

5/21/2025

**PRELIMINARY INVESTIGATION STUDY FOR AREA IN NEED OF REDEVELOPMENT**

**SAYREVILLE SUNSHINE BISCUIT SITE AND ADDITIONAL PARCELS  
BLOCK 53.02, LOT 8; BLOCK 54.01, LOTS 1.01, 1.02, & 7; & BLOCK 14, LOT 1**

**BOROUGH OF SAYREVILLE  
MIDDLESEX COUNTY, NEW JERSEY**

PREPARED BY:

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Veena M. Sawant, AICP, PP  
License No: 33L100632400

May 21, 2025

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## REPORT SECTIONS

<b>1.0 INTRODUCTION</b>	<b>1</b>
1.1 Report Section	1
1.2 Methodology	1
<b>2.0 ABOUT THE STUDY AREA</b>	<b>2</b>
2.1 Study Area Boundary	2
2.2 Area Map	2
2.3 History / Background	2
<b>3.0 LOCAL REDEVELOPMENT AND HOUSING LAW (LRHL) - The Process</b>	<b>4</b>
3.1 Study Authorization	4
3.2 The Process	4
3.3 Redevelopment Objectives / Redevelopment Process	6
3.4 Next Steps	6
3.5 Scope of the Study	7
<b>4.0 STUDY AREA CHARACTERISTICS</b>	<b>8</b>
4.1 Location	8
4.2 Regional Setting and Transportation	8
4.3 Zoning	8
4.4 Existing Land Use	10
4.5 Municipal Actions	10
4.6 Property Evaluations	11
<b>5.0 CONSISTENCY</b>	<b>12</b>
5.1 Master Plan	12
5.2 NJ State Development and Redevelopment Plan	12
5.3 Municipal Land Use Law	15
<b>6.0 LRHLSTATUTORY CRITERIA - Criteria for Area in Need of Redevelopment</b>	<b>16</b>
6.1 Application for Statutory Criteria	17
<b>7.0 STUDY AREA EVALUATIONS</b>	<b>18</b>
7.1 Study Approach	18
<b>8.0 SUMMARY</b>	<b>25</b>
8.1 Area in Need of Redevelopment	25
8.2 Section 3	25
8.3 Conclusion	25

## MAPS & TABLES

<b>TABLE 01:</b> Parcel Information	2
<b>TABLE 02:</b> Zoning	8
<b>TABLE 03:</b> Special Economic Development (SED) Zoning Standards	8
<b>TABLE 04:</b> Land Use	10
<b>TABLE 05:</b> Property Evaluations	11
<b>TABLE 06:</b> Redevelopment Criteria	25
<b>MAP 01:</b> Study Area Map	3
<b>MAP 02:</b> Study Area Zoning	9
<b>MAP 03:</b> NJ State Planning Areas	14

## 1.0 INTRODUCTION

The purpose of this preliminary investigation is to determine whether the existing conditions of the area designated as Block 53.02, Lot 8; Block 54.01, Lots 1.01, 1.02, and 7; and Block 14, Lot 1 on the Tax Map of the Borough, all located on either side of Jernee Mill Road, inclusive of any and all streets, paper streets, private drives, and right of ways (“the Study Area”) in Sayreville Borough, Middlesex County, New Jersey, qualifies as “an area in need of redevelopment”.

Under statutory power instituted by the State of New Jersey (C.40A:12A-5) and Sayreville Borough Council Resolution (Resolution No. 2024-229) adopted on September 23, 2024 (hereinafter the “Resolution”) the Borough Council authorized and directed the Borough of Sayreville Planning Board to (hereinafter “Planning Board” or “Board”) to undertake a preliminary area investigation study of the area consisting of Block 53.02, Lot 8; Block 54.01, Lots 1.01, 1.02, and 7; and Block 14, Lot 1.

This Study would be an addendum and expansion to the Hercules Redevelopment Study Area and subsequently the Hercules Redevelopment Plan which included Block 14, Lot 3; Block 25.01, Lot 1; Block 40, Lot 1; Block 43, Lot 1 and 1.01; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lot 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01; and Block 83.01, Lot 1 for a total acreage of 590.17 acres. The Hercules Redevelopment Area was previously developed as an industrial site used for manufacturing various chemical components as well as other services. Most of the operations were active up until the 1960s with many of the operations on the site having been further dismantled and demolished in more recent years. The initial investigation into these parcels was prompted by the presence of underutilization and obsolete layout as well as several parcels remaining vacant. The investigation of the new Study Area which directly abuts the original Hercules Redevelopment Plan Area, was also prompted by the presence of parcels that are underutilized, vacant and/or contain an obsolete layout.

The Study has been conducted pursuant to the Local Redevelopment and Housing Law of the State of New Jersey (N.J.S.A. 40A:12A-1, et seq.) which specifies the conditions that must be satisfied within the delineated area and the process to be undertaken by the Planning Board during the Study.

If determined as an area in need of redevelopment, the subsequent plan will be a non-condemnation plan; in other words, the Borough will not exercise the power of eminent domain.

## 1.1 REPORT SECTIONS

This report contains 8 sections: Introduction, About the Study Area, Local Redevelopment and Housing Law (LRHL)-The Process, Study Area Characteristics, Consistency, LRHL Statutory Criteria, Study Area Evaluation, and Summary.

## 1.2 METHODOLOGY

We began this investigation by conducting site visits to the Study Area and its vicinity to observe the existing conditions. In order to inventory and better illustrate the physical conditions and issues within the Study Area, a photo survey was completed.

Additionally, the following records and documents were reviewed in preparation of the study:

- Official Tax Maps of Sayreville Borough
- Tax records of the properties within the Study Area
- Sayreville Borough Master Plan and Reexamination Report
- New Jersey State Development and Redevelopment Plan
- Sayreville Land Development Ordinance and Zoning Map
- Historic data regarding police, fire, and building code violations for properties in the Study Area
- Records for existing water, sewer, and road infrastructure for properties in the Study Area
- Ownership and sales information related to each property within the Study Area

## 2.0 ABOUT THE STUDY AREA

### 2.1 STUDY AREA BOUNDARY

The Study Area consists of five parcels totaling approximately 60.06 acres, situated on both sides of Jernee Mill Road in the southern section of the Borough of Sayreville, near the boundary with Old Bridge Township. Specified below in Table 01 are the details of the Study Area.

TABLE 02: ZONING					
Site	Block	Lot	Zone	Lot Area (acres)	Full Address
1	14	1	SED	47.91	4000 Bordentown Avenue
2	53.02	8	P	0.30	Jernee Mill Road
3	54.01	1.01	P	10.54	N/A
4	54.01	1.02	P	0.12	N/A
5	54.01	7	P	1.19	N/A

\*SED- Special Economic Development

\*P- Prime

### 2.2 AREA MAP

The area map of the Study Area boundary is located on page 3 of this report.

### 2.3 HISTORY/BACKGROUND

The Study Area is located in the southeast region of Sayreville Borough, near the municipal boundary with the Township of Old Bridge. The largest parcel within the Study Area (Block 14, Lot 1) is improved with warehouse use and other smaller buildings and is currently being occupied by various tenants with uses that include shipping, car fabrication, outdoor storage, and chassis parking. The improvements have expanded and changed uses several times over their period of occupation. The other four (4) parcels within the Study Area are vacant sites.

The entire Study Area contains 60.06 acres of land in the Special Economic Development, SED and the Prime, P zones within Sayreville Borough.



MAP 01: STUDY AREA MAP





### 3.0 LOCAL REDEVELOPMENT AND HOUSING LAW (LRHL)-The Process

#### 3.1 STUDY AUTHORIZATION

On September 23, 2024, the Sayreville Borough Council adopted Resolution No. 2024-229; authorizing the Planning Board to undertake the preliminary investigation of the Study Area to determine if the area qualifies as an “area in need of redevelopment” per the criteria outlined in the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-1 et seq. (hereinafter “LRHL”).

#### 3.2 THE PROCESS

This report was written pursuant to Section 6 of the LRHL (N.J.S.A. 40:12A-6) which provides in pertinent part:

(a) No area of the 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 the municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality.

(b)(1) Before proceeding to the public hearing on the matter, the planning board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis of the investigation.

(2) The planning board shall specify a date for and give notice of a hearing to listen to people who are interested in or would be affected by a determination that the delineated area is a redevelopment area.

(3)(a) The hearing notice shall set forth the general boundaries of the area to be investigated and state that a map has been prepared and can be inspected at the office of the municipal clerk.

(b) If the governing body resolution assigning the investigation to the planning board, pursuant to subsection a. of this section, stated that the redevelopment determination shall establish a Non-Condemnation Redevelopment Area, the notice of the hearing shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

(c) If the resolution assigning the investigation to the planning board, pursuant to subsection a. of this section, stated that the redevelopment determination shall establish a Condemnation Redevelopment Area, the notice of the hearing shall specifically state that a redevelopment area determination shall authorize the municipality to exercise the power of eminent domain to acquire property in the delineated area.

(d) A copy of the notice shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks, and the last publication shall be not less than ten days prior to the date set for the hearing. A copy of the notice shall be mailed at least ten days prior to the date set for the hearing to the last owner, if any, of each parcel of property within the area according to the assessment records of the municipality. Notice shall also be sent to all persons at their last known address, if any, whose names are noted on the assessment records as claimants of interest in any such parcel. The assessor of the municipality shall make a notation upon the records when requested to do so by any person claiming to have an interest in any parcel of property in the municipality. The notice shall be published and mailed by the municipal clerk, or by such clerk or official as the planning board shall otherwise designate. Failure to mail any such notice shall not invalidate the investigation or determination thereon.

(4) At the hearing, which may be adjourned from time to time, the planning board shall hear all persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record.

(5)(a) 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.

(b) 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.

(c) Upon the adoption of a resolution, the clerk of the municipality shall, forthwith, transmit a copy of the resolution to the Commissioner of Community Affairs for review. If the area in need of redevelopment is not situated in an area in which development or redevelopment is to be encouraged pursuant to any State law or regulation promulgated pursuant thereto, the determination shall not take effect without first receiving the

review and the approval of the commissioner. If the commissioner does not issue an approval or disapproval within 30 calendar days of transmittal by the clerk, the determination shall be deemed to be approved. If the area in need of redevelopment is situated in an area in which development or redevelopment is to be encouraged pursuant to any State law or regulation promulgated pursuant thereto, then the determination shall take effect after the clerk has transmitted a copy of the resolution to the commissioner. The determination, if supported by substantial evidence and, if required, approved by the commissioner, shall be binding and conclusive upon all persons affected by the determination.

(d) Notice of the determination shall be served, within 10 days after the determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

(e) If the governing body resolution assigning the investigation to the planning board, pursuant to subsection a. of this section, stated that the redevelopment determination shall establish a Condemnation Redevelopment Area, the notice of the determination required pursuant to subparagraph (d) of this paragraph shall indicate that:

- (i) the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain and acquire property in the redevelopment area, and
- (ii) legal action to challenge the determination must be commenced within 45 days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.

(f) No municipality or redevelopment entity shall exercise the power of eminent domain to acquire property for redevelopment purposes within a Non-Condemnation Redevelopment Area.

(g) If a municipal governing body has determined an area to be a Non-Condemnation Redevelopment Area and is unable to acquire property that is necessary for the redevelopment project, the municipality may initiate and follow the process set forth in this section to determine whether the area or property is a Condemnation Redevelopment Area. Such determination shall be based upon the then-existing conditions and not based upon the condition of the area or property at the time of the prior Non-Condemnation Redevelopment Area determination.

(h) A property owner who has received notice pursuant to this section who does not file a legal challenge to the redevelopment determination affecting his or her property within 45 days of receipt of such notice shall therefore be barred from filing such a challenge and, in the case of a Condemnation Redevelopment Area and upon compliance with the notice provisions of subparagraph section who does not file a legal challenge to the redevelopment determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge and, in the case of a Condemnation Redevelopment Area and upon compliance with the notice provisions of subparagraph (e) of this paragraph shall further be barred from asserting a challenge to the redevelopment determination as a defense in any condemnation proceeding to acquire the property unless the municipality and the property owner agree otherwise.

(6) The municipality shall, for 45 days next following its determination, take no further action to acquire any property by condemnation within the redevelopment area.

(7) If any person shall, within 45 days after the adoption by the municipality of the determination, apply to the Superior Court, the court may grant further review of the determination by the procedure in lieu of prerogative writ; and in any such action, the court may make any incidental order that it deems proper.

(c) An area determined to be in need of redevelopment pursuant to this section shall be deemed to be a "blighted area" for the purposes of Article VIII, Section III, paragraph 1 of the Constitution. If an area is determined to be a redevelopment area and a redevelopment plan is adopted for that area in accordance with the provisions of this act, the municipality is authorized to utilize all those powers provided in section 8 of P.L.1992, c.79 (C.40A:12A-8), except that a municipality may not acquire any land or building by condemnation pursuant to subsection c. of that section unless the land or building is located within (1) an area that was determined to be in need of redevelopment prior to the effective date of P.L.2013, c.159, or (2) a Condemnation Redevelopment Area for which the municipality has complied with the provisions of subparagraph (e) of paragraph (5) of subsection b. of this section.

### 3.3 REDEVELOPMENT OBJECTIVES/REDEVELOPMENT PROCESS

The renewal activities of a study area should be undertaken in conformity with, and should be designed to meet, the following objectives of an area investigation:

- To improve the functional and physical layout of the project area for contemplated new development and the removal of impediments to land deposition.
- To bring to productive use vacant and underutilized parcels within the Study Area.
- To encourage the development of alternative uses on vacant, undeveloped, privately-owned parcels.
- Enhance economic growth and create new employment opportunities for the residents of Sayreville.
- Foster land uses that align with the Borough's Master Plan and enhance area compatibility.

### 3.4 NEXT STEPS

The LRHL provides the statutory authority for a municipality to engage in several redevelopment activities, including designating an Area in Need of Redevelopment; preparing and adopting redevelopment plans; and implementing redevelopment projects. Generally, the LRHL is a planning and financial tool that permits areas meeting the criteria to be overlain with specific zoning and other incentives to stimulate the area's redevelopment. More specifically, a redevelopment designation allows a municipality to:

- (i) adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use, the scale of development and intensity of use;
- (ii) issue bonds for the purpose of redevelopment;
- (iii) acquire property;
- (iv) lease or convey property without having to go through the public bidding process;
- (v) collect revenue from a selected developer; and/or,
- (vi) grant tax exemptions and abatements.

As such, the Borough can utilize the powers granted to municipalities under the LRHL to improve the existing conditions of the Study Area. The redevelopment statute sets forth a multi-step process that must be observed by the Borough Council and Planning Board to enable the Borough to lawfully exercise the powers, which accrue because of the employment of redevelopment planning. The steps required to declare an area in need of redevelopment must be enacted pursuant to the LRHL. It should be noted that only upon completion of this public process is a municipality able to exercise the powers granted pursuant to the LRHL".

### **3.5 SCOPE OF THE STUDY**

Redevelopment of parcels can help spur economic growth within areas that are underutilized, vacant, with obsolete layout, or deleterious uses. For redevelopment of these areas, the LRHL is an effective tool that can help to revitalize these neglected sections of the municipality that have potential for better and more compatible development and can benefit from redevelopment status. This area investigation study is undertaken as a first step to engage, benefit, and create opportunities through redevelopment planning. The study involves conducting site visits and a photo inventory of properties within the Study Area; describing physical characteristics of the same, illustrating the extent to which the existing characteristics and conditions meet the statutory criteria to determine the need for redevelopment and present findings and recommendations relevant to the determination of the need for redevelopment of the Study Area.

## 4.0 STUDY AREA CHARACTERISTICS

### 4.1 LOCATION

The Study Area consists of five (5) parcels and are located at the southeast region of the Borough and adjacent to the Old Bridge Township municipal border. The Study Area contains 60.06 acres on either side of Jernee Mill Road.

TABLE 02: ZONING					
Site	Block	Lot	Lot Area (acres)	Full Address	Zoning
1	14	1	47.91	4000 Bordentown Avenue	SED
2	53.02	8	0.30	Jernee Mill Road	P
3	54.01	1.01	10.54	N/A	P
4	54.01	1.02	0.12	N/A	P
5	54.01	7	1.19	N/A	P

### 4.2 REGIONAL SETTING AND TRANSPORTATION

The Study Area can be accessed via Jernee Mill Road and Bordentown Avenue. Conrail railway line is located along the westerly side of the property and follows Jernee Mill Road. There is bus transit via NJ Transit throughout the Borough, two with direct access to New York City.

### 4.3 ZONING

The zoning of an area indicates uses that are permitted on a particular property and the subsequent ordinance stipulates standards regarding the building height, lot coverage, setbacks, parking requirements, etc. The zoning ordinance also sets forth standards regarding site design such as lighting, landscaping, parking requirements, etc. Sayreville is currently zoned into 17 separate districts and 9 redevelopment plan areas. The Borough's Zoning Map has not been updated to show all 9 redevelopment plan areas.

The Study Area lies within the SED, Special Economic Development, and P, Prime Zones.

#### The Special Economic Development, SED Zone PERMITTED USES:

The Special Economic Development, SED District permits a full range of commercial and industrial uses intended to allow for increased economic development opportunities in the Borough.

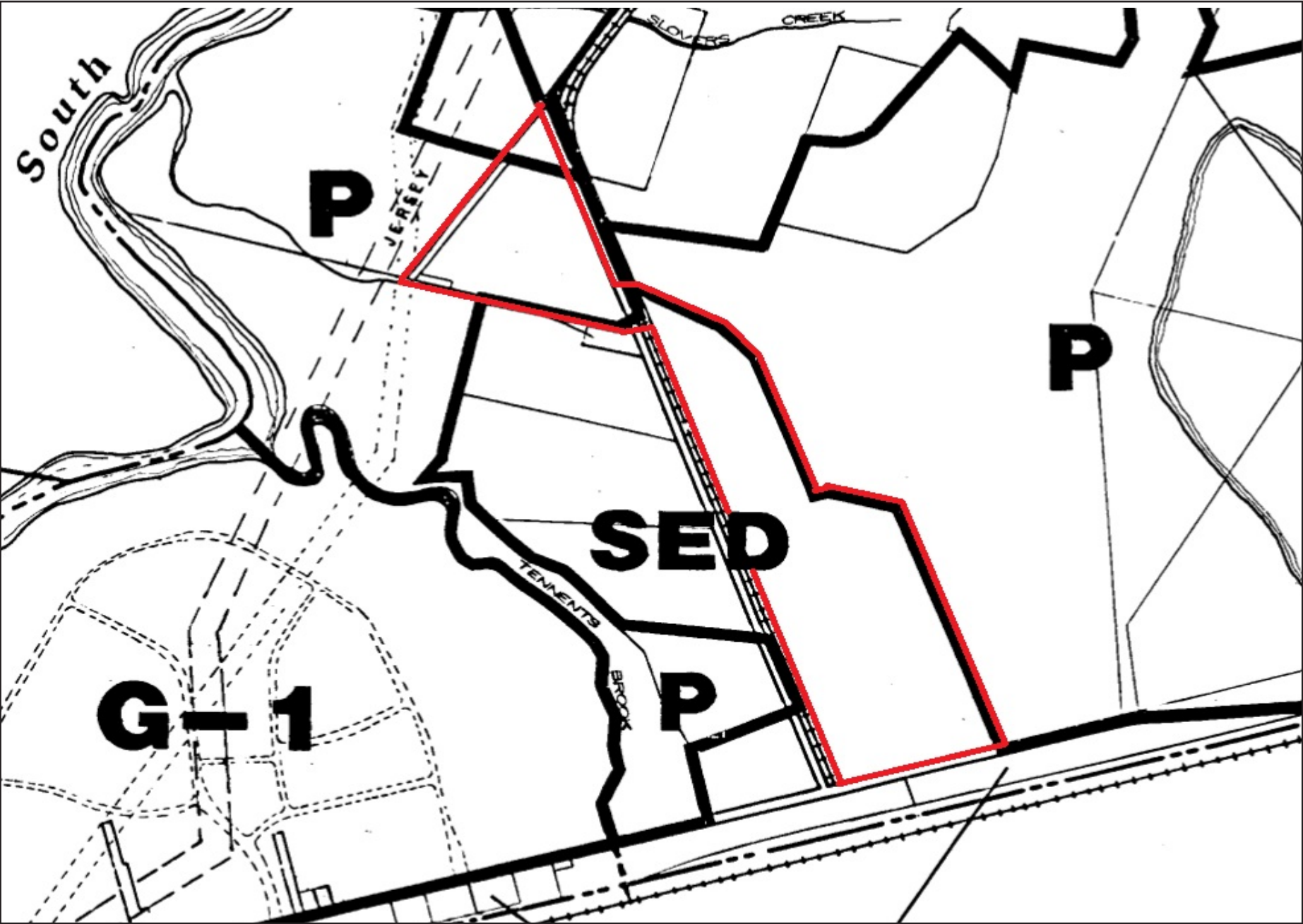
#### The Prime, P Zone PERMITTED USES:

The Prime Zone permits public, recreational, institutional, municipal and educational uses.

TABLE 03: SPECIAL ECONOMIC DEVELOPMENT, SED ZONING STANDARDS									
Minimum Lot Width	Minimum Lot Area (acres)	Minimum Lot Area (sf)	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Combined Side Yard Setback	Maximum Height	Maximum Floor Area Ratio	Maximum Lot Coverage (Buildings and Pavement) (percent)
150 ft.	5	60,000	50 ft.	40 ft.	20 ft.	50 ft.	50 ft.	0.25	60 / 85



MAP 02: STUDY AREA ZONING



#### 4.4 EXISTING LAND USE

This section enumerates the existing land use for parcels within the Study Area. Along with this, there is a land use map that illustrates the location of the existing industrial parcel within the SED zone and those that are vacant in the P Zone.

The findings of this preliminary land use analysis support the LRLH criteria identified and substantiates the need to deem this area “in need of redevelopment”. The study area consists of five (5) parcels: Block 53.02, Lot 8; Block 54.01, Lots 1.01, 1.02, and 7; and Block 14, Lot 1.

Four (4) of the five (5) parcels are privately-owned vacant lands. Of the five (5) parcels in the Study Area, the largest parcel (Block 14, Lot 1) is a privately owned warehouse space with other uses on the site. The building is a home to various differing uses including, office use, warehouse and storage space, automotive repair, flooring showroom, and maintenance garage, etc.

TABLE 04: LAND USE					
Site	Block	Lot	Lot Area (acres)	Full Address	Land Use
1	14	1	47.91	4000 Bordentown Avenue	Industrial
2	53.02	8	0.30	Jernee Mill Road	Vacant
3	54.01	1.01	10.54	N/A	Vacant
4	54.01	1.02	0.12	N/A	Vacant
5	54.01	7	1.19	N/A	Vacant

#### 4.5 MUNICIPAL ACTIONS

The following municipal actions were gathered from various Borough departments reports.

##### Planning Department:

In 2021, the Sayreville Planning Department approved Block 14, Lot 1 to construct an additional 246,400 square foot warehouse on the site.

##### Engineering Department:

The existing Bordentown Avenue and Jernee Mill Road intersection contains one (1) eastbound through lane, one (1) westbound through lane, and two (2) southbound lanes, with one (1) left turn lane, and one (1) right turn lane. The presence of curb and sidewalk varies throughout the intersection.

The intersection of Jernee Mill Road and Bordentown Avenue improvements are currently under design for Middlesex County. The design has been finalized, and Middlesex County is in the last stages of right-of-way acquisitions. This has been the established circumstance for over a year.

The proposed intersection improvement project calls for milling and paving approximately one thousand (1000') feet in each direction of the intersection, curb and sidewalk installations added on both sides of the road and upgraded traffic signal equipment. The lanes will be restriped to provide the eastbound traffic with one (1) left turn lane, and one (1) through lane, the westbound traffic will have one (1) through lane and one (1) through/right turn lane, and the southbound traffic pattern will remain the same.

##### Police Department:

A review of Sayreville Borough Police Department records from December 2019 through December 2024 revealed 404 reported incidents across the five sites. The majority were security system activations and false alarms, including 44 false alarms in 2020.

Notable incidents included multiple theft cases involving employees and contractors from the on-site warehouse, encompassing vehicle theft, theft by deception, and unlawful taking by conveyance. Additional reports documented minor vehicular accidents in parking areas and loading zones, fire-related calls (including system activations and alarms), noise complaints, and environmental dumping violations.

##### Tax Department:

1. Block 53.02, Lot 2 is an additional lot of 53.02 / 1 and Hercules is the owner.
2. Block 54.01, Lot 1.01 is an additional lot under Block 54 Lot 1 and New Jersey Department of Environmental Protection (NJDEP) owns the property.
3. Block 54.01, Lot 1.02 belongs to the Middlesex County Utilities Authority.
4. Block 54.01, Lot 7 belongs to The Raritan River Railroad.
5. Block 14, Lot 1 is the old Sunshine Biscuits building converted into a warehouse and currently belongs to Gen III Holdings, Inc.

*No tax delinquencies were noted for all the above properties and no tax liens have been imposed.*

### Fire Department:

The site at 4000 Bordentown Avenue (Block 14, Lot 1) has experienced warehouse fire, fire sprinkler water flow alarms, and sprinkler lines that were struck by a fork truck in the past.

### Building Department:

There are no construction or property maintenance violations within the last 5 years for any of the properties within the Study Area per the Construction Official.

### Utility Authority:

There is an existing water connection for this property located on Jernee Mill Rd. that dates to the construction of the building. There are two sanitary connections on Jernee Mill Rd., also dated to original construction.

There are two potable water mains in this area; a 10" main on Jernee Mill Rd. (age unknown) that services the property and an 18"/16" main on Bordentown/Jernee Mill estimated to be constructed in approximately 1940.

There are two sanitary sewer lines owned by the Borough in this area; a 24" line constructed in 2000 located on Bordentown and Jernee Mill Rd. and a 10" line on Jernee Mill Rd. that services the property, The 10" main was relined for continued service this past spring.

## 4.6 PROPERTY EVALUATIONS

Below is a property evaluation of the Study Area. Table 06 contains information from the Borough's tax records, including land values, property improvements values, total assessed values, and overall improvement ratios.

Properties with an improvement value that is equal to or less than the land value generate normal economic productivity. Properties where the land is worth more than the improvements often indicate that the improvements are old, obsolete, and/or deteriorated such that they depreciate, rather than appreciate, in value, as would be the case with economically productive properties.

Table 06 is an indicator of the general improvement values versus the land value.

Four (4) of the five (5) properties are vacant and have zero improvement value. Only one (1) of the five (5) parcels has an improvement value that exceeds the land value. This is the property that contains the warehouse building.

While the warehouse has undergone renovations over the years, the building remains outdated by current industrial standards. The evaluations for each property within the Study Area are enumerated below:

TABLE 05: PROPERTY EVALUATIONS								
Site	Block	Lot	Zone	Lot Area (acres)	Land Value	Improvement Value	Total Value	Improvement Ratio
1	14	1	SED	47.91	\$3,056,800	\$8,943,200	\$12,000,000	2.9
2	53.02	8	P	0.30	\$85,900	\$0	\$85,900	0
3	54.01	1.01	P	10.54	\$599,000	\$0	\$599,000	0
4	54.01	1.02	P	0.12	\$6,500	\$0	\$6,500	0
5	54.01	7	P	1.19	\$11,000	\$0	\$11,000	0

## 5.0 CONSISTENCY

### 5.1 MASTER PLAN

Sayreville Borough Master Plan adopted February 6, 2013, and reexamined May 1, 2023, included several goals and objectives related to the industrial areas within the Borough. Especially, goal 2 enumerates the following: To continue to encourage aesthetic and site improvements in the Borough's major industrial areas. The 2013 Master Plan has the following recommendations for the Special Economic Development, SED Zone as follows:

- Revise a range of permitted uses to eliminate specific heavy industrial uses.
- Create floor area ratio standard to proportionally regulate development intensity according to lot size.

#### **2024 Draft Land Use Element of the Master Plan:**

The Land Use Element of the Master Plan that was recently adopted by the Borough's Planning Board specifically talks about the expansion of the Hercules Redevelopment Area: The area that is currently designated as the Hercules Redevelopment Area is surrounded by seemingly underutilized and/or vacant properties located on either side of Jernee Mill Road to the north of its intersection with Bordentown Road. A formal investigative study would allow for the proper evaluation of these suspected characteristics. As applicable, the Hercules Redevelopment Area should be expanded to encompass any portions of this area designated as in need of redevelopment.

### 5.2 NJ STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The New Jersey State Development and Redevelopment Plan, which was adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

Approximately 48 acres of the Study Area is located within an area that has been designated as a Smart Growth Area by the New Jersey Office of Planning Advocacy.

Smart Growth refers to development that preserves the environment, the economy, and the community equally. It attempts, when possible, to concentrate new development into already existing communities, which is also known as infill development.

Additionally, it addresses the inherent interconnections between environmental protection, social equity, public health, and economic sustainability. Selected areas throughout the State of New Jersey are designated as a Smart Growth Area. They are designated by the Department of State Office of Planning Advocacy, from spatial data relating to the New Jersey State Development and Redevelopment Plan, and several other master plans.

Regarding the state planning areas, the Study Area is located within the Metropolitan Planning Area-1 (PA-1) and Parks and Natural Planning Area (PA-6, 7 and 8). The purpose of each of these state planning areas is stated below:

#### **Metropolitan Planning Area-1 (PA-1):**

The purpose of the Metropolitan Planning Area (PA-1) 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. This planning area includes a variety of municipalities that range from a large urban center to newer towns that are shaped by commuter rail. The communities in the area have strong ties to major metropolitan centers: the New York/Newark/Jersey Township Metropolitan Region; the Philadelphia/Camden/Trenton Metropolitan Region; and on a smaller scale, the Easton/Phillipsburg Metropolitan Region.

#### **“Park and Natural Areas (PA 6, 7 and 8\*)” Planning Area**

The purpose of the Parks and Natural Planning Areas (Parks) is to include an array of publicly dedicated land which contribute to the goal of preservation and enhancement of areas with historic, cultural, scenic, open space, and recreational value under the State Plan. The Parks delineation has a more focused purpose and use which allows for protection of critical natural resources, provides public recreational and educational opportunities, ensuring the maintenance of associated facilities, and ensuring the connection of these areas into a system of open lands.

Parks are not areas where the objectives for land use, housing and economic development can be applied, rather they represent public investment specifically for resource preservation and the provision of recreational opportunities. They include state and federally owned/managed tracts and county and local parks that have been identified through the cross-acceptance and map amendment processes.

Parks area consist of land tracts dedicated for public benefit.

Intention with this delineation is to:

1. Provide for the protection of critical natural resources
2. Provide public recreational and educational opportunities
3. Ensure the maintenance of associated facilities
4. Ensure the connection of these areas into a system of open lands



## MAP 03: NJ STATE PLANNING AREAS



### 5.3 MUNICIPAL LAND USE LAW

The area designation and the subsequent preparation of a redevelopment plan would not only be consistent with the general smart growth approach of encouraging infill development and reusing land, but also will promote several purposes of the Municipal Land Use Law. The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) assigns planning and regulatory authority to municipalities and establishes the procedural framework for how local governments plan. The Municipal Land Use Law has several purposes, all of which are based upon ensuring the public health, safety, welfare, and morals for communities. Specifically, redevelopment and rehabilitation of parcels within the Study Area would promote the following purposes of the Municipal Land Use Law:

**Purpose a.** To encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner that will promote public health, safety, morals, and general welfare.

**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

**Purpose h.** To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight

**Purpose j.** To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land

**Purpose m.** To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

## 6.0 LRHL STATUTORY CRITERIA-Criteria for Area in Need of Redevelopment

The laws governing redevelopment by the municipalities in New Jersey is set forth in the LRHL which 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; to make such a determination following the completion of the study; and to adopt a redevelopment plan for the designated area. Such an area may be determined to be in need of redevelopment only after an investigation by the Planning Board and a publicly noticed hearing, and it's found to meet one or more of the following eight criteria:

**“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.

**“Criteria 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 untenable.

**“Criteria 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.

**“Criteria 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.

**“Criteria 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.

**“Criteria F.”** Areas, in excess of five contiguous acres, whereon buildings or 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.

**“Criteria 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.

**“Criteria H.”** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

**“Section 3.”** In addition to the above criteria, individual properties that do not meet any of the statutory conditions may still be included within an area in need of redevelopment provided that within the area as a whole, one or more of the expressed conditions are prevalent. This provision is referred to as “Section 3” and is set forth under N.J.S.A. 40A:12A-3, which states in part that “a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part.”

## **6.1 APPLICATION FOR STATUTORY CRITERIA**

The finding that an area is in need of redevelopment is an area-wide determination. As such, the statutory charge for a positive finding of redevelopment eligibility requires a demonstration that physical deterioration by the presence of improvements which are dilapidated, obsolete, and faulty in terms of the arrangement, lack of ventilation, light and sanitary facilities, or in any way detrimental to the safety, health, morals for the welfare of the community. The conditions evidenced by the Needs Determination Study are measured against the criteria for designation of an area in need of redevelopment and summarized in a fashion that enables a determination to be made regarding whether one or more criteria is prevalent among the properties within the Study Area.

## **7.0 STUDY AREA EVALUATIONS**

### **7.1 STUDY APPROACH**

We conducted numerous site visits and prepared a photo survey of structures to establish existing conditions, land uses, and external property conditions. Relevant plans and municipal documents (Sayreville Borough Master Plan Reexamination Report and Land Development Ordinance) related to the Study Area were also reviewed.

Various departments (Engineering, Tax, Police, Fire, Building, Utility Authority) were contacted to provide reports on the parcels within the Study Area. These reports allowed us to make accurate and appropriate evaluations of the conditions of the parcels for consideration as an “Area in Need of Redevelopment”. The following pages enumerate site evaluation for each parcel within the Study Area.





**PROPERTY DESCRIPTION**

This parcel contains 47.91 acres of land and is improved with a warehouse that currently serves over 40 tenants with various uses including warehouse shipping space, car fabrication, chassis parking, etc. The property is accessed by Bordentown Avenue or Jernee Mill Road mainly by employees and tractor trailers for use on the site. This parcel fully lies in the Special Economic Development, SED Zone.

**SITE CHALLENGES**

- Obsolete layout
- Outdated facility
- Inadequate parking/  
unimproved parking/gravel  
parking/no striping
- Poor site circulation
- Poor ventilation
- Lack of adequate light/air in  
some areas

**SATISFIES LRHL CRITERIA**

- D** - Overcrowding/faulty layout. Obsolete layout, unpaved/no striped parking
- E** - Diverse ownership causing lack of undertaking proper improvements. No continuous layout with different tenants
- H** – Area consistent with Smart Growth planning principles
- Section 3** - *Additionally the definition of a "redevelopment area" at Section 3 of the LRHL permits the inclusion of additional parcels by stating: A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.*

**RECOMMENDATIONS**

Portions of the lot contain unpaved parking and does not contain delineated spaces with proper striping or adequate ingress and egress. This parcel is accessed via Jernee Mill Road and Bordentown Avenue, and is located in a potential economic growth area, therefore this property should be considered for redevelopment.



**PROPERTY DESCRIPTION**

This parcel encompasses 0.30 acres of land and is vacant. This property lies fully within the P-Prime Zone and is wooded. The site contains frontage along Jernee Mill Road.

**SITE CHALLENGES**

-Vacant

**SATISFIES LRHL CRITERIA**

C - Vacant

**Section 3** - *Additionally the definition of a "redevelopment area" at Section 3 of the LRHL permits the inclusion of additional parcels by stating: A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.*

**RECOMMENDATIONS**

This parcel has remained vacant with no improvements. It is easily accessible and therefore should be considered for redevelopment.



PROPERTY DESCRIPTION

This irregular shaped parcel encompasses 10.54 acres of land and is vacant with no improvements. There are wetlands present on a portion of the northwest region of the property. The site is significantly wooded and lies fully within the P-Prime Zone.

SITE CHALLENGES

-Vacant

SATISFIES LRHL CRITERIA

C - Vacant

**Section 3** - *Additionally the definition of a "redevelopment area" at Section 3 of the LRHL permits the inclusion of additional parcels by stating: A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.*

RECOMMENDATIONS

This parcel has remained vacant with no improvements. The inclusion of this parcel would be necessary for effective redevelopment of this area. The property should therefore be considered for redevelopment.



**PROPERTY DESCRIPTION**

This parcel contains 0.12 acres of land and has an active Meter Chamber onsite. This is a partially wooded lot with access from Jernee Mill Road via dirt access road. The site lies fully within the P-Prime Zone.

**SITE CHALLENGES**

-Underutilized

**SATISFIES LRHL CRITERIA**

**C** - Owned by the Middlesex County Utilities Authority

**Section 3** - *Additionally the definition of a "redevelopment area" at Section 3 of the LRHL permits the inclusion of additional parcels by stating: A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.*

**RECOMMENDATIONS**

This parcel has remained underutilized with minimum improvements other than an active Meter Chamber. The inclusion of this parcel would be necessary for effective redevelopment of this area. The property should therefore be considered for redevelopment.





**PROPERTY DESCRIPTION**

This parcel encompasses 1.19 acres of land and is vacant. This irregularly shaped property contains wetlands in the north portion of the site. The site is wooded and can be accessed via a dirt access road off Jernee Mill Road. This property lies fully within the P-Prime Zone.

**SITE CHALLENGES**

- Vacant
- Wetland constraints

**SATISFIES LRHL CRITERIA**

**C** - Vacant

**Section 3** - *Additionally the definition of a "redevelopment area" at Section 3 of the LRHL permits the inclusion of additional parcels by stating: A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.*

**RECOMMENDATIONS**

This parcel has remained vacant with no improvements. The inclusion of this parcel would be necessary for effective redevelopment of this area. The property should therefore be considered for redevelopment.



## 8.0 SUMMARY

Based on the analysis of existing conditions within the Study Area, it can be concluded that the parcels within the Study Area meet at least one of the LRHL statutory criteria. The area that was investigated is in need of redevelopment and rehabilitation for reasons articulated herein, including:

- Most of the parcels within the Study Area are vacant and underutilized
- The existing conditions and/or improvements do not support the development goals of the Master Plan and Zone Plan.

### 8.1 AREA IN NEED OF REDEVELOPMENT

- C** – Four (4) parcels within the Study Area qualify for Criterion C.
- D** – One (1) parcel (Block 14, Lot 1) within the Study Area qualify for Criterion D.
- E** – One (1) parcel (Block 14, Lot 1) within the Study Area qualify for Criterion E.
- H** – One (1) parcel (Block 14, Lot 1) within the Study Area qualify for Criterion H.

TABLE 07: REDEVELOPMENT CRITERIA											
Site	Block	Lot	Criterion A	Criterion B	Criterion C	Criterion D	Criterion E	Criterion F	Criterion G	Criterion H	Section 3
1	14	1				X	X			X	X
2	53.02	8			X						X
3	54.01	1.01			X						X
4	54.01	1.02			X						X
5	54.01	7			X						X

### 8.2 SECTION 3

All five (5) parcels (Block 14, Lot 1; Block 53.02, Lot 8; and Block 54.01, Lots 1.01, 1.02, and 7) within the Study Area can be considered under Section 3 of the LRHL, as the definition of “redevelopment area” permits the inclusion of additional parcels as follows: “A redevelopment area may include land, 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 a change in their condition, for the effective redevelopment of the area of which they are a part.”

## 8.3 CONCLUSION

The investigation report has been prepared pursuant to the Local Redevelopment and Housing Law P.L. 1992, Chapter 79 (“LRHL”) to determine whether the parcels within the Study Area meet the statutory criteria for designation as an “area in need of redevelopment”.

For the reasons set forth herein, it is recommended that the Borough of Sayreville Planning Board and Borough Council take the required action prescribed by the LRHL to declare the parcels identified within the Study Area as an area in need of redevelopment. One the Study Area is declared as such, the Borough Council may direct the Planning Board to prepare and implement a redevelopment plan to ensure proper utilization and development of the properties within the Study Area.