



LIBERTY VILLAGE

BLOCK 35; LOTS 22, 23, 24, 25, 31, 53, 54, 69, 70, & 71

FLEMINGTON BOROUGH NJ
SEPTEMBER 14, 2021



KMA
KYLE + MCMANUS ASSOCIATES

POLICY
PLANNING
DESIGN



AREA IN NEED OF REDEVELOPMENT PRELIMINARY INVESTIGATION



Timberland

NO
PARKING
ANY
TIME

LIBERTY
VILLAGE

INTRODUCTION – AERIAL MAP



STATUTORY AUTHORITY & PROCESS

- 1. The Governing Body authorizes an Investigation.**
- 2. The Planning Board prepares a map showing the Study Area boundary.**
- 3. The Planning Board conducts the Investigation and holds a Public Hearing.**
- 4. The Planning Board makes a recommendation, and the Governing Body may adopt a Resolution designating the Study Area as An Area in Need of Redevelopment.**
- 5. The Planning Board or Governing Body authorizes the preparation of a Redevelopment Plan.**
- 6. The Governing Body adopts the Redevelopment Plan after referral to the Planning Board and a Public Hearing.**

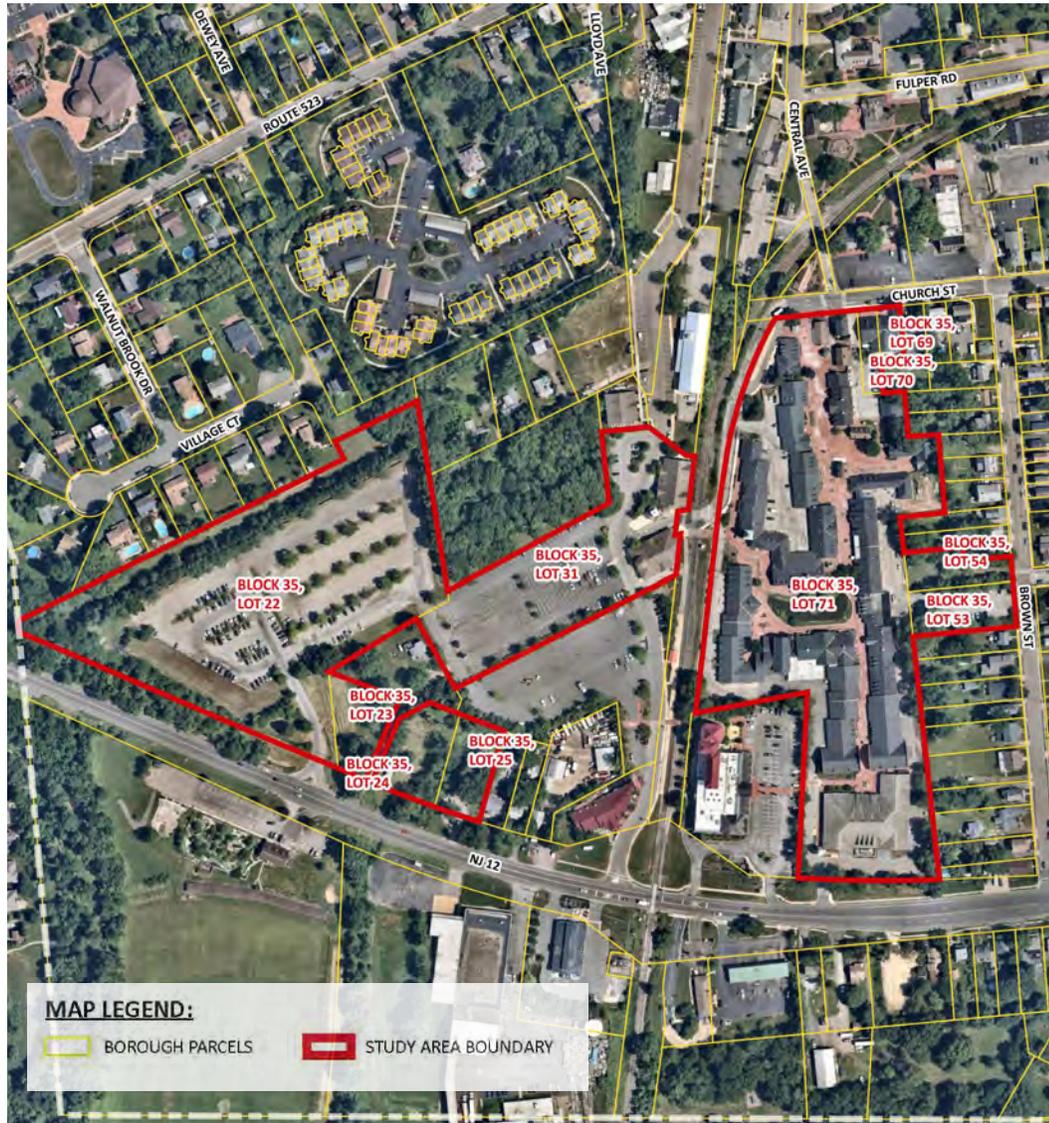
POWERS GRANTED UNDER THE LRHL

- Land Acquisition
- Long-term tax abatements and exemptions
- Area clearance for site improvements
- Negotiation and execution of contracts with private redevelopers and/or public agencies
- Making loans to redevelopers
- Entering properties for investigations/surveys
- Relocation contracting
- Law, code, & regulation enforcement
- Exercising other powers, including the power to do all things necessary or convenient to carry out its plans

BENEFITS OF REDEVELOPMENT PLANNING

- Ameliorate deteriorated or unsavory conditions
- Establish new zoning parameters, meeting community needs
- Offer tax incentives to developers
- Create new businesses and facilities

STUDY AREA DESCRIPTION

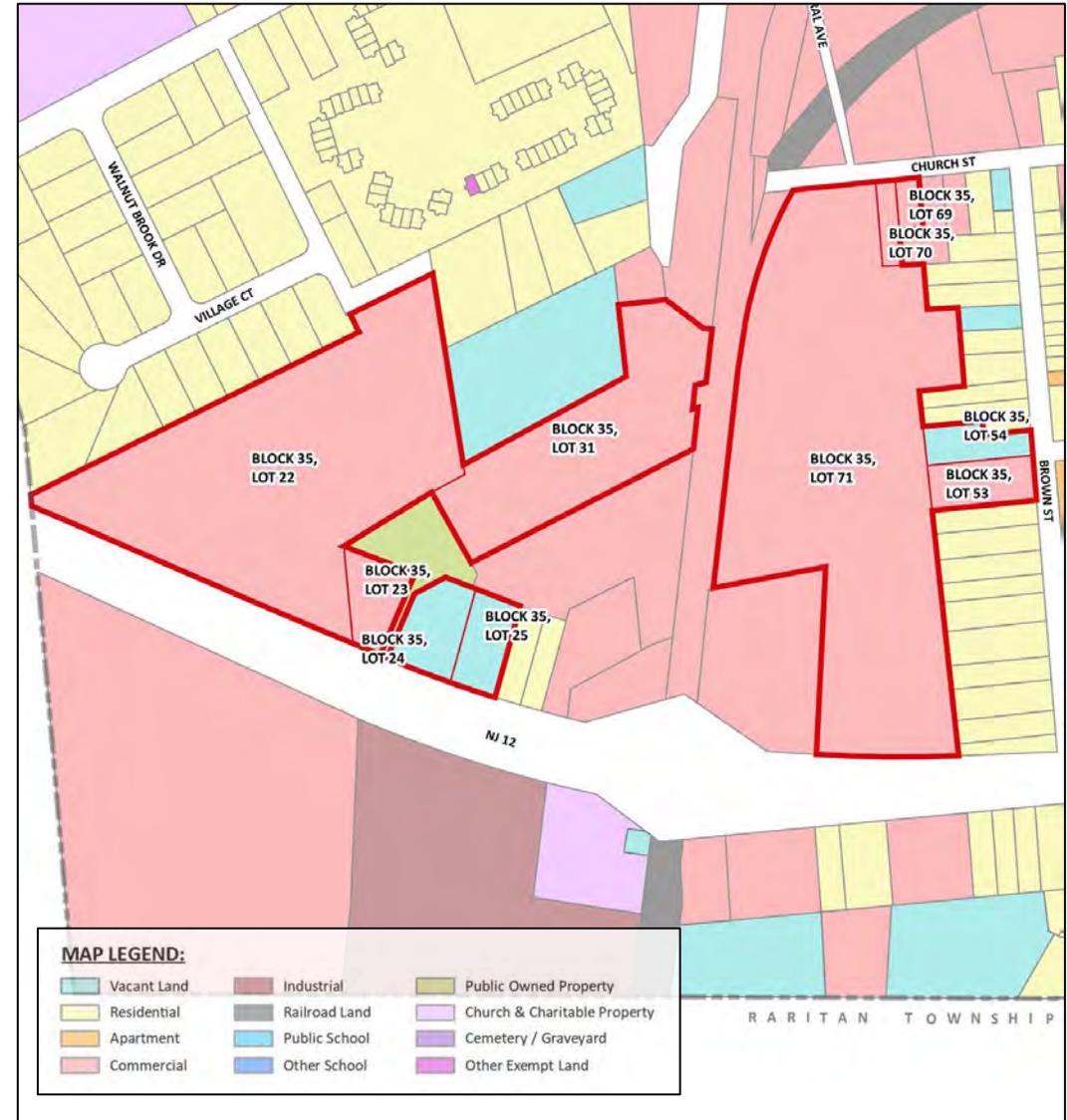
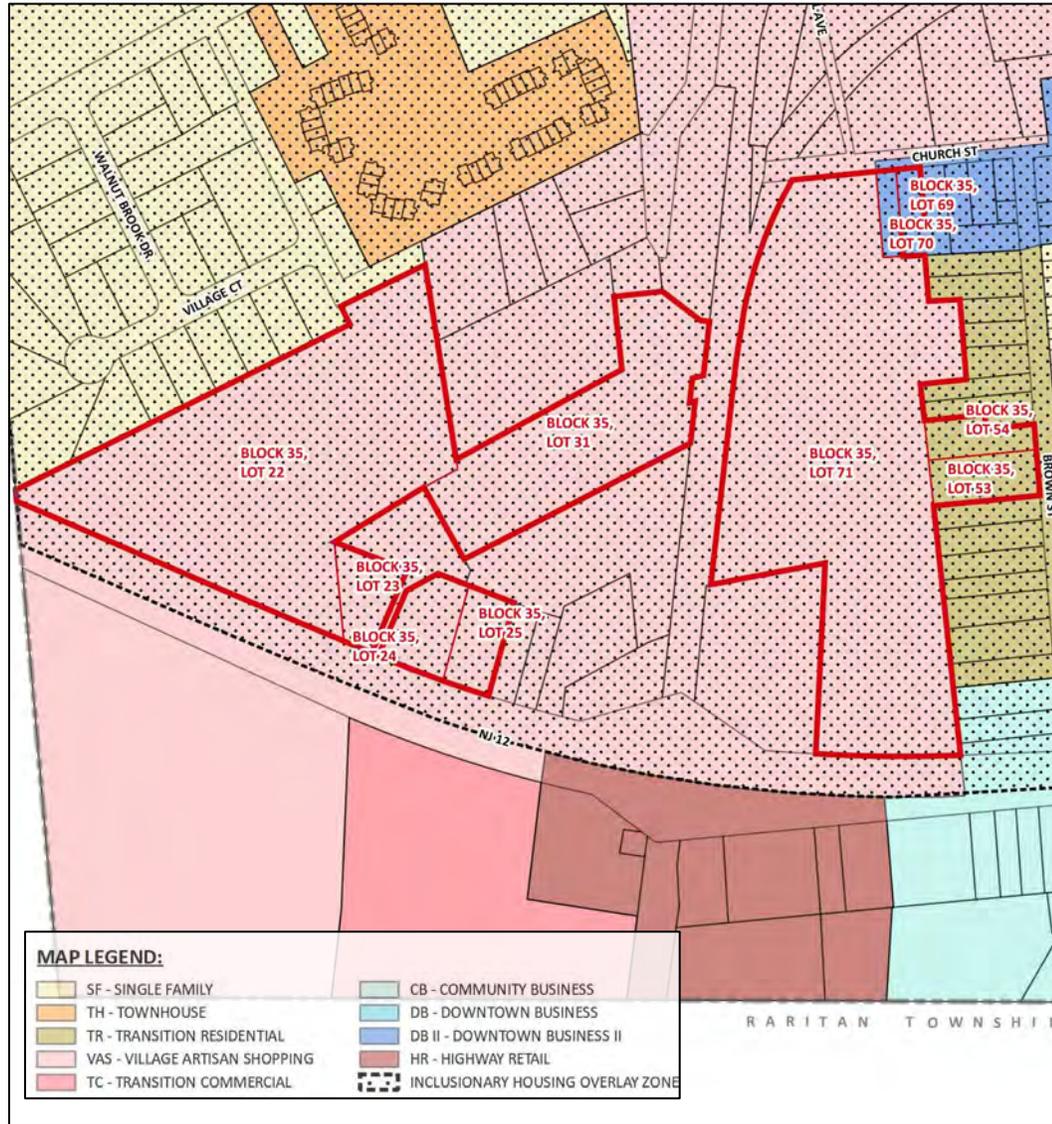


LIBERTY VILLAGE PARCEL SUMMARY TABLE

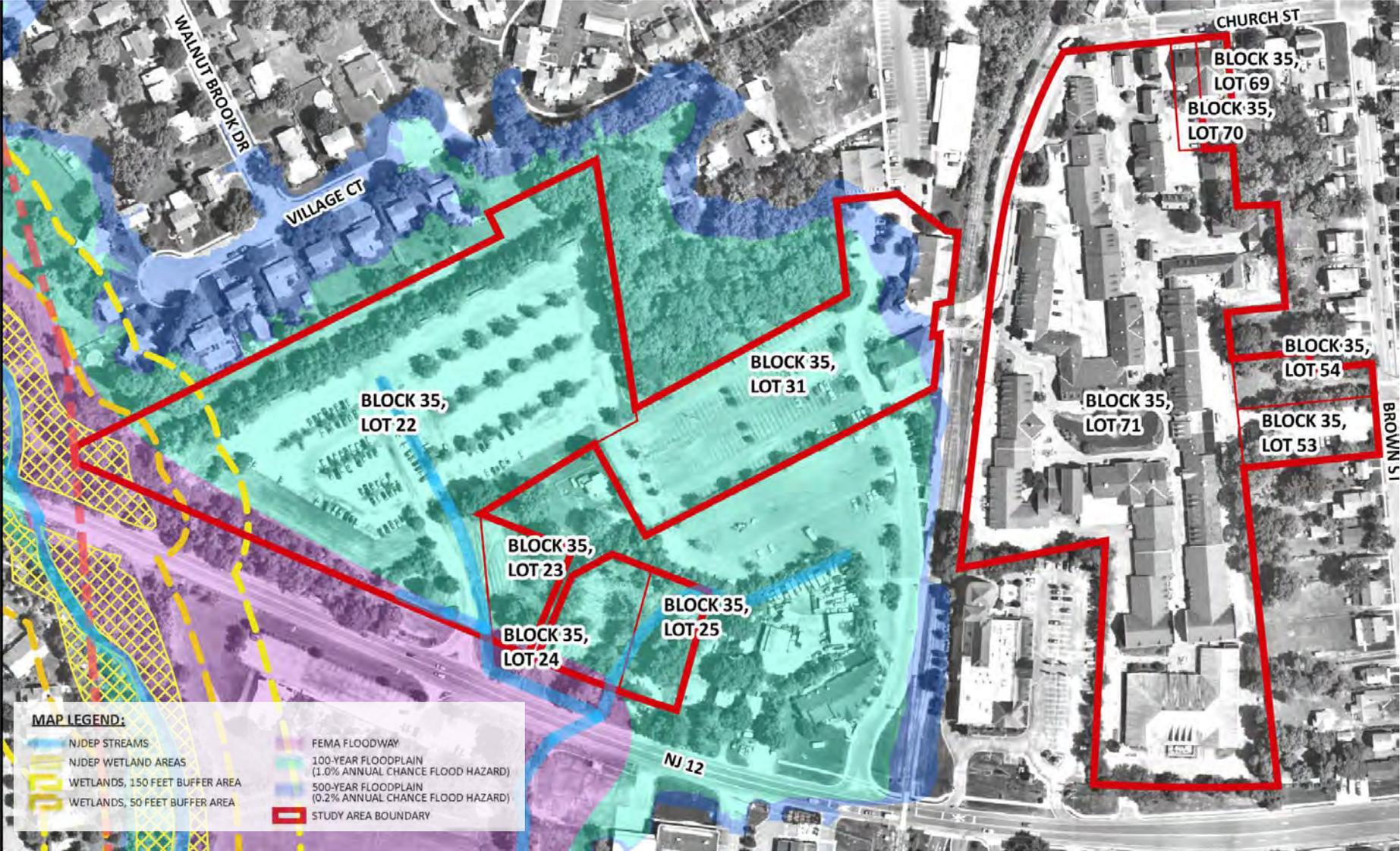
MOD IV PARCEL DATA AS OF 02/24/21; ACREAGE CALCULATED IN GIS

Block	Lot	Property Address	Owner	Acreage	Zone	Land Use
35	22	81 Highway 12	Liberty Realty Outlet LLC & etal	7.4	VAS	Commercial
35	23	67 Highway 12	Liberty Realty Outlet LLC & etal	.48	VAS	Commercial
35	24	26 Highway 12	Liberty Realty Outlet LLC & etal	0.58	VAS	Vacant
35	25	24 Highway 12	Liberty Realty Outlet LLC & etal	.46	VAS	Vacant
35	31	23 Stangl Rd.	Liberty Realty Outlet LLC & etal	3.09	VAS	Commercial
35	53	29-31 Brown St.	Liberty Realty Outlet LLC & etal	.49	TR	Commercial
35	54	27 Brown St.	Liberty Realty Outlet LLC & etal	.36	TR	Vacant
35	69	7 Church St.	Liberty Realty Outlet LLC & etal	0.3	DBII	Commercial
35	70	7 Church St.	Liberty Realty Outlet LLC & etal	0.3	DBII	Commercial
35	71	3 Church St.	Liberty Realty Outlet LLC & etal	9.68	VAS	Commercial

EXISTING ZONING & EXISTING LAND USE



ENVIRONMENTAL CONSTRAINTS



STATUTORY CRITERIA

- a) The generality of buildings are **substandard, unsafe, unsanitary, dilapidated, or obsolescent**, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b) The discontinuance of the use of 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.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or **unimproved vacant land** that has remained so for a **period of ten years** prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d) Areas with buildings or improvements which, by reason of **dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout**, or any combination of these or other factors, are **detrimental to the safety, health, morals, or welfare of the community**.
- e) A growing lack or total lack of **proper utilization** of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which **impede land assemblage or discourage the undertaking of improvements**, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being **detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general**.

STATUTORY CRITERIA

- 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.
- g) In any municipality in which an **enterprise zone** has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h) The designation of the delineated area is **consistent with smart growth planning principles** adopted pursuant to law or regulation.

In addition to the above criteria, the LRHL states:

A redevelopment area may include lands, 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:12-3)

CRITERIA APPLICABLE TO THE STUDY AREA

- 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.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or **unimproved vacant land that has remained so for a period of ten years** prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d) Areas with buildings or improvements which, by reason of **dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.**
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

CRITERION B – SIGNIFICANT VACANCIES

- Applies to Study Area, except Lot 22
- There has been not less than two consecutive years of vacancy of 50% of the retail floor area and 57% of the retail spaces.
- This vacancy is spread throughout the site.
- The shopping center is in a state of dilapidation and disrepair
- Site conditions are in are in a state of dilapidation and disrepair
- The dilapidation and disrepair in the Study Area is unsightly, contributes to continuing vacancy
- The state of dilapidation and disrepair of both the buildings and the site improvements result in the site being untenable.

CRITERION B – SIGNIFICANT VACANCIES

- As of November 2020:
 - 80,420 square feet has been vacant for at least 2 consecutive years
 - 50% of square footage was vacant
 - 57% of spaces available were vacant
- In July 2021:
 - 71% of square footage was vacant
 - 81% of spaces available were vacant
 - 21% increase in vacant floor area since November 2020
- Only 8 spaces appear to be currently occupied

CRITERION B – VACANCY & GREAT STATE OF DISREPAIR



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CRITERION B – VACANCY & GREAT STATE OF DISREPAIR



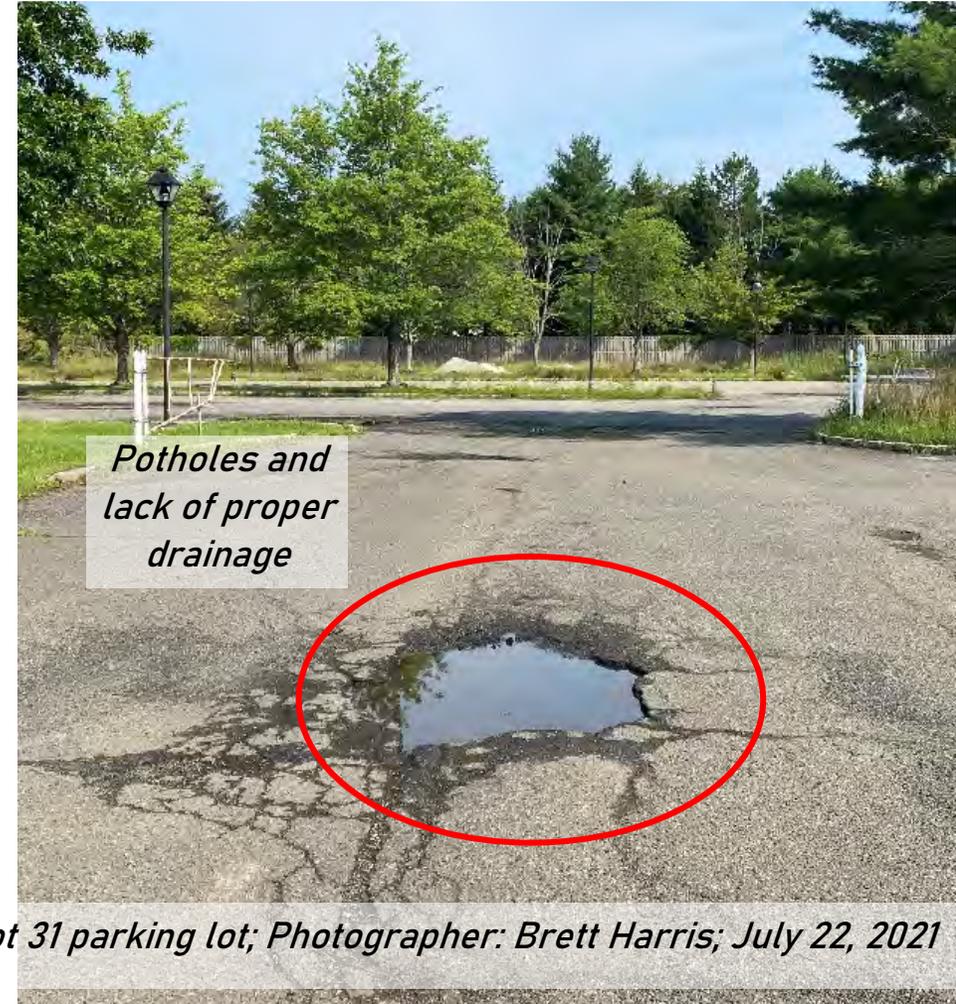
CRITERION B – VACANCY & GREAT STATE OF DISREPAIR



CRITERION B – VACANCY & GREAT STATE OF DISREPAIR



CRITERION B – GREAT STATE OF DISREPAIR



CRITERION B – GREAT STATE OF DISREPAIR



Pedestrian facilities proximate to Suite 59 (left) and at the entrance to 26 (right) Photographer: Brett Harris; July 22, 2021

CRITERION B – GREAT STATE OF DISREPAIR

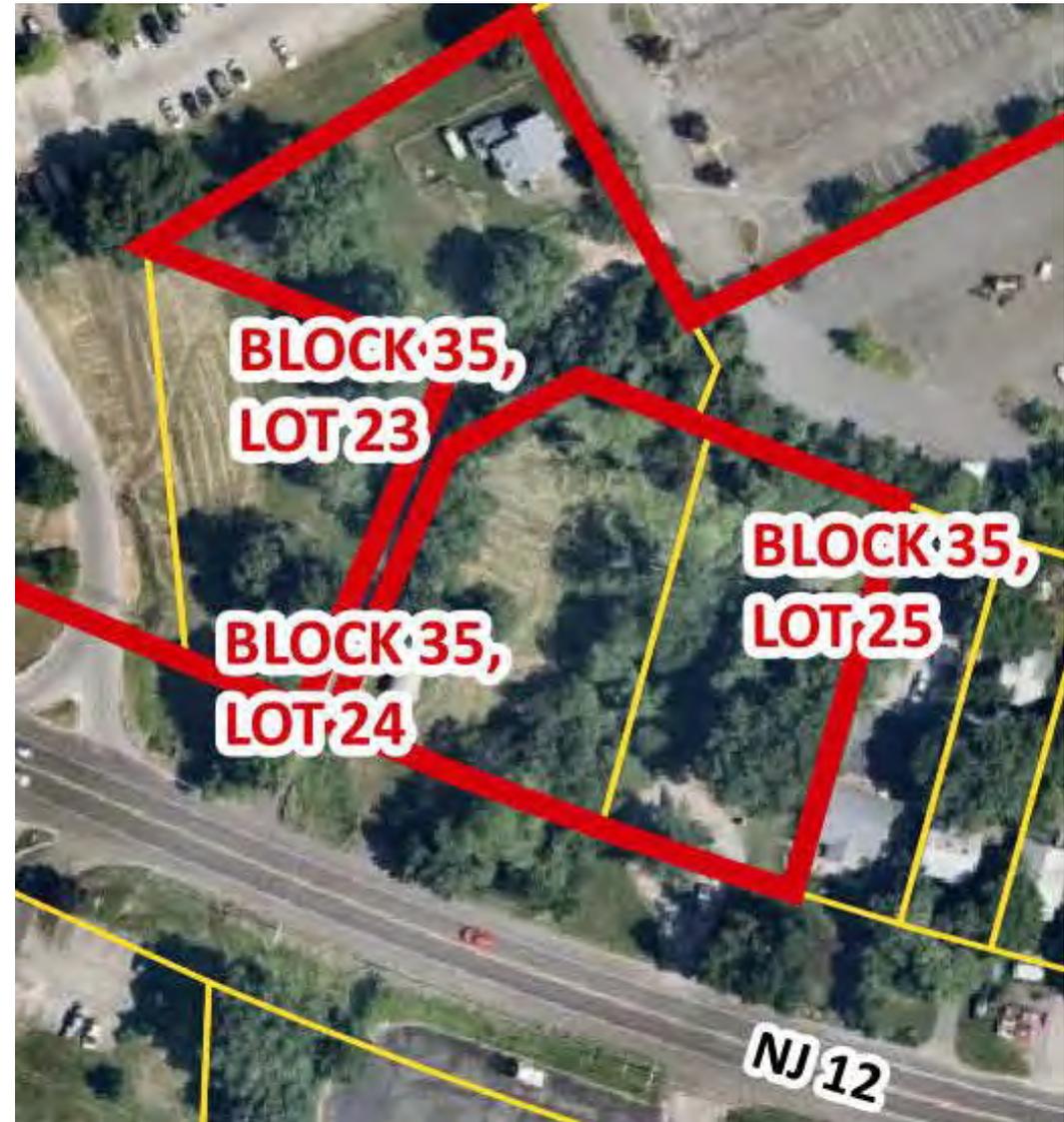


Lot 71 Debris; Photographer: Brett Harris; July 22, 2021



*Lot 71 eastern property line
Photographer: Brett Harris; July 22, 2021*

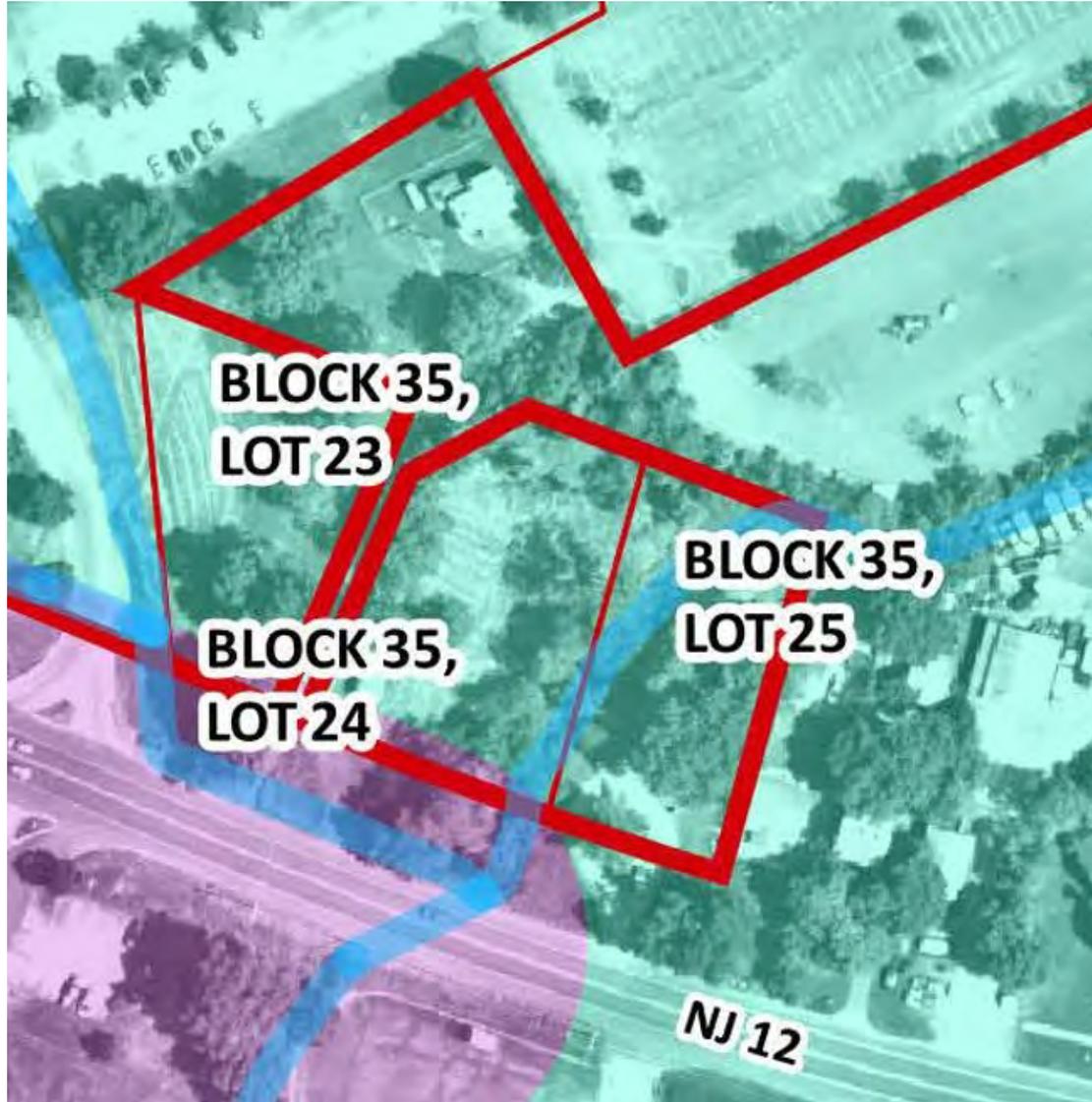
CRITERION C – UNIMPROVED VACANT LAND



CRITERION C – UNIMPROVED VACANT LAND

- Applies to Study Area, except Lot 23, 24, 25
- The lots have been vacant since at least 2007.
- The lots, which total approximately 1.5 acres, are not likely to be developed through the instrumentality of private capital due to the significant environmental constraints of being located entirely within the Special Flood Hazard area and subject to 150-foot riparian buffers from two streams.

CRITERION C – UNIMPROVED VACANT LAND



Applies to: Block 35, Lots 23-25

MAP LEGEND:

-  NJDEP STREAMS
-  NJDEP WETLAND AREAS
-  WETLANDS, 150 FEET BUFFER AREA
-  WETLANDS, 50 FEET BUFFER AREA
-  FEMA FLOODWAY
-  100-YEAR FLOODPLAIN (1.0% ANNUAL CHANCE FLOOD HAZARD)
-  500-YEAR FLOODPLAIN (0.2% ANNUAL CHANCE FLOOD HAZARD)
-  STUDY AREA BOUNDARY

CRITERION D – DILAPIDATION & DELETERIOUS LAND USE

- Applies to the entire Study Area.
- Lot 22 has a faulty arrangement due to the lack of stormwater management and flood control
- Lot 22 contains substantial vegetative and manmade debris that is unsightly, may lead to stormwater runoff pollution from unconsolidated / loose materials, and impedes the lot's ability to serve its intended purpose – parking.
- The accessory building on Lot 24 is dilapidated and the site is overgrown with vegetation..
- The majority of buildings associated with the retail use are in a state of dilapidation and disrepair
- Site conditions associated with the retail use are in are in a state of dilapidation and disrepair

CRITERION D – DILAPIDATION & DELETERIOUS LAND USE



CRITERION D – DILAPIDATION & DELETERIOUS LAND USE



CRITERION D – DILAPIDATION & DELETERIOUS LAND USE



CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



*Deteriorated
eave and window
casing*

*Overgrown
vegetation*

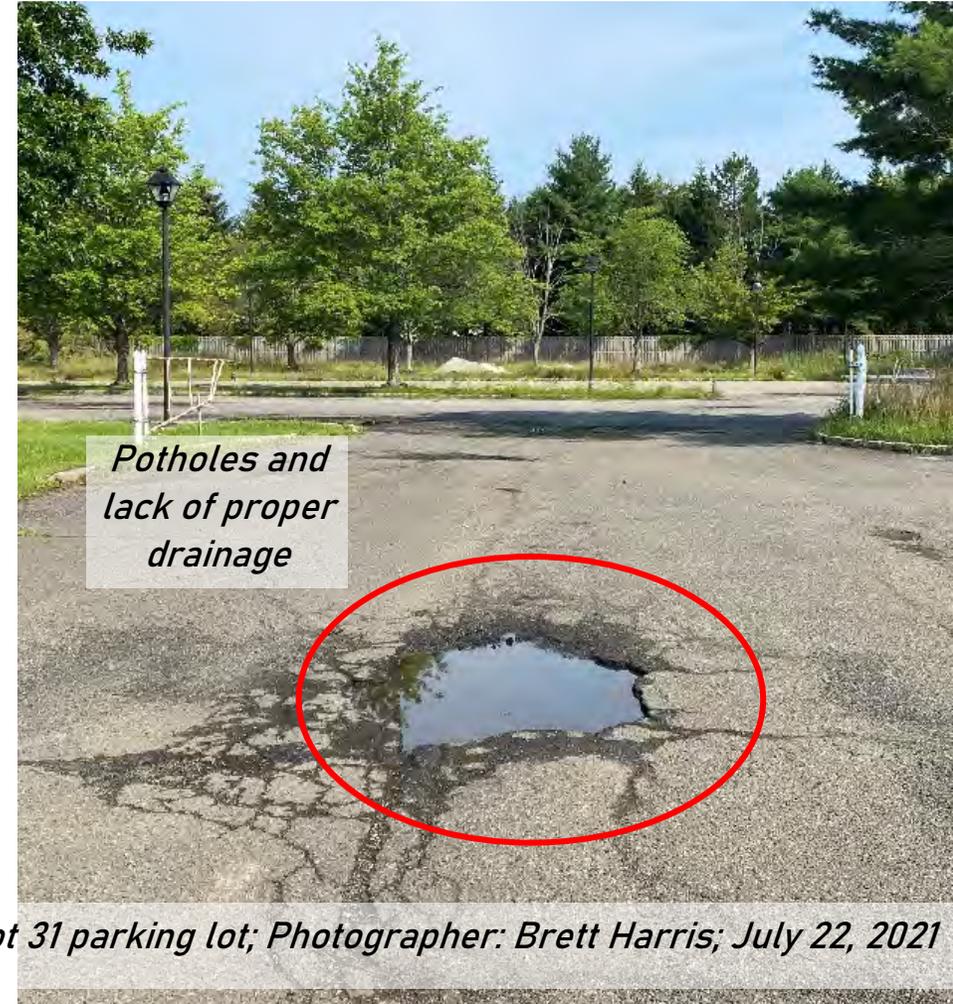
*Disconnected and
rotting handrails,
rotting steps*

Vacant building along Church St. and Suite 29; Photographer: Brett Harris; July 22, 2021

CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



Potholes and lack of proper drainage



Potholes and lack of proper drainage

Lot 31 parking lot; Photographer: Brett Harris; July 22, 2021

CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



Pedestrian facilities proximate to Suite 59 (left) and at the entrance to 26 (right) Photographer: Brett Harris; July 22, 2021

CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT

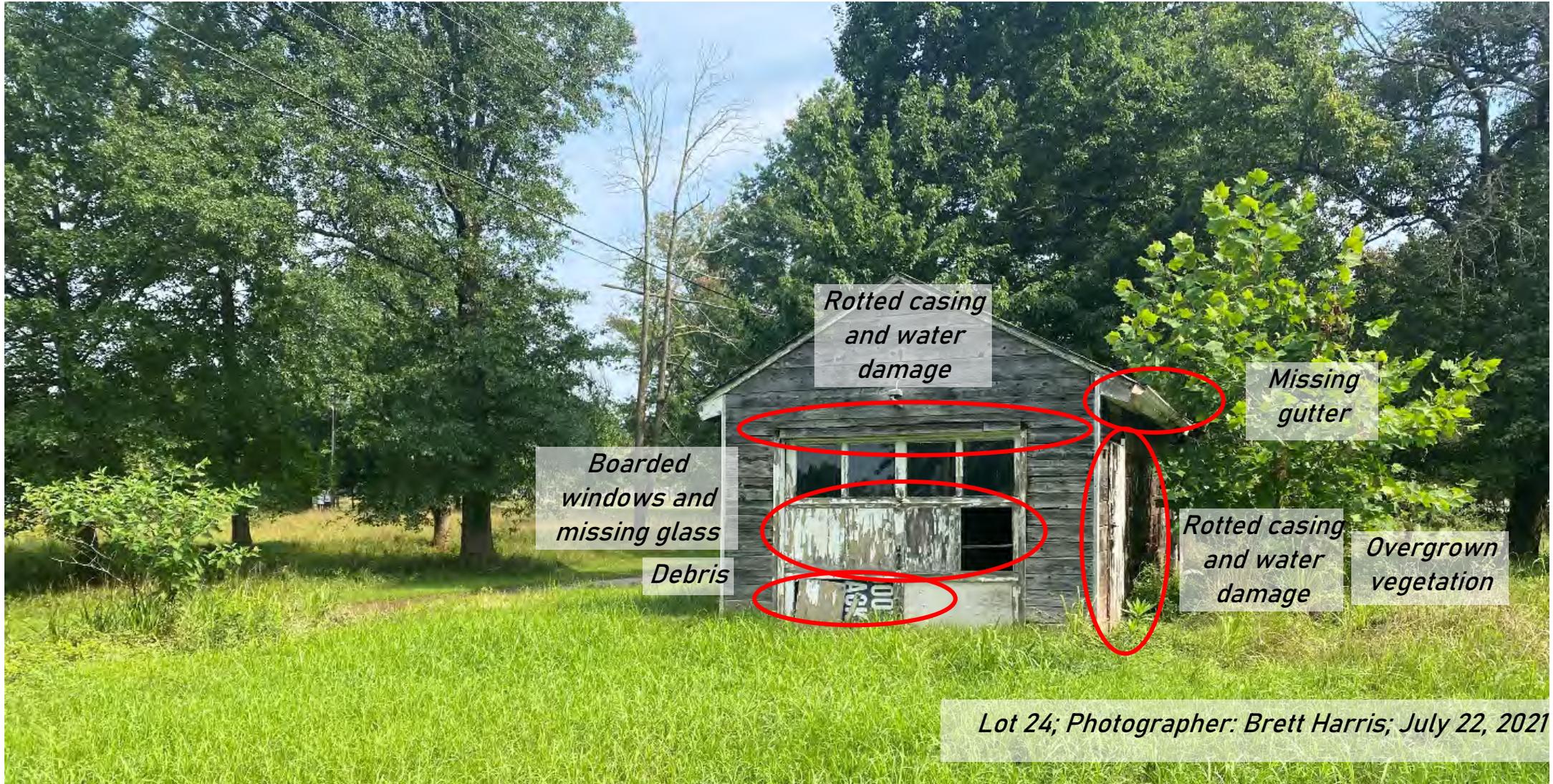


Lot 71 Debris; Photographer: Brett Harris; July 22, 2021



*Lot 71 eastern property line
Photographer: Brett Harris; July 22, 2021*

CRITERION D – DILAPIDATION & FAULTY ARRANGEMENT



Lot 24; Photographer: Brett Harris; July 22, 2021

CRITERION H – SMART GROWTH PRINCIPLES

- Applies to: Study Area
- Downtown Flemington, including the Study Area, is a designated Center, where future growth and development should be concentrated.
- The Study Area is serviced by municipal infrastructure, potentially making the cost barriers associated with new development less.
- The Study Area is served by rail infrastructure, with the Black River & Western railroad bisecting the site.

RECOMMENDATIONS

The Study Area meets the following criteria:

- Criterion b – Significant Vacancies, & Great State of Disrepair
- Criterion c – Unimproved Vacant Land for 10 years
- Criterion d – Dilapidation, Faulty Arrangement or Design, & Deleterious Land Use
- Criterion h – Consistent with Smart Growth Principles



THANK YOU!

QUESTIONS?