



**Area in Need of Redevelopment Investigation
for Portions of Block 2501 and Block 2602**

Borough of Woodcliff Lake, New Jersey



Prepared on Behalf of the Borough of Woodcliff Lake Planning Board

by **PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC**

Planning & Real Estate Consultants

June 20, 2018

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Prepared on behalf of:
The Borough of Woodcliff Lake Planning Board

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



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I. INTRODUCTION

The following study has been prepared at the direction and on behalf of the Borough of Woodcliff Lake Planning Board to determine whether certain Borough-owned property located near the intersection of Broadway and Woodcliff Avenue/Highview Avenue within the Borough of Woodcliff Lake, known herein as “Portions of Block 2501 and Block 2602” qualifies as a “non-condemnation area in need of redevelopment” as defined under the Local Redevelopment and Housing Law (“LRHL”) at N.J.S.A. 40A:12A. The area to be considered is identified on the Borough’s official tax maps as Block 2501, Lot 14, and Block 2602, Lots 1, 2 and 9 (the “Study Area”).

The Borough Council of the Borough of Woodcliff Lake authorized and directed the Planning Board to conduct this study in a resolution adopted on May 7, 2018 (see Resolution #18-118).

In preparation of the study, Phillips Preiss Grygiel Leheny Hughes LLC (PPGLH) reviewed the following records and documents:

- 2002 Master Plan Update
- 2008 Master Plan Reexamination
- 2012 Master Plan Reexamination and Land Use Amendment (Broadway Corridor Phase II Study)
- Zoning map and ordinances of the Borough of Woodcliff Lake
- Tax maps of the Borough of Woodcliff Lake
- Tax records
- Ownership and property sales information
- Aerial photos of the Study Area
- Environmental documentation from the New Jersey State Department of Environmental Protection

In addition to the above, PPGLH physically inspected the Study Area, most recently on May 18, 2018, including exterior inspections of existing buildings. PPGLH also conducted a land use analysis of the Study Area and surrounding land uses. Further, PPGLH had conversations with Borough officials to obtain additional information on the historical and existing uses of the properties in the Study Area.

The remainder of this report is divided into six chapters. Chapter II provides a description of the Study Area and its locational context. Chapter III provides an analysis of the applicable zoning and master plan designations within the Study Area. Chapter IV discusses the qualifying criteria set forth at N.J.S.A. 40A:12A-5 for an “area in need of redevelopment” determination. Chapter V applies these criteria to the Study Area to determine whether or not an area in need of redevelopment determination is warranted. Chapter VI summarizes the overall conclusions of the report.

II. DESCRIPTION OF THE STUDY AREA AND LOCATIONAL CONTEXT

The area under consideration for redevelopment area designation consists of 4 parcels that are designated on the Borough's tax maps as follows: Block 2501, Lot 14 and Block 2602, Lots 1, 2 and 9. According to the Borough's official tax records, the Study Area encompasses ± 0.743 acres on the west side of Broadway and ± 2.35 acres on the east side of Broadway (± 3.1 acres in total). The location of the Study Area is shown on Figure 1.

Table 1: Study Area Properties

Block	Lot	Owner	Street Address	Area (Acres)
2501	14	Borough of Woodcliff Lake	60 Woodcliff Ave	0.74
2602	1	Borough of Woodcliff Lake	230 Broadway	1.20
2602	2	Borough of Woodcliff Lake	230 Broadway	0.86
2602	9	Borough of Woodcliff Lake	15 Highview Ave	0.29

The Study Area is bounded generally by Woodcliff Lake Reservoir to the west; Block 2302, Lot 1 and Block 2602, Lot 3 to the north; the rear lot lines of Block 2602, Lots 4 through 8 to the east; and Highview Avenue and Woodcliff Avenues to the south. Broadway and the railroad right-of-way bisect the Study Area in a north-south direction.

More specifically, the Study Area boundaries are formed by the following:

- Within Block 2501, the property lines of Block 2501, Lot 14.
- Within Block 2602, the westerly property lines of Lots 1 and 2 along Broadway; the northerly property line of Lot 2; the easterly property lines of Lots 1, 2, and 9; the southerly property line of Lot 9 along Highview Avenue; the westerly property line of Lot 9; and the southerly property line of Lot 1 extending to Broadway to meet its westerly property line.

The Study Area's tax lots and area boundaries are identified on Figure 2.

The Study Area is located in a portion of the Borough that is characterized by a mix of uses. NJ Transit's Woodcliff Lake station is located to the south and southwest of the Study Area at the northwest corner of Broadway and Woodcliff Avenue and station parking areas are also located in this vicinity. There is a commercial property (Faber Brothers carpet showroom) located at the northeast corner of Broadway and Highview Avenue. A retirement home is located at the southeast corner of Broadway and Highview Avenue; an office building and associated parking areas are located further to the south along Broadway. Single-family residences are located along Highview Avenue to the south and along Edward Place to the east of the Study Area.

These properties are situated at the entrance to the portion of the Borough that is located on the eastern side of Woodcliff Lake Reservoir. Broadway also serves as a main thoroughfare for motorists traveling between Woodcliff Lake and the Boroughs of Montvale and Park Ridge to the north and

Hillsdale and Westwood to the south. The Study Area also has access to public transportation given its adjacency to the Borough's NJ Transit station. The Study Area's setting within the immediate surrounding area is shown on Figures 3 and 4¹.

In terms of land use, the parcels comprising the Study Area can be separated by the tax block in which they are located. Block 2501, Lot 14, is located between the railroad right-of-way and Woodcliff Lake Reservoir and is developed with a barn structure and parking areas that appears to be in fair to poor condition. The properties within Block 2602 (Lots 1, 2 and 9) are vacant with some remnants of previous development such as asphalt areas and paved stone. The rear portions of Lots 1 and 2 are heavily wooded and slope steeply upward to the east, rising from an elevation of ± 115 feet near their Broadway frontage to an elevation of ± 175 feet in the rear. Lot 9 also slopes upward to a lesser extent, rising from ± 160 to ± 180 feet from west to east.

¹ The single-family dwelling on Block 2602, Lot 9 has been demolished since the most recently available aerial photography was published.



Figure 3: Study Area Context - Aerial | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ



Figure 2: Study Area Parcels | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ

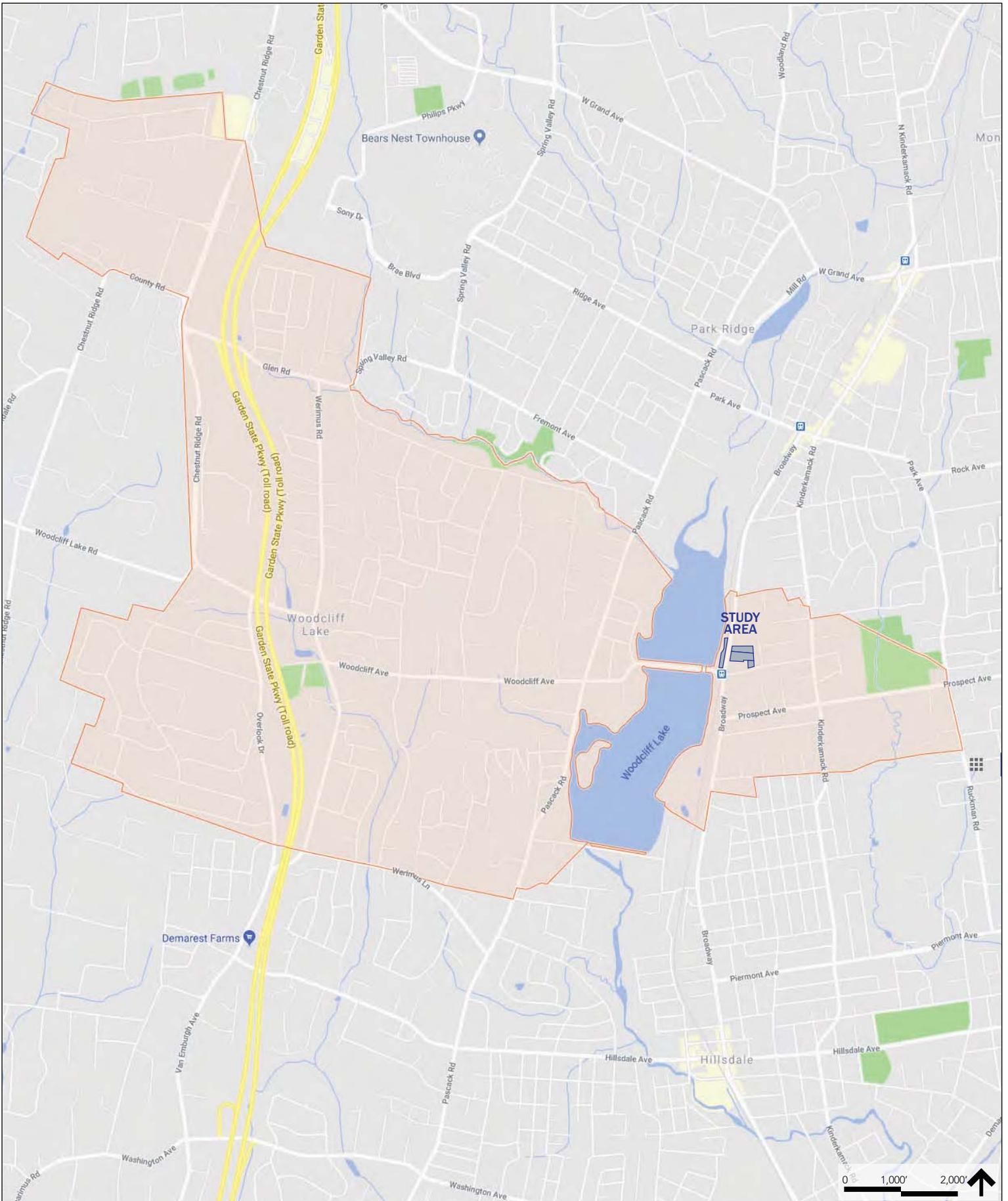


Figure 1: Study Area Location | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ



Figure 4 – Study Area Context – Oblique | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ

III. EXISTING ZONING AND MASTER PLAN DESIGNATIONS FOR THE STUDY AREA

A. Master Plan

The most recent comprehensive Master Plan for the Borough of Woodcliff Lake was adopted in 1985. Since then, a Master Plan Update was adopted in 2002; a Master Plan Reexamination was adopted in 2008; and a Land Use Amendment with a specific focus on the Broadway corridor was adopted in 2012,

The 2002 Master Plan Update cites several goals related to encouraging improvements near the Woodcliff Lake train station as related to the Broadway corridor, the Woodcliff Avenue causeway across the reservoir, the train station itself, and connections between the station and surrounding area. The Master Plan Update further recommended a coordinated study be undertaken to evaluate linking the causeway, train station, and Broadway's business district (located to the south of the Study Area), including potentially removing the existing barn building on Block 2501, Lot 14. The 2002 Existing Land Use Map identified Block 2501, Lot 14 as public use; Block 2602, Lot 1 as vacant; and Block 2602, Lots 2 and 9 as residential. The Land Use Plan/Proposed Zoning Map (shown in Figure 5) recommended that Block 2501, Lot 14 be rezoned as public land, while the properties in Block 2602 would retain their residential zoning.

The 2008 Master Plan Reexamination acknowledges that this study has been authorized but not yet completed, and recognizes the completion of this study, along with upgrades to the train station and circulation challenges at the intersection of Broadway and Woodcliff/Highview Avenues, as ongoing planning issues relevant to the present Study Area.

The first phase of the Broadway Corridor Study was completed in 2010 and identified Block 2602, Lots 1 and 2 as underutilized sites with redevelopment potential. Phase 2 of the Study was completed in 2012 and provided further detailed analysis of these two lots as part of a study area known as "North of Highview," among several other key sites along the corridor. The Study acknowledged that Lots 1 and 2 had been purchased by the Borough to provide affordable housing in compliance with New Jersey Council on Affordable Housing (COAH) requirements; however, due to legal uncertainties regarding the Borough's COAH obligation, the sites had yet to be developed. The Study also set forth recommendations for redevelopment options for the site, including multi-family housing, while acknowledging the sites' constraints as related to steep slopes and watercourse buffers. The Study's final planning recommendation for Lots 1 and 2 concluded that any rezoning or redevelopment should be a long-term goal of the Borough and should take traffic impacts at the Broadway and Woodcliff/Highview Avenue intersection into consideration.

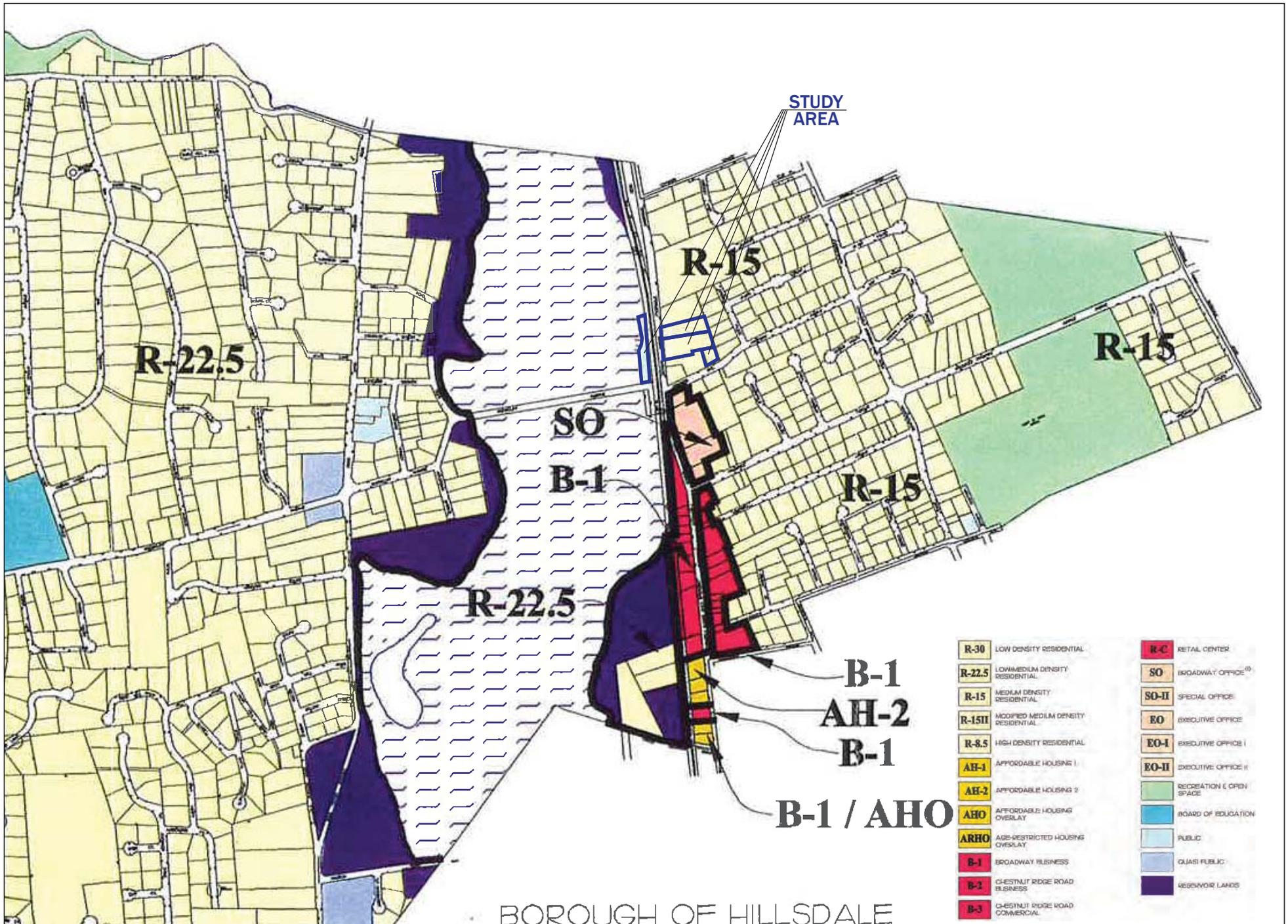


Figure 5 – Study Area Master Plan Designation | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ

B. Zoning

The Study Area is located within two zoning districts: Block 2501, Lot 14 is located in the R-22.5 One-Family District and the properties within Block 2602 are located in the R-15 One-Family District.

Both districts include the same permitted principal and accessory uses, while the minimum lot size requirements and other bulk standards vary between the districts. These districts permit single-family dwellings with one accessory structure, which may include a detached garage structure. Other permitted principal uses are farms, reservoir lands, municipal government uses, or satellite antennas. Greenhouses, patios, sheds, and farm accessory structures are permitted as accessory uses. Conditional uses permitted include houses of worship; community residences for the disabled, persons with head injury, or domestic violence victims; and home occupations.

The relevant zoning is described in Table 2 and the Study Area and surrounding zoning is shown on Figure 7.

Table 2: R-22.5 and R-15 One Family District Requirements

Permitted Uses – R-22.5 and R-15 One-Family Districts

- Single-family dwellings shall be designed and used for occupancy exclusively by one family and may be located upon property with one accessory structure.
- Accessory garages. Every dwelling erected shall have at least a one-car garage attached to, detached from or constructed beneath said dwelling. Detached garages shall constitute an accessory structure and accessory garages shall be further subject to the following:
 - Hothouses or greenhouses.
 - Farms and farm accessory buildings
 - Reservoir and water sheds. Lands owned by a public or privately owned utility and maintained in a natural, vegetated state in connection with a public water supply on which no other use or structure is located which is not directly related to the maintaining of such public water.
 - Municipal governmental uses. Parks, playgrounds, public schools and other municipal governmental services or uses.
 - Satellite receiving antenna

Bulk Standards: R-22.5 One-Family District

- Minimum lot area: 22,500 square feet
- Minimum street frontage: 150 feet
- Minimum lot depth: 125 feet
- Maximum building coverage: 15%
- Maximum surface coverage: 30%
- Maximum building height: 2.5 stories and 33 feet; in no event shall the vertical distance of any side of a building from the lowest natural grade adjacent to the perimeter of the highest point of the building exceed 35 feet from the natural grade.
- Minimum front yard setback: 35 feet

- Minimum side yard setback (one): 20 feet
- Minimum side yard setback (both): 60 feet
- Minimum rear yard setback: 40 feet

Bulk Standards: R-15 One-Family District

- Minimum lot area: 15,000 square feet
- Minimum street frontage: 100 feet
- Minimum lot depth: 100 feet
- Maximum building coverage: 15%
- Maximum surface coverage: 40%
- Maximum building height: 2.5 stories and 30 feet; in no event shall the vertical distance of any side of a building from the lowest natural grade adjacent to the perimeter of the highest point of the building exceed 35 feet from the natural grade.
- Minimum front yard setback: 35 feet
- Minimum side yard setback (one): 20 feet
- Minimum side yard setback (both): 40 feet
- Minimum rear yard setback: 30 feet



Figure 6: Study Area Zoning | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ

IV. STATUTORY CRITERIA FOR ESTABLISHMENT OF AN AREA IN NEED OF REDEVELOPMENT AND APPLICATION TO THE STUDY AREA

The LRHL at N.J.S.A. 40A:12A-5 provides that

[a] delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in Section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

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 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 the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the areas has been materially depreciated.

g. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey 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.

In addition, 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."

V. STUDY AREA EVALUATION

A. Property Overview

The Study Area encompasses a total of 3.1 acres on the west and east sides of Broadway and the NJ Transit railroad right-of-way within the eastern portion of the Borough of Woodcliff Lake. All of the properties within the Study Area are owned by the Borough of Woodcliff Lake. The portion of the Study Area on the west side of Broadway (Block 2501, Lot 14) is developed with commuter parking areas and a storage barn and is located entirely within the 300-foot Category 1 buffer required from the Woodcliff Lake Reservoir². Wetlands are also present within a small piece of the northernmost portion of the lot.

The portion of the Study Area on the east side of Broadway (Block 2602, Lots 1, 2 and 9) are vacant and partially wooded. Block 2602, Lots 1 and 2 have steep slopes (defined as those greater than 15 percent) in the rear and a portion of the 300-foot Category 1 buffer present in the front yard. Block 2602, Lot 9 has steep slopes throughout the property.

The Study Area is located adjacent to the Woodcliff Avenue causeway, which is the only vehicle crossing of the Woodcliff Lake Reservoir within the Borough and as such, forms a key thoroughfare to both north-south and east-west traffic traveling within the Borough and to adjacent communities. Additionally, the Study Area is located nearly adjacent to the Woodcliff Lake NJ Transit station, which serves as an additional gateway into the Borough. Several Borough Master Plan documents have identified the need for further study and analysis of the vicinity of the Broadway and Woodcliff Avenue/Highview Avenue intersection. Further, several lots within the Study Area were identified as specific targeted redevelopment opportunities. The study area has not experienced any type of development or redevelopment in recent years, except for the demolition of a single-family house that was previously located on Block 2602, Lot 9.

A significant portion of the study area includes vacant land that is partially wooded and contains steep slopes. The only developed improvements in the study area are located on Block 2501, Lot 14, which contains a dilapidated barn structure that is utilized as a storage building by the Borough's Department of Public Works and commuter parking areas. Most properties within the Study Area are encumbered by environmental constraints. In short, while the Study Area benefits from a highly visible location adjacent to public transportation and important arterial roadways, attempts at redevelopment have been hampered by environmental constraints and challenging topography.

² A Category 1 (C-1) riparian buffer is required by the New Jersey Stormwater Management and Flood Hazard Area Control Acts in locations adjacent to waters designated within the Surface Water Quality Standards. Development may not occur within this buffer without prior authorization from the New Jersey Department of Environmental Protection.

The following sub-chapter evaluates the specific parcels within the Study Area and considers whether they meet any of the statutory criteria for a non-condemnation “area in need of redevelopment” designation consistent with the Local Redevelopment and Housing Law. For the purposes of evaluation, Block 2602, Lots 1 and 2 have been aggregated for analysis. The evaluation was based on surveys of land usage, property conditions, occupancy and ownership status, the Master Plan, and review of other relevant data. The analysis was then aggregated to reflect the entire study area. All properties within the Study Area are municipally-owned.

B. Individual Property Evaluations

Block 2501, Lot 14

Location:	West side of Broadway/60 Woodcliff Avenue
Owner of record:	Borough of Woodcliff Lake
Total Acreage:	±0.743
Current Use:	Commuter parking; storage barn
Assessed Value:	
Land	\$256,400
Improvements	\$99,900
Total	\$356,300

This ±.74 acre parcel is located between Woodcliff Lake Reservoir and the NJ Transit railroad right-of-way on the west side of Broadway. It is long and narrow in shape and has approximately 500 feet of frontage along the railroad right-of-way. It technically lacks road frontage, as its access from Woodcliff Avenue is through the NJ Transit station area that is located directly to its south. The lot is developed with a barn structure that is currently utilized for storage by the Woodcliff Lake Department of Public Works. There is also commuting parking for Woodcliff Lake residents on the site; due to the site’s topography, the commuter parking is “two-leveled” in nature, where the parking area to the south of the building is located at grade with the railroad and Broadway, while parking to the north of the building is approximately 10 feet below grade. This rear parking area is accessed via a driveway located immediately west of the building.

The building itself is in poor to fair condition. It is clad with brown wooden shingles that appear rotted in places with plant material growing from portions of the shingles. The south façade includes a roll-up garage door, a pedestrian door, and a window covered with a rusted metal mesh grate. The east façade (facing the railroad) also has a window with a metal mesh grate that is heavily rusted. The front yard parking area contains approximately 25 striped parking spaces and is in fair to poor condition. The asphalt is cracked in several areas, particularly near a central storm drain. A fire lane separates the parking area from the railroad right-of-way; there are no bollards, blocks, curbs or other physical separation in this area. There is no formal landscaping in the parking area. During a weekday morning site visit, this parking area was almost entirely full.

The west façade (facing Woodcliff Lake Reservoir) includes 3 windows. The narrow driveway providing access to the rear portion of the site is located adjacent to this façade and is in poor condition, with

heavily cracked pavement along its graded surface, and scattered debris present along both sides of the driveway. A chain link fence separates the driveway from the Woodcliff Lake Reservoir and property along its shores, all of which are under ownership of Suez North America. The rear (north) façade of the building includes two roll-up garage doors and a pedestrian door. This façade of the building is heavily covered in plant material, including moss and mold.

The rear parking area contains approximately 25 parking spaces and is in fair condition. The parking spaces are striped but appear to be somewhat irregular in size and shape. There are areas of cracked pavement and large wooden stops are utilized throughout the area for safety purposes. There is no formal landscaping within the parking area. During a weekday morning site visit, this parking area was approximately one-third utilized.

In their current state, both of the uses on the property – commuter parking and the storage barn - are in a substandard and dilapidated condition. There are a number of health and safety issues that would have to be addressed before the barn could be transferred to a new user and used productively if the Department of Public Works were to vacate the site. The structure is at least 50 years old and likely does not comply with modern construction and building codes. Significant investments would be required to return the building to a safe, productive use. The layout and condition of the parking areas are also obsolete (e.g., narrow, steep driveway and cracked pavement throughout) and poorly laid out in such a manner that to be detrimental to safety due to their topography and the narrow site shape. Further, any major construction or improvements necessary to redevelop the site would not conform to the use or bulk requirements of the existing R-22.5 zoning district, or be consistent with the intent and purpose of the master plan or zone plan to allow single-family residential uses.

Based on the above, the property meets criteria **c, d and h**. Per the criteria set forth in Subsection (c), the property is owned by the municipality, is located such that it does not have direct frontage on a public roadway and is narrowly bound between the railroad right-of-way and the reservoir. Further, the site's topography presents a challenge in creating a unified development between the front and rear portions of the property. The location of the site adjacent to Woodcliff Lake Reservoir presents additional environmental constraints; namely, the site is located entirely within the 300-foot riparian buffer required from New Jersey Category 1 waters (see Figure 7) and a portion of the site is constrained by wetlands. By reason of its configuration, topography, and environmental constraints, the property is not likely to be developed through the instrumentality of private capital.

The site also suffers from a faulty and obsolete layout that are detrimental to the surrounding area, as evidenced by the repeated references in Borough Master Planning documents to studying and upgrading the site as part of the overall Broadway corridor and intersection improvements in this highly visible location. The site's location adjacent to the train station and its potential inclusion in an overall plan for transit-oriented development along the Broadway corridor establish the designation of this area as consistent with smart growth principles; i.e. creating a walkable neighborhood with connections to transit choices and building within established community areas.



Figure 7: 300-Foot Category 1 Special Water Resource Protection Area Buffer within the Study Area

BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ

Source: NJDEP

Block 2602, Lots 1 and 2

Location: 230 Broadway
Owner of record: Borough of Woodcliff Lake
Total Acreage: ±2.06
Current Use: Vacant

<u>Assessed Value (Lot 1):</u>		<u>Assessed Value (Lot 2):</u>	
Land	\$548,000	Land	\$560,600
Improvement	\$0	Improvement	\$0
Total	\$548,000	Total	\$560,600

This portion of the study area consists of two tax lots that are under common ownership by the Borough of Woodcliff Lake and share similar topography and site characteristics. The sites are presently vacant but were previously developed with one or more residential dwellings. Both properties are known as 230 Broadway in Borough tax records and were under common ownership prior to being purchased by the Borough, though the two properties are assessed separately. The Borough purchased these lots in 2009 using funds from its Affordable Housing Trust Fund with the intention to build a 100% affordable housing project on the site. These properties, together with Block 2602, Lot 9, are designated as the location for 16 affordable housing units in the Borough's Draft Housing Element and Fair Share Plan to be adopted on June 11, 2018.

The properties occupy approximately 244 feet of frontage along Broadway. Both properties are currently vacant except for remnants of prior development, including heavily cracked asphalt and stone walkways. There are portions of asphalt paving on Lot 1 that have cracked so thoroughly as to become overgrown with grass and weeds.

A portion of the 300-foot Category 1 riparian buffer extends into their western portion, encumbering approximately 15% of each property (see Figure 7) along their Broadway frontage. This buffer is required from Woodcliff Lake Reservoir due to the Reservoir's status as a Category 1 protected water body. A 300-foot Special Water Resource Protection Area (SWRPA) buffer is required around For Category 1 water bodies. Any disturbance in the buffer must be approved by the New Jersey Department of Environmental Protection (NJDEP), with limited exceptions granted for unique hardships or in the case of certain types of prior disturbance of the land within the buffer. As the buffer extends entirely across the Broadway frontage of both properties, access to the site could not be provided if no disturbance was permitted, making development challenging if not impossible.

There are additional constraints on the site in the form of steep slopes. The Borough of Woodcliff Lake defines "critical slope areas" as slopes of 15% or greater. While the front portions of both lots are relatively flat and not substantially wooded, there is a steep slope upward on the rear the lots that remains wooded. There is an existing retaining wall in place on Lot 1 separating the front and rear portions of the lot at this ridge. The critical steep slope areas in the rear portion of the property encumber approximately one-third of each lot, as shown in Figure 8.



Figure 8: Critical Slope Areas | BLOCK 2602, LOTS 1, 2 AND 9, BLOCK 2501, LOT 14 | BOROUGH OF WOODCLIFF LAKE, NJ
Source: NJDEP/Phase II Broadway Corridor Study

Both lots meet criteria **c and h**. Both are municipally-owned and contain topographical and environmental constraints that render them challenging to develop under the current zoning, including the Borough's ordinance guiding the protection of critical slope areas, and under NJDEP requirements regarding construction within a required riparian buffer. As such, by reason of their topography and conditions, these properties are not likely to be developed through the instrumentality of private capital.

The lots are located within the radius of the Woodcliff Lake train station that has been determined to be a potentially successful location for a transit-oriented development per 2012's Phase 2 Broadway Corridor Study. Transit-oriented development is consistent with smart growth principles; i.e. creating a walkable neighborhood with connections to transit choices.

Block 2602, Lot 9

Location: 15 Highview Avenue
Owner of record: Borough of Woodcliff Lake
Total Acreage: ±0.29
Current Use: Vacant

Assessed Value:

Land	\$257,900
Improvement	\$0
Total	\$257,900

Lot 9 is approximately 0.29 acres in area and is generally rectangular in shape. It has ±100 feet of frontage along Highview Avenue. It is currently vacant and was previously developed with a single-family dwelling, which was demolished in 2017. The Borough purchased this lot in 2016 using funds from its Affordable Housing Trust Fund with the intention to build a 100% affordable housing project on the property, together with Block 2602, Lots 1 and 2. These sites are designated as the location for 16 affordable housing units in the Borough's Housing Element and Fair Share Plan as adopted in June 2018.

The site is cleared except for remnants of its previous residential use, including gravel and patchy grassed areas. The lot is located on the upper portion of the ridge of steep slopes that rises west from Broadway. The topography on this lot also rises from west to east, from approximately 155 feet at the western property line to 185 feet at the eastern property line, for a rise of approximately 30 feet in elevation across 100 feet of property. This is considered to be a critical steep slope area per the Borough's definition, as it equals a slope greater than 15 percent. The critical slope areas are shown on the preceding Figure 8.

It is municipally-owned and contains topographical constraints that renders it challenging to develop under the Borough's ordinance guiding the protection of critical slope areas. Additionally, it is undersized for its zoning designation as R-15, where 15,000 feet is the required lot area and the lot measures approximately 12,632 square feet. It also is undersized in terms of depth.

The lot's undersized nature in tandem with its topography make the lot challenging, if not impossible, to utilize for a single-family residence given the developed nature of surrounding properties. The property is also located within the radius of the Woodcliff Lake train station that has been determined to be a potentially successful location for a transit-oriented development per 2012's Phase 2 Broadway Corridor Study. Transit-oriented development is consistent with smart growth principles; i.e. creating a walkable neighborhood with connections to transit choices.

Based on the context of Lot 9 as part of the overall Study Area, the property can be qualified as an area in need of redevelopment under N.J.S.A. Section 40A:12A-3. This property may be required to allow access to the affordable housing development envisioned for Block 2602, Lots 1, 2, and 9 due to the presence of a required buffer on the Broadway frontage of Block 2602, Lots 1 and 2. The 300-foot Special Water Resource Protection Area (SWRPA) buffer is required around the Woodcliff Lake Reservoir due to its status as a Category 1 water body. This buffer extends into the front yard of Lots 1 and 2.

Any disturbance in the buffer must be approved by the New Jersey Department of Environmental Protection (NJDEP), with limited exceptions granted for unique hardships or in the case of certain types of prior disturbance of the land within the buffer. While Lots 1 and 2 were previously developed with residential use, it is not known whether the portion of the lots located within the buffer was previously disturbed. In the case that the land was previously disturbed, there is no guarantee that new development would be permitted in the buffer, particularly as the area has mostly reverted to a vegetated state.

The inclusion of Lot 9 within the area in need of redevelopment would allow vehicular access to a proposed development to be provided from Highview Avenue as to not disturb the required 300-foot SWRPA buffer as mandated by the NJDEP and maintain adequate distance from the adjacent Category 1 water.

Based on the investigation and the reasons discussed herein, it is our conclusion that while Block 2602, Lot 9 may not individually qualify as an area in need of redevelopment as it does not exhibit conditions that make it unlikely to be developed through the instrumentality of public capital, nor is it detrimental to the public, health, safety or welfare, its inclusion within the larger area of which it is a part is considered necessary for the effective redevelopment of such area. As such, it qualifies for redevelopment area designation under N.J.S.A. 40A:12A-3.

Block 2602, Lot 9 is eligible for inclusion in the area in need of redevelopment under N.J.S.A. 40A:12A-3, in that its inclusion within the larger area of which it is a part is considered necessary for the effective redevelopment. Thus, the entire Study Area meets the criteria for the statutory conditions for designation as an "area in need of redevelopment".

C. Consideration of a Redevelopment Area Designation for the Study Area

The results of the redevelopment area investigation reveal that the Block 2501, Lot 14 meets criteria “c,” “d,” and “h” and Block 2602, Lots 1 and 2 meet criteria “c” and “h” for redevelopment designation. Block 2602, Lot 9 is eligible for inclusion in the redevelopment designation under N.J.S.A. 40A:12A-3.

The Study Area includes municipally-owned land (Block 2602, Lots 1 and 2) that is unlikely to be privately developed due to reasons of topographical and environmental constraints. Additionally, the substandard conditions seen on Block 2501, Lot 14 are deleterious to the surrounding area and these conditions are detrimental to the overall public health, safety and general welfare due to their age and construction. Block 2602, Lot 9 is eligible for inclusion in the area in need of redevelopment under N.J.S.A. 40A:12A-3, in that its inclusion within the larger area of which it is a part is considered necessary for the effective redevelopment.

While the Borough has undertaken extensive planning studies related to the Broadway corridor, the Study Area has thus far lagged in satisfying these land use policy goals, which are intended to advance the public health, safety and welfare of the community. Without public intervention in the form of a unified and cohesive redevelopment strategy, this area is likely to remain stagnant and unproductive.

VI. CONCLUSION

The foregoing study was prepared at the direction and on behalf of the Borough of Woodcliff Lake Planning Board to determine whether the area known herein as “Portions of Block 2501 and Block 2602” qualifies as a non-condemnation “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law.

Based on the foregoing analysis, Block 2501, Lot 1 and Block 2602, Lots 1 and 2 meet the criteria set forth at N.J.S.A. 40A:12A-5c, d and h. Block 2602, Lot 9 meets the standard set forth in N.J.S.A. 40A:12A-3, in that its inclusion within the larger area of which it is a part is considered necessary for the effective redevelopment. The referenced area can therefore be designated as a non-condemnation “area in need of redevelopment.”