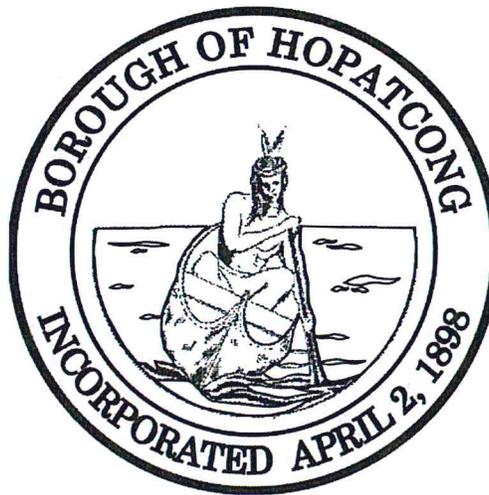


Redevelopment Study Area Determination of Need

River Styx Area

Borough of Hopatcong
Sussex County, New Jersey



May 2016



John K. Ruschke, P.P., P.E.
Vice President

N.J. P.P. License #33LI00525400

N.J. P.E. License #37148

Hatch Mott MacDonald

412 Mt. Kemble Avenue

Suite G22

Morristown, NJ 07960



Hatch Mott
MacDonald



| | | |
|---|--|---|
| 1 | Introduction | 1 |
| 2 | Criteria for Redevelopment Designation. | 2 |
| 3 | Description of the Study Area. | 3 |
| 4 | Goals and Objectives of the Redevelopment Designation..... | 4 |
| 5 | Relevant Planning Studies..... | 5 |
| 6 | Applicability with Required Area In Need of | 6 |
| | Redevelopment Criteria | |
| 7 | Conclusions | 7 |

Appendix A – Hopatcong Borough Resolution #2016-110

Appendix B – Maps of Study Area

Appendix C – Redevelopment Area Photo Log

1. Introduction

1.a Introduction to Area in Need of Development Designation

The purpose of this report is to determine whether all or parts of the River Styx Redevelopment Area, defined as Block 30601, Lot 21; Block 30701, Lots 1, 2, 4, 5, & 12; Block 30703, Lots 11, 12, & 12.01; Block 30704, Lots 1, 2, 3.01, 6, 8, 9, 10, 10.01, 13, & 14; Block 30705, Lots 1, 4, 6, 7, & 9; Block 30706, Lot 1; Block 30707, Lots 1, 3, 4, 5, 6, 9, 10, & 11; Block 31603, Lots 52, & 52.01; Block 31605, Lot 14; Block 31606, Lots 20, 21, 22, 27, & 28 (the “Redevelopment Area”) qualify as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law (NJSA 40:12A-1 et seq., herein referred to as the LRHL). This analysis has been conducted pursuant to the LRHL, which specifies the conditions that must be met within the delineated areas and the process to be undertaken by the Planning Board (herein referred to as the Land Use Board) during the investigation, as outlined in Section 2 of this report.

The LRHL provides municipalities with a means to address conditions of deterioration and lack of proper land use for lands and/or buildings which are abandoned, decayed, undeveloped, underdeveloped, or non-productive/under-productive and to actively redevelop such areas into productive assets for the community. New Jersey Municipalities often turn to redevelopment planning as a means of enhancing the development attractiveness of parcels within a targeted area. Several key benefits include the ability by the municipality to:

- Partner with the private sector through entering into contractual redevelopment agreements which may be structures to provide for a cash contribution, land ‘give back’ for a specific municipal purpose, tax abatement, infrastructure improvement or extension, or improvements unrelated to a specific redevelopment project, but consistent with overall municipal objectives.
- Maintain greater control over development in a redevelopment area through the adoption of a redevelopment plan, terms of a redevelopment agreement, and ability to select a specific redeveloper.
- Leverage grant funding for planning and development activity that would not otherwise be available.
- Adjustment development regulations to encourage development
- Extend redevelopment planning to parcels of any size and enable current landowners to advance redevelopment initiatives consistent with the adopted plan.



The Hopatcong Borough Council, in resolution #2016-110 dated April 20, 2016, requested the Borough Planner to undertake a preliminary investigation as to whether the properties between the Hudson Maxim School and the area of the River Styx Bridge are in need of redevelopment pursuant to the LRHL (See Resolution in Appendix A).

This report serves as the statement setting forth the basis for the investigation of an area in need of redevelopment, as required under the LRHL. This report and investigation is aimed only at determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Redevelopment and therefore, does not contain any of the specific planning guidance contained in a redevelopment Plan.

2. Criteria for Redevelopment Designation

2.a Redevelopment Process

The redevelopment statute requires a multi-step process that must be adhered to in order for the municipal governing body and land use board to exercise these powers lawfully. This process is outlined below:

- 1) The governing body must authorize the land use board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of P.L.1992, c.79 (C.40A:12A-5).
- 2) The land use board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein.
- 3) The land use board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a land use board resolution for formal action.
- 4) Upon receipt of a the recommendation from the land use board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
- 5) Upon designation, the land use board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
- 6) The redevelopment plan, after review by the land use board, is referred to the governing body.
- 7) Upon receipt of the redevelopment plan from the land use board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the Redevelopment Statute.

2.b Criteria for Redevelopment Area Determination

Per Section 5 of the LRHL, the following criteria must be considered when evaluating a redevelopment study area. A delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

- 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 buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be 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.

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 land use 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, Section 3 of the LRHL allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating "a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety, or welfare, but the inclusions of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part."

3. Description of Study Area

3.a Overview

The River Styx Redevelopment Study Area is approximately 1,427,042 S.F. (32.8 acres) in the vicinity of River Styx Road and Durban Avenue stretching from Lakeside Boulevard to Deane Road, centered around the River Styx Bridge. The Study Area, herein known as the River Styx Redevelopment Study Area is shown in Appendix B of this report.

There are forty-four individual properties, as shown on the Hopatcong Borough Tax Maps in Appendix B of this report, within the study area consisting of the following:

| Block | Lots |
|--------------|--|
| 30601 | 21 |
| 30701 | 1, 2, 2.01, 4, 5, 5.01, 12, 12.01 |
| 30703 | 11, 12, 12.01 |
| 30704 | 1, 2, 3.01, 6, 8, 9, 10, 10.01, 13, 14 |
| 30705 | 1, 4, 6, 7, 9 |
| 30706 | 1 |
| 30707 | 1, 3, 4, 5, 6, 9, 10, 11 |
| 31603 | 52, 52.01 |
| 31605 | 14 |
| 31606 | 20, 21, 22, 27, 28 |

The River Styx Redevelopment Study Area is generally bound by Lakeside Boulevard and Deane Road. The boundaries of the study area were determined by the Borough given the presence of a stagnant and less than fully productive utilization of land, and substandard and dilapidated physical deterioration. In aggregate these conditions are detrimental to the health, safety, and welfare of the Borough. Additionally the Borough recognized that these conditions have existed in the Study Area for some time, and that absent proactive Borough intervention in the form for redevelopment planning, said conditions are not likely to be remediated solely through private sector initiatives.

The Study Area has historically been used for a mixture of retail stores & businesses, offices, parking lots, and residential use. From a zoning standpoint, the River Styx Redevelopment Study Area parcels are located within the B-1 (retail business) and R-1 (single family residential) zoning districts.

3.b Development and Improvements Occurring in the Study Area

The Borough of Hopatcong lies on the western shore of Lake Hopatcong, New Jersey's largest lake. With a population of approximately 16,000, Hopatcong is the third largest community in Sussex County. The River Styx Redevelopment Study Area has been the focus of interest and decisions in recent years at the municipal, State, and regional levels aimed at fostering the next stage of Hopatcong, and the County of Sussex's, development. The area generally surrounding the River Styx Bridge is considered one of the best areas for potential development, and redevelopment, in the Borough. The Borough has taken a proactive approach to increase the commercial development along River Styx Road through the development of a Sustainable Economic Development Plan for the River Styx Road Main Street commercial Corridor. This is to address the commercial services available to residents, as well as providing new opportunities for non-residential development within the Borough. The Plan primarily targets specific "disturbed" areas for development through the implementation of a Form Based Code approach. The Form Based Code is also expanded to an underdeveloped parcel of land along Ithanell Road. The development of this property for residential use will further support River Styx Main Street Complete Streets Concept. The River Styx Area is entering into a new era as a designated town center, as exemplified by the mixed-used residential and commercial proposals centering on emphasizing the River Styx corridor as a town center.

Despite the development of a Sustainable Economic Development Plan and designation as a town center, development within the River Styx Redevelopment Study Area is minimal. Greentree Development Group recently developed an under-utilized parcel within the River Styx Redevelopment Study Area to construct 4,660 square feet of first-floor retail space and fifteen (15) condominiums above the shops. Greentree Development Group has Land Use Board approval for an additional ten (10) condominium homes within the River Styx Redevelopment Study Area. However, Greentree Development Group has not initiated redevelopment of the property due to uncertainty in the economic feasibility of the development as approved. A second developer, Hopatcong Renewal Associates, LLC has prepared a plan of redevelopment of Block 30707, Lot 10 to include a 3-story mixed use residential/retail building with nine (9) condominium units proposed. While the redevelopment has received approval from the Hopatcong Borough Land Use Board, the developer is not continuing efforts to obtain Sussex County Approval. This is again due to uncertainty in the economic feasibility of the development as approved.

3.c Existing Land Use in the River Styx Redevelopment Study Area

As a whole, the River Styx Redevelopment Study Area is underutilized, underdeveloped, non-conforming, and many structures are reaching the end of their intended lifespan. As much of the area was primarily built in the 1950s, many of the buildings have become dilapidated and unsafe. Despite being located at an important point in Sussex County, not all of the parcels within the River Styx Redevelopment Study Area can be considered improved. An Aerial map of the River Styx Redevelopment Study Area, as shown in Appendix B, shows the built-up nature of this section of Hopatcong except for the River Styx Redevelopment Study Area around the River Styx Bridge. Of the forty-four (44) parcels, 30 parcels are improved properties while the remaining 14 parcels consist of vacant lots, discontinued uses, abandoned lots, or parking areas.

As shown in the table below, the dominant land uses (aside from public right of way) in the River Styx Redevelopment Study Area are retail and residential comprising 42.6% of the Study Area.

| Land Use Type | Total Acres | Number of Parcels | Percent of Total Acreage |
|--------------------------|--------------------|--------------------------|---------------------------------|
| Residential | 7.17 | 11 | 21.9% |
| Retail | 6.79 | 16 | 20.7% |
| Mixed Retail/Residential | 0.55 | 1 | 1.7% |
| Religious Institution | 3.27 | 6 | 9.9% |
| Parking | 0.38 | 1 | 1.2% |
| Vacant/Open Space | 8.54 | 9 | 26.1% |
| Public/ROW | 6.06 | N/A | 18.5% |

3.d Zoning Characteristics in the River Styx Redevelopment Study Area

The Hopatcong Borough Zoning Map, shown in Appendix B of this report, shows that the forty-one (41) lots in the River Styx Redevelopment Study Area are located in the B-1 (retail business), one (1) lot is located in the R-1 (single family residential) zoning districts and two (2) parcels within the Study Area are located partially in the B-1 and partially in the R-1 zone. A majority of the parcels within the River Styx Redevelopment Study Area do not meet the zoning requirements of the B-1 and R-1 zone described below.

B-1 Retail Business Zone

Permitted Uses:

- Stores for the retail sale of goods (e.g., grocery store, drugstore, flower shop)

- Shops or offices for the provisions of services (e.g., dry-cleaning or tailor shops, barber or beauty shops)
- Business offices, shops or stores similar to those listed herein in type of services or goods sold, in number of persons or cars to be attracted to the premises or in effect upon adjacent areas in more restricted use zones
- Marinas, boat repair, rental yard or storage facilities
- Municipal buildings, parks and playgrounds
- Accessory Uses – Signs, Fences, and other customary accessory uses and buildings, such as detached garages, yard utility buildings and off-street open parking, provided that such uses are incidental to the principal use and do not constitute another principal use

Conditional Uses:

- Public utility installations and public utility garages
- Public garages and gasoline stations
- Philanthropic and eleemosynary uses

Requirements:

- 1) Minimum lot size.
Interior: 12,000 square feet.
Corner: 14,000 square feet.
- 2) Minimum lot width.
Interior: 90 feet.
Corner: 115 feet.
- 3) Minimum lot depth: 100 feet.
- 4) Minimum front yard setback: 25 feet.
- 5) Minimum side yard setback.
Principal building: 10 feet.
Accessory building: six feet or 1/2 the height of the accessory building, whichever is greater.
- 6) Minimum rear yard setback.
Principal building: 20 feet.
Accessory building: six feet or 1/2 the height of the accessory building, whichever is greater.
- 7) Maximum building height.
Principal building: the lesser of 35 feet or 2 1/2 stories.
Accessory building: 18 feet.
- 8) Maximum lot coverage: 65%.

R-1 Single Family Residential Zone

Permitted Uses:

- Single-family detached dwellings
- Such municipal buildings, parks, playgrounds or other municipal facilities as are deemed necessary and appropriate by the governing body
- Temporary buildings for uses incidental to construction work, provided that such buildings are removed upon completion or abandonment of the construction work
- Accessory Uses – Home gardening, signs, home occupations, professional offices, private swimming pools, fences, private piers, boathouses and docks, Other customary accessory uses and buildings, such as detached garages, yard utility buildings and off-street open parking, provided that such uses are incidental to the principal use and do not include any activity commonly conducted as a business, Temporary housing to be located on a property wherein the principal structure has been destroyed or damaged by a fire or other catastrophe.

Conditional Uses:

- Public utility installation
- Hospitals
- Churches or places of worship and religious instruction
- Country clubs and community centers
- Outdoor recreation facilities

Requirements:

- 1) Minimum lot size: 15,000 square feet
- 2) Minimum lot width.
Interior: 120 feet.
Corner: 145 feet.
- 3) Minimum lot depth: 100 feet.
- 4) Minimum front yard setback: 40 feet; provided, however, that as to lots on developed streets, the Zoning Officer may, upon receipt of adequate documentation, issue a permit to construct a dwelling in accordance with the prevailing setback line of buildings upon said street, but not closer than 20 feet to the right-of-way line
- 5) Minimum side yard setback.



Principal building: 15 feet each side except that as to existing nonconforming lots which are 80 feet in width or less, each principal building shall be provided with two side yard spaces totaling a minimum of 20 feet in width, the minimum width of any side yard being not less than 10 feet

Accessory use: 15 feet each side

- 6) Minimum rear yard setback.

Principal building: 20 feet.

Accessory building: six feet or 1/2 the height of the accessory building, whichever is greater. Further, no accessory building in a rear yard shall be closer to any side lot line than six feet or half the height of the accessory use, whichever is greater.

- 7) Maximum building height.

Principal building: the lesser of 35 feet or 2 1/2 stories.

Accessory building: 18 feet.

- 8) Maximum lot coverage: 25%.

- 9) Maximum building footprint coverage: 15%

3.e Environmental Characteristics in the River Styx Redevelopment Study Area

There are few environmental constraints located in the River Styx Redevelopment Study Area, shown on the environmental map in Appendix B of this report. Flood Hazard Areas and associated riparian zones are located along Lake Hopatcong, which borders the River Styx Redevelopment Study Area on three sides. No Freshwater Wetlands have been identified within the Study Area. The River Styx Redevelopment Study Area contains two contaminated sites as identified by the New Jersey Department of Environmental Protection (NJDEP). The first site, Hopatcong Auto, located at 450 River Styx Road (Block 30707, Lot 5) is actively being remediated. Proper due care of the contaminated is being taken by the owner and licensed professionals. The second site, located at 453 River Styx Rd (Block 30704, Lot 6) is the site of a former underground storage tank. No soil and/or groundwater contamination has been identified in connection with this former underground storage tank. The site is in the process of closing this case.

4. Goals & Objectives of the Redevelopment Designation

4.a Goals of the Redevelopment Designation

The ultimate goal of the River Styx Redevelopment Study Area Redevelopment Designation, and subsequent Redevelopment Plan, is to transform underutilized, underdeveloped, substandard, functionally obsolete, and dilapidated properties located within the Study Area into economically and socially productive uses contributing to the general welfare of the Borough of Hopatcong via increased tax retable's and the improvement of blighted properties. The River Styx Redevelopment Study Area designation will provide a 'tool' to attract private development and redevelopment in the Borough of Hopatcong, River Styx Corridor. The Redevelopment designation will provide the basis of the redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives. Please see Section 4.c below for the powers of a municipality for a Redevelopment Zone once a redevelopment plan is adopted by the governing body.

4.b Objectives of the Redevelopment Designation

The objectives of the River Styx Redevelopment Study Area are as follows:

1. To eliminate those conditions that caused these properties to be designated an "area in need of redevelopment." Specifically, the goal is to upgrade and/or remove structures and infrastructure that are substandard, functionally obsolete and dilapidated.
2. To strengthen existing commercial uses and to encourage a mix of uses that provide employment, retail opportunities, services, and entertainment as well as residential options.
3. To encourage new mixed use development along the River Styx corridor.
4. To encourage the re-use of vacant properties, underutilized properties, substandard properties, or underdeveloped properties.

4.c Redevelopment Plan

Per the LRHL, Section 40A:12A-8., Effectuation of redevelopment plan:

“Upon the adoption of a redevelopment plan pursuant to section 7 of P.L. 1992, c.79 (C.40A:12A-7), the municipality or redevelopment entity designated by the governing body may proceed with the clearance, replanning, development and redevelopment of the area designated in that plan. In order to carry out and effectuate the purposes of this act and the terms of the redevelopment plan, the municipality or designated redevelopment entity may:

- a. Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c.79 (C.40A:12A-29).
- b. Acquire property pursuant to subsection i. of section 22 of P.L.1992, c.79 (C.40A:12A-22).
- c. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c.361 (C.20:3-1 et seq.).
- d. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities, and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan.
- e. Prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants for the carrying out of redevelopment projects.
- f. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redeveloper to defray the costs of the redevelopment entity, including where applicable the costs incurred in conjunction with bonds, notes or other obligations issued by the redevelopment entity, and to secure payment of such revenue; as part of any such arrangement or contract, provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work, or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, or would not be undertaken in its intended scope without the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers; and arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area.

g. Lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.

h. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, sounding or test borings necessary to carry out the purposes of this act.

i. Arrange or contract with a public agency for the relocation, pursuant to the "Relocation Assistance Law of 1967," P.L. 1967, c.79 (C.52:31B-1 et seq.) and the "Relocation Assistance Act," P.L. 1971, c.362 (C.20:4-1 et seq.), of residents, industry or commerce displaced from a redevelopment area.

j. Make, consistent with the redevelopment plan: (1) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and (2) plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

k. Request that the planning board recommend and governing body designate particular areas as being in need of redevelopment or rehabilitation in accordance with the provisions of this act and make recommendations for the redevelopment or rehabilitation of such areas.

l. Study the recommendations of the planning board or governing body for redevelopment of the area.

m. Publish and disseminate information concerning any redevelopment area, plan or project.

n. Do all things necessary or convenient to carry out its powers.

P.L. 1992,c.79,s.8.

5. Relevant Planning Studies

5.a Hopatcong Borough Master Plan

The current Borough of Hopatcong Master Plan was adopted by the Hopatcong Borough Planning Board pursuant to Article 3 of the New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-28) on June 17, 1997. A Master Plan Reexamination Report was adopted on October 7, 2008 and April 3, 2014. The 2014 Master Plan Reexamination Report identifies Land Use as a primary objective.

The following major problems and objectives relating to Land Use were identified as changes to the Borough of Hopatcong Master Plan to be adopted:

1. Provide adequate opportunity for non-residential development
2. Pursue sources of funding for housing rehabilitation
3. Evaluate the commercial services available to the residents of the Borough
4. Promote sustainable development practices through mixed-use development in designated areas.

The following recommendation was also proposed in the 2014 Master Plan Reexamination Report:

“The Borough’s Master Plan should recognize the recent efforts of the Borough to create a “Main Street” on River Styx Road through the Sustainable Economic Development Plan, which is currently being developed. This plan once finalized, should be adopted as an addendum to the Borough’s Master Plan. The general purposes of the Sustainable Economic Development Plan includes provisions for greater opportunities for mixed use development while promoting sustainable practices such as walking and bicycling within the community.”

The designation of the River Styx Redevelopment Study Area as being in need of redevelopment will support the creation of a “Main Street” on River Styx Road, support the Sustainable Economic Development Plan, and support the Town Center designation of the River Styx Redevelopment Study Area.

5.b State Development and Redevelopment Plan

The 2001 State Development and Redevelopment Plan (State Plan) Policy Maps designate the River Styx Redevelopment Study Area as a designated Town Center, which is one of the “Smart Growth planning Areas” designed to accommodate future growth. Town Centers are traditional Centers of commerce or government throughout New Jersey, with diverse residential neighborhoods served by a mixed-use Core offering locally oriented goods and services. Although the River Styx Redevelopment Study Area is located within the PA-5 Environmentally Sensitive Planning Area, the State Plan identifies the accommodation of growth in Centers within the PA-5 as a pertinent goal.

6. Applicability with Required Area In Need of Redevelopment Criteria

6.a Applicability with Required Area In Need of Redevelopment Criteria

This evaluation was based on the analysis of the River Styx Redevelopment Study Area's existing land uses, site layout, and physical characteristics conducted using tax records, physical inspection of the area, review of aerial photographs, Master Plan studies, maps, and other municipal records. The deeming of an area to be in need of redevelopment is an area wide determination. As such, the statutory charge for a positive determination of redevelopment eligibility requires a demonstration, on an area wide basis verses an individual lot basis, that underutilization or physical deterioration by the presence of improvements which are dilapidated, obsolete, faulty in terms of arrangement, or in any way deleterious to the welfare of the community. An area is also eligible for declaration where it can be demonstrated that said declaration would advance smart growth planning through consistency with the intent and policy objectives enumerated under the New Jersey State Development and Redevelopment Plan (SDRP) for the planning area within which the study area is situated.

It is recommended that the Hopatcong Borough Land Use Board and Borough Council determine that the entire River Styx Redevelopment Study Area is an area of redevelopment based on the following findings:

- Criteria H. can be applied to the entire River Styx Redevelopment Study Area as a whole. It states, "The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation." The entire River Styx Redevelopment Study Area as a whole is located within a Smart Growth Area (Designated Town Center) as classified by the State Plan (SDRP). Declaring the study area to be in need of redevelopment would advance the overarching themes of the Designated Town Center and Smart Growth Planning Principles. Therefore, this report concludes that the principles of smart growth are advanced such that the threshold for satisfaction of criteria 'h' is reached for the entirety of the River Styx Redevelopment Study Area.
- Criteria A. can be applied to twenty-nine (29) of the forty-four (44) properties in the River Styx Redevelopment Study Area due to substandard, unsafe, unsanitary, dilapidated, or obsolescent characteristics.

- Criteria B. can be applied to five (5) of the forty-four (44) properties in the River Styx Redevelopment Study Area due to discontinued use on the property. In particular, many commercial and retail establishments have fallen into so great a state of disrepair that they are untenable
- Criteria D. can be applied to twenty-nine (29) of the forty-four (44) properties in the River Styx Redevelopment Study Area. Dilapidated improvements (poor site maintenance, buildings deterioration, severe surface course deterioration of parking lots, dilapidated fencing, substandard facilities), faulty design (outdated or obsolete building design, ill-defined circulation within parking lots, parking in the front yard, excessive land coverage, inadequate screening), and deleterious land use (haphazardly parked cars, accumulation of trash and debris, pre-existing conformities) have dampened the development potential of the area. Properties within the River Styx Redevelopment Study Area meet Criteria D because the buildings are in excess of 50 years of age and therefore likely possess conditions of obsolescence, obsolete layout, outdated facilities, or faulty arrangement or design. Numerous properties in the River Styx Redevelopment Study Area were considered meeting Criteria D conditions because they are nonconforming uses. Please see Appendix 'C' for a complete Photo Log of the River Styx Redevelopment Study Area with representative photos of the aforementioned conditions.
- As specified above, twenty-nine (29) properties which reflects 17.3 acres (64.7%, less road right-of-ways) in the River Styx Redevelopment Study Area meet one or more of the statutory criteria, other than Criteria H, needed to make an area in need of redevelopment determination.
- Only fifteen (15) of the forty-four (44) properties in the River Styx Redevelopment Study Area exhibit none of the statutory criteria except for Criteria H.
- It should be noted that Block 30707, Lot 3 was recently developed; the former property was an under-utilized parcel with poor site maintenance. The redevelopment of the property included the construction of 4,660 square feet of first-floor retail space and fifteen (15) condominiums above the shops.

7. Conclusion

7.a Conclusion

Based upon the criteria set forth, relating to stagnant and less than fully productive use of land, lack of proper utilization, faulty arrangement, impediments to private development, deleterious land uses, in addition to the SDRP's promotion of redevelopment activity within defended Centers, this investigation concludes that a lawful basis existing for declaring Block 30601, Lot 21; Block 30701, Lots 1, 2, 4, 5, & 12; Block 30703, Lots 11, 12, & 12.01; Block 30704, Lots 1, 2, 3.01, 6, 8, 9, 10, 10.01, 13, & 14; Block 30705, Lots 1, 4, 6, 7, & 9; Block 30706, Lot 1; Block 30707, Lots 1, 3, 4, 5, 6, 9, 10, & 11; Block 31603, Lots 52, & 52.01; Block 31605, Lot 14; Block 31606, Lots 20, 21, 22, 27, & 28 in need of redevelopment.

It is, therefore, recommended that the Hopatcong Borough Land Use Board, Borough Council, and Governing Body take the action necessary, after public notice and hearing, to make said determination according to law based upon Criteria 'A', 'B', 'D', and 'H'.

**HOPATCONG BOROUGH
RESOLUTION #2016-110**

**RESOLUTION OF THE GOVERNING BODY
OF THE BOROUGH OF HOPATCONG
AUTHORIZING THE BOROUGH PLANNER TO
DRAFT A REDEVELOPMENT PLAN FOR
THE RIVER STYX AREA**

WHEREAS, the Borough has focused in recent years on efforts to stimulate new development in the area between the Hudson Maxim School and the area of the River Styx Bridge;

WHEREAS, there has been some development but the pace of development and development interest has slowed;

WHEREAS, the Borough Council wishes to explore all of the potential options to foster development in this area;

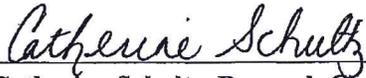
WHEREAS, the Borough Planner has experience with redevelopment concepts;

WHEREAS, the Borough Planner has estimated that the cost of the redevelopment study and recommendations will not exceed \$10,000;

NOW THEREFORE IT BE RESOLVED by the governing body of the Borough of Hopatcong that the Borough Planner is directed to draft and produce for the Council's consideration a redevelopment plan for the River Styx area of the Borough of Hopatcong at a cost not to exceed \$10,000.

CERTIFICATION

I, **CATHERINE SCHULTZ**, Borough Clerk of the Borough of Hopatcong, County of Sussex, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Hopatcong, County of Sussex, State of New Jersey, at a regular meeting of said Council held on April 20, 2016.



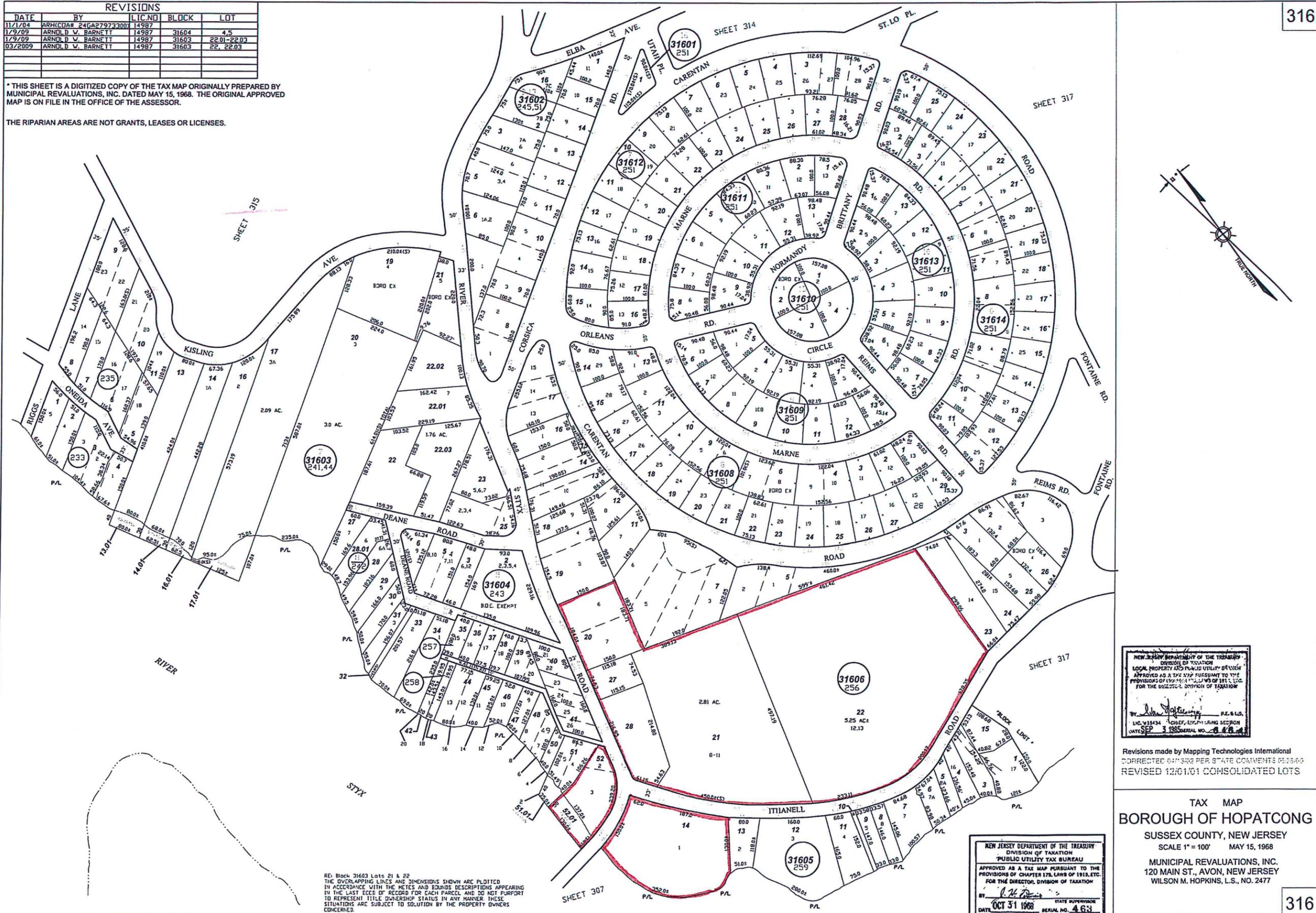
Catherine Schultz, Borough Clerk



| REVISIONS | | | | |
|-----------|-----------------------|----------|-------|-------------|
| DATE | BY | LIC. NO. | BLOCK | LOT |
| 11/1/04 | ARHC/DAR 246A27973300 | 14987 | | |
| 1/9/09 | ARNOLD W. BARNETT | 14987 | 31604 | 4, 5 |
| 1/9/09 | ARNOLD W. BARNETT | 14987 | 31603 | 22.01-22.03 |
| 03/2009 | ARNOLD W. BARNETT | 14987 | 31603 | 22, 22.03 |

* THIS SHEET IS A DIGITIZED COPY OF THE TAX MAP ORIGINALLY PREPARED BY MUNICIPAL REVALUATIONS, INC. DATED MAY 15, 1968. THE ORIGINAL APPROVED MAP IS ON FILE IN THE OFFICE OF THE ASSESSOR.

THE RIPARIAN AREAS ARE NOT GRANTS, LEASES OR LICENSES.



NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
LOCAL PROPERTY AND PUBLIC UTILITY TAX BUREAU
APPROVED AS A TAX MAP PURSUANT TO THE
PROVISIONS OF CHAPTER 178, LAWS OF 1918, ETC.
FOR THE DISTRICT OF TAXATION

[Signature] P.E. & L.S.
LIC. W18434 COLLECT. EMPLOYING SECTION
DATE SEP 3 1968 SERIAL NO. 463

Revisions made by Mapping Technologies International
CORRECTED 04/13/02 PER STATE COMMENTS 003600
REVISED 12/01/01 CONSOLIDATED LOTS

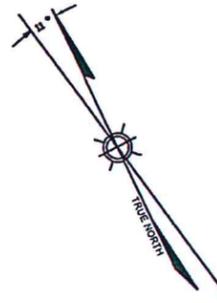
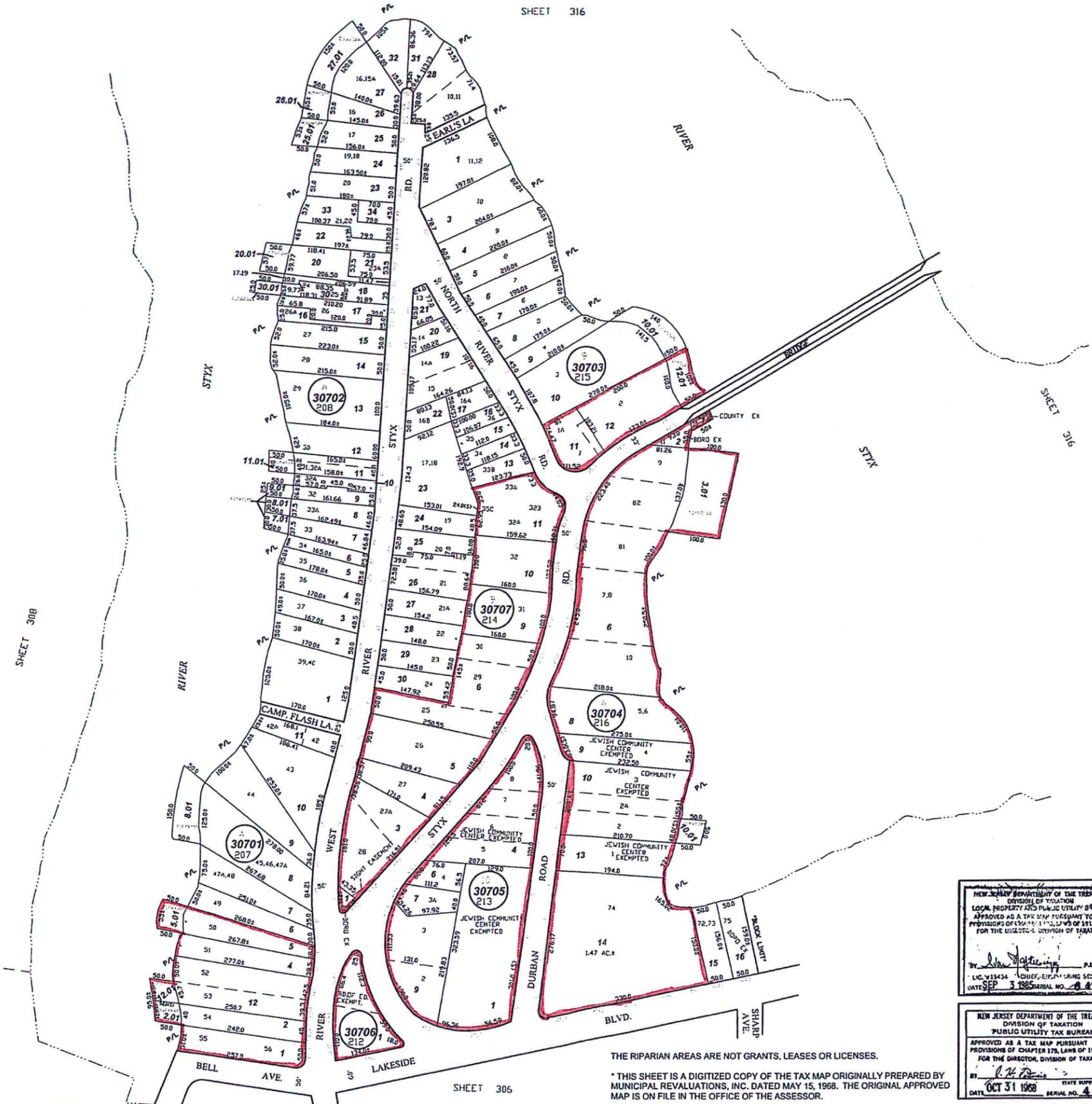
TAX MAP
BOROUGH OF HOPATCONG
SUSSEX COUNTY, NEW JERSEY
SCALE 1" = 100' MAY 15, 1968
MUNICIPAL REVALUATIONS, INC.
120 MAIN ST., AVON, NEW JERSEY
WILSON M. HOPKINS, L.S., NO. 2477

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
PUBLIC UTILITY TAX BUREAU
APPROVED AS A TAX MAP PURSUANT TO THE
PROVISIONS OF CHAPTER 178, LAWS OF 1918, ETC.
FOR THE DISTRICT OF TAXATION

[Signature] STATE SUPERVISOR
DATE OCT 31 1968 SERIAL NO. 463

RE: Block 31603 Lots 21 & 22
THE OVERLAPPING LINES AND DIMENSIONS SHOWN ARE PLOTTED
IN ACCORDANCE WITH THE METES AND BOUNDS DESCRIPTIONS APPEARING
IN THE LAST EEDC OF RECORD FOR EACH PARCEL AND DO NOT PURPORT
TO REPRESENT TITLE OWNERSHIP STATUS IN ANY MANNER. THESE
SITUATIONS ARE SUBJECT TO SOLUTION BY THE PROPERTY OWNERS
CONCERNED.

| REVISIONS | | |
|-----------|----|----------|
| DATE | BY | LIC. NO. |
| | | |
| | | |
| | | |
| | | |



NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY AND PUBLIC UTILITY TAXES
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 178, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION

By: *[Signature]* P.E. & L.S.
 LIC. W15434 - CHIEF, EIGHTH SECTOR
 DATE: SEP 3 1985 SERIAL NO. 463

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PUBLIC UTILITY TAX BUREAU
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 178, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION

By: *[Signature]* STATE SUPERVISOR
 DATE: OCT 31 1968 SERIAL NO. 463

Rev. 11/03 Arnold W. Barnett, PE & LS.
 Revisions made by Mapping Technologies International
 CORRECTED 04/15/02 PER STATE COMMENTS 02/03
 REVISED 12/01/01 CONSOLIDATED LOTS

TAX MAP
BOROUGH OF HOPATCONG
 SUSSEX COUNTY, NEW JERSEY
 SCALE 1" = 100' MAY 15, 1968
 MUNICIPAL REVALUATIONS, INC.
 120 MAIN ST., AVON, NEW JERSEY
 WILSON M. HOPKINS, L.S., NO. 2477

THE RIPARIAN AREAS ARE NOT GRANTS, LEASES OR LICENSES.
 * THIS SHEET IS A DIGITIZED COPY OF THE TAX MAP ORIGINALLY PREPARED BY
 MUNICIPAL REVALUATIONS, INC. DATED MAY 15, 1968. THE ORIGINAL APPROVED
 MAP IS ON FILE IN THE OFFICE OF THE ASSESSOR.

| REVISIONS | | |
|-----------|--------------------------|--------|
| DATE | BY | LIC NO |
| 08/2005 | ARH (CIDAR 24GA27973300) | 14987 |
| 01/2006 | ARH (CIDAR 24GA27973300) | 14987 |
| | | |
| | | |
| | | |



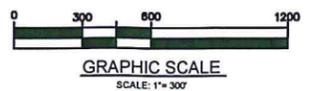
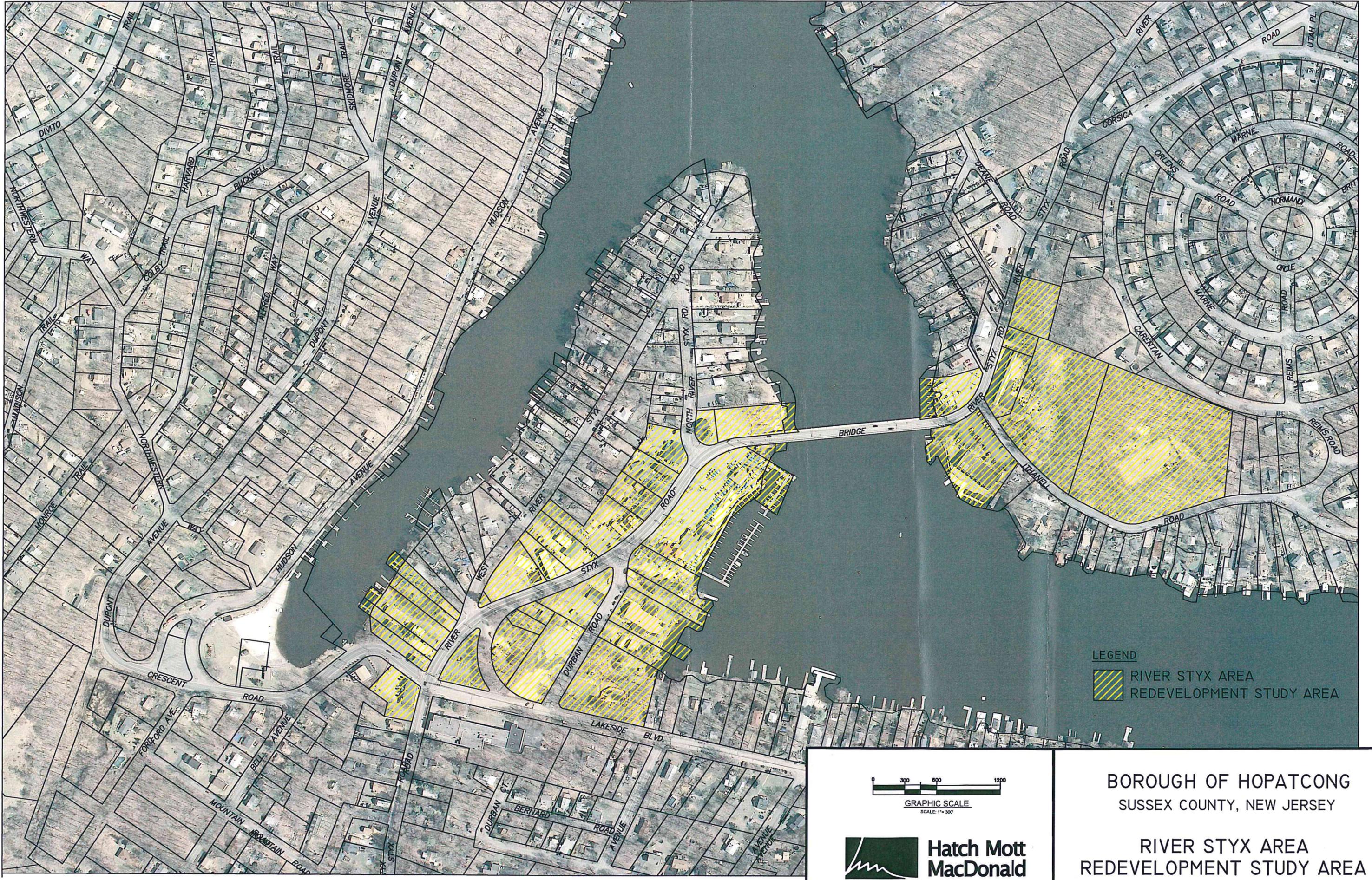
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PUBLIC UTILITY TAX BUREAU
 LOCAL PROPERTY AND PUBLIC UTILITIES DIVISION
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 178, LAWS OF 1918, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION
 BY: *[Signature]* P.E. & L.S.
 L.C. 14534-1 CHIEF, LICENSING SECTION
 DATE: SEP 3 1988 GENERAL NO. 449

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PUBLIC UTILITY TAX BUREAU
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 178, LAWS OF 1918, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION
 BY: *[Signature]* P.E. & L.S.
 DATE: OCT 31 1988 STATE SUPERVISOR
 SERIAL NO. 463

Rev. 11/03 Arnold W. Barnett, PE & LS
 Revisions made by Mapping Technologies International
 CORRECTED 04/13/02 PER STATE COMMENTS 65290
 REVISED 12/01/01 CONSOLIDATED LOTS

TAX MAP
BOROUGH OF HOPATCONG
 SUSSEX COUNTY, NEW JERSEY
 SCALE 1" = 100' MAY 15, 1968
 MUNICIPAL REVALUATIONS, INC.
 120 MAIN ST., AVON, NEW JERSEY
 WILSON M. HOPKINS, L.S., NO. 2477

* THIS SHEET IS A DIGITIZED COPY OF THE TAX MAP ORIGINALLY PREPARED BY MUNICIPAL REVALUATIONS, INC. DATED MAY 15, 1968. THE ORIGINAL APPROVED MAP IS ON FILE IN THE OFFICE OF THE ASSESSOR.

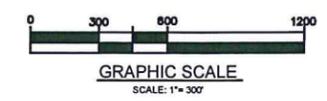


BOROUGH OF HOPATCONG
SUSSEX COUNTY, NEW JERSEY

RIVER STYX AREA
REDEVELOPMENT STUDY AREA



LEGEND
— RIVER STYX REDEVELOPMENT
— AREA LIMITS



BOROUGH OF HOPATCONG
SUSSEX COUNTY, NEW JERSEY

**RIVER STYX
REDEVELOPMENT AREA**

PHOTO LOG



Block 31606, Lot 20
Vacant Property
Underdeveloped
Underutilized



Block 31606, Lot 27
Potential for Redevelopment
Zoning not Consistent

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County

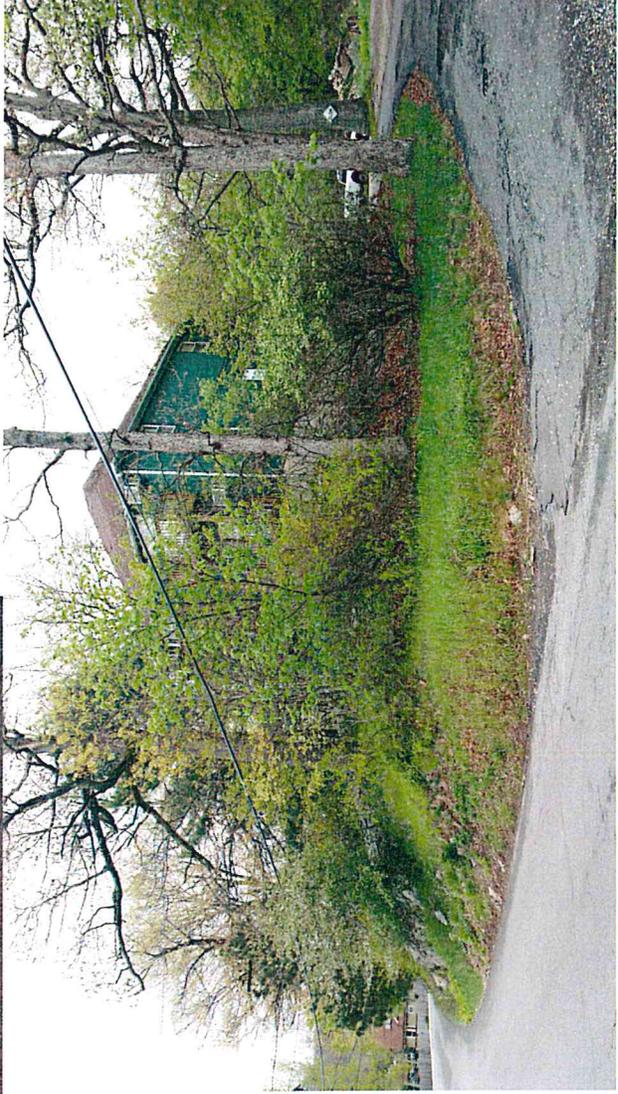


Hatch Mott
MacDonald

PHOTO LOG



Block 31606, Lot 28
Potential for Redevelopment
Zoning not Consistent
Obsoltescent characteristics



Block 31606, Lot 21
Zoning not Consistent
Underutilized

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 31606, Lot 22
Vacant Property
Underdeveloped
Underutilized



Block 31605, Lot 14
Potential for Redevelopment
Zoning not Consistent
Obsolescent characteristics

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



**Hatch Mott
MacDonald**

PHOTO LOG



Block 31606, Lot 52 & 52.01
Potential For Redevelopment
Surface Course Deterioration



Block 30703, Lot 11, 12 & 12.01
Potential for Redevelopment
Underutilized

**REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County**



**Hatch Mott
MacDonald**

PHOTO LOG



Block 30707, Lot 11
Potential for Redevelopment
Zoning not Consistent
Underutilized
Obsolescent characteristics



Block 30707, Lot 10
Zoning not Consistent

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30707, Lot 10
Zoning not Consistent
Obsolescent characteristics



Block 30707, Lot 9 (Left); Block 30707, Lot 10
Zoning not Consistent
Obsolescent characteristics

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30707, Lot 9
Zoning not Consistent
Obsolescent characteristics



Block 30703, Lot 6
Potential for Redevelopment
Underutilized
Zoning not Consistent

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



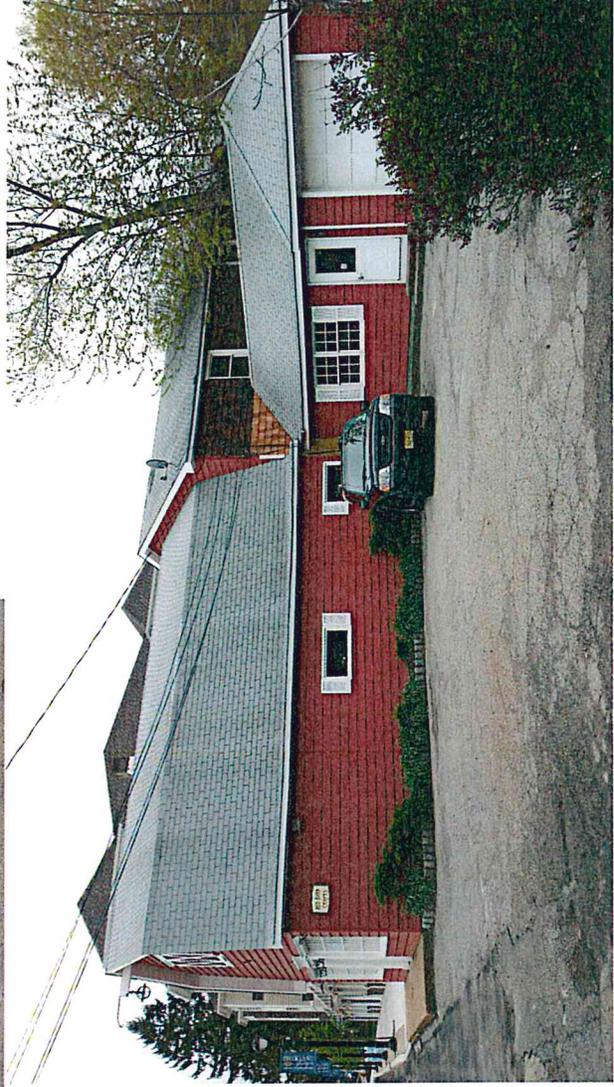
Hatch Mott
MacDonald

PHOTO LOG



Block 30707, Lot 5
Obsolescent characteristics

Block 30707, Lot 4
Potential for Redevelopment
Underutilized
Zoning not Consistent
Obsolescent characteristics
Discontinued Use



REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30707, Lot 3
Redeveloped
Example of Potential for Redevelopment
Mixed-Use



Block 30701, Lot 5 & 5.01
Underutilized
Obsolescent characteristics

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30701, Lot 4
Underutilized
Discontinued Use
Obsolescent characteristics



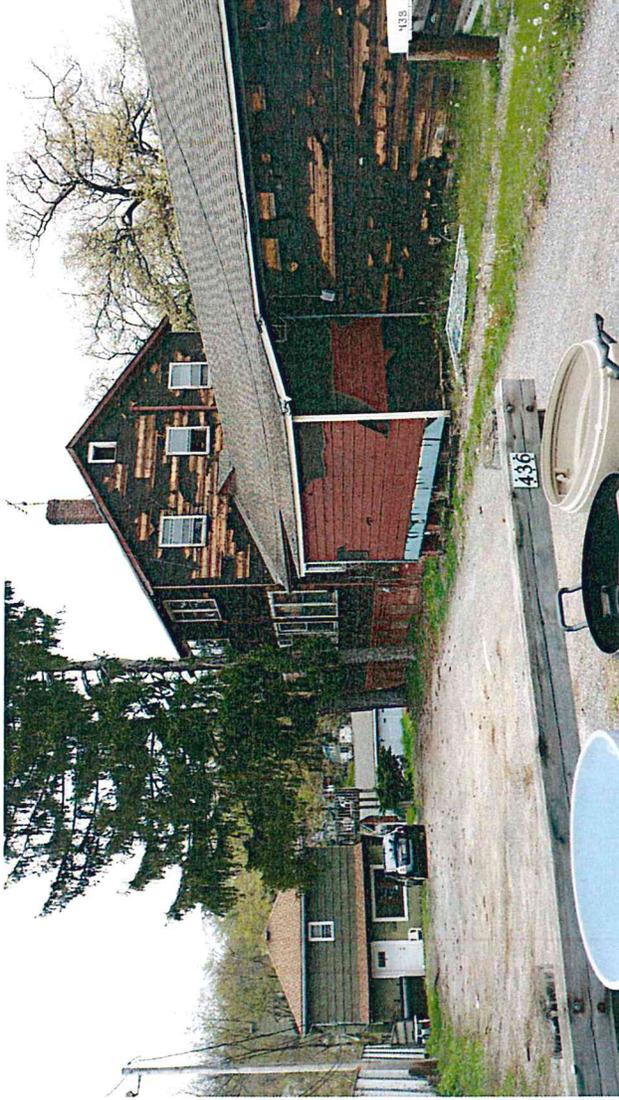
Block 30701, Lot 12 & 12.01
Substandard
Unsafe
Underutilized
Dilapidated Improvements
Obsolescent Characteristics
Discontinued Use
Poor Site Maintenance
Excessive Land Cover
Building Deterioration

**REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA**
Hopatcong Borough, Sussex County



**Hatch Mott
MacDonald**

PHOTO LOG



Block 30701, Lot 2 & 2.01 (Left)
Zoning not Consistent



Block 30701, Lot 1
Underutilized
Dilapidated Improvements
Obsoluscent Characteristics
Discontinued Use
Poor Site Maintenance

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County

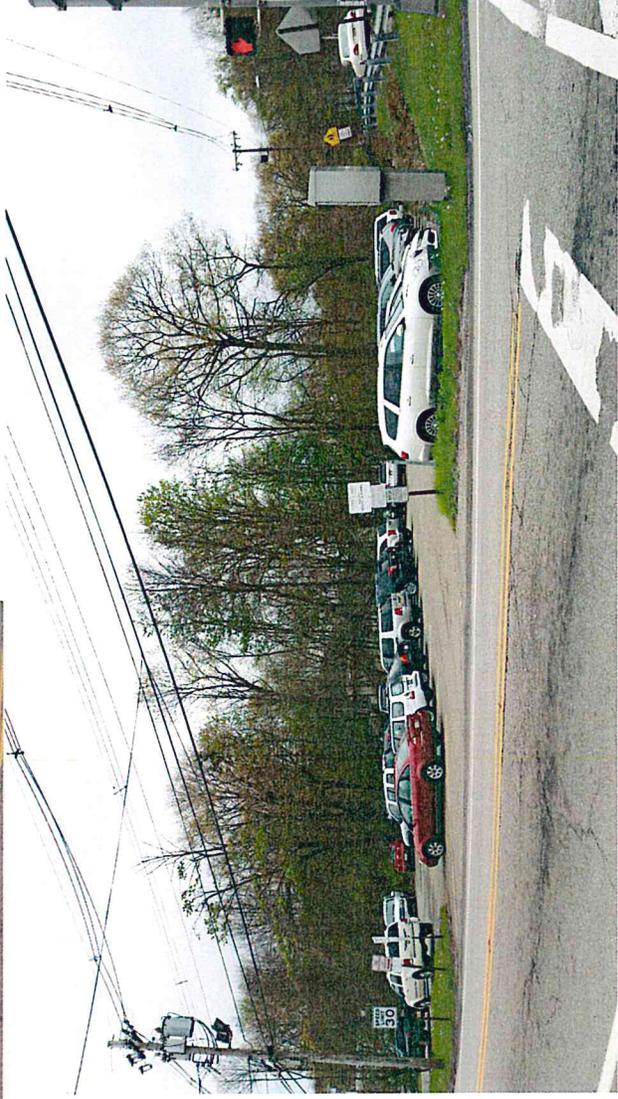


**Hatch Mott
MacDonald**

PHOTO LOG



Block 30601, Lot 21
Zoning not Consistent



Block 30706, Lot 1
Parking Lot
Surface Course Deterioration

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County

PHOTO LOG



Block 30705, Lot 1
Zoning not Consistent
Underutilized
Dilapidated Improvements
Discontinued Use
Building Deterioration



Block 30705, Lot 4
Zoning not Consistent
Underutilized
Surface Course Deterioration

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30705, Lot 6
Potential for Redevelopment
Zoning not Consistent



Block 30705, Lot 7
Zoning not Consistent
Underutilized
Obsolescent Characteristics
Surface Course Deterioration

**REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA**
Hopatcong Borough, Sussex County

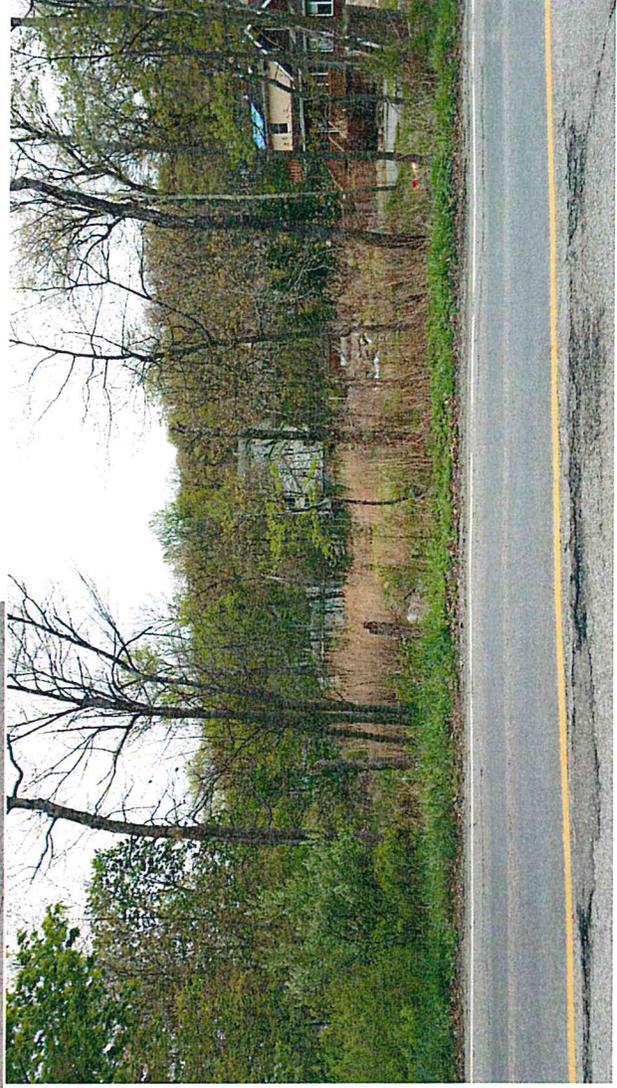


**Hatch Mott
MacDonald**

PHOTO LOG



Block 30705, Lot 9
Underutilized
Dilapidated Improvements
Obsolent Characteristics
Discontinued Use
Building Deterioration



Block 30704, Lot 14
Potential for Redevelopment
Underutilized

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



**Hatch Mott
MacDonald**

PHOTO LOG



Block 30704, Lot 13
Zoning not Consistent
Obsolescent characteristics
Underutilized



Block 30704, Lot 10 & 10.01
Obsolescent characteristics
Underutilized

REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA
Hopatcong Borough, Sussex County



Hatch Mott
MacDonald

PHOTO LOG



Block 30704, Lot 9
Zoning not Consistent
Underutilized



Block 30704, Lot 8
Zoning not Consistent
Obsolescent characteristics



PHOTO LOG



Block 30704, Lot 6
Potential For Redevelopment



Block 30704, Lot 6 & 3.01
Potential For Redevelopment

**REDEVELOPMENT STUDY AREA
DETERMINATION OF NEED
RIVER STYX AREA**
Hopatcong Borough, Sussex County



**Hatch Mott
MacDonald**