

# Redevelopment Study and Preliminary Investigation Report

**Block 4, Lots 28.01 and 28.02**  
**Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22**  
**Block 10, Lots 5 and 6**  
**Block 20, Lots 26, 27 and 28**  
**Block 29, Lots 11, 12 and 13**  
**Block 36, Lot 27**

**Town of Guttenberg**  
Hudson County, New Jersey

September 29, 2023

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*The original of this document was signed  
and sealed in accordance with New Jersey Law*

**Redevelopment Study and Preliminary Investigation Report**

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Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and  
Block 36, Lot 27*

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### **Introduction**

The Guttenberg Town Council passed a series of resolutions, which authorized the Guttenberg Joint Planning/Zoning Board to undertake preliminary investigations as to whether certain properties in the Town of Guttenberg may be designated as areas in need of redevelopment in accordance with applicable New Jersey Law. The properties identified in these resolutions, copies of which are provided in Appendix A, include:

- Block 29, Lot 11;
- Block 29, Lot 12;
- Block 29, Lot 13;
- Block 4, Lot 28.01;
- Block 4, Lot 28.02;
- Block 20, Lot 26;
- Block 20, Lot 27;
- Block 20, Lot 28;
- Block 5, Lot 1;
- Block 5, Lot 2;
- Block 5, Lot 3;
- Block 5, Lot 4;
- Block 5, Lot 5;
- Block 5, Lot 16;
- Block 5, Lot 17;
- Block 5, Lot 18;
- Block 5, Lot 19;
- Block 5, Lot 20;
- Block 5, Lot 21;
- Block 5, Lot 22;

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- Block 36, Lot 27;
- Block 10, Lot 5; and
- Block 10, Lot 6.

This report documents and analyzes the existing conditions of the aforementioned tax parcels and makes a determination as to whether or not they may be designated as areas in need of redevelopment in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). The information contained in this report will assist the Guttenberg Joint Planning/Zoning Board in making a recommendation to the Guttenberg Town Council as to whether or not it should adopt a resolution determining that the aforementioned tax parcels are in need of condemnation redevelopment.

### **Study Area Description**

The Study Area contains a total of approximately 1.67 acres and is comprised of 23 parcels, which are spread over six noncontiguous blocks spread throughout the municipality, as follows:

- Block 4: Block 4, Lots 28.01 and 28.02 comprise a total area of 0.17 acres and have frontage along Jackson Street;
- Block 5: Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22 comprise a total area of 0.69 acres and have frontage along 70<sup>th</sup> Street, Adams Street and Jackson Street;
- Block 10: Block 10, Lots 5 and 6 comprise a total area of 0.17 acres and have frontage along Polk Street;
- Block 20: Block 20, Lots 26, 27 and 28 comprise a total area of 0.21 acres and have frontage along Palisade Avenue and 68<sup>th</sup> Street;
- Block 29: Block 29, Lots 11, 12 and 13 comprise a total area of 0.32 acres and have frontage along 69<sup>th</sup> Street; and

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- Block 36: Block 36, Lot 27 comprises a total area of 0.11 acres and has frontage along 70<sup>th</sup> Street.

Appendix B provides copies of sheets 1, 2 and 3 of the official tax map of the Town of Guttenberg. Appendices C through I provide aerial imagery dating from 2020.

### **Existing Land Use**

New Jersey's MOD-IV property tax assessment database indicates that the Study Area is assessed as follows:

- Class 1 (Vacant):
  - Block 29, Lot 11;
  - Block 36, Lot 27;
  - Block 4, Lot 28.01; and,
  - Block 4, Lot 28.02.
- Class 2 (Residential — Four Families or Less):
  - Block 5, Lot 1;
  - Block 5, Lot 2;
  - Block 5, Lot 3;
  - Block 5, Lot 4;
  - Block 5, Lot 5;
  - Block 5, Lot 16;
  - Block 5, Lot 17;
  - Block 5, Lot 18;
  - Block 5, Lot 19;
  - Block 5, Lot 20;
  - Block 5, Lot 21;
  - Block 29, Lot 12;
  - Block 29, Lot 13;
  - Block 20, Lot 26; and

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- Block 20, Lot 27.
- Class 4A (Commercial):
  - Block 5, Lot 22.
- Class 4B (Industrial):
  - Block 10, Lot 5;
  - Block 10, Lot 6; and
  - Block 20, Lot 28.

The observed land uses of the Study Area generally comport with the assessed land uses. The only exceptions include Block 10, Lots 5 and 6, which are no longer classifiable as industrial due to the fact that the former buildings had been demolished and the parcels were under construction upon visiting the site in July 2023.

High-density residential uses are the predominant land uses of the surrounding areas. There is, however, a limited amount of mixed-use and commercial uses throughout the area.

### **Ownership**

A review of New Jersey's MOD-IV property tax assessment database indicates that the ownership of the Study Area is as follows:

- 69<sup>th</sup> Guttenberg, LLC with offices at 5115 Bergenline Avenue in West New York:
  - Block 29, Lot 11;
  - Block 29, Lot 12; and
  - Block 29, Lot 13.
- BHD Investments, LLC with offices at 48 Ash Street in Englewood Cliffs:
  - Block 4, Lot 28.01; and
  - Block 4, Lot 28.02.

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- 68<sup>th</sup> Street Development, LLC with offices at 5600 Kennedy Boulevard in West New York:
  - Block 20, Lot 26;
  - Block 20, Lot 27; and,
  - Block 20, Lot 28.
- 7000 Adams Street, LLC with offices at 5600 Kennedy Boulevard in West New York:
  - Block 5, Lot 1;
  - Block 5, Lot 2;
  - Block 5, Lot 16;
  - Block 5, Lot 17;
  - Block 5, Lot 18;
  - Block 5, Lot 21; and
  - Block 5, Lot 22.
- 7000 Adams Street, LLC with offices at 7004 Adams Street in Guttenberg:
  - Block 5, Lot 3.
- 7000 Adams Street, LLC with offices at 7006 Adams Street in Guttenberg:
  - Block 5, Lot 4.
- 7000 Adams Street, LLC with offices at 7008 Adams Street in Guttenberg:
  - Block 5, Lot 5.
- D. Roagna, C. Carballo and S. Banegas with an address of record of 7007 Jackson Street in Guttenberg:
  - Block 5, Lot 19.
- B. Jamieson with an address of record of 7005 Jackson Street in Guttenberg:
  - Block 5, Lot 20.
- Gaetano Graziano Development, LLC with offices at 34 Webster Road in Scarsdale, New York:
  - Block 36, Lot 27.

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- 6810 Polk Street, LLC with offices at 5600 Kennedy Boulevard in West New York:
  - Block 10, Lot 5.
  - Block 10, Lot 6.

### **Environmental Constraints**

A review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency indicates that the Study Area neither contains mapped environmental constraints (viz., flood hazard areas, wetlands, lakes, streams), nor properties listed on the Known Contaminated Sites List.

### **Zoning**

With the exception of Block 36, Lot 27, all Study Area properties are located in the R-1 (Low-Density Residential) Zone District. Block 36, Lot 27, on the other hand, is located in the R-4 (Mid-Rise Mixed-Use) Zone District. Each zone district is discussed below.

#### **R-1 (Low-Density Residential) Zone District**

According to Section 28-4.5 of the Code of the Town of Guttenberg, the following uses are permitted uses in the R-1 (Low-Density Residential) Zone District:

- Principal Uses:
  - One-family detached dwellings; and
  - Two-family detached dwellings.
- Accessory Uses:
  - Off-street parking or garages;
  - Home professions;
  - Home occupations;

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- Swimming pools;
- Signs; and
- Public parks.
- Conditional Uses:
  - Townhouses or row houses;
  - Multifamily mid-rise residential;
  - Nursery schools;
  - Public or private schools;
  - Philanthropic institutions;
  - Public utility installations;
  - Places of worship;
  - Museums;
  - Nursing homes or assisted living residences;
  - Off-site or joint parking facility; and
  - Retail and service commercial uses.

Further details on the R-1 (Low-Density Residential) Zone District, including information on bulk regulations and required design standards, are provided in Chapter 28 of the Code of the Town of Guttenberg.

### **R-4 (Mid-Rise Mixed-Use) Zone District**

According to Section 28-4.8 of the Code of the Town of Guttenberg, the following uses are permitted uses in the R-4 (Mid-Rise Mixed-Use) Zone District:

- Principal Uses:
  - Multifamily mid-rise residential as defined in Subsection 28-2.2 of the Code of the Town of Guttenberg;
  - Retail and service commercial uses on ground floor only; and
  - Restaurants.
- Accessory Uses:

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- Off-street parking or garages;
- Home professions;
- Home occupations;
- Subordinate uses typically associated with multifamily residential development including, but not limited to swimming pools, gymnasiums, barbecue areas, meeting rooms, storage facilities, outdoor private park areas;
- Signs; and
- Public parks.
- Conditional Uses:
  - None

Further details on the R-4 (Mid-Rise Mixed-Use) Zone District, including information on bulk regulations and required design standards, are provided in Chapter 28 of the Code of the Town of Guttenberg.

## **Local Planning Context**

### **Master Plan**

The Town of Guttenberg's Master Plan was last reexamined in 2023. The 2023 Master Plan Reexamination Report notes that:

*The long-term value of the light industrial uses scattered throughout Guttenberg was deemed to be in their redevelopment potential, as the number of jobs located in such buildings has decreased.*

(2023 Master Plan Reexamination Report, Page 7)

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The Study Area contains Class 4B (Industrial) properties. Redevelopment of such properties would provide with Town with an opportunity to maximize their productivity and potential contributions to the Town of Guttenberg.

In addition to the above, it is noted that the 2023 Master Plan Reexamination Report acknowledges that:

*Within the Town of Guttenberg are significant numbers of vacant parcels that have laid fallow for a significant number of years. Revised zoning regulations have not resulted in their development or redevelopment. It is recommended that the Town conduct redevelopment investigations to determine if any or all of the following parcels meet the statutory criteria necessary to declare any or all of them an “Area in Need of Redevelopment” pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6. These lots are as follows:*

- *Block 4, Lot 12*
- *Block 4, Lot 13*
- ***Block 4, Lot 28.01***
- ***Block 4, Lot 28.02***
- ***Block 29, Lot 11***
- *Block 24, Lot 32*
- *Block 36, Lot 40*
- *Block 39, Lot 4*

(2023 Master Plan Reexamination Report, Page 22;  
**emphasis added**)

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Among other properties, the Study Area includes: Block 4, Lot 28.01; Block 4, Lot 28.02; and Block 29, Lot 11. Through redevelopment, the Town could address longstanding vacancy issues.

### **Redevelopment Area Criteria**

An area may be determined to be in need of redevelopment if it meets one or more of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. These criteria are listed below:

- a) The generality of buildings is 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. (N.J.S.A. 40A:12A-5[a]).*
- b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*
- 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. (N.J.S.A. 40A:12A-5[c]).*
- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation,*

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- 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. (N.J.S.A. 40A:12A-5[d]).*
- 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. (N.J.S.A. 40A:12A-5[e]).*
- 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 area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).*
- 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*

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*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. (N.J.S.A. 40A:12A-5[g]).*

- h) *The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).*

In addition to the conditions that have been listed above, the Local Redevelopment and Housing Law notes that:

*A redevelopment area may include land, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).*

### **Redevelopment Analysis**

A careful analysis has revealed that significant portions of the Study Area meet criteria of the Local Redevelopment and Housing Law for designation as an area in need of redevelopment, or are needed for the effective redevelopment of the area of which they are a part.

Appendix J provides photographs of existing conditions observed upon visiting the Study Area on July 27 and September 8, 2023, as well as Google Street View imagery for selected sites.

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The following subsections provide an overview of the specific criteria fulfilled by the properties in the Study Area. Please note that due to their contiguity and frequent common ownership, this analysis examines the Study Area properties on a block-by-block basis.

### **“a” Criterion**

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- a) The generality of buildings is 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.  
(N.J.S.A. 40A:12A-5[a]).*

The following Study Area parcels satisfy the “a” Criterion:

- Block 5:
  - Lot 1
  - Lot 2
  - Lot 3
  - Lot 4
  - Lot 5
  - Lot 16
  - Lot 17
  - Lot 18
  - Lot 21
- Block 29:
  - Lot 12
  - Lot 13

Specific reasons for a property’s satisfaction of the “a” Criterion are provided below.

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### ***Block 5***

Interior access was granted to the residential buildings located on Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18 and 21 on September 8, 2023. All buildings were found to be in poor repair and exhibit signs of advanced dilapidation, unsanitary conditions, and other characteristics to such an extent that the buildings were conducive to unwholesome living conditions. Examples of conditions observed include: missing or damaged heating elements; miscellaneous refuse and debris located within the buildings; holes in walls; damaged or missing interior doorways; limited instances of apparent mold and mildew; buckled walls; fallen or otherwise damaged ceilings; damaged and broken windows; limited instances of hanging or unsecured wiring; limited instances of apparent water damage; peeling paint; and damaged floor surfaces. Photographs of conditions observed are provided in Appendix J.

### ***Block 29***

Block 29, Lot 12 is the location of a vacant, two-story frame dwelling that has several boarded and broken windows, as well as extensive signs of water damage and mechanical weathering of façade surfaces. In addition, recent oblique aerial photography suggests that there is water damage on the roof surface. The building is in substandard and dilapidated condition and is, therefore, conducive to unwholesome living conditions.

Block 29, Lot 13 is the location of a vacant, 2.5-story frame dwelling that has several boarded and broken windows, as well as extensive signs of mechanical weathering and cracking of façade surfaces. The building is in substandard and dilapidated condition and is, therefore, conducive to unwholesome living conditions.

### **“b” Criterion**

As set forth in Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

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*b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*

The following Study Area parcels satisfy the “b” Criterion:

- Block 5:
  - Lot 22
- Block 20:
  - Lot 28

Specific reasons for a property’s satisfaction of the “b” Criterion are provided below.

### ***Block 5***

Block 5, Lot 22 is the site of a former discotheque, which has been vacant for at least two years. This is demonstrated by the facts that: the liquor license that was previously associated with the discotheque use has been listed for sale in the Multiple Listing Service (Listing No.: 210018485; Agent: Luisda Perez of Hernandez Realty) since August 3, 2021; and, the property was acquired by its current owner, 7000 Adams Street, LLC with offices at 5600 Kennedy Boulevard in West New York, on March 10, 2021. In addition, verbal information from the property owner received during a visit to the Study Area on September 8, 2023 indicates that the property has been vacant since the property was acquired on March 10, 2021.

### ***Block 20***

Block 20, Lot 28 is the location of a three-story, brick warehouse building that was the former site of moving and storage business (viz., Frank Richter Moving and Storage). The building has been vacant for at least two years. This is demonstrated

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by historic Google Street View imagery, which includes signage indicating that the business has moved to Union City, and current photographs from September 8, 2023. Photographs are provided in Appendix J.

### **“d” Criterion**

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- 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. (N.J.S.A. 40A:12A-5[d]).*

The following Study Area parcels satisfy the “d” Criterion:

- Block 5:
  - Lot 1
  - Lot 5
- Block 20:
  - Lot 28
- Block 29:
  - Lot 12
  - Lot 13

Specific reasons for a property’s satisfaction of the “d” Criterion are provided below.

### ***Block 5***

Block 5, Lot 1 is a one-story apartment building with a total of four apartments. Tax records indicate that the building was originally developed in 1947. The building encompasses all or nearly all of the property and leaves no yard area or similar

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amenity for the benefit of residents, which is provided on other residential properties located on Block 5. Yards and similar amenities are important not only for the enjoyment and enhanced quality of life they provide residents, but also groundwater infiltration, minimization of stormwater runoff and mitigation of the urban heat island effect. Consequently, the lack of yard area or similar amenities on Block 5, Lot 1 results in overcrowding and faulty arrangement or design, which is detrimental to the health and safety of residents and nearby residents.

Block 5, Lot 5 is a one-story frame dwelling. Though the building is in fair condition and exhibits only a moderate need for maintenance and repairs, there is an extensive amount of unaffixed wiring on the building façade, or otherwise low-hanging wiring on the property. This poses a risk to visitors of the site, as well as adjacent Block 5, Lot 4, and passersby. Thus, the condition of Block 5, Lot 5 threatens the public health, safety and welfare.

### ***Block 20***

Block 20, Lot 28 is the location of a three-story, brick warehouse building that, according to historic aerial photographs, was constructed at some point before 1931. The building has two overhead garage doors, including one along the Palisade Avenue frontage and another along the 68<sup>th</sup> Street frontage. Due to the configuration of the configuration of the lot, there is no off-street loading or parking area or area to accommodate turning movements as trucks reverse into the building via the overhead garage doors. Thus, any turning movements to reverse into the building result in encroachment into the roadway. This restricts the flow of motor vehicle traffic and results in unsafe conditions as trucks maneuver to enter or exit via the overhead garage door.

### ***Block 29***

Block 29, Lot 12 is the location of a vacant, two-story frame dwelling that has several boarded and broken windows. Upon visiting the site in July 2023, there was

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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damage to the front door that was suggestive of forced entry, or an attempt thereof. In addition, recent oblique aerial photography indicates that boarding of rear windows has been removed fallen, which increases the penetrability of the building. Considering the vacancy and penetrability of the building, as well as the fact that the site is not secured, it is found that Block 29, Lot 12 has the potential to create an attractive nuisance that may result in threats to the public health, safety, morals, and welfare.

Block 29, Lot 13 is the location of a vacant, 2.5-story frame dwelling that has several boarded and broken windows. There is also an extensive amount of unaffixed wiring on the front and side building façades. Considering the vacancy of the building and the fact that the site is not secured, it is found that Block 29, Lot 13, like adjacent Block 29, Lot 12, has the potential to create an attractive nuisance that may result in threats to the public health, safety, morals, and welfare. The presence of an extensive amount of unaffixed wiring also poses a threat to the public health, safety and welfare in its own right.

### **“h” Criterion**

The Local Redevelopment and Housing Law was amended in 2003 to add the “h” Criterion to the list of statutory criteria. The “h” Criterion permits a municipality to designate an area in need of redevelopment if “[t]he designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation” (N.J.S.A. 40A:12A-5[h]).

As is demonstrated below, designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the *New*

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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*Jersey State Development and Redevelopment Plan*<sup>1</sup>, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.). However, we note that the “h” Criterion is a forward-looking criterion that does not specifically focus on the condition of land, buildings, and improvements in a Study Area. It should, therefore, only be used to designate a property in need of redevelopment with other designation criteria, not individually.

### ***State Planning Act***

The State Planning Act (N.J.S.A. 52:18A-196 et seq.), which was adopted in 1985, establishes the framework for State policies and regulations related to smart growth principles. Among the findings and declarations of the State Legislature in the State Planning Act that serve as this framework are the following:

- *New Jersey, the nation's most densely populated State, requires sound and integrated Statewide planning and the coordination of Statewide planning with local and regional planning in order to conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal. (N.J.S.A. 52:18A-196.a)*
- *Significant economies, efficiencies and savings in the development process would be realized by private sector enterprise and by public sector development agencies if the several levels of government would cooperate in the preparation of and adherence to sound and integrated plans. (N.J.S.A. 52:18A-196.b)*
- *It is of urgent importance that the State Development Guide Plan be replaced by a State Development and Redevelopment Plan designed for use as a tool for*

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<sup>1</sup> *New Jersey State Development and Redevelopment Plan, The New Jersey State Planning Commission, March 1, 2001.*

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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- assessing suitable locations for infrastructure, housing, economic growth, and conservation. (N.J.S.A. 52:18A-196.c)*
- It is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State. (N.J.S.A. 52:18A-196.d)*
  - Since the overwhelming majority of New Jersey land use planning and development review occurs at the local level, it is important to provide local governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State and regional plans and programs. (N.J.S.A. 52:18A-196.f)*
  - An adequate response to judicial mandates respecting housing for low- and moderate-income persons requires sound planning to prevent sprawl and to promote suitable use of land. (N.J.S.A. 52:18A-196.h)*

Designation of Study Area properties as an area in need of redevelopment would provide the Town of Guttenberg with an important opportunity to: conserve New Jersey's natural resources; protect the quality of New Jersey's environment; and, promote economic growth, development and renewal by recycling or reusing land and avoiding development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future residents of New Jersey.

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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### ***New Jersey State Development and Redevelopment Plan***

The *New Jersey State Development and Redevelopment Plan*<sup>2</sup>, which was adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

The Study Area is located in State Planning Area 1, which is defined in the *New Jersey State Development and Redevelopment Plan* and also known as the Metropolitan Planning Area. As provided in the *New Jersey State Development and Redevelopment Plan*, the Metropolitan Planning Area is intended to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and,
- Protect the character of existing stable communities.

As is demonstrated above, designation of Study Area properties as an area in need of redevelopment would be consistent with the intended purpose of the Metropolitan Planning Area.

### ***Smart Growth Areas***

The Study Area is located within an area that has been designated as a smart growth area by the New Jersey Office of Planning Advocacy. This is illustrated by the fact that the Office of Planning Advocacy of the New Jersey Department of State<sup>3</sup>, which administers the *New Jersey State Development and Redevelopment Plan*, classifies smart growth areas as one of the following:

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<sup>2</sup> *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

<sup>3</sup> See, for example: <http://nj.gov/state/planning/spc-research-resources-sga.html>

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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- Metropolitan Planning Area (State Planning Area 1);
- Suburban Planning Area (State Planning Area 2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; or,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town, as designated by the New Jersey Pinelands Commission.

The Study Area is located within the Metropolitan Planning Area (State Planning Area 1). Thus, the Study Area is located within a designated smart growth area.

### ***Municipal Land Use Law***

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) delegates planning and regulatory authority to municipalities and establishes the procedural framework for how local governments plan for the future. The Municipal Land Use Law has several purposes, all of which are based upon ensuring the public health, safety, welfare, and morals for communities.

Designation of the Study Area as an area in need of redevelopment, and, thereby, facilitating the preparation of a redevelopment plan and subsequent redevelopment of the area, would not only be consistent with the general smart growth approach of recycling or reusing land, but also promote several purposes of the Municipal Land Use Law. Specifically, redevelopment of the subject parcel would promote the following purposes of the Municipal Land Use Law:

- *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. (N.J.S.A. 40:55D-2[a])*

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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- *To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land. (N.J.S.A. 40:55D-2[j])*
- *To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land. (N.J.S.A. 40:55D-2[m])*

### **Needed for Effective Redevelopment**

As set forth in the Section 3 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

*A redevelopment area may include land, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).*

For the reasons detailed below, the following Study Area parcels are needed for the effective redevelopment of the area of which they are a part:

- Block 5:
  - Lot 19
  - Lot 20
- Block 20:
  - Lot 26
  - Lot 27
- Block 29:
  - Lot 11

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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### ***Block 5, Lots 19 and 20***

Block 5, Lots 19 and 20 are needed for the effective redevelopment of Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 21 and 22. By including Block 5, Lots 19 and 20 in a redevelopment area with Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 21 and 22, roadway frontage along Jackson Street would be increased and uninterrupted, and the contiguous area for redevelopment would be maximized. This, in turn, would increase the attractiveness of the area to potential redevelopers, and maximize the overall chances for a successful redevelopment of the area.

### ***Block 20, Lots 26 and 27***

Block 20, Lots 26 and 27, which are developed with residential dwellings, are under common ownership and form a contiguous area with Block 20, Lot 28, which has been found to meet the “b,” “d,” and “h” criteria. Block 20, Lots 26 and 27 are needed for the effective redevelopment of Block 20, Lot 28. By including Block 20, Lots 26 and 27 in a redevelopment area with Block 20, Lot 28, roadway frontage along 68<sup>th</sup> Street would be increased, and the contiguous area for redevelopment would be maximized. This, in turn, would increase the attractiveness of the area to potential redevelopers, and maximize the overall chances for a successful redevelopment of the area. In addition to the above, it is noted that Block 20, Lots 26, 27 and 28 are the subject of a 2019 Planning Board approval to construct a mid-rise, multifamily residential development with associated parking. As of the preparation of this report, however, no construction has occurred. Inclusion of Block 20, Lots 26 and 27 in a redevelopment area with Block 20, Lot 28 would provide an opportunity to incentivize and stimulate development in the area.

### ***Block 29, Lot 11***

Block 29, Lot 11, which is a vacant and unproductive property, forms a contiguous area with Block 29, Lots 12 and 13, which are found to meet the “a,” “d,” and “h” criteria. Block 29, Lot 11 is needed for the effective redevelopment of adjacent Block

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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29, Lots 12 and 13 because it provides additional roadway frontage along 69<sup>th</sup> Street and maximizes the area for redevelopment. In addition, inclusion of Block 29, Lot 11 in a redevelopment area with adjacent Block 29, Lots 12 and 13 would help to eliminate a vacant, unproductive property from the area, thereby improving the image of the 69<sup>th</sup> Street Corridor and maximizing the potential for a successful redevelopment of the area. In addition, by maximizing the area available for redevelopment, the attractiveness of Block 29 to potential developers would be maximized.

### **Summary**

A careful analysis has revealed that the Study Area meets criteria of the Local Redevelopment and Housing Law for designation as an area in need of redevelopment.

The criteria satisfied by each Study Area parcel are summarized below:

- Block 4:
  - Lot 28.01: Though the “h” Criterion is satisfied, it should not be used to designate a property in need of redevelopment without satisfaction of other designation criteria; and,
  - Lot 28.02: Though the “h” Criterion is satisfied, it should not be used to designate a property in need of redevelopment without satisfaction of other designation criteria.
- Block 5:
  - Lot 1: “a” Criterion; “d” Criterion; “h” Criterion;
  - Lot 2: “a” Criterion; “h” Criterion;
  - Lot 3: “a” Criterion; “h” Criterion;
  - Lot 4: “a” Criterion; “h” Criterion;
  - Lot 5: “a” Criterion; “d” Criterion; “h” Criterion;
  - Lot 16: “a” Criterion; “h” Criterion;

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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- Lot 17: “a” Criterion; “h” Criterion;
- Lot 18: “a” Criterion; “h” Criterion;
- Lot 19: “h” Criterion; Needed for Effective Redevelopment;
- Lot 20: “h” Criterion; Needed for Effective Redevelopment;
- Lot 21: “a” Criterion; “h” Criterion; and,
- Lot 22: “b” Criterion; “h” Criterion.
- Block 10:
  - Lot 5: Though the “h” Criterion is satisfied, it should not be used to designate a property in need of redevelopment without satisfaction of other designation criteria; and,
  - Lot 6: Though the “h” Criterion is satisfied, it should not be used to designate a property in need of redevelopment without satisfaction of other designation criteria.
- Block 20:
  - Lot 26: “h” Criterion; Needed for Effective Redevelopment;
  - Lot 27: “h” Criterion; Needed for Effective Redevelopment; and,
  - Lot 28: “b” Criterion; “d” Criterion; “h” Criterion.
- Block 29:
  - Lot 11: “h” Criterion; Needed for Effective Redevelopment;
  - Lot 12: “a” Criterion; “d” Criterion; “h” Criterion; and,
  - Lot 13: “a” Criterion; “d” Criterion; “h” Criterion.
- Block 36:
  - Lot 27: Though the “h” Criterion is satisfied, it should not be used to designate a property in need of redevelopment without satisfaction of other designation criteria.

## ***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27*

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### **Conclusion**

As indicated by the foregoing analysis, the following Study Area properties have been found to meet at least one criterion of the Local Redevelopment and Housing Law in addition to criterion “h” for designation as an area in need of redevelopment, or be needed for the effective redevelopment of the area: Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 20, Lots 26, 27 and 28; and, Block 29, Lots 11, 12 and 13. The Guttenberg Joint Planning/Zoning Board may, therefore, recommend that the Guttenberg Town Council adopt a resolution declaring that said Study Area properties are in need of redevelopment.

If the Guttenberg Town Council declares said Study Area properties to be an area in need of redevelopment, the power of condemnation would be available because the authorizing resolutions specified that the Study Area parcels shall be considered as areas in need of condemnation redevelopment.

***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22;  
Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and  
Block 36, Lot 27*

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**Appendix A: Authorizing Resolutions**

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION #52-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 4, LOTS 28.01 AND 28.02 (COMMONLY KNOWN AS 6809 TO 6813 JACKSON STREET) ARE TO BE DELINEATED AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the

Legislature for use is a redevelopment area, including the power of eminent domain ("Condemnation Redevelopment Area"); and

**WHEREAS**, the Town Council of the Town of Guttenberg ("Town Council") seeks to authorize and recommend the Town of Guttenberg Joint Planning/Zoning Board (the "Board") to conduct a preliminary investigation of the properties identified on the Official Tax Map of the Town as BLOCK 4, LOTS 28.01 and 28.02 (COMMONLY KNOWN AS 6809 to 6813 Jackson Street) (the "Study Area") as an area in need of redevelopment to be a Condemnation Redevelopment Area; and

**WHEREAS**, the Study Area may benefit from the tools available to municipalities under the LRHL to foster development thereof or to develop same under the principles of smart growth and/or other criteria as may be determined applicable; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town and its residents to authorize the Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Town wishes to direct the Board to undertake a preliminary investigation utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.

2. The Town of Guttenberg Joint Planning/Zoning Board (the "Board") is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the "Town") to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the properties identified on the Official Tax Map of the Town as BLOCK 4, LOTS 28.01 and 28.02 (COMMONLY KNOWN AS 6809 to 6813 Jackson Street) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.
3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#52-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023

\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION #53-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 36, LOT 27 (COMMONLY KNOWN AS 52-54 70th STREET) IS TO BE DELINEATED AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6 "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the

Legislature for use is a redevelopment area, including the power of eminent domain ("Condemnation Redevelopment Area"); and

**WHEREAS**, the Town Council of the Town of Guttenberg ("Town Council") seeks to authorize and recommend the Town of Guttenberg Joint Planning/Zoning Board ("Board") to conduct a preliminary investigation of the properties identified on the Official Tax Map of Town as Block 36, Lot 27 (commonly known as 52-54 70th Street) (the "Study Area") as an area in need of redevelopment to be a Condemnation Redevelopment Area; and

**WHEREAS**, the Study Area and may benefit from the tools available to municipalities under the LRHL to foster development thereof or to develop same under the principles of smart growth and/or other criteria as may be determined applicable; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town and its residents to authorize the Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Town wishes to direct the Board to undertake a preliminary investigation utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

1. The provisions of the *WHEREAS* clauses set forth above are incorporated herein by reference and made a part hereof.

2. The Town of Guttenberg Joint Planning/Zoning Board (the "Board") is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the "Town") to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the area comprising the properties identified on the Official Tax Map of Town as Block 36, Lot 27 (commonly known as 52-54 70th Street) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.
3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#53-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023

\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION #54-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 29, LOTS 11, 12 & 13 (COMMONLY KNOWN AS 131-137 69TH STREET) ARE TO BE DELINEATED AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non- Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use is a redevelopment area, including the power of eminent domain ("Condemnation Redevelopment Area"); and

**WHEREAS**, the Town Council of the Town of Guttenberg (“Town Council”) seeks to authorize and recommend the Town of Guttenberg Joint Planning/Zoning Board (“Board”) to conduct a preliminary investigation of the properties identified on the Official Tax Map of the Town as Block 29, Lots 11, 12 & 13 (Commonly known as 131-137 69th Street) (the “Study Area”) as an area in need of redevelopment to be a Condemnation Redevelopment Area; and

**WHEREAS**, the Study Area may benefit from the tools available to municipalities under the LRHL to foster development thereof or to develop same under the principles of smart growth and/or other criteria as may be determined applicable; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town and its residents to authorize the Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Town wishes to direct the Board to undertake a preliminary investigation utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Town of Guttenberg Joint Planning/Zoning Board (the “Board”) is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the “Town”) to prepare the preliminary investigation report, pursuant to a

notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the area comprising the properties identified on the Official Tax Map of the Town as Block 29, Lots 11, 12 & 13 (Commonly known as 131-137 69th Street) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intent of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#54-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023

\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION#55-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 10, LOTS 5 AND 6 (COMMONLY KNOWN AS 6806-08, 10 POLK STREET) ARE TO BE DELINEATED AS CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the

Legislature for use is a redevelopment area, including the power of eminent domain ("Condemnation Redevelopment Area"); and

**WHEREAS**, the Town Council of the Town of Guttenberg ("Town Council") seeks to authorize and recommend the Town of Guttenberg Joint Planning/Zoning Board (the "Board") to conduct a preliminary investigation of the properties identified on the Official Tax Map of the Town as Block 10, Lots 5 and 6 (Commonly known as 6806-08, 10 Polk Street) (the "Study Area") as an area in need of redevelopment to be a Condemnation Redevelopment Area; and

**WHEREAS**, the Study Area and may benefit from the tools available to municipalities under the LRHL to foster development thereof or to develop same under the principles of smart growth and/or other criteria as may be determined applicable; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town and its residents to authorize the Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Town wishes to direct the Board to undertake a preliminary investigation utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

1. The provisions of the *WHEREAS* clauses set forth above are incorporated herein by reference and made a part hereof.

2. The Town of Guttenberg Joint Planning/Zoning Board (the "Board") is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the "Town") to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the properties identified on the Official Tax Map of the Town as Block 10, Lots 5 and 6 (COMMONLY KNOWN AS 6806-08, 10 Polk Street) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.
3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#55-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023



\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION #56-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 5, LOTS 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21, 22 (COMMONLY KNOWN AS 7000-7008 ADAMS AND 7001-7013 JACKSON STREETS) ARE TO BE DELINEATED AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the "Town") to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the

2. The Town of Guttenberg Joint Planning/Zoning Board (the "Board") is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the "Town") to prepare the preliminary investigation report, pursuant to a notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the area comprising the properties identified on the Official Tax Map as Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21, 22 (Commonly known as 7000-7008 Adams and 7001-7013 Jackson Streets) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.
3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#56-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023

\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION #57-2023**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWN OF GUTTENBERG JOINT PLANNING/ZONING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA WHICH INCLUDES BLOCK 20, LOTS 26, 27 AND 28 (COMMONLY KNOWN AS 334-340 68TH STREET) ARE TO BE DELINEATED AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ)**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the LRHL sets forth the procedures for the Town of Guttenberg (the “Town”) to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Joint Planning/Zoning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condemnation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use is a redevelopment area, including the power of eminent domain (“Condemnation Redevelopment Area”); and

**WHEREAS**, the Town Council of the Town of Guttenberg (“Town Council”) seeks to authorize and recommend the Town of Guttenberg Joint Planning/Zoning Board (the “Board”) to conduct a preliminary investigation of the properties identified on the Official Tax Map of the Town as Block 20, Lots 26, 27 and 28 (Commonly known as 334-340 68th Street) (the “Study Area”) as an area in need of redevelopment to be a Condemnation Redevelopment Area; and

**WHEREAS**, the Study Area may benefit from the tools available to municipalities under the LRHL to foster development thereof or to develop same under the principles of smart growth and/or other criteria as may be determined applicable; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town and its residents to authorize the Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Town wishes to direct the Board to undertake a preliminary investigation utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town to prepare the preliminary investigation report, to determine whether the proposed Study Area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council is empowered to authorize this preliminary investigation to be conducted by the Board pursuant to N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Guttenberg, County of Hudson in the State of New Jersey as follows:

1. The provisions of the *WHEREAS* clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Town of Guttenberg Joint Planning/Zoning Board (the “Board”) is hereby authorized to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6, utilizing Remington & Vernick and/or such other firm that may be appointed for such purpose by the Town of Guttenberg (the “Town”) to prepare the preliminary investigation report, pursuant to a

notice to conduct a hearing and comply with other requirements of the LRHL, in order to recommend to the Town Council whether the properties identified on the Official Tax Map of the Town as Block 20, Lots 26, 27 and 28 (Commonly known as 334-340 68th Street) (the "Study Area") is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

3. As part of its investigation, the Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Board shall conduct a public hearing in accordance with the LRHL, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Town or Town Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Condemnation Redevelopment Area.
5. At the public hearing, the Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Board and made part of the public record.
6. The Board shall provide a written report to the Town Council setting forth its findings resulting from such preliminary investigation and shall recommend to the Town Council whether said properties are an "Area in Need of Redevelopment" under the meaning and intendment of the LRHL (condemnation).
7. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Board shall submit its findings and recommendations to the Town Council in the form of a Resolution with supporting documents.

**RESOLUTION#57-2023  
REGULAR MEETING  
FEBRUARY 27, 2023**

On a motion by Councilperson: Fundora  
Seconded by Councilperson: Hokien

	Ayes	Nays	Absent	Abstain
<b>Councilperson Delafuente</b>	X			
<b>Councilperson Fundora</b>	X			
<b>Councilperson Habermann</b>	X			
<b>Councilperson Hokien</b>	X			
<b>Councilperson Malave</b>			X	
<b>Mayor Zitt</b>	X			

I, Dr. Cosmo A. Cirillo, Acting Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on February 27, 2023.

Attest:  
February 28, 2023

  
\_\_\_\_\_  
Dr. Cosmo A. Cirillo, Acting Town Clerk  
Town of Guttenberg

***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22;  
Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and  
Block 36, Lot 27*

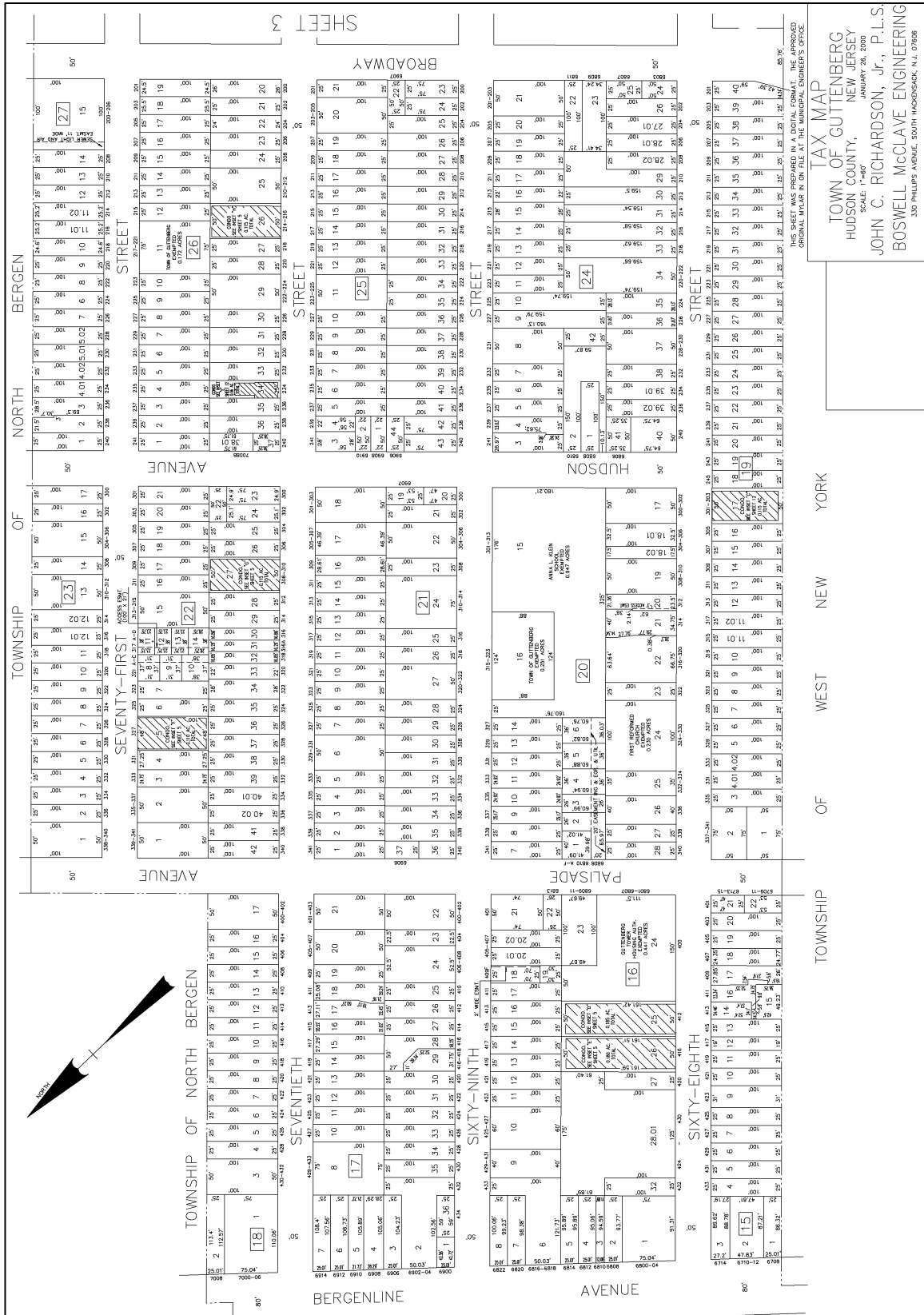
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**Appendix B: Tax Maps**



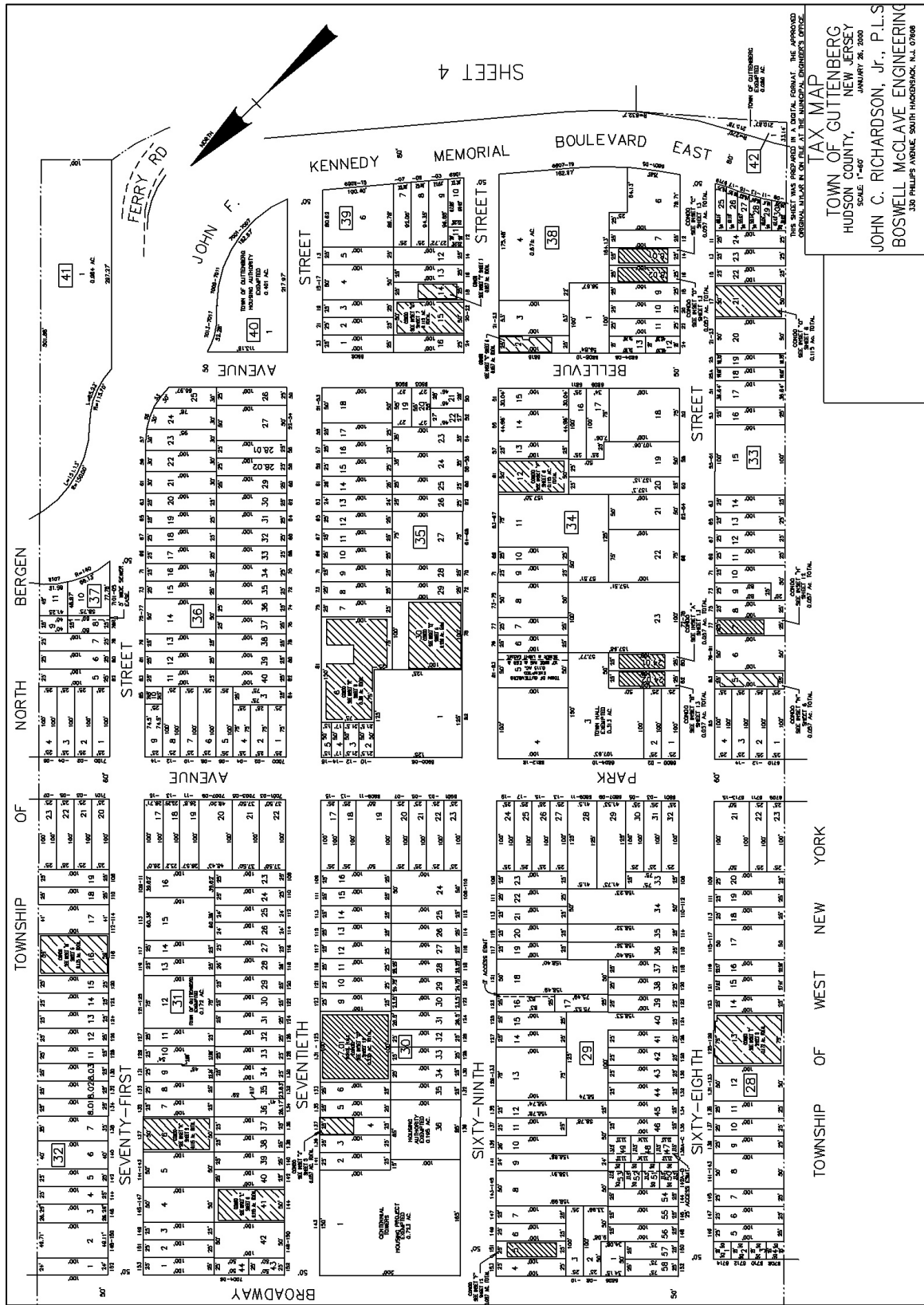
# Redevelopment Study and Preliminary Investigation Report

Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27



# Redevelopment Study and Preliminary Investigation Report

Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22; Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and Block 36, Lot 27



***Redevelopment Study and Preliminary Investigation Report***



*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22;  
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Block 36, Lot 27*

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**Appendix C: Aerial Imagery (Overview)**

**Aerial Imagery (Overview)**  
Town of Guttenberg, Hudson County, New Jersey



-  Study Area Parcel
-  Tax Parcel

Date of Aerials: 2020



0 400 800  
Feet

**ricciplanning**

Paul Ricci, AICP, PP  
177 Monmouth Avenue  
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)  
908.350.4501 (Fax)  
paul@ricciplanning.com

***Redevelopment Study and Preliminary Investigation Report***

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Block 36, Lot 27*



---

**Appendix D: Aerial Imagery (Block 4 Properties)**

Aerial Imagery (Block 4)  
Town of Guttenberg, Hudson County, New Jersey



Esri, HERE, Garmin, (c) OpenStreetMap contributors

-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



0 25 50  
Feet



**ricci**planning

Paul Ricci, AICP, PP  
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**Appendix E: Aerial Imagery (Block 5 Properties)**

Aerial Imagery (Block 5)  
Town of Guttenberg, Hudson County, New Jersey

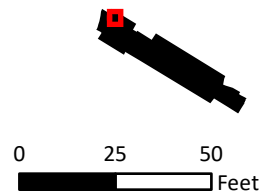


North Bergen Township

Esri, HERE, Garmin, (c) OpenStreetMap contributors

-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



**ricci**planning

Paul Ricci, AICP, PP  
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Atlantic Highlands, NJ 07716

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paul@ricciplanning.com

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**Appendix F: Aerial Imagery (Block 10 Properties)**

Aerial Imagery (Block 10)  
Town of Guttenberg, Hudson County, New Jersey



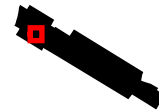
Esri, HERE, Garmin, (c) OpenStreetMap contributors

-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



0 25 50  
Feet



**ricciplanning**

Paul Ricci, AICP, PP  
177 Monmouth Avenue  
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)  
908.350.4501 (Fax)  
paul@ricciplanning.com

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**Appendix G: Aerial Imagery (Block 20 Properties)**

Aerial Imagery (Block 20)  
Town of Guttenberg, Hudson County, New Jersey

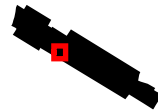


-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



0 25 50 Feet



**ricciplanning**

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Atlantic Highlands, NJ 07716

908.642.0070 (Phone)  
908.350.4501 (Fax)  
paul@ricciplanning.com

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**Appendix H: Aerial Imagery (Block 29 Properties)**

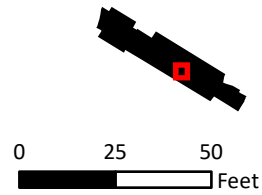
Aerial Imagery (Block 29)  
Town of Guttenberg, Hudson County, New Jersey



Esri, HERE, Garmin, (c) OpenStreetMap contributors

-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



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paul@ricciplanning.com

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**Appendix I: Aerial Imagery (Block 36 Properties)**

Aerial Imagery (Block 36)  
Town of Guttenberg, Hudson County, New Jersey



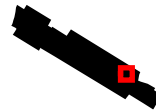
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-  Tax Parcel

Date of Aerials: 2020



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Feet



**ricciplanning**

Paul Ricci, AICP, PP  
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Atlantic Highlands, NJ 07716

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**Appendix J: Study Area Photographs**

***Redevelopment Study and Preliminary Investigation Report***

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**BLOCK 4 PROPERTIES**

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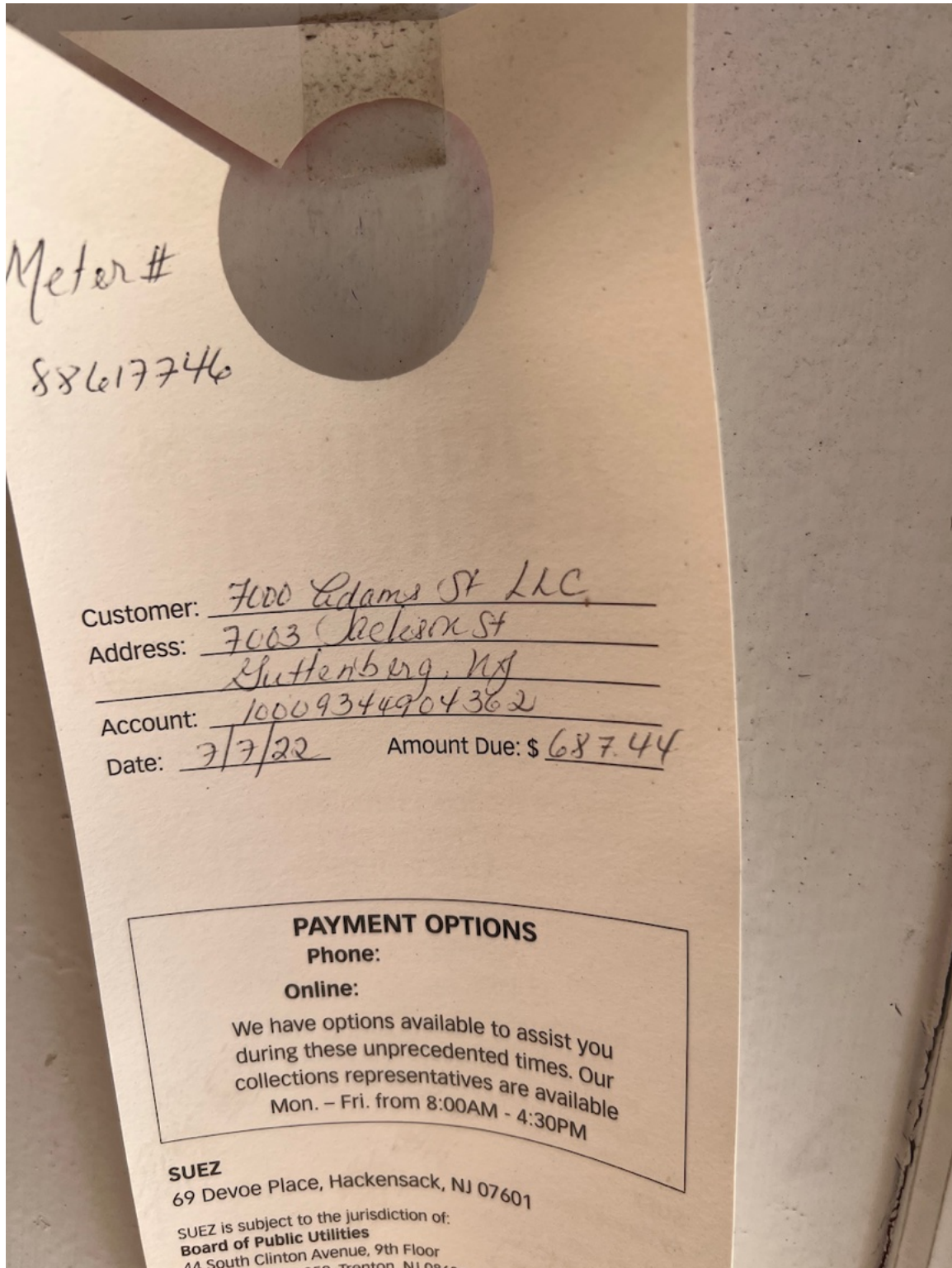
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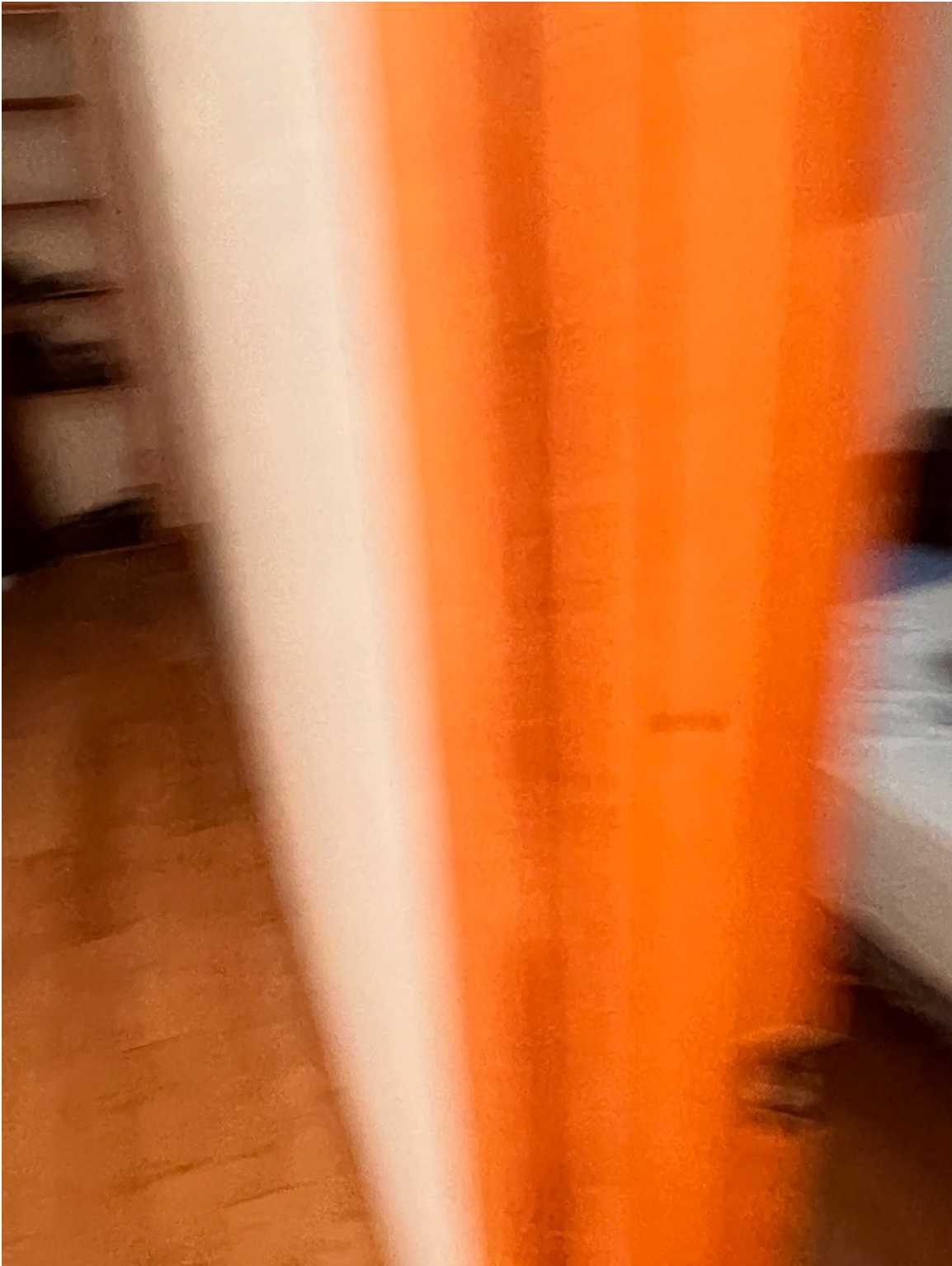
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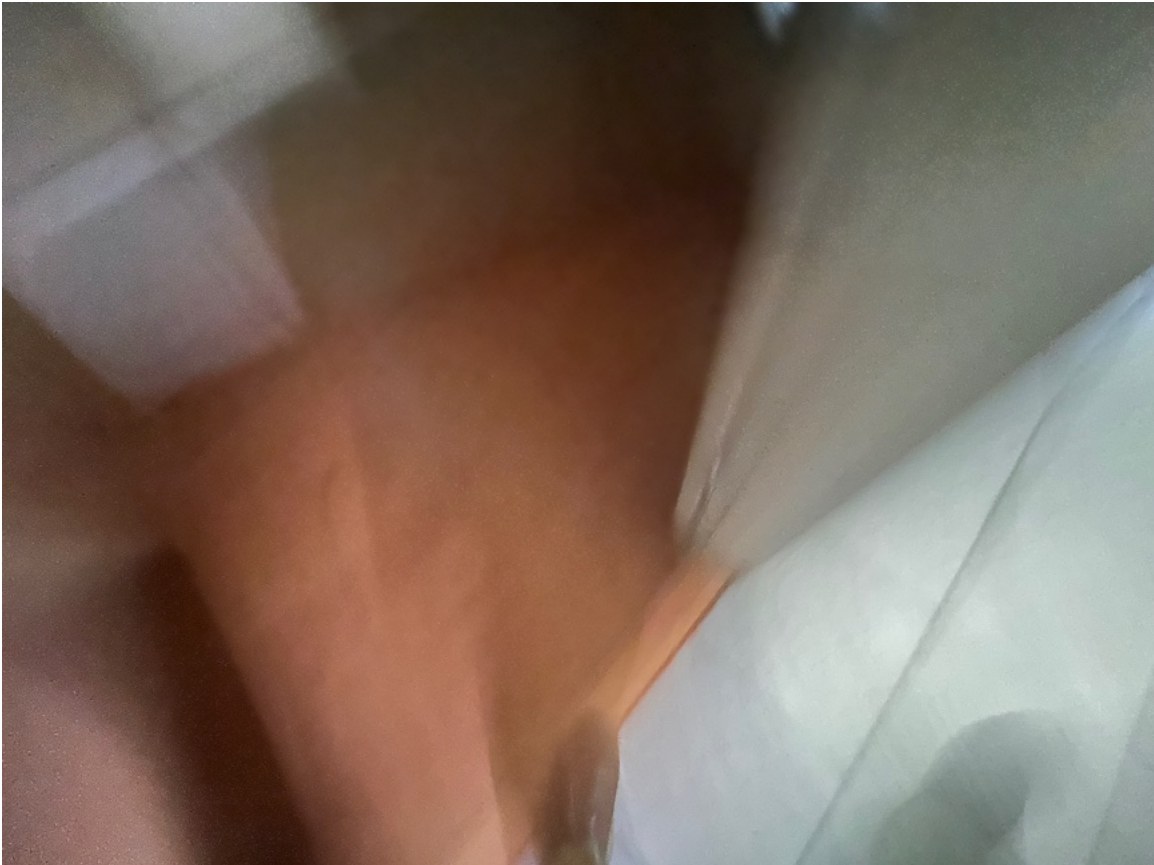
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Google Street View (August 2021)

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Google Street View (March 2023)

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Block 10, Lots 5 and 6; Block 20, Lots 26, 27 and 28; Block 29, Lots 11, 12 and 13; and  
Block 36, Lot 27*

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***Redevelopment Study and Preliminary Investigation Report***

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NearMap Imagery (May 12, 2023)

***Redevelopment Study and Preliminary Investigation Report***

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**BLOCK 36 PROPERTIES**

***Redevelopment Study and Preliminary Investigation Report***

*Block 4, Lots 28.01 and 28.02; Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22;  
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Google Street View (March 2023)

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