 12/1, 10/20 & 8/21/11: special detail
26. 6/24/11: blocked driveway
27. 4/29/11: special detail
28. 3/2/11: suspicious persons
29. 11/15/2010: theft from MV

30. 5/30/2010: juvenile incidents
31. 2/10/2010: investigation
32. 11/3/2009: administrative duties
33. 10/30/2009: special detail
34. 12/16/2008: motor vehicle crash – hit & run
35. 8/27/2008: parking complaints
36. 7/30/2008: motor vehicle crash – hit & run

**Application of Criteria:** Due to the age and obsolescence of the existing fire facility, the property is to be abandoned by the City of Garfield and offered for redevelopment. The existing fire house operation will be relocated by the City to a suitable location with the construction of a more modern and efficient facility. The property satisfies Criteria (b) as follows:

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

**Recommendation:** The parcel meets the criteria and should be included within the redevelopment area.

## Revised Description of 19 and 31 Atlantic Street

**BLOCK 34.02 LOT 41: 19 ATLANTIC STREET**

**BLOCK 48.02 LOT 16.01: 31 ATLANTIC STREET**

**Owner(s):** Garofalo Bros & Garofalo Recycling  
300 Frank W Burr Blvd, S39, Teaneck, NJ 07666





**Property Use(s):** Waste Management Facility

**Property Area:** 53,498 square feet

**Building Description:** Warehouse building

**Property Class:** 4B – Industrial

**Zoning District:** LM

**Permitted Use(s):** Yes

**Exterior Condition:** Fair

**Improvement to Land Ratio:** 1.33 to 1

**Recent Development Applications and Approvals:** None

**Recent Construction Permits and Certificates:**

1. 5/14/2015: Certificate of approval for roofing work.

**Uniform Fire Code Violations:**

1. 8/26/2015: N.J.A.C. 5:70-3, 907.20. Interstate Waste Services of N.J. (19-35 Atlantic Street), entire building, fire alarm system needs annual test.



- 7/8/2014: N.J.A.C. 5:70-3, 506.1. Interstate Waste Services of N.J. (19-35 Atlantic Street), by front main entrance, failure to install FD Lock Box (Knox Box).
- 9/4/2013: N.J.A.C. 5:70-3, 604.1. Interstate Waste Services of N.J. (19-35 Atlantic Street), exit, emergency lighting not operational.
- 9/4/2013: N.J.A.C. 5:70-3, 1011.1. Interstate Waste Services of N.J. (19-35 Atlantic Street), exit, exit sign not lit.
- 9/4/2013: N.J.A.C. 5:70-3, 907.20. Interstate Waste Services of N.J. (19-35 Atlantic Street), 9ldg..., fire alarm system needs annual test.
- 9/9/2009: N.J.A.C. 5:70-3, 907.20.2. Interstate Waste Services of N.J. (19-35 Atlantic Street), building, fire alarm annual test required.

**Zoning Violations:** None

**Health Code Complaints:**

- 6/24/15. Complaint #47: odors. Upon investigation of facility, plant and surrounding streets were power washed. Deodorizers were functioning at full capacity. Concerns about truck trailers (not only those owned by property owner) parking at facility, recommended owner call police when they are parked.
- 8/14/14. Complaint #84: odors. Investigation conducted. Most odor complaints to Health Department were on hot, humid days which involved spillage of trucks onto roadways. Both NJDEP and Bergen County Health Department were contacted.
- 8/3/11. Complaint #108: offensive odor emanating from site as several trailers were parked for longer period of time than usual. No evidence of odor on 8/4/11 and 8/8/11.

**Contamination:**

- Known contaminated site list (active cases): PI Number 024293

**Police Department Activity:**

- 12/30/15: abandoned 911 call
- 10/6/15: ambulance request
- 9/10/15: 911 misdial
- 8/30 & 8/8/15: posts
- 8/7/15: community policing
- 7/14, 7/4, 7/3, 6/30, 6/28, 6/27, 6/26, & 6/25: posts
- 2/17/15: motor vehicle crash – non-injury
- 6/4/14: ambulance request
- 3/11/14: motor vehicle crash – non-injury
- 3/10/14: fire calls
- 3/10/14: smoke / fire alarm
- 12/9/13: motor vehicle crash – non-injury
- 9/11/13: administrative duties

14. 2/25/13, & 11/21/12: investigations
15. 10/30/12: damaged property
16. 6/13/12: motor vehicle crash – non-injury
17. 12/8/11: abandoned 911 call
18. 11/4/11: damaged property
19. 10/23, 10/22, 10/21/13: abandoned 911 calls
20. 6/28/11: inv open door/wnd
21. 2/26 & 2/24/11: abandoned 911 calls
22. 9/30/2010: smoke / fire alarm
23. 9/30/2010: fire calls
24. 8/11/2010: notifications
25. 3/29/2010: abandoned 911 call
26. 9/8/2009: fire calls
27. 9/8/2009: smoke / fire alarm
28. 7/17/2009: motor vehicle crash – non-injury
29. 7/1/2009: fire calls
30. 7/1/2009: smoke / fire alarm
31. 6/12/2009: fire calls
32. 6/12/2009: smoke / fire alarm
33. 10/17/2008: abandoned 911 call
34. 9/29/2008: motor vehicle crash – non-injury
35. 5/13/2008: commercial fire alarm
36. 5/13/2008: smoke / fire alarm

**Application of Criteria:** In its current condition, the exterior inspection of the subject property can be described as fair to poor. Although this development type is not uncommon in the area, the conditions and noted violations and activity at this location are beyond reported activities at other properties in the study area.

The subject property has an extensive history of fire code, police, and health code violations. Since 2008, there have been 36 police calls. There is also an active case on the NJDEP Known Contaminated Site List.

It is noted that the parcel is strategically located along the rail line and within 600 feet of the Garfield Station stop. There is also a residential neighborhood within an R2 Residential zone located directly across the street. The transfer station represents a deleterious land use within the neighborhood due to the odors that originate from the property, diesel fumes associated with the flow of truck traffic associated with the parcel's operations, spillage from the trucks that have been observed by neighboring residents and the constant flow of truck traffic that negatively impacts the area. Additionally, the site is also completely paved over by building coverage and asphalt.

The existing conditions at the property are consistent with the criteria noted:

- 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.
  
- d) Areas with buildings or improvements which by reason of dilapidation, obsolescence, overcrowding, faulty arrangement of 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.

**Recommendation:** This property meets criteria 'a' and "d" as noted above and should be included as part of an area in need of redevelopment.

### Revised Conclusion with Expanded Statistics

#### *CONCLUSION*

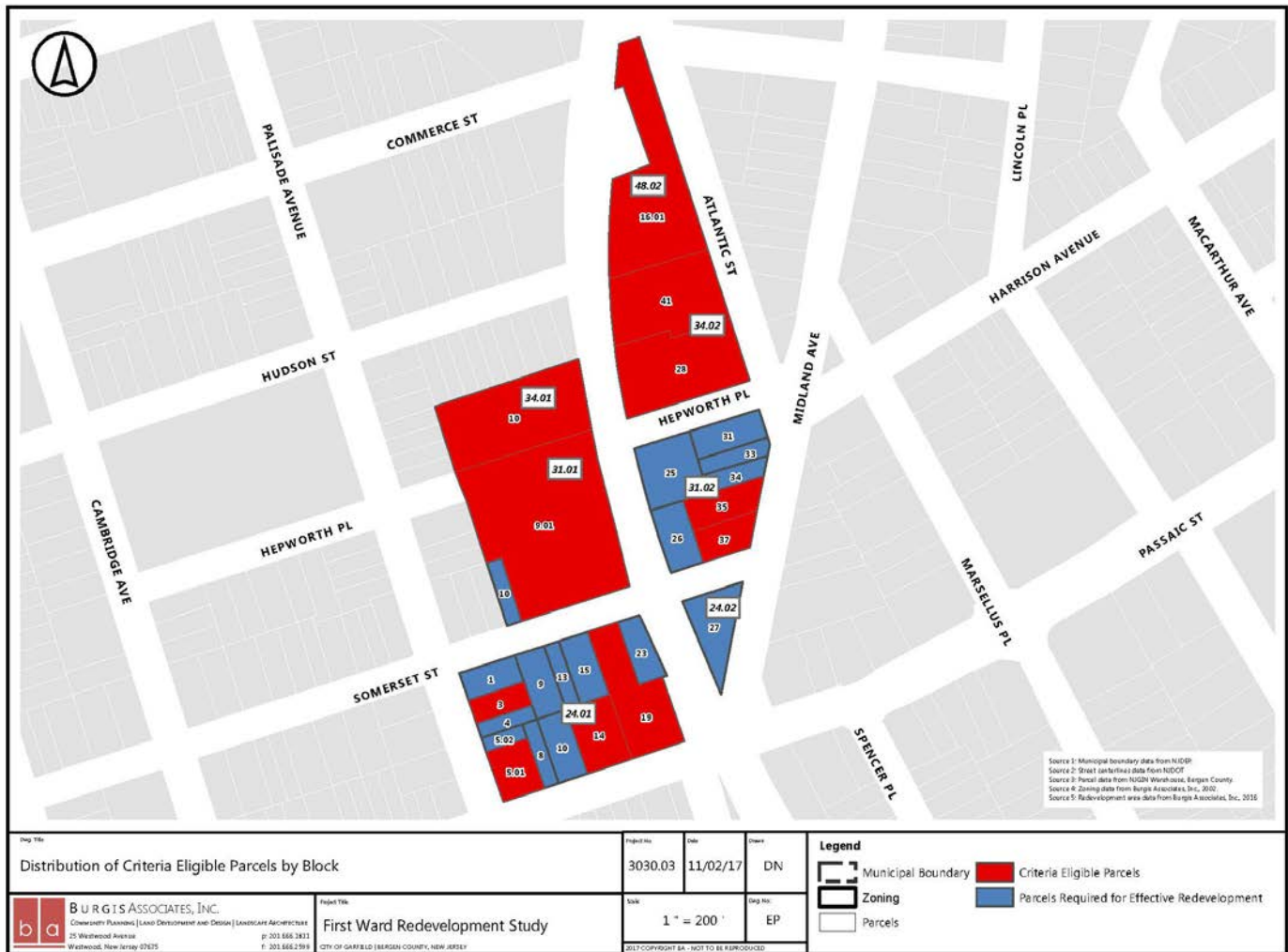
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Within the Study Area, sixteen of 27 (59.2 percent) of the properties, constituting 5.14 acres (or 81% of the land area), satisfy the criteria for a determination of an area in need of redevelopment based upon an examination of the site and building conditions or are immediately adjacent parcels recommended for inclusion to ensure the effective redevelopment of the properties that do meet the criteria. These properties encompass all of the parcels within Blocks 24.01, 31.01, 34.01, 34.02 and 40.02. The criteria found to be most applicable to the Study Area include criteria (a) and (d).

A further analysis of the distribution and land area of designated eligible lots within each individual block further supports a redevelopment designation for the entire study area. Of the total study land area of 6.07 acres, 4.34 acres or 71 percent of the land area consist of lots that satisfy redevelopment criteria under the LRHL. A deeper analysis of each block however, supports the necessity of including the remaining lots within each block as necessary to create a cohesive and viable redevelopment area. The table below details each block as impacted by criteria eligible parcels by land area. The accompanying map further illustrates the pattern and manner in which these parcels are distributed within each block area. As illustrated, the presences of criteria eligible parcels within each block forms a haphazard development pattern that can only be addressed by redevelopment of the entire block. Due to the limited size and configuration of each block, excluding the non-eligible parcels would render redevelopment impossible. Consequently, the parcels not deemed eligible for designation under LRHL criteria are necessary for the effective development of the area under Section 3 of the statute.

#### Distribution of Criteria Eligible Parcels by Block and Area

Block	Total Block Area: (Acres)	Land Area of Criteria Eligible Lots	Percent Block Area (%)
24.01	1.54	.72	47
24.02	0.2	0	0
31.01 & 34.01	1.69	1.63	96
31.02	.95	.3	.33
34.02 & 48.02	1.69	1.69	100
	6.07	4.34	71



It is significant to note, that the LRHL specifically permits the inclusion of properties within redevelopment areas, despite not satisfying specific physical criteria, in recognition of the fact that such parcels are often necessary to promote the potential success of a proposed redevelopment area and without which, the redevelopment potential of the area could not be realized. This is the case as it relates to the study as outlined above. In the specific case of Block 24.02, this property is occupied by a nonconforming industrial building that is presently vacant. This site is strategically located directly adjacent to the rail line platform and its continued use at this location would be incompatible with developing a transit village. For Block 31.02, it is noted that two of the parcels are City owned and two are charitable properties constituting half of the block area. The remainder of the block is comprised of one industrial use and two single family homes. Consequently, the mix of land uses within this block is not conducive to redevelopment. For these reasons, the continued presence of these land uses in the area, in their present configuration, in close proximity to the transit stop would be incompatible with developing a transit village as envisioned by the City and would be inconsistent with the City of Garfield Master Plan goals and objectives cited previously in this document. Further, their exclusion from designation would leave the entire eastern section of the transit stop outside the redevelopment area creating a major gap that could undermine not only the cohesiveness of the redevelopment area but possibly deprive the area of the needed critical mass in land area necessary to implement the plan.

In the context of the entire study area, it is further noted that good portions of the study area are characterized by extremely small lots that are overdeveloped by building and impervious coverage thereby negatively impacting light, air and ventilation, with absent or limited parking and consequently, are obsolete in design layout and therefore, not conducive to creating a vibrant neighborhood area without redevelopment action. It is further noted that the study area is impacted by diverse land ownership characterized by a high percentage of absentee owners.

It is the conclusion of this investigation that all the properties identified within the Study Area satisfy the criteria for inclusion as a redevelopment area either by virtue of their physical conditions or because their inclusion is necessary for the effective development of those properties and therefore, it is recommended that the entire area be designated an "Area in Need of Redevelopment" pursuant to the NJ Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et. seq.).