- DRAFT -
In Need of Redevelopment Investigation

Koppers Coke Peninsula
Kearny, NJ

New Jersey Meadowlands Commission

August 2012

Authorized by NJMC Resolution No. 12-20 on May 23, 2012

- DRAFT -
IN NEED OF REDEVELOPMENT INVESTIGATION
KOPPERS COKE PENINSULA

(PORTIONS OF BLOCKS 286 & 287)
TOWN OF KEARNY

NEW JERSEY MEADOWLANDS COMMISSION
AUGUST 2012

Richard E. Constable, III, Chairman

James V. Bocchino, Commissioner
Albert E. Cameron, Jr., Commissioner
Mauro DeGennaro, Commissioner
Robert J. Dowd, Commissioner
Jay C. Nadel, Commissioner
Thomas Quirico, Commissioner

Marcia A. Karrow, Executive Director

It is certified that all copies of this document are in conformance with the one that was signed and sealed by the following:

_____	_____
Mia Alpos Petrou, P.P., AICP	Sara J. Sundell, P.E., P.P.
License No. 5694	License No. 5527
Date: _____	Date: _____

TABLE OF CONTENTS

I. Introduction **4**

II. Redevelopment Powers and Procedures **9**
1. Redevelopment Legislation 9
2. Redevelopment Investigation 9
3. Resources 10

III. General Conditions of Study Area **11**
1. Property Area 11
2. Zoning 11
3. Wetlands 13
4. Soils 13
5. Contamination 13
6. Vehicular Access 16
7. Floodplain 16
8. Utilities 16
9. Other Redevelopment Areas in Close Proximity 16

IV. Individual Site Analysis **18**
Area 1 – Cross Pike Drive 19
Area 2 – Route 7 24
Area 3 – Fish House Road 31

V. Findings **36**

VI. Recommendations **39**

LIST OF FIGURES

1. Map: Redevelopment Study Area 5
2. Map: Existing Zoning Within Redevelopment Study Area 6
3. Table: Right-of-way Properties Within Redevelopment Study Area 7
4. Table: Private and Public/Quasi-public Properties Within Redevelopment Study Area 8
5. Map: NJDEP Known Contamination Sites Within Redevelopment Study Area 15
6. Map: Redevelopment Investigation Areas 18
7. Map: Redevelopment Investigation Area 1 19
8. Map: Redevelopment Investigation Area 2 24
9. Map: Redevelopment Investigation Area 3 31

I. INTRODUCTION

In a petition dated February 9, 2012, the Town of Kearny requested that the New Jersey Meadowlands Commission (NJMC) investigate the redevelopment potential of certain properties within Block 287 in Kearny. The properties that are the subject of the petition are identified as Block 287, Lots 48, 49, 49.01, 50, 51, 52, and 52.01 in Kearny, commonly known as the Standard Chlorine site. The petition also requests the investigation of the redevelopment potential of other area properties in the vicinity of Belleville Turnpike and Fish House Road. The NJMC staff undertook a preliminary analysis of properties in this vicinity.

On May 23, 2012, the NJMC Board of Commissioners adopted Resolution No. 12-20, which authorized the staff to conduct an investigation of the following properties in the Town of Kearny to determine if they contain the conditions to be designated an area in need of redevelopment:

- Block 286 – Lots 34, 35, 36, 37.01, 37.02, and 37.03

- Block 287 – Lots 5, 5.01, 5.02, 32.01, 32.02, 32.03, 35, 36, 37, 38.01, 38.02, 39, 40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01, 46, 47, 47.01, 48, 49, 49.01, 50, 50.01, 51, 52, 52.01, 53, 54, 55, 56, 57, 58, 59, 60, 60.01, 61.01, 61.02, 61.03, 62, 62.01, 63, 64, 65, 65.01, 66, 66.01, 67, 67.01, 67.02, 68, 69, 70, 70.01, 71, 71.01, 73, 73.02, 79, 80, 81, 82 and 83

The study area is comprised of 74 properties and totals 367.1 acres in area. The area is generally bounded by the Hackensack River to the north and east, Route 7 (Belleville Turnpike and Newark/Jersey City Turnpike, also including properties on Cross Pike Drive and Fish House Road, to the south, and the Kearny Brackish Marsh to the west. The study area is delineated by a red boundary line in the map in Figure 1. The subject area is completely within the jurisdictional boundaries of the NJMC.

Properties within Block 286 are located in the Commission's Intermodal A zone, and properties within Block 287 are located in the Intermodal B zone, as shown in the existing zoning map for the redevelopment study area in Figure 2.

Approximately 24 percent, or 88.5 acres, of the study area contains land area utilized, either currently or formerly, as rights of way (ROWs) for roadways, rail, and utilities. These ROWs traverse the study area, and are thus included to investigate any applicability to potential future redevelopment efforts. These properties are either vacant or improved with road, rail, or utility infrastructure. The ROW properties within the study area are detailed in Figure 3.

Figure 1. Redevelopment Study Area

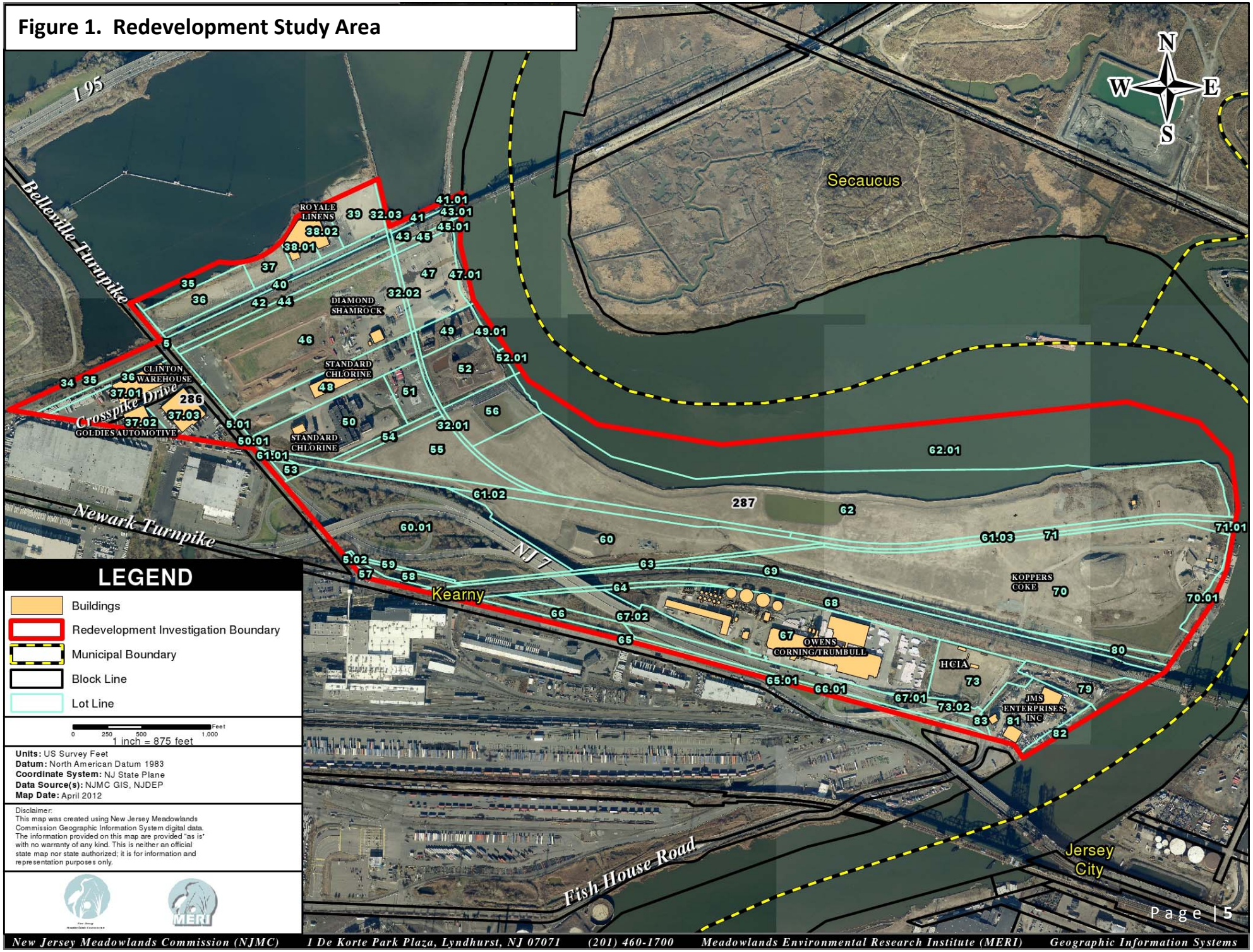


Figure 2. Existing Zoning Within Redevelopment Study Area

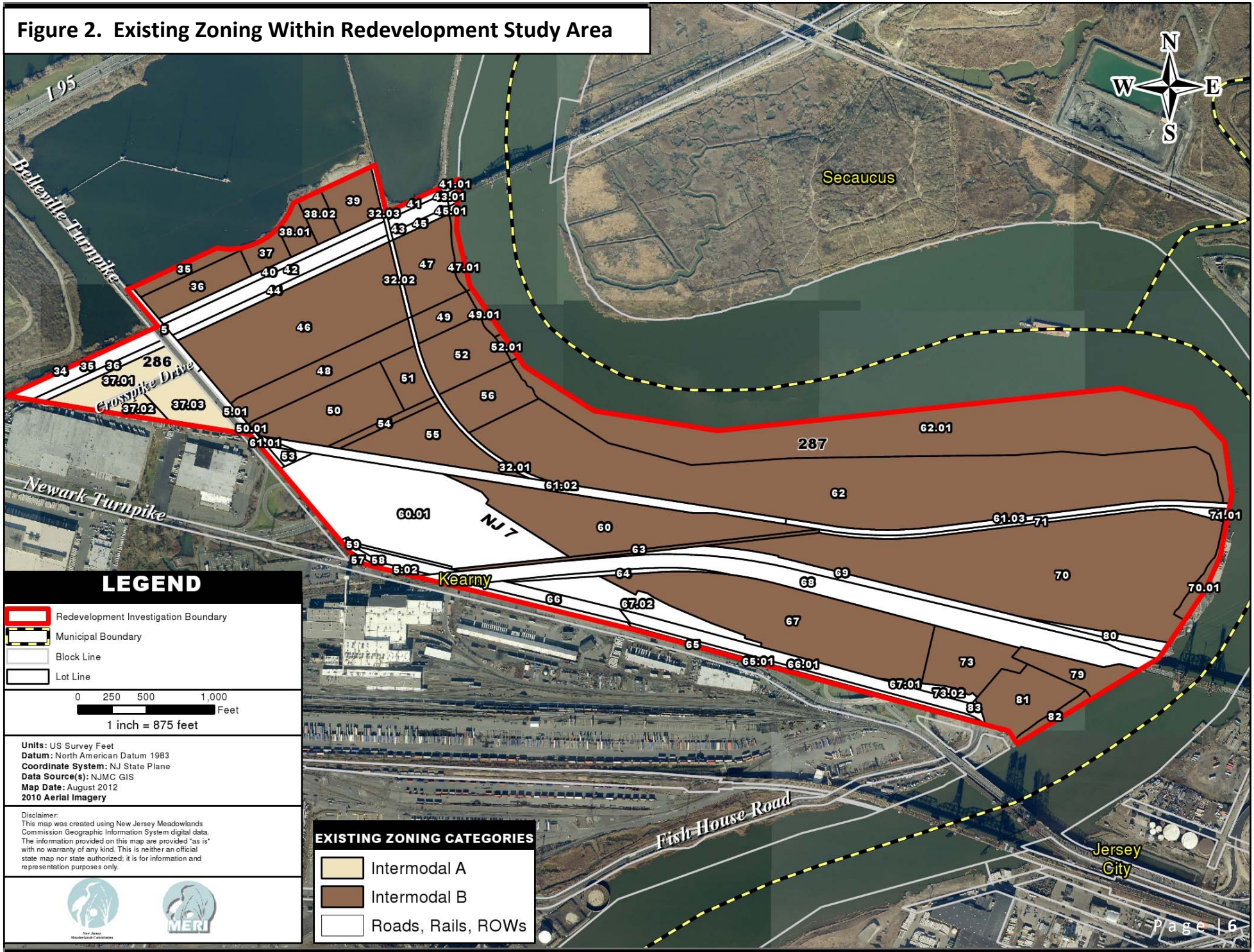


Figure 3. Right-of-way Properties Within Redevelopment Study Area

Block	Lot(s)	Address	Owner Name	Acres (GIS)	Existing Land Use	Existing Zoning
286	34, 35, 36	AMTRAK MAIN LINE	AMTRAK	5.09	ROW	ROW
287	5	BELLEVILLE TPKE	Sarpa, D.	5.85	ROW	ROW
287	5.01	NEWARK TPKE	NJDOT	0.86	ROW	ROW
287	5.02	BELLEVILLE TPKE	Jersey City Waterworks	0.60	ROW	ROW
287	32.03	I-95	Hudson County Improvement Authority	1.21	ROW	ROW
287	40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01	AMTRAK MAIN LINE	AMTRAK	10.62	ROW	ROW
287	50.01	BELLEVILLE TPKE	NJDOT	0.01	ROW	Intermodal B
287	53	BELLEVILLE PIKE	NJDOT	0.49	ROW	ROW
287	57	NEWARK TPKE	Hudson County	0.14	ROW	ROW
287	58	NWK/JC TPKE	PSE&G	1.01	ROW	ROW
287	59	NEWARK TPKE	Town of Kearny	0.37	ROW	ROW
287	60.01, 61.01	NEWARK TPKE	NJDOT	22.10	ROW	ROW
287	63	NWK/JC TPKE	Hudson County Improvement Authority	1.50	ROW	Intermodal B
287	64	NWK TPKE	CONRAIL	0.93	ROW	ROW
287	65	NEWARK TPKE	Sarpa, D,	2.09	ROW	ROW
287	65.01	NEWARK TPKE	NJDOT	1.51	ROW	ROW
287	66	NWK/JC TPKE	PSE&G	1.92	ROW	ROW
287	66.01	NEWARK TPKE	NJDOT	4.97	ROW	ROW
287	67.01, 67.02	NEWARK TPKE	NJDOT	4.80	ROW	ROW
287	68, 69	NEWARK TPKE	CONRAIL	20.76	ROW	ROW
287	73.02	NEWARK TPKE	NJDOT	0.63	ROW	ROW
287	80	NWK/JC TPKE	Hudson County Improvement Authority	0.92	ROW	ROW
287	83	NEWARK TPKE	NJDOT	0.07	ROW	ROW

Source: Town of Kearny Municipal Tax Data (NJ MOD-IV) and NJMC GIS Data (May 2012)

Figure 4 provides a detailed list of the remaining properties in the study area (i.e., non-ROW properties), which are private properties or those properties that have been acquired by public and quasi-public entities. The existing land uses of these properties are exclusively industrial uses and former industrial uses that are either abandoned or vacant.

Figure 4. Private and Public/Quasi-public Properties Within Redevelopment Study Area

Block	Lot(s)	Address	Owner Name	Acres (GIS)	Existing Land Use	Existing Zoning
Clinton Warehouse						
286	37.01	1000 BELLEVILLE TPKE	996 Belleville LLC	3.78	Industrial	Intermodal A
Goldie's Automotive Distribution						
286	37.02	CROSS PIKE DR	Rolnick, Gerald	1.01	Industrial	Intermodal A
Unity Warehouse						
286	37.03	1016 BELLEVILLE TPKE	Unity Landholding, LLC	3.37	Industrial	Intermodal A
Koppers Coke						
287	32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01	NWK/JC TPKE	Hudson County Improvement Authority	169.89	Vacant	Intermodal B/ ROW
Diamond Shamrock						
287	32.02, 46, 47, 47.01	NWK/JC TPKE	Diamond Shamrock Corp.	27.23	Former industrial	Intermodal B (32.02-ROW)
Jana/Royale Linens						
287	35, 36, 37, 38.01, 38.02, 39	BELLEVILLE TPKE	Jana Corp.	12.64	Industrial	Intermodal B
Standard Chlorine						
287	48, 49, 49.01, 50, 51, 52, 52.01	1249 NEWARK TPKE	Town of Kearny	24.96	Former industrial	Intermodal B
Owens Corning						
287	67	NEWARK TPKE	Owens Corning Corp.	20.88	Industrial	Intermodal B
HCIA						
287	73	NWK/JC TPKE	Hudson County Improvement Authority	5.4	Vacant	Intermodal B
Bellezza						
287	79, 81, 82	FISH HOUSE RD	James M. Salerno Enterprises, Inc.	9.46	Industrial	Intermodal B

Source: Town of Kearny Municipal Tax Data (NJ MOD-IV), NJMC GIS Data (May 2012), and NJMC Site Inspections

II. REDEVELOPMENT POWERS AND PROCEDURES

1. Redevelopment Legislation - The NJMC is authorized by its statute, N.J.S.A. 13:17-1.1 *et seq*., to declare the entire Meadowlands District, or any portion therein, a renewal area in need of redevelopment. "The Commission shall have perpetual succession and shall have the powers:

(j) "By contract or contracts with a developer or by its own employees, to undertake any development or other project or improvement it finds necessary to reclaim, develop, redevelop and improve land within the District." (N.J.S.A. 13:17-6)

The procedure for taking such action is defined in the NJMC's enabling legislation, N.J.S.A. 13:17-20, and codified in the NJMC's redevelopment regulations at N.J.A.C. 19:3-5.1 *et seq*.

2. Redevelopment Investigation - N.J.A.C. 19:3-5.4 sets forth the provisions for the requirements of a redevelopment investigation. Upon adoption of a resolution by the Commission authorizing an investigation, the NJMC staff shall conduct the investigation and prepare an "In Need of Redevelopment Report" (Report), which shall contain the following:

a) A description of the methods and resources used to assess the area;
b) A detailed description of the area, including, but not limited to, acreage, existing zoning, description of existing utility infrastructure, and other relevant characteristics;
c) A site analysis for each lot within the area, listing, at a minimum, ownership, size, and characteristics which support the designation of the area as in need of redevelopment; and
d) Findings comparing the listed characteristics of the area to each criterion of N.J.A.C. 19:3-5.7. NJMC staff shall determine whether the existing conditions of the area in question meet the any of the following criteria:

1. *The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;*

2. *The discontinuance of the use of buildings previously utilized 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 untenantable;*

3. *Land that is owned by the NJMC, or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land 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;*

4. *Areas with buildings or improvements that, 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;*

5. *Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive*

condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;

6. *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 area has been materially depreciated;*

7. *Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey 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 N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or*

8. *Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

Upon completion of the draft Report, a public hearing shall be held in accordance with N.J.A.C. 19:4-4.17 to afford opportunity for public comment on the Report and its findings. The Report shall be available for public inspection upon the issuance of the public notice in accordance with N.J.A.C. 19:3-5.5.

3. Resources – The evaluation of existing buildings and land uses of this study area and the immediately surrounding properties included the review of the following resources:

- Existing physical and natural conditions in the subject area;
- NJMC aerial photographs and topographic maps ;
- NJMC Geographic Information System Digital Data;
- NJMC Regulations: N.J.A.C. 19:3-5.1 *et seq.* (Redevelopment Areas) and N.J.A.C. 19:4-1.1 *et seq.* (District Zoning Regulations);
- Municipal Property Tax information from the Town of Kearny Tax Office;
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM);
- NJMC development application records/engineering files;
- Review of NJDEP Known Contaminated Sites List;
- NJDEP maps showing Conveyances and Leases of State-owned Tidelands;
- USDA Natural Resources Conservation Service Soils Survey;
- US National Park Service historic photographs of the Standard Chlorine site;
- LIFE Magazine/Dmitri Kessel photographs of the Koppers Coke site, via Google; and
- "Hackensack River Study Area Remedial Investigation Report," prepared by Arcadis BBL, for Peninsula Restoration Group, June 2007.

The following sections of this report represent the results of the investigation of the study area to determine whether the study area is in need of redevelopment.

III. GENERAL CONDITIONS OF STUDY AREA

Specific data regarding existing site conditions, characteristics and constraints are as follows:

1. Property Area - The study area is comprised of 74 properties and totals 367.1 acres in area. The study area is generally bounded by the Hackensack River to the north and east, Route 7 - Newark Jersey City Turnpike (hereafter, Newark Turnpike) and Route 7 - Belleville Turnpike /Cross Pike Drive to the south, and the Amtrak Northeast Corridor Line and Kearny Brackish Marsh to the west. (See Figure 1.)

2. Zoning - The area is located entirely within the zoning jurisdiction of the New Jersey Meadowlands Commission. Properties within Block 286 are located in the Commission's Intermodal A zone, and properties within Block 287 are located in the Intermodal B zone. (See Figure 2.) The permitted uses, special exception uses, and use limitations for each zone are detailed below.

A. Intermodal A zone

The Intermodal A zone is designed to accommodate transportation facilities that are located proximate to rail lines in the District and whose operations are related to port, rail, and trucking activities, and complementary light industrial uses.

The permitted uses in the Intermodal A zone are:

1. *Automobile rental facilities;*
2. *Automobile repair facilities, minor;*
3. *Automobile sales;*
4. *Bus garages;*
5. *Class A recycling facilities;*
6. *Class D recycling facilities;*
7. *Contractor's offices:*
8. *Fuel service stations;*
9. *Intermodal facilities;*
10. *Light industry;*
11. *Parks or recreation facilities;*
12. *Passenger rail terminals;*
13. *Public utility uses, light;*
14. *Self-storage facilities;*
15. *Taxi and limousine services;*
16. *Warehouse and distribution facilities; and*
17. *Wholesale establishments.*

The special exception uses in the Intermodal A zone are:

1. *Automobile repair facilities, major;*
2. *Boat sales, rental, and repair;*
3. *Communications transmission towers;*
4. *Construction equipment sales, rental, and repair;*
5. *Contractor's yard or facilities;*
6. *Day care facilities;*
7. *Disaster recovery facilities;*
8. *Helistops;*
9. *Institutional uses;*
10. *Manufactured home and trailer sales, rental, and repair;*
11. *Public utility uses, heavy;*
12. *Restaurants;*

13. *Retail;*
14. *Truck rental facilities;*
15. *Truck sales;*
16. *Truck stop; and*
17. *Truck terminals.*

The <u>use limitations</u> in the Intermodal A zone are:

1. *Accessory outdoor display areas shall be permitted only in connection with retail sales, when provided in accordance with the following:*
   - *i) Such areas, with the exception of vehicle and equipment sales areas, shall not exceed 20 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site; and*
   - *ii) Such areas, with the exception of vehicle and equipment sales areas, shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation.*
2. *Accessory outdoor storage areas shall be permitted only in connection with a principal retail use and used solely for the staging of new products, in accordance with the following:*
   - *i) Such areas, with the exception of vehicle and equipment sales uses, shall not exceed 10 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site;*
   - *ii) Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9; and*
   - *iii) Materials within accessory outdoor storage areas shall not exceed the height of the screening.*
3. *Accessory container storage shall be permitted only in conjunction with intermodal facilities and truck terminals in designated trailer parking spaces pursuant to an approved site plan. No stacking of containers shall be permitted. Total height of containers, inclusive of support structures, shall not exceed 15 feet above grade level. All container storage shall be heavily screened in accordance with N.J.A.C. 19:4-8.9.*
4. *Outdoor storage areas used in conjunction with Class A recycling facilities and contractor's yards or facilities shall be permitted pursuant to an approved site plan and shall be fenced and heavily screened in accordance with N.J.A.C. 19:4-8.9.*
5. *Contractor's offices shall have no outdoor storage of materials, equipment, and/or Construction vehicles. Facility vehicles used only for the transport of workers and enclosed transport of accessory materials or equipment may be permitted pursuant to an approved site plan.*

<u>B. Intermodal B zone</u>

The Intermodal B zone is designed to accommodate high-intensity transportation facilities that are located proximate to rail lines in the District and whose operations are related to port and rail activities, including rail and trucking facilities and supporting uses. Due to the intensity of the permitted uses, the zone is also designed to accommodate uses related to the construction industry.

The <u>permitted uses</u> in the Intermodal B zone are:

1. *Automobile repair facilities, major;*
2. *Automobile repair facilities, minor;*
3. *Building materials yards and facilities;*
4. *Bus garages;*
5. *Class A recycling facilities;*
6. *Class B recycling facilities;*
7. *Class D recycling facilities;*
8. *Construction equipment sales, rental, and repair;*
9. *Contractor's yard or facilities;*
10. *Intermodal facilities;*
11. *Fuel service stations;*
12. *Heavy industry;*

13. *Materials recovery facilities;*
14. *Parks or recreation facilities;*
15. *Public utility uses, heavy;*
16. *Public utility uses, light;*
17. *Railroad terminals and yards;*
18. *Truck rental facilities;*
19. *Truck sales;*
20. *Truck stops;*
21. *Truck terminals;*
22. *Truck washes; and*
23. *Warehouse and distribution facilities.*

The special exception uses in the Intermodal B zone are:

1. *Communications transmission towers;*
2. *Disaster recovery facilities;*
3. *Heliports;*
4. *Helistops;*
5. *Solid waste transfer station; and*
6. *Truck repair facilities.*

The use limitations in the Intermodal B zone are:

1. *Outdoor storage areas used in conjunction with a permitted use shall be located in accordance with an approved site plan and shall be fenced and heavily screened in accordance with N.J.A.C. 19:4-8.9.*
2. *Container storage as a principal use shall not be permitted. Accessory container storage and/or stacking shall be permitted in conjunction with a permitted use and shall be limited to a total of two containers per stack or a maximum height of 25 feet above grade level, whichever is less, and shall be heavily screened in accordance with N.J.A.C. 19:4-8.9.*

3. Wetlands – Tidal waters of the Hackensack River and pockets of wetlands are present within the redevelopment study area, primarily in Redevelopment Investigation Area 2 (Section IV.2 below). The NJMC does not have current wetlands data available for the study area due to the remediation activities that have impacted former wetland areas. The presence or absence of wetlands on a particular site is subject to further review and confirmation by a detailed wetlands study and a jurisdictional determination by the Army Corps of Engineers.

4. Soils – There is no current soils data available for this soil survey area. The Hudson Essex Passaic Soil Conservation District notes that soils survey data was collected and that Natural Resources Conservation Service scientists are currently finalizing that data. It is anticipated a soils survey will be completed some time in 2012. However, a General Soil Map for Hudson and Essex Counties by the US Department of Agriculture Soil Conservation Service in 1993 classified the soils in the study area as NJ036 Sulfaquents-Udorthents-Psamments, characterized as "nearly level, very poorly drained, very deep mineral and organic soils on tide-flooded flats, and similar areas overlain by fill materials. Hydrologic group not assigned. Sulfaquents are hydric." Notwithstanding the pending release of the current survey data, it is likely site-specific soils studies will be needed, particularly due to the extensive amount of land undergoing remediation in the study area.

5. Contamination - A number of sites in the study area contain areas of contamination, some in various stages of remediation, and include the contiguous sites of Koppers Coke, Standard Chlorine, and Diamond Shamrock within Block 287 comprise the majority of the study area, with 233 acres, or 63.5 percent, of the land within the study area.

The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The following properties in the study area are listed in the NJDEP KCSL:

- **Koppers Company Inc. Seaboard Plant**
  Block 287, Lots 32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01
  ID #G000001985
  Listed since 03/04/1986

- **Standard Chlorine Chemical Company Inc.**
  Block 287, Lots 48, 49, 49.01, 50, 51, 52, 52.01
  ID #G000001583
  Listed since 10/18/1989
  Also listed as Hudson County Chromate (ID# 250063**)** 10/18/1989
  Also on National Priorities List (Superfund)

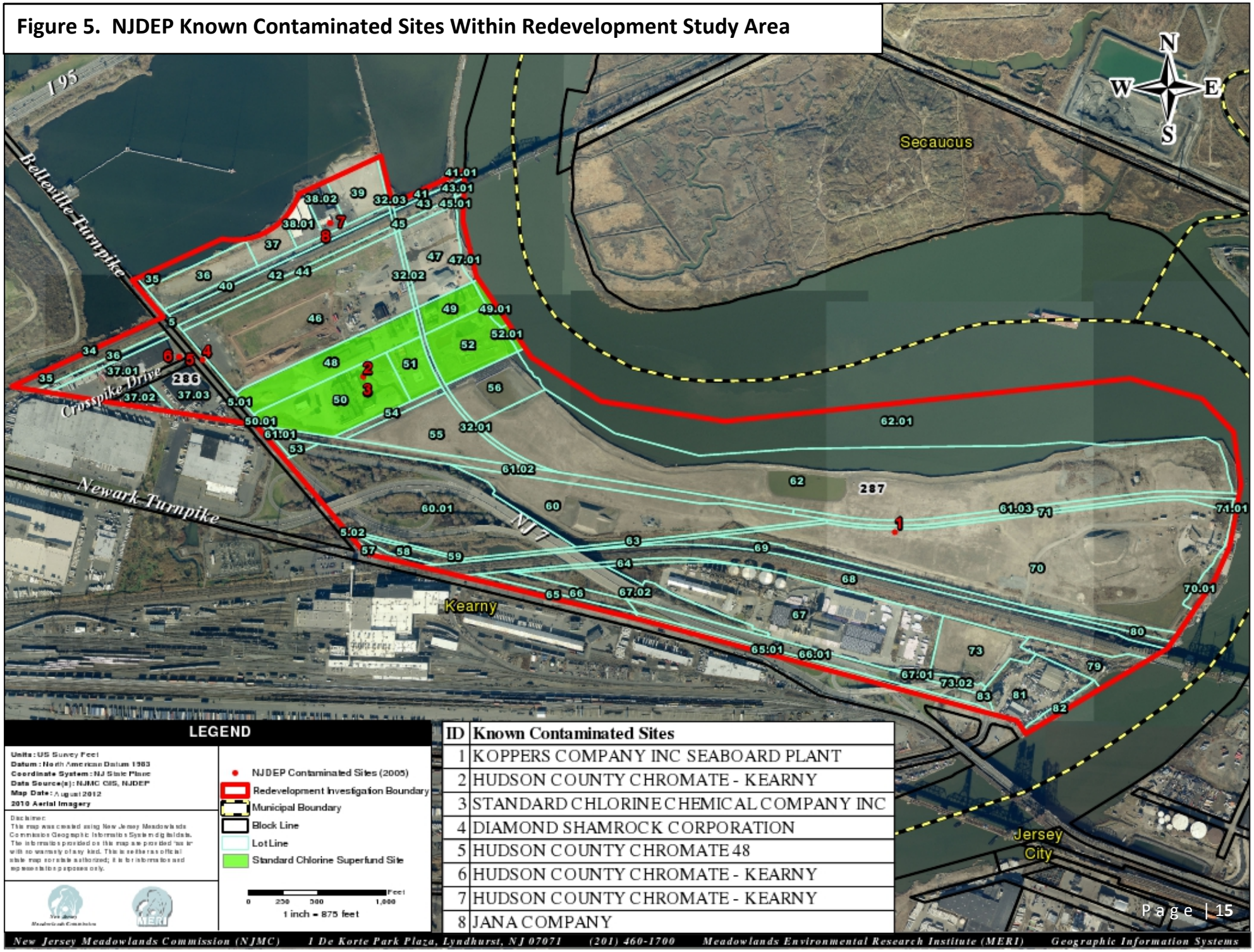
- **Diamond Shamrock Corporation**
  Block 287, Lots 32.02, 46, 47, 47.01
  ID #G000001974
  Listed since 04/17/1990

- **Jana Company (Royale Linens)**
  Block 287, Lots 35, 36, 37, 38.01, 38.02, 39
  ID #022458
  Listed since 04/17/1990
  Also listed as Hudson County Chromate (ID# 250063) 04/17/1990

- **Hudson County Chromate 48 – Kearny (Clinton Warehouse)**
  Block 286, Lot 37.01, 1000 Belleville Turnpike
  ID #G000008676
  Listed since 04/17/1990
  Also listed as Hudson County Chromate (ID# 250063) 04/17/1990

Figure 5 provides the location of the NJDEP Known Contaminated Sites, including the Standard Chlorine Superfund site.

Figure 5. NJDEP Known Contaminated Sites Within Redevelopment Study Area



ID	Known Contaminated Sites
1	KOPPERS COMPANY INC SEABOARD PLANT
2	HUDSON COUNTY CHROMATE - KEARNY
3	STANDARD CHLORINE CHEMICAL COMPANY INC
4	DIAMOND SHAMROCK CORPORATION
5	HUDSON COUNTY CHROMATE 48
6	HUDSON COUNTY CHROMATE - KEARNY
7	HUDSON COUNTY CHROMATE - KEARNY
8	JANA COMPANY

6. Vehicular Access - The study area's primary means of vehicular access is Route 7, which generally runs east and west through the study area. Route 7 is a state highway connecting Belleville and Jersey City. When accessing the study area from the west, Route 7 is known as Belleville Turnpike and travels in a southeasterly direction until it intersects Newark Turnpike. Thereafter, Newark Turnpike continues as Route 7 toward the east. Route 7 terminates at Truck Route 1 and 9 in Jersey City after crossing the Wittpenn Bridge over the Hackensack River.

The subject properties are also intersected by various active and inactive rail ROWs. The Amtrak Northeast Corridor rail line is located between the Jana/Royale Linens and Diamond Shamrock sites, and forms the western boundary of the redevelopment study area to the west of Belleville Turnpike. The NJ Transit Morris and Essex rail line traverses the southerly boundary line of the Koppers Coke property.

Two marine vehicle access points are available on the Koppers Coke site, including a dredge off-loading facility used in conjunction with remediation activities on the site, and a dock utilized by Owens Corning for the transfer of liquid petroleum via a pipeline on the Koppers Coke site to its asphalt plant.

7. Floodplain - Properties in the study area appear on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Map Numbers 34003C0263G, 34003C0331G, and 34003C0332G dated September 30, 2005. The study area is located within a special flood hazard area designated by FEMA as Zone AE, a 100-year floodplain where base flood elevations have been determined. The areas to the north/east of Route 7 have a base flood elevation of 9 feet, whereas the properties to the south of Route 7 and along Fish House Road have a base flood elevation of ten feet. Noncontiguous pockets of areas located in Zone X, which are outside a 0.2 percent chance annual floodplain, can be found on properties in the study area.

8. Utilities - Most utilities are available to the study area, including gas, water, storm sewer, electric and telephone service, but excluding public sanitary sewer improvements. Public Service Electric and Gas Company (PSE&G) provides electric and gas service. United Water provides water services. Stormwater inlets are present on Route 7, but not on any other properties in the study area. These utilities can accommodate current uses but may require upgraded service to accommodate additional development.

No sanitary sewer facilities are provided at any of the properties in the study area, nor are connections available on Route 7. The nearest pump station, operated by the Kearny Municipal Utilities Authority (KMUA), is located on Newark Turnpike, just west of the United States Postal Service facility, outside the study area. According to the KMUA, the pump station was designed to accommodate future development of the study area, and that capacity is both available and expandable at this location. KMUA transmits sanitary flow to the Passaic Valley Sewerage Commission (PVSC) from its existing facilities.

9. Other Redevelopment Areas in Close Proximity - The NJMC has adopted three redevelopment areas in the Town of Kearny.

- <u>Kingsland Redevelopment Area</u>
  The Kingsland Redevelopment Plan was adopted by the NJMC on May 27, 2009, and revised through January 26, 2011. One property in the Town of Kearny is included in this redevelopment area, which also encompasses properties in Lyndhurst, North Arlington, and Rutherford. This one property, identified as Block 149, Lot 10, is owned by the NJMC and

operated as the 1-E Landfill. The redevelopment plan provides for reuse of this property as a sustainable energy park.

- Kearny Redevelopment Area
  The subject redevelopment area totals 430 acres and includes properties within Blocks 205, 253, 275, 284, 285, and 286 in the Town of Kearny. Although this redevelopment study also includes properties within Block 286, there is no practical connection to the subject study area due to an expanse of wetlands situated between these areas. The redevelopment area is located to the south of New Jersey Transit's Kingsland Line, to the north of the Port Authority Trans-Hudson (PATH) line, and to the west of the New Jersey Turnpike western spur. The Kearny Redevelopment Plan was adopted by the NJMC on July 24, 2004, and revised through September 28, 2011. Redevelopment of this area, which includes three landfills, is in progress. The redevelopment plan provides for the creation of a Light Industrial Center, Heavy Industrial Center, Harrison Avenue Retail Center, Keegan Landfill Center, Landfill Reclamation Area, and Environmental Preservation Area. The plan successes include the development of a Walmart store on Harrison Avenue, the improvement of Bergen Avenue, which connects Schuyler Avenue to Harrison Avenue, and new development in the Light Industrial Center.

- Belleville Turnpike Redevelopment Area
  The Belleville Turnpike Redevelopment Area was originally adopted in 1996, and revised through September 28, 2011. It includes several properties within Block 150 along Barsczewski Street and Belleville Turnpike. The plan provides for the redevelopment of this area with light industrial uses, including warehousing and data centers. To date, over 400,000 square feet of newly constructed warehouse/distribution and industrial buildings by multiple property owners has been developed, and the plan is nearing build-out.

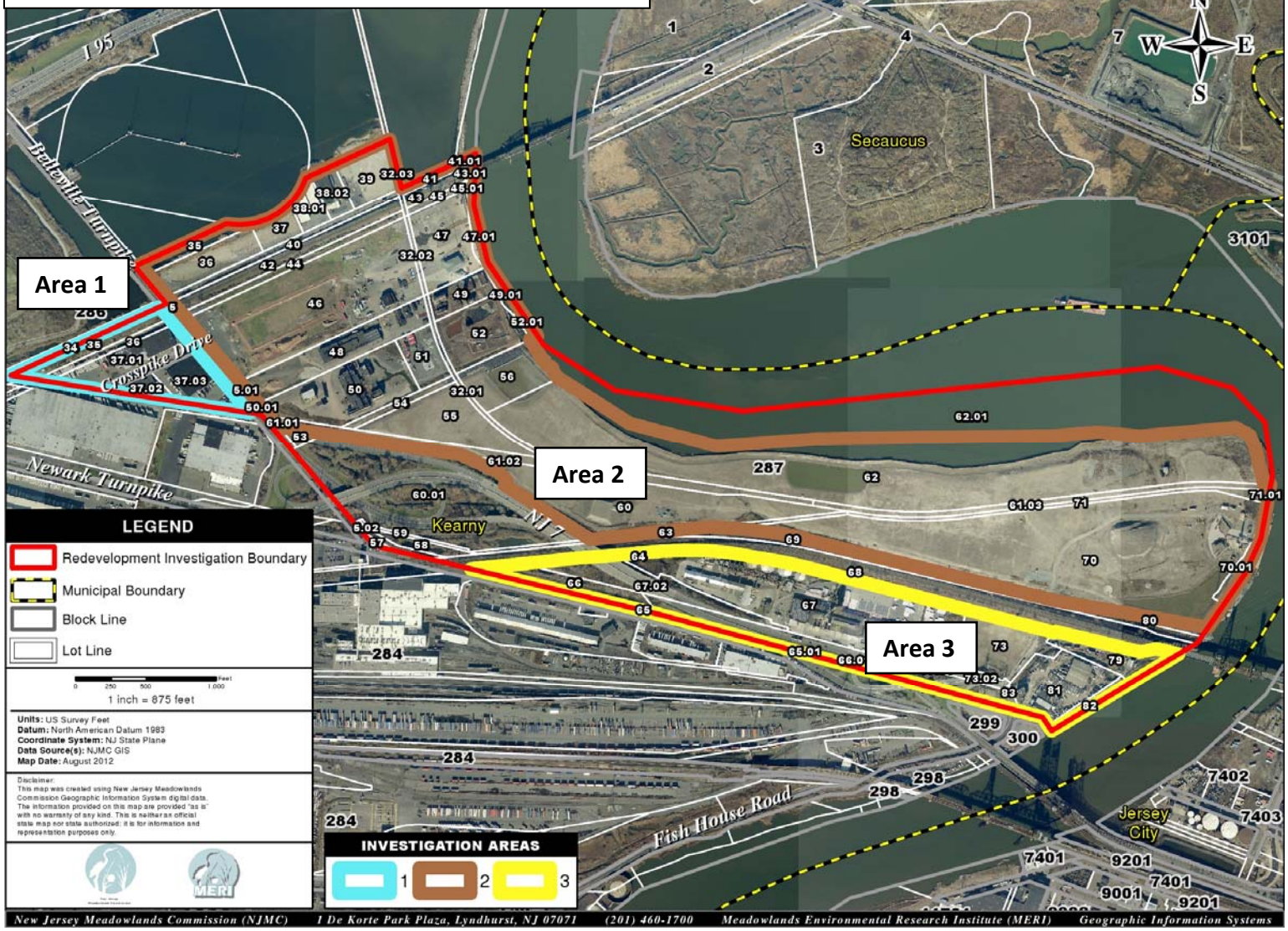
Since the above redevelopment areas are neither contiguous nor proximate to the subject study area, there is no opportunity for coordinated development efforts with this area. Several of the properties within these areas have already been redeveloped in accordance with their respective redevelopment plan requirements.

IV. INDIVIDUAL SITE ANALYSIS

A detailed investigation of each of the properties and ROWs in the study area was conducted. The redevelopment investigation is presented in three distinct area studies, shown in Figure 6 below:

- Area 1 – Cross Pike Drive
- Area 2 – Route 7
- Area 3 – Fish House Road

Figure 6. Redevelopment Investigation Areas

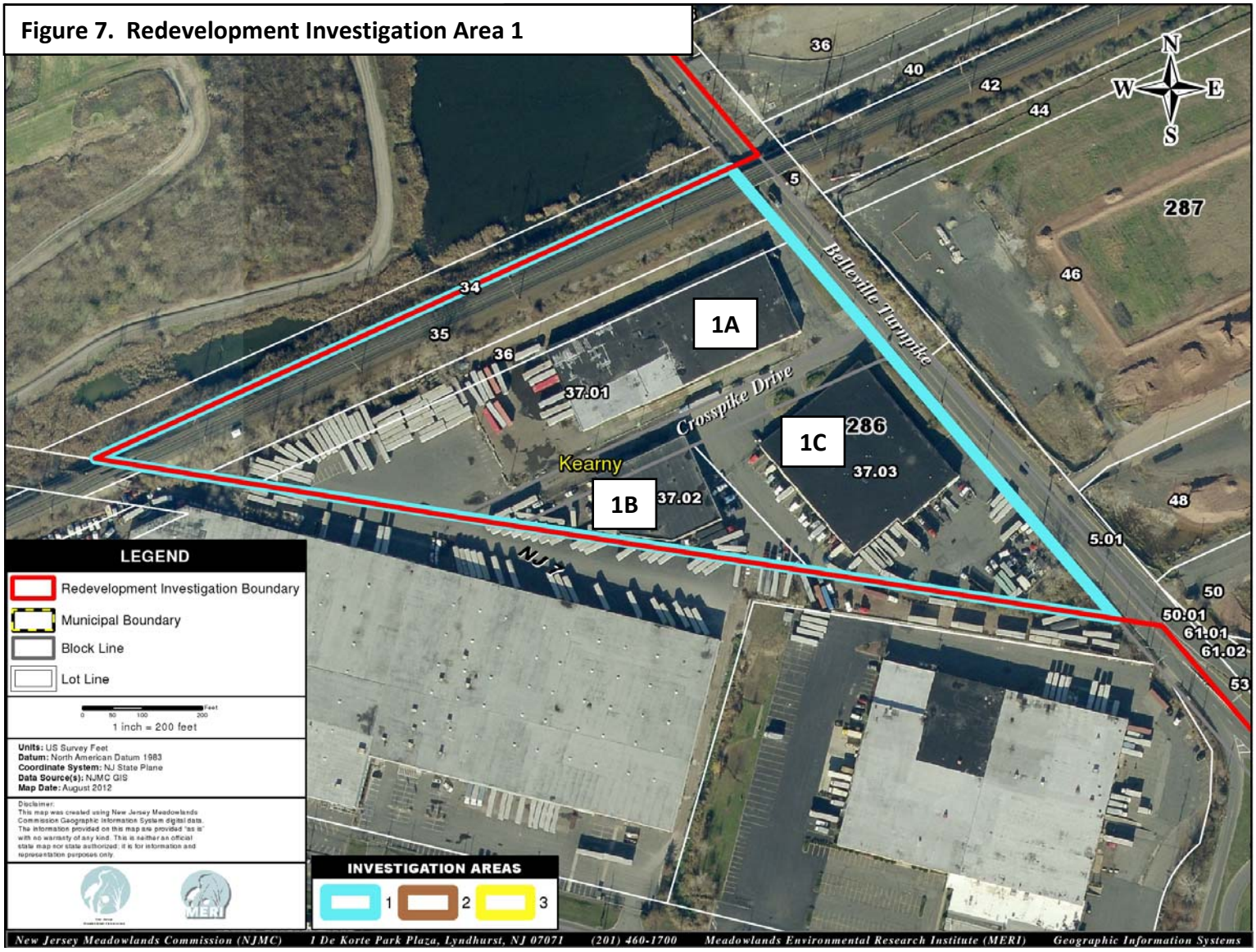


AREA 1 – CROSS PIKE DRIVE

There are three properties located within Area 1 - Cross Pike Drive: (See Figure 7)

- 1A (Clinton Warehouse): Block 286, Lot 37.01 – 1000 Belleville Turnpike
- 1B (Goldie's Automotive Distribution): Block 286, Lot 37.02 – Cross Pike Drive
- 1C (Unity Warehouse): Block 286, Lot 37.03 – 1016 Belleville Turnpike

Figure 7. Redevelopment Investigation Area 1



Cross Pike Drive is an approximately 630-foot-long local road that intersects with Belleville Turnpike approximately 165 feet east of the Amtrak Main Line (Northeast Corridor) rail ROW. The conditions of the roadway are severely deteriorated. Cross Pike Drive is in need of improvement, frequently flooding and having substandard pavement and multiple potholes hampering the heavy trucking activities occurring along the roadway. The businesses along this roadway utilize Cross Pike Drive for parking of trucks, storage of vehicles or equipment, and placement of dumpsters, further hampering vehicle circulation on the 50-foot-wide roadway. The roadway's intersection with Belleville Turnpike is not signalized.

There are no inlets present on Cross Pike Drive, although there is an inlet located on Belleville Turnpike near its intersection with Cross Pike Drive. Likewise, there are no storm drainage facilities located on any properties in the study area. It appears that all properties sheet flow toward Cross Pike Drive. All three buildings contain downspouts that discharge at grade.

Photo 1

Flooding and substandard roadway surface on Cross Pike Drive.

Photo 2

Truck traveling over muddy surfaces and potholes on Cross Pike Drive.

Property 1A – Clinton Warehouse

Block 286, Lot 37.01 - 1000 Belleville Turnpike

Photo 1

View of Belleville Turnpike frontage of PIQ at Cross Pike Drive intersection.

Photo 2

View from PIQ loading area on Cross Pike Drive toward Belleville Turnpike.

The subject property is a 3.78-acre site in the Intermodal A zone owned by 996 Belleville, LLC. The site contains a 60,195-square-foot warehouse building known as the Clinton Warehouse. The building's slab is composed of asphalt. The site contains frontage on both Belleville Turnpike and Cross Pike Drive and contains access on each roadway. A truck scale, constructed without NJMC approval, is present adjacent to the building in the front yard along Cross Pike Drive, one of many violations that have occurred at the premises.

The site's loading areas are situated on the westerly portion of the site, and are accessed by Cross Pike Drive. The surface of the loading area is severely degraded and covered with dirt, which migrates onto Cross Pike Drive, particularly during rain events. The rear loading area is severely impacted by flooding, which impedes business operations at the site. It is an NJDEP Known Contaminated Site listed as Hudson County Chromate.

Property 1B – Goldie's Automotive Distribution

Block 286, Lot 37.02 – Cross Pike Drive

Photo 1

View of front of PIQ.

Photo 2

View of PIQ from Cross Pike Drive.

The subject property is a 1.01-acre triangularly-shaped site located in the Intermodal A zone, containing frontage on Cross Pike Drive. The site is improved with a 22,768-square-foot warehouse building known as Goldie's Automotive Distribution. Pardo's Truck Service Parts, Inc. is the current tenant. The building is placed at a minimal setback to Cross Pike Drive and surrounding properties, exhibits a high degree of lot coverage, and contains a rear storage yard. The property owner is listed in municipal tax records as Gerald Rolnick.

While not an NJDEP Known Contaminated Site, the property's location is within an area proximate to other Known Contaminated Sites.

Property 1C – Unity Warehouse

Block 286, Lot 37.03 – 1016 Belleville Turnpike

Photo 1

View of PIQ from Belleville Turnpike facing south.

Photo 2

View of southerly building facade from Cross Pike Drive.

Photo 3

View of easterly loading area.

Photo 4

View of trucks at easterly loading area preventing through access around the building.

The subject property is a 3.37-acre site in the Intermodal A zone owned by Unity Landholding, LLC. The site contains a 53,670-square-foot warehouse building known as the Unity Warehouse. Its tenants include Fama Shipping and International Karter Warehousing. The building on the site is generally dilapidated, containing numerous broken windows and requiring repairs to a significant portion of the building's corrugated metal façade.

The site contains frontage on both Belleville Turnpike and Cross Pike Drive and can be accessed from both roadways. The site's southerly loading area is accessed via Cross Pike Drive, and a number of trucks are parked and/or stored at the southeasterly building point preventing through access to the loading area on the southerly portion of the site, accessed from Belleville Turnpike, resulting in a public safety concern.

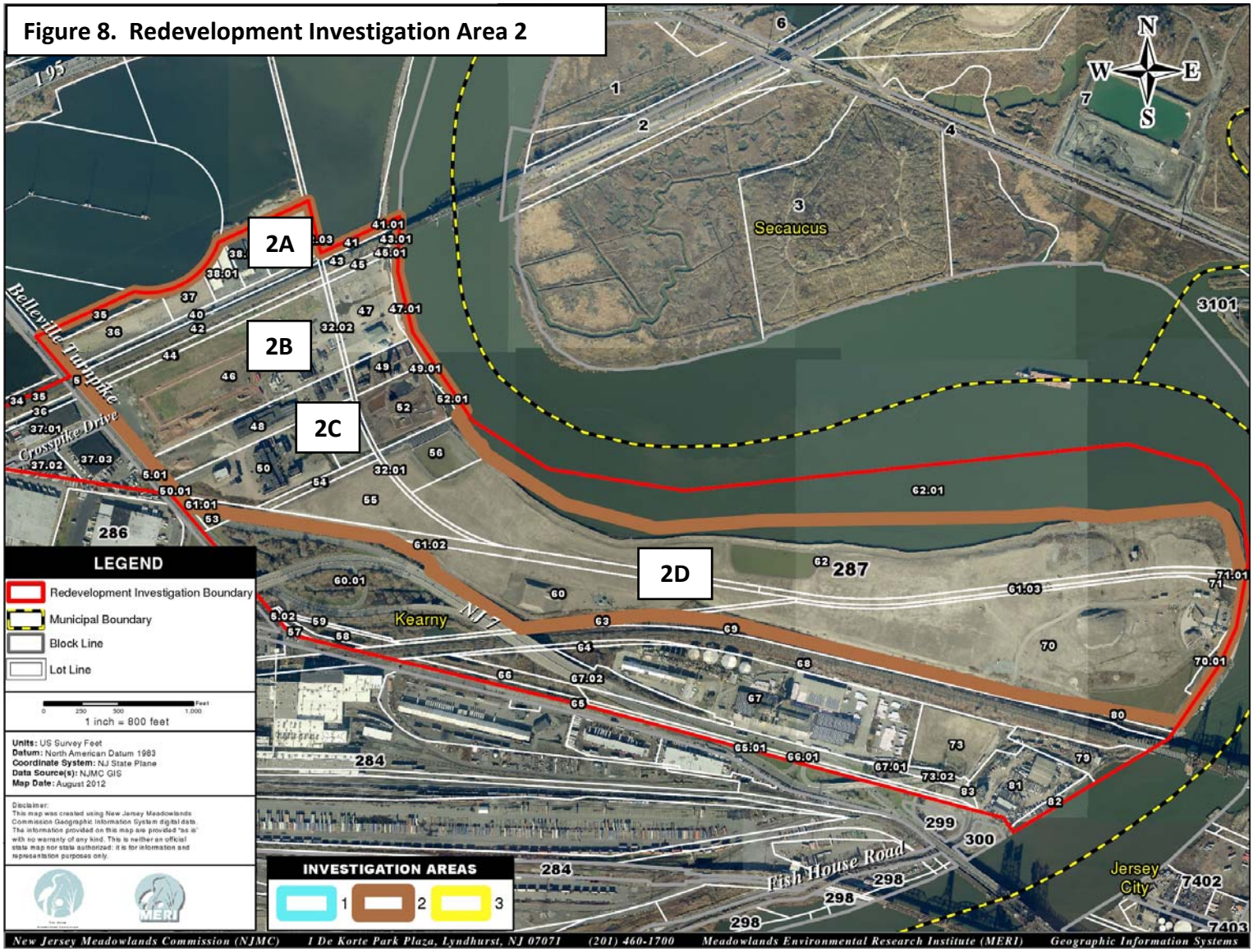
While not an NJDEP Known Contaminated Site, the property's location is within an area proximate to other Known Contaminated Sites.

AREA 2 – ROUTE 7

Area 2 – Route 7 is comprised of the following four properties north and east of Route 7 – Belleville Turnpike and Route 7 – Newark Turnpike: (See Figure 8)

- 2A (Jana/Royale Linens): Block 287, Lots 35, 36, 37, 38.01, 38.02, 39 – Belleville Turnpike
- 2B (Diamond Shamrock): Block 287, Lots 32.02, 46, 47, 47.01 – Newark Turnpike
- 2C (Standard Chlorine): Block 287, Lots 48, 49, 49.01, 50, 51, 52, 52.01 – 1249 Newark Turnpike
- 2D (Koppers Coke): Block 287, Lots 32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01 – Newark Turnpike

Figure 8. Redevelopment Investigation Area 2



The area borders the Kearny Brackish Marsh to the west, the Hackensack River to the north and east, Route 7 to the southwest, and the NJ Transit Morris & Essex Main Line, an active rail line, to the south. The Amtrak Northeast Corridor rail line is located between the Jana/Royale Linens and Diamond Shamrock Sites. Each property in this area appears on the NJDEP's Known Contaminated Sites List. One of these properties, Standard Chlorine, appears on the USEPA National Priorities List as a Superfund site. Specific site information is provided in the property details below.

Property 2A – Jana/Royale Linens

Block 287, Lots 35, 36, 37, 38.01, 38.02, 39 – Belleville Turnpike

Photo 1

View of entrance driveway into site from Belleville Turnpike. Access is currently gated, preventing entry.

Photo 2

View of westerly vacant portion of site (Lots 35 and 36).

Photo 3

View of existing vacant building on site on Lots 37, 38.01 and 38.02.

Photo 4

View of rear vacant portion of site (Lot 39).

The subject property is a 12.64-acre site in the Intermodal B zone currently owned by Jana Corp. The site is currently improved with a 23,796 square foot industrial building, formerly tenanted by Royale Linens, that has been vacant for a number of years. The narrowness of the entry drive on Belleville Turnpike is not suitable to accommodate safe and efficient movement of vehicles, particularly trucks.

The site contains frontage on Belleville Turnpike, and is located adjacent to the Amtrak Northeast Corridor. It is anticipated that the property will be acquired to accommodate the construction of a new alignment and expansion of the rail ROW due to the new Portal Bridge construction over the Hackensack River to the northeast of the site.

The property is within the Town of Kearny Urban Enterprise Zone and is an NJDEP Known Contaminated Site, including chromium contaminants.

Property 2B – Diamond Shamrock

Block 287, Lots 32.02, 46, 47, 47.01 – Newark/Jersey City Turnpike

Photo 1

View of existing dilapidated structure at PIQ.

Photo 2

View of vacant portion of site along Belleville Turnpike from driveway.

The subject property is a 27.23-acre site in the Intermodal B zone currently owned by the Diamond Shamrock Corp. The site has a history of industrial usage.

The conditions on the site are severely deteriorated, as evidenced by dilapidated and abandoned structures on the site, some of which have been demolished. The site is currently uninhabitable due to the degree of contamination.

The site is an NJDEP Known Contaminated Site, having contaminants including chromium fill, chromium groundwater contamination, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), dioxin, and chlorobenzene.

The site contains frontage on Route 7 and is accessed by a driveway shared with the Standard Chlorine site. The site is border by the Amtrak Northeast Corridor rail line to the northwest. The site also borders the Hackensack River to the northeast.

Property 2C – Standard Chlorine

Block 287, Lots 48, 49, 49.01, 50, 51, 52, 52.01 – 1249 Newark Turnpike

Photo 1

View of existing structures on the site facing south.

Photo 2

Photo of site (known as Emark Battery Corporation) circa 1930 – National Park Service.

Photo 3

View of PIQ from Route 7-Belleville Turnpike.

Photo 4

View of PIQ from the Hackensack River.

The subject property is a 24.96-acre site in the Intermodal B zone acquired by the Town of Kearny through foreclosure. The site has a long history of industrial usage, and was formerly used by Edison (Emark) Battery, and subsequently for the manufacture of moth balls and flakes.

The site has been abandoned for a number of years and is currently uninhabitable due to degree of contamination and the dilapidated character of the buildings. Some remains of buildings from prior industrial use on the site remain.

The site contains frontage on Route 7 and is accessed by a driveway shared with the Diamond Shamrock site. The site also borders the Hackensack River.

The site is an NJDEP Known Contaminated Site and a Superfund site, having contaminants in on-site soils and in former lagoons, including naphthalene, dichlorobenzene, dioxin and chromium. Contamination from the site has migrated through groundwater and surface water runoff into the Hackensack River.

Property 2D – Koppers Coke

Block 287, Lots 32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01 – Newark/Jersey City Turnpike

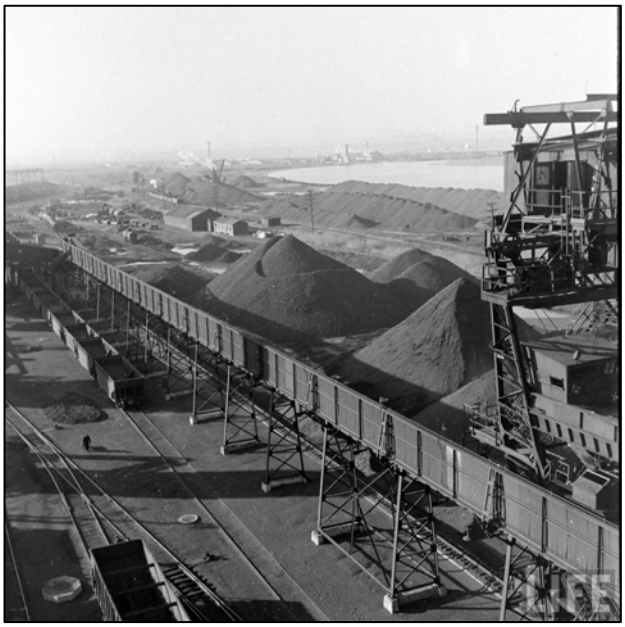


Photo 1

Photograph of historic use of property by Koppers Seaboard, Inc. Photo credit: Life Magazine, Photographer Dmitri Kessel, 1942, from http://images.google.com/hosted/life/3b6436da862a282f.html

Photo 2

Photograph of historic use of property by Koppers Seaboard, Inc. Photo credit: Life Magazine, Photographer Dmitri Kessel, 1942, from http://images.google.com/hosted/life/802012b4bec496d7.html

Photo 3

View of PIQ as it exists today, at approximate view angle of Photo 1, facing west.

Photo 4

View of PIQ facing east.

Photo 5
View of existing pump station on PIQ used in conjunction with remediation activities on the site.

Photo 6
Existing point of entry to PIQ below an active rail line.

Photo 7
View of dock and off-loading facility along the Hackensack River on the eastern portion of the site.

The subject property is a 169.89-acre site in the Intermodal B zone currently owned by the Hudson County Improvement Authority (HCIA). The site was utilized by the Koppers Seaboard Coke and By-products plant from 1917 to 1974. Industrial operations at the site included coke production, coal tar refining, and various chemical products including naphthalene, anthracene, creosote, sulfuric acid, and cyanide. As a result of these activities, the site is an NJDEP Known Contaminated Site.

The facility was razed in 1977, and the site has remained largely vacant since that time. Existing structures on the site consist of a pump station, and a dock and equipment for off-loading dredge spoils at the easternmost property boundary along Hackensack River. Processed dredge material from New York/New Jersey Harbor has been placed on the site as part of remedial actions. A second dock on the site is used for transferring liquid petroleum via a pipeline to the Owens Corning facility located nearby.

(continued on next page)

A significant amount of ROW areas traverse, or are contiguous to, the property, including the Jersey City Water Line, PSEG, NJDOT, and rail lines. Although the site contains frontage on Newark Turnpike, access to the site is limited. The only point of existing vehicular access to the site is via a narrow two-lane underpass below a rail trestle of the NJ Transit Morris and Essex rail line accessed from Fish House Road (Photo 6).

AREA 3 – FISH HOUSE ROAD

Area 3 – Route 7 South is comprised of the following three properties: (See Figure 9)

- 3A (Owens Corning): Block 287, Lot 67 – Newark Turnpike
- 3B (HCIA): Block 287, Lot 73 – Newark Turnpike
- 3C (Bellezza): Block 287, Lots 79, 81 & 82 – Fish House Road

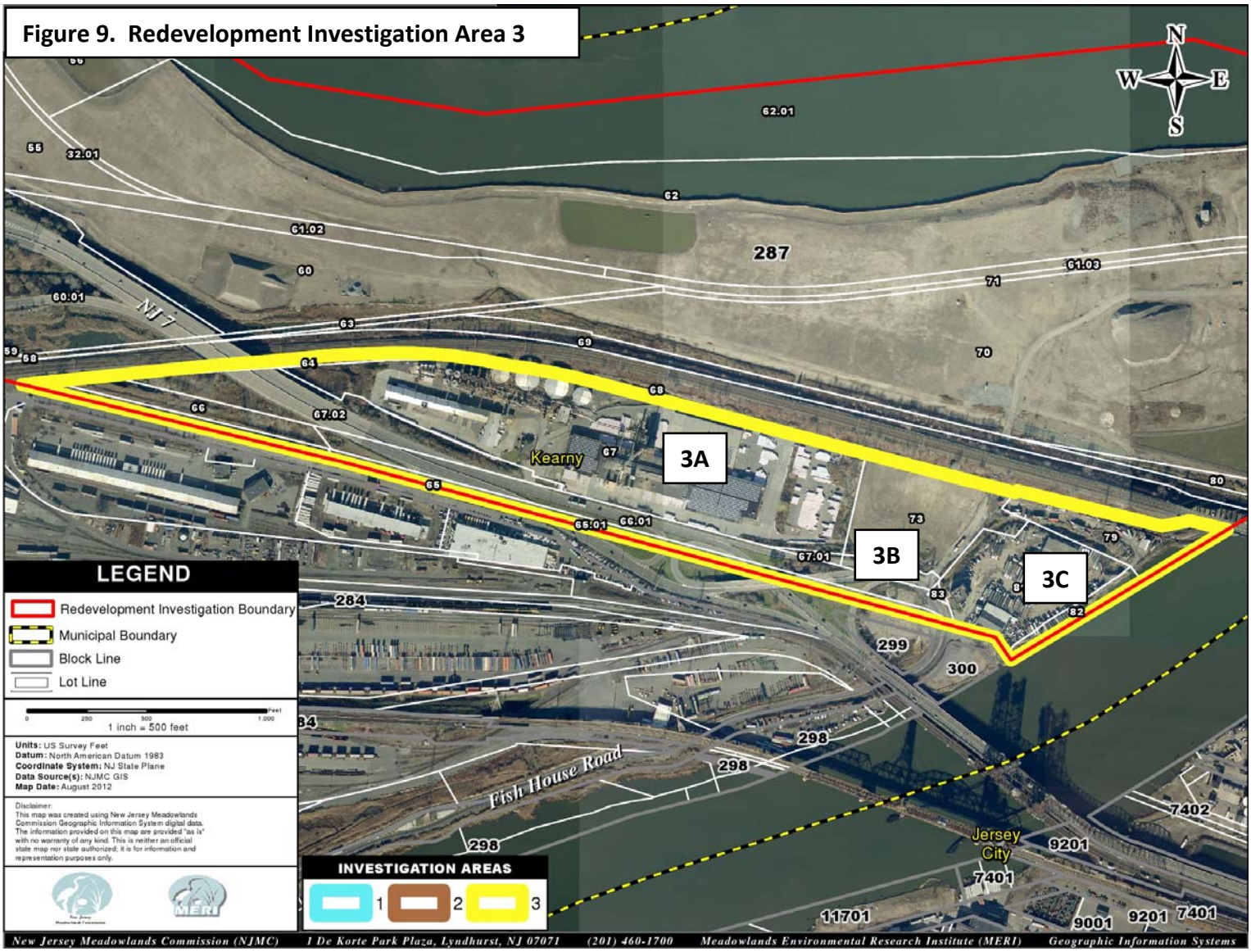


Figure 9. Redevelopment Investigation Area 3

These properties are situated between the NJ Transit Morris & Essex Line rail line, which runs along the southern portion of the Koppers Coke site, and Route 7-Newark Turnpike, including properties on Fish House Road.

The privately owned properties in this area can be characterized as substandard and containing a high degree of outdoor storage. One property, owned by the HCIA, is vacant and is proximate to the Koppers Coke site.

Property 3A – Owens Corning

Block 287, Lot 67 – Newark Turnpike

Photo 1

View of main entrance to PIQ.

Photo 2

View of rear of PIQ from Newark Turnpike.

The subject property is a 20.88-acre site in the Intermodal B zone owned by Owens Corning, which operates an asphalt roofing materials plant at this location. The site contains three buildings, multiple tanks, and outdoor storage of product.

The site contains frontage on and access from Newark Turnpike. It is an Urban Enterprise Zone site.

Property 3B – HCIA

Block 287, Lot 73 – Newark/Jersey City Turnpike	
Photo 1 *View of PIQ from Fish House Road.*	**Photo 2** *View of PIQ facing north.*
The subject property is a 5.4-acre site in the Intermodal B zone currently owned by the Hudson County Improvement Authority. The subject site is vacant and public land, and adjacent to the Kearny Urban Enterprise zone. The site contains direct access from Fish House Road.	

Property 3C – Bellezza

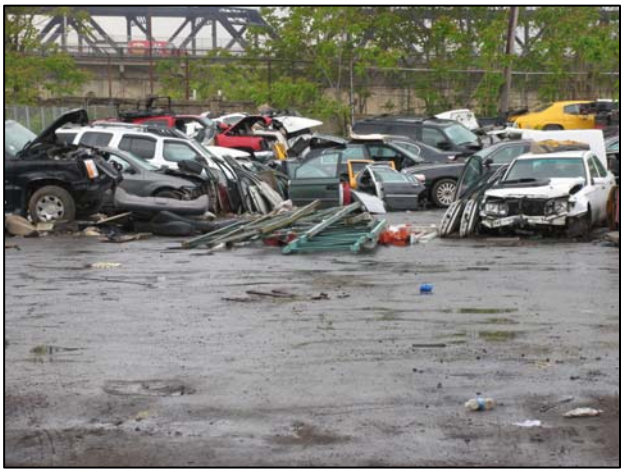
Block 287, Lot 79, 81, 82 – Fish House Road	
Photo 1 *View of Bellezza office – Building 1.*	**Photo 2** *View of degraded pavement and oil slick on water on pervious surfaces on site, which borders the Hackensack River.*
Photo 3 *View of auto repair facility – Building 2.*	 **Photo 4** *View of vehicle junkyard on degraded pavement proximate to Hackensack River.*

Photo 5
View of Building 3 at site driveway, facing south.

Photo 6
View of outdoor storage on easterly portion of site.

Photo 7
View of truck repair facility at Building 4, including outdoor storage of truck parts in trailer.

Photo 8
View of silted drainage ditch on site littered with debris, impairing function.

The subject property is a 9.46-acre site in the Intermodal B zone currently owned by James M. Salerno Enterprises, Inc. There are three existing structures on the site, including:

1. Building 1 – Bellezza office building (3,143 square feet)
2. Buildings 2 & 3 (attached) – Auto repair and warehouse (9,662 square feet)
3. Building 4 – Truck repair and service (14,000 square feet)

The site contains frontage on and access from Fish House Road. There is a high degree of outdoor storage and operations in the site, including a junkyard of damaged and inoperable vehicles associated with Buildings 2 and 3, and heavy trucking operations occurring on pervious surfaces proximate to Hackensack River. Debris is present within the drainage ditch on the site and at the edge of the property along the Hackensack River. These characteristics contribute to degraded environmental conditions and impede stormwater drainage. There is a history of violations and illegal occupancies on the site.

The general building conditions and site layout are obsolete. Trailer staging occurring at the entrance to the property between Building 1 and Buildings 2 and 3 obstructs access to the site and results in traffic back-ups on the Fish House Road ramp, resulting in public safety concerns.

V. FINDINGS

The parcels within the study area were evaluated in relation to the in need of redevelopment criteria established by the NJMC statute and regulations. N.J.A.C. 19:3-5.7 provides that an area shall be deemed to be in need of redevelopment if it is determined that any of the following conditions exist:

1. ***The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.***

   Many of the existing buildings in the area, predominantly in Redevelopment Investigation Area 2, housed former uses that have been abandoned for a number of years, and are located on sites with a degree of contamination that makes them uninhabitable without extensive remediation measures. Many of these buildings have been, or will be, demolished. These are clearly substandard, unsafe, unsanitary, dilapidated and obsolescent conditions that pose a significant public health and safety threat.

   The buildings and sites housing active industrial uses on Cross Pike Drive and Fish House Road also exhibit substandard, dilapidated, or obsolescent conditions, as detailed in the individual site analyses above. These buildings and sites exhibit an obsolete site layout, particularly in their trucking operations, and conduct operations on degraded pavement that may result in seepage of oils and fluids into the ground. Many of the buildings in the areas are not set back sufficiently, either from roadways or from other buildings. Additionally, building repairs to broken windows or damaged facades are needed.

2. ***The discontinuance of the use of buildings previously utilized 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 untenantable;***

   A large number of buildings in the study area previously utilized for commercial, manufacturing or industrial purposes have been abandoned, including the Jana/Royale Linens, Diamond Shamrock, and Standard Chlorine properties. The Diamond Shamrock and Standard Chlorine properties are not habitable due to their contamination, but also due to their state of disrepair. The Jana/Royale Linens property has been vacant and untenanted for a number of years.

3. ***Land that is owned by the NJMC, or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land 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;***

   A number of properties in the study area, formerly privately owned, have been acquired by public and quasi-public entities, including the Standard Chlorine site (owned by the Town of Kearny), and the Koppers Coke and HCIA properties (owned by the Hudson County Improvement Authority). The Diamond Shamrock site is privately owned and has been vacant for more than 10 years. The HCIA property along Fish House Road has been vacant for over 10 years as well.

The degree of contamination, both in the soil and groundwater, and the high cost of the extensive remediation measures required, make it highly unlikely that any of these areas will be developed solely through the instrumentality of private capital.

The area also suffers from limited accessibility, despite its location proximate to regional roadways. For example, although the Koppers Coke site is situated along Route 7, the only available means of access into the Koppers Coke site is below a narrow rail trestle accessed via Fish House Road. Route 7-Newark Turnpike is grade-separated from many properties in the study area.

A number of ROWs also traverse properties in the study area. These features make it unlikely that coordinated development of the study area could occur without a redevelopment plan in place.

4. ***Areas with buildings or improvements that, 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;***

The study area exhibits characteristics that are detrimental to the safety, health, and welfare of the community.

The properties on Cross Pike Drive and Fish House Road exhibit substandard, dilapidated, and obsolescent conditions and site layouts of faulty arrangement. Specifically, a high degree of coverage of the land, by both building and pavement, coupled with nonconforming setbacks, are present in the area. The loading operations at these properties are haphazard, which include the staging and parking of trucks in a manner that obstructs site and roadway circulation. At the Unity warehouse, trucks and containers are stored in a manner that results in a physical barrier preventing access around the building perimeter. The ability to travel on Cross Pike Drive is hindered by flooding, numerous potholes, and trucks parking on the roadway, reducing its navigable width. This results in a public safety concern, where response by emergency personnel could be hindered.

The study area is also characterized by heavy trucking and loading operations occurring over degraded surfaces on the majority of properties in Areas 1 and 3, representing deleterious land use. The existence of pervious surfaces below trucking operations, and the storage of damaged junk vehicles in a location along the Hackensack River, results in environmental concerns regarding oils and other substances that may leach into the ground and water.

Additionally, very few stormwater facilities are present within the study area. The drainage within the study area primarily consists of sheet flow onto neighboring properties, roadways, and waterways. The sheet flow likely contains sediment, debris, oils, fluids, and/or other substances, potentially hazardous, that may pose a health and safety risk and potentially serve as a source of continual contamination in the study area.

5. ***Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;***

   The ability to comprehensively develop the properties in the study area is constrained due to the diverse ownership of the land in the study area. This is particularly the case on the Koppers Coke lots, owned by the Hudson County Improvement Authority, which are affected by numerous ROWs of various entities, including rail lines, PSEG, the Jersey City Water Line, and the Town of Kearny.

   The properties in the area are significantly underutilized and do not benefit from the significant locational advantages available to them. Route 7 is a major arterial roadway that provides direct access to Jersey City to the east and Route 280 and the New Jersey Turnpike via Harrison Avenue to the west. The study area's transportation network is undergoing several improvements, including the replacement of the Wittpenn Bridge over the Hackensack River and corresponding improvements to Route 7 that will improve access and circulation in the area. The expansion of rail capacity in the area will result from the proposed Portal Bridge construction on the Northeast Corridor. Additionally, the Hackensack River presents numerous opportunities for marine operations that are not currently fully utilized.

6. ***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 area has been materially depreciated;***

   None of the buildings in the study area have been affected by natural disasters. This area has been altered by the physical use of the land.

7. ***Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey 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 N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or***

   According to the NJ Department of Community Affairs, the Urban Enterprise Zone (UEZ) Program "exists to foster an economic climate that revitalizes designated urban communities and stimulates their growth by encouraging businesses to develop and create private sector jobs through public and private investment." The UEZ program may offer incentives such as tax credits, financial assistance, reduced sales tax, and tax exemptions. The Town of Kearny has been an Urban Enterprise Zone (UEZ) municipality since November 1992. While the entire municipality is not within the UEZ boundaries, two sites in the study area, Jana/Royale Linens and Owens Corning, are UEZ sites.

8. ***Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.***

   The historic usage of several of the properties in the subject study area contributed to the current environmental contamination present in the study area. Numerous properties in the study area contain evidence of soil, groundwater and/or surface water contamination. The study area contains a Superfund site listed on the CERCLA database (Standard Chlorine), which is also included as one of five Known Contaminated Sites documented by the NJDEP (as detailed in Section III.5).

   The presence of a Superfund or Known Contaminated Site within an area may cause adjoining properties to be viewed as brownfields sites due to potential migration of contaminants. A brownfield is defined as "any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant" (N.J.S.A. 58:10B-23.d). This contamination may be real or perceived. Every property in the study area may be characterized as a brownfield.

RIGHTS-OF-WAY

As noted in Section I of this document, several rights-of-way traverse the study area and bisect many properties. The ROW properties specified in Figure 3 also meet the redevelopment criteria, specifically N.J.A.C. 19:3-5.7(a)3, as land that is owned by public entities and that, by reason of its location, is not likely to be developed through the instrumentality of private capital.

VI. RECOMMENDATIONS

Based on the above findings and recommendations, the NJMC staff has determined that specific conditions exist as outlined in N.J.A.C. 19:3-5.7 for all of the properties in the study area within the Town of Kearny, as follows:

- Block 286 – Lots 34, 35, 36, 37.01, 37.02 and 37.03

- Block 287 – Lots 5, 5.01, 5.02, 32.01, 32.02, 32.03, 35, 36, 37, 38.01, 38.02, 39, 40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01, 46, 47, 47.01, 48, 49, 49.01, 50, 50.01, 51, 52, 52.01, 53, 54, 55, 56, 57, 58, 59, 60, 60.01, 61.01, 61.02, 61.03, 62, 62.01, 63, 64, 65, 65.01, 66, 66.01, 67, 67.01, 67.02, 68, 69, 70, 70.01, 71, 71.01, 73, 73.02, 79, 80, 81, 82 and 83

Staff recommends that the Board of Commissioners of the New Jersey Meadowlands Commission make a determination that the subject study area is an area in need of redevelopment, and authorize NJMC staff to proceed with the preparation of a redevelopment plan.