

# REHABILITATION STUDY AREA DETERMINATION OF NEED

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**Belmont Ave. Study Area between Franklin Street  
and Alva Street**

**TOWNSHIP OF BELLEVILLE, ESSEX COUNTY**

Prepared by:



A handwritten signature in cursive script that reads 'John Madden'.

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John Madden, PP #1452, AICP  
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The original of this report was signed in accordance with NJSA 45:14A-12.  
MC Project No. BLT 218

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## INTRODUCTION

The purpose of this report is to determine whether the Belmont Avenue Study Area could qualify as an Area in Need of Rehabilitation as defined by the Local Redevelopment and Housing Law (NJSA 40:12A-1 et seq., herein referred to as LRHL). This analysis has been conducted pursuant to the LRHL, which specifies the conditions that must be met within the delineated area and the process to be undertaken by the Planning Board during the investigation.

The Township Council has requested that the Planning Board undertake a preliminary investigation as to whether the Belmont Avenue Study Area (hereinafter the Study Area) is an area in need of rehabilitation pursuant to the LRHL.

Designating an area in need of rehabilitation permits a municipality or redevelopment entity to use all of the powers of redevelopment **with the exception of eminent domain**. Thus, designating an area in need of rehabilitation may be an attractive and effective option when the acquisition, clearance, and assemblage of properties is not required, or where the rehabilitation of existing buildings and structures is the primary objective. This designation also permits municipalities to grant five-year tax abatements and exemptions that may encourage private property owners to rehabilitate and reinvest in their properties. It also may be used in concert with other redevelopment projects and initiatives as part of a comprehensive redevelopment strategy. Under the State Economic Stimulus Act adopted in 2009, a Revenue Allocation District can be created for an Area in Need of Rehabilitation allowing for the issue of tax increment financing bonds for redevelopment.

## CRITERIA FOR DESIGNATING AN AREA IN NEED OF REHABILITATION

An area may be designated in need of rehabilitation by the municipal governing body if it is determined that the area exhibits one of the following conditions:

A significant portion of structures in the area are deteriorated or substandard; there is a continuing pattern of vacancy, abandonment, or underutilization of properties in the area; and a “persistent arrearage” of property-tax payments; or

More than half the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

In addition, the governing body must determine that a program of rehabilitation, as defined in the LRHL, may be expected to prevent further deterioration and promote the overall development of the community.

This report and investigation are aimed only at determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Rehabilitation and therefore does not contain any of the specific planning guidance contained in a redevelopment plan.

The designation of rehabilitation area is much simpler than designating a redevelopment area. However, the findings work a little different. A rehabilitation area can be designated by resolution of the governing body without the prerequisite of an investigation and public hearing by the planning board. Rather than making a finding that the “generality” of properties meet one or more of the a-g statutory criteria necessary for a redevelopment area designation, the governing body must find that the rehabilitation area meets the criteria discussed above.

While the LRHL does not require an investigation or that the designation be based on a map or statement of findings, it is advisable that some support for the required determinations described above should be provided by the planning board and attached to the governing body resolution.

## **DESCRIPTION OF BELMONT AVENUE STUDY AREA**

### **Area Description**

The Study Area is a 17.82 acre area of both sides of Belmont Avenue between Franklin Street and Alva Street. The Study Area, shown on the attached “Area in Need of Rehabilitation Study” map, is bounded by Franklin Street on the north, the rear lot lines of properties fronting on Heckel Street on the east, Alva Street on the south and the Newark light rail line and the Bloomfield municipal border on the west. The Study Area consists of 45 separate properties. This portion of Belmont Avenue is characterized by a variety of uses that range from one-story buildings like the Path Mark shopping center, the remediated site of the former McGraw Edison Factory which serves as a parking area for a car dealer’s inventory, one industrial parcel, and ten vacant parcels. Fifty-five percent of the properties are residential, predominately single and two family homes. The Study Area is located within a quarter mile of the Silver Lake Station on the Newark light rail line. This setting makes the Belmont Avenue Study Area a potential candidate for a transit-oriented development.

A **transit-oriented development (TOD)** is a mixed-use residential or commercial area designed to maximize access to public transport, and often incorporates features to encourage transit ridership. A TOD neighborhood typically has a center with a train station, metro station, tram stop, or bus stop, surrounded by relatively high-density development with progressively lower-density development spreading outwards from the center. TODs generally are located within a radius of one-quarter to one-half mile (400-800 m) from a transit stop, as this is considered to be an appropriate scale for pedestrians.

The existing land uses in the Study Area consist of:

- a. Residential – 25 parcels (55.5% of total parcels)
- b. Vacant – 10 parcels (22.2% of total parcels)
- c. Commercial – 7 parcels (15.5% of total parcels)
- d. Industrial – 1 parcel (2.2% of total parcels)
- e. Tax Exempt – 1 parcel (2.2% of total parcels)

A complete breakdown of the 45 parcels in the Study Area is provided in the appendix. Tables in the appendix identify each parcel giving a description of its tax block, lot, street address, property owner and owner address, type of land use and its characteristics, lot area and perimeter, year built, assessed value, taxes paid, exterior building condition, and utilization ratio.

### **Zoning in the Study Area**

The Study Area lies in both the B-E and R-C zoning districts. All of the properties on the west side of Belmont Avenue are in the B-E district, except for Block 201, lots 8, 9 and the front portion of 10, which are in the R-C district. The B-E district permits the following uses:

- a. Permitted Principal Use
  1. Retail shopping center.
  2. Business arcade.
  3. Banquet facility.
  4. Clubs.
  5. Financial institutions.
  6. Commercial greenhouse.
  7. Health/athletic/fitness facilities.
  8. Horticulture nursery.
  9. School (business).
- b. Permitted Accessory Uses
  1. Canopy awning.
  2. Fence (chain link/open/stockade).
  3. Flags, banners, pennants.
  4. Sign(awning/canopy/business/directional/directory/freestanding/nameplate/real estate/temporary/window/wall.
  5. Retaining wall.
- c. Conditional Use
  1. Dancing facilities.
  2. Eating establishments (carry out/walk-up/fast food/luncheonette/ Restaurant/sidewalk café).

3. Commercial and public parking lot.
4. Public utility facilities.

All of the properties on the east side of Belmont Avenue are in the R-C district except for Block 1304, Lots 1 and 2, which are located in the B-A neighborhood commercial district. The R-C district permits the following uses:

- a. Permitted Principal Use
  1. Single family dwellings are not to exceed one such dwelling on each lot.
  2. Two-family dwellings not to exceed one (1) two-family dwelling on each lot.
  3. Boarding or lodging house.
  4. Multi-family dwellings, garden apartments and townhouse dwelling units.
  
- b. Permitted Accessory Use
  1. Canopy awning.
  2. Cabana.
  3. Flags, banners, pennants.
  4. A one story attached or detached private automobile garage.
  5. Private greenhouse.
  6. Shed.
  7. Sign (freestanding/nameplate/temporary).
  8. Fences (chain link/open/stockade).
  9. Swimming pool (permanent/portable/wading).
  10. Retaining wall.
  
- c. Conditional Use
  1. Day care facility (adult/child).
  2. Basement dwelling unit.
  3. Public utility facilities.
  4. Accessory parking not on the same lot.
  5. Schools (parochial/private/public).
  6. Philanthropic or eleemosynary uses.
  7. Hospitals.
  8. Houses of worship and religious uses related thereto.
  9. Age-restricted housing.
  10. Government subsidized Senior Housing.

## **ENVIRONMENTAL CHARACTERISTICS**

Beside meeting the general area criteria for designating an area in need of rehabilitation, the Study Area exhibits certain environmental characteristics that indicate that public intervention

using the powers offered by the LRHL is advisable to stimulate private redevelopment in an area otherwise conducive to smart growth development activity.

The area has been the focus of three remediated properties which have been declared completed by the NJDEP. The most notable cleaned up site is 67 Belmont Avenue, the former McGraw Edison site, which is now occupied by the Hyundai vehicle inventory storage. No sites in need of remediation are listed for the Belmont Avenue Study Area on the NJDEP website.

A visual survey of the structural conditions on Belmont Avenue indicate that eleven structures could be considered in poor or dilapidated condition.

One of the indicators used to measure the economic productivity of a property is the ratio of the assessed value of the improvements on the property to the value of the land. The assessed values of land and improvements for a particular property are found in local property tax records. Developed properties in areas that are economically viable typically have improvement-to-land ratios of 2:1 or greater. Ratios of less than 2:1 may offer evidence of underutilization. There are 21 properties (46 percent of the total properties in the Study Area) that exhibit an improvement-to-land ratio of less than 1:1. That is, the land is worth more than the improvements located on it.

## **MASTER PLAN STUDIES**

The Master Plan recommends the area on Belmont Avenue within 1,500 feet of the light rail stop to studied for its potential as a transit village. The Master Plan explains on page 32 why this area has the ingredients necessary for a transit village.

“New Jersey Transit has a train station on the Newark subway line at Belmont Avenue and Franklin Street. The area along Belmont Avenue and surrounding the Silver Lake train station has two large parcels that are occupied by a dated Pathmark grocery store and a car storage facility. The parcels are currently zoned Commercial Shopping Center (B-E), but the Township has requested a study be conducted regarding the feasibility of a Transit Village in the Silver Lake area. The station opened in 2003 and began with a modest average of 231 riders each weekday to Newark. New Jersey Transit reports that ridership has grown each year since Silver Lake’s opening and in 2007 ridership averaged 504 passengers a day. This is an increase of 273 passengers or 118% in just four years of operation. NJT reports that Silver Lake has a smaller ridership compared to other stations along the subway line, but it continues to steadily grow. A mixed-use transit village development would take full advantage of this convenient transit stop.”

An Area in Need of Rehabilitation designation would give the municipality the power to implement transit village development on Belmont Avenue.

## **AREA EVALUATION FOR CONFORMITY WITH REQUIRED AREA IN NEED OF REHABILITATION CRITERIA**

### **Study Approach**

An analysis of the Study Area's existing physical characteristics and current developed uses and structures was conducted using tax records, physical inspection of the area, review of aerial photographs, official websites, and consultation with the Township Engineer.

### **Study Conclusions and Recommendation**

It is recommended that the Belleville Township Planning Board and Township Council determine that the Study Area is an area in need of rehabilitation based on the following findings set forth in NJSA 40:12A-14a:

1. The Belmont Avenue Study Area exhibits an underutilization of properties as evidenced by the fact that 46 percent of the total properties in the Study Area have an improvement-to-land ratio of less than 1:1. The Appendix provides a list of those properties.
2. Eighty (80) percent of the housing stock in the Belmont Avenue Study Area are fifty years old or more. All but one of these structures were built before 1920.
3. According to the Township Engineer, a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and in need of substantial maintenance.

## **APPENDIX**

### **TABLES AND MAP**

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