

Report

Concerning the Determination of

the Proposed

BERGEN HILL PARK

STUDY AREA

as

“An Area in Need of Rehabilitation”

**The original of this report was signed and sealed
in accordance with N.J.S.A. 40:14A-12**

February 16, 2016



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I. SURVEY OF CONDITIONS IN THE STUDY AREA

A. Introduction

The Municipal Council of the City of Jersey City, on August 19, 2015, adopted resolution number 15-581, authorizing the Jersey City Planning Board to:

1. Conduct a preliminary investigation of the physical and economic conditions of an area known as the Bergen Hill Park Study Area, (hereinafter the Study Area) to determine whether or not this Study Area meets the statutory criteria necessary to be declared an "area in need of redevelopment," as a "non-condemnation redevelopment area," or as an "area in need of rehabilitation" as outlined in NJSA 40A:12A-5, NJSA 40A:12A-6, and 40A:12A-14;
2. Propose a Redevelopment Plan for this Study Area if it is found to be in Need of Redevelopment and/or Rehabilitation.

B. Boundary Description

The Bergen Hill Park Study Area contains one individual parcel known as Block 17102, Lot 1 according to the Jersey City Tax Map and bounded by Summit Avenue and Cornelison Avenue.

The boundary of the Study Area is also depicted on the, "Bergen Hill Study Area Boundary Map." In the event of a discrepancy between lots listed in the chart and the Map, the Map takes precedence.

C. Local Setting and Background

The Study Area is located in the Bergen Hill neighborhood of Jersey City near the Junction. The Area is bounded by Summit Avenue to the West and Cornelison Avenue to the south.

Historically, this lot was developed with a large private residence. More recently, the building fell into disrepair, was cleared and the City acquired the property on January 22, 1981. The Property was not acquired with any Green Acres Grants or Loans or any other public funds. The acquisition occurred by virtue of an In Rem property tax Foreclosure. The Tax Assessor's records indicate that a demolition permit was issued in 1967. The property appears to have remained vacant since that time. Today, the area is zoned R-1 (one- and two-family residential) and is listed as a park in the City of Jersey City Recreation and Open Space Master Plan completed by T&M Associates in 2008. It was not listed as a park in the 2001 Jersey City Master Plan.

D. Transportation Access

The Study Area has good vehicular access. It fronts on Summit Ave, a major north-south thoroughfare in Jersey City. Interstate 78 / Turnpike Extension is located to the East via Exit 14C, roughly one mile away.

The Area also has good mass transit options. It is serviced by several bus lines, including: NJT 6 Bus; NJT 81 Bus; NJT 1 Bus; and, and A&C 4 Bus. These buses run to Journal Square and Downtown Jersey City, providing direct access to the PATH line and the bus terminal at the Journal Square Transportation Center. In addition, the Garfield Avenue Hudson-Bergen Light Rail Station is located just over a half mile from the Study Area. The Light Rail Line runs north-south stretching from Bayonne to North Bergen. This Light Rail Line provides access to local stops within Jersey City, as well as connections with the PATH line, the Hoboken NJT Train Station and numerous bus lines.

E. Physical Survey and Analysis

E.1. Physical Survey Methodology - The following methods were used in gathering information and preparing a physical condition survey of the Study Area.

A. The area was visually inspected and photographed on February 16, 2016 at 4:00pm as shown in Exhibit B of this document.

B. A certification of the state of the water and sewer infrastructure for the Study Area was requested from the Jersey City Municipal Utilities Authority to determine the state of repair of utilities in the area, as confirmed in Exhibit A of this document.

E.2. Study Area Characteristics

The Bergen Hill Park Study Area contains 1 individual parcel known as Block 17102, Lot 1 according to the Jersey City Tax Map and bounded by Summit Avenue and Cornelison Avenue. The Area is a steeply sloped vacant lot consisting of approximately a half acre. The Summit Avenue side of the lot is covered with grass and trees. The Cornelison Avenue side of the lot is bounded by an old masonry wall and cannot be accessed from the street. There are no swings, benches, ballfields, play areas or formal passive areas on the lot. There is no lighting or walkways nor any other improvements on the lot.

In terms of infrastructure and services, more than 50% of the water and sewage infrastructure of the Study Area is at least 50 years old, and the water and sewage utilities in the area are in need of repair or substantial maintenance, as certified in a January 25, 2016 letter from the Jersey City Municipal Utilities Authority (Exhibit A of this document).

II. CRITERIA FOR DETERMINATION OF NEED FOR REHABILITATION

The Study Area may be determined to be in an area need of rehabilitation if, after investigation, notice and hearing, as provided within NJSA 40A:12A-14, the governing body concludes by resolution that within the study area, any of the following conditions are found:

a. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that a program of

rehabilitation, as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and that there exist in that area any of the following conditions such that (1) a significant portion of structures therein are in a deteriorated or substandard condition; (2) more than half of the housing stock in the delineated area is at least 50 years old; (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area; (4) there is a persistent arrearage of property tax payments on properties in the area; (5) environmental contamination is discouraging improvements and investment in properties in the area; or (6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

b. A delineated area shall be deemed to have been determined to be an area in need of rehabilitation in accordance with the provisions of this act if it has heretofore been determined to be an area in need of rehabilitation pursuant to P.L.1975, c.104 (C.54:4-3.72 et seq.), P.L.1977, c.12 (C.54:4-3.95 et seq.) or P.L.1979, c.233 (C.54:4-3.121 et al.).

c. (1) A municipality may adopt an ordinance declaring a renovation housing project to be an area in need of rehabilitation for the purposes of Article VIII, Section I, paragraph 6 of the New Jersey Constitution if the need for renovation resulted from conflagration.

(2) For the purposes of this subsection, "renovation housing project" means any work or undertaking to provide a decent, safe, and sanitary dwelling, to exclusively benefit a specific household, by the renovation, reconstruction, or replacement of the household's home on the same lot by either a charitable entity organized to perform home renovations or by a for-profit builder using 75% or more volunteer labor-hours to accomplish the construction for the project. The undertaking may include any buildings; demolition, clearance, or removal of buildings from land; equipment; facilities; or other personal properties or interests therein which are necessary, convenient, or desirable appurtenances of the undertaking.

d. (1) A municipality may adopt an ordinance declaring a renovation housing project to be an area in need of rehabilitation for the purposes of Article VIII, Section I, paragraph 6 of the New Jersey Constitution if at least half of the number of people occupying the dwelling as their primary residence qualify for a federal income tax credit pursuant to 26 U.S.C. s.22 as a result of being permanently and totally disabled and the improvements to be made to the dwelling are made substantially to accommodate those disabilities.

(2) For the purposes of this subsection, "renovation housing project" means any work or undertaking to provide a decent, safe, and sanitary single-family dwelling, to exclusively benefit at least half of the number of people occupying a dwelling as their primary residence, by the renovation, reconstruction, or replacement of that dwelling on the same lot by either a charitable entity organized to perform home renovations or by a for-profit builder using 75% or more volunteer labor-hours to accomplish the

construction for the project. The undertaking may include any buildings; demolition, clearance, or removal of buildings from land; equipment; facilities; or other personal properties or interests therein which are necessary, convenient, or desirable appurtenances of the undertaking.

III. CONCLUSION

A review of the unique characteristics of the Study Area indicates that it qualifies as an "Area in Need of Rehabilitation" as defined in NJSA 40A:12A-14; meeting the criteria of subsection a(6).

Subsection "a(6)" speaks to the state of the water and sanitation infrastructure of the area, both in terms of age and state of repair. Under a(6), an area is classified as in need of rehabilitation when "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 exhibit A, the Jersey City Municipal Utilities Authority has determined that the Study Area falls under this condition, and that a program of rehabilitation would rejuvenate water and sanitation assets and prevent further deterioration of these systems.

We conclude that the conditions of Criterion "a(6)" are met.

It is the recommendation of City Planning staff that the aforementioned Study Area be determined as an "area in need of rehabilitation" without the authorization to use eminent domain, as it qualifies for such a determination under subsection a(6) of NJSA 40A:12A-14.

Prepared by :



Robert D. Cotter, PP, FAICP
Director, City Planning Division

Matt Ward, AICP, PP
Senior Planner

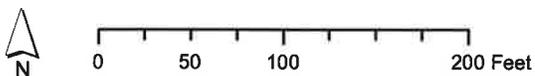


**BERGEN HILL PARK STUDY AREA
BOUNDARY MAP**

AUGUST 7, 2015

Legend
 Study Area

1 inch = 100 feet



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Exhibit "A"
Letter from JCMUA
(following page)



JERSEY CITY MUNICIPAL UTILITIES AUTHORITY

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January 25, 2016

Robert D. Cotter, PP, AICP
Jersey City Planning Director
30 Montgomery Street, Suite 1400
Jersey City, New Jersey 07302

RE: Summit Ave and Cornelison Avenue
Block 17102, Lot 1

Dear Mr. Cotter:

This letter is to certify that more than 50% of the water and sewer infrastructure in the area delineated on the attached map is at least 50 years old. The water and sewer utilities in this area are in need of repair or substantial maintenance. A program of rehabilitation would rejuvenate these assets, prevent further deterioration of these systems, and promote overall development of this community.

Please contact me if you need any additional information.

Yours truly,

Rajiv Prakash, PE

cc: Daniel F. Becht, Executive Director

Exhibit "B"

Photos of the Study Area

(photographed on 2/16/2016 at 4:00PM)



1



2



3



4



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