

PRELIMINARY INVESTIGATION: BLOCK 54, LOT 1 (11 FIFTH STREET)

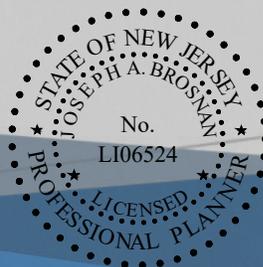
Area in Need of Redevelopment

Prepared by:
Van Cleef Engineering Associates

Prepared for:
Borough of Raritan, Somerset County

October 24, 2025

Joseph A. Brosnan, PE, PP, CME



NJ. Lic # PP-3213

Joseph A. Brosnan

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I. INTRODUCTION

The following study (the “Study”) has been prepared to determine whether an area located within the Southeastern portion of the Borough of Raritan qualifies as an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law (LRHL) found at N.J.S.A. 40A:12-A. The study was authorized by the Borough of Raritan Council and was prepared on behalf of the Borough of Raritan Land Use Board. The study area is comprised of solely Block 54, Lot 1, otherwise known as “11 Fifth Street”, located on the southeast corner of the intersection of Fifth Street and First Avenue (the “Study Area”).

As is described in this Study, it is our conclusion that Block 54, Lot 1 meets at least one of the statutory criteria for designation as “an area in need of redevelopment” (“AINR”) under the LRHL. This is because the Study Area is a commercial property whose use has been discontinued for more than two years, the layout of which represents an obstacle to public welfare in need of additional intergovernmental coordination to fully remedy.

II. SUMMARY OF FINDINGS

This Study concludes that the 11 Fifth Street site qualifies for redevelopment under criteria “b,” and “d,” of the LRHL. The analyses contained within this Study will serve as the basis for the recommendation that Block 54, Lot 1 qualifies as a Non-Condensation Area in Need of Redevelopment.

III. BACKGROUND

A. Legal Authority

The LRHL empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be transformed to advance the public interest. Once an area is designated as an “AINR” in accordance with statutory criteria, municipalities may adopt redevelopment plans and employ several planning and financial tools to make redevelopment projects more feasible to remove deleterious conditions. A redevelopment designation may also qualify projects in the redevelopment area for financial subsidies or other incentive programs offered by the State of New Jersey.

B. Redevelopment Procedure

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the LRHL. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires the Borough Council and Planning Board to interact to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

1. The Borough Council must adopt a resolution directing the Planning Board to undertake a preliminary investigation to determine whether a specified area is in need of redevelopment according to the criteria set forth in Section 5 of the LRHL and whether the Study Area should be determined to be condemnation or non-condemnation area in need of redevelopment. The Borough Council, in its referral Resolution, recommended the Study Area be deemed a Non-Condensation Redevelopment Area.

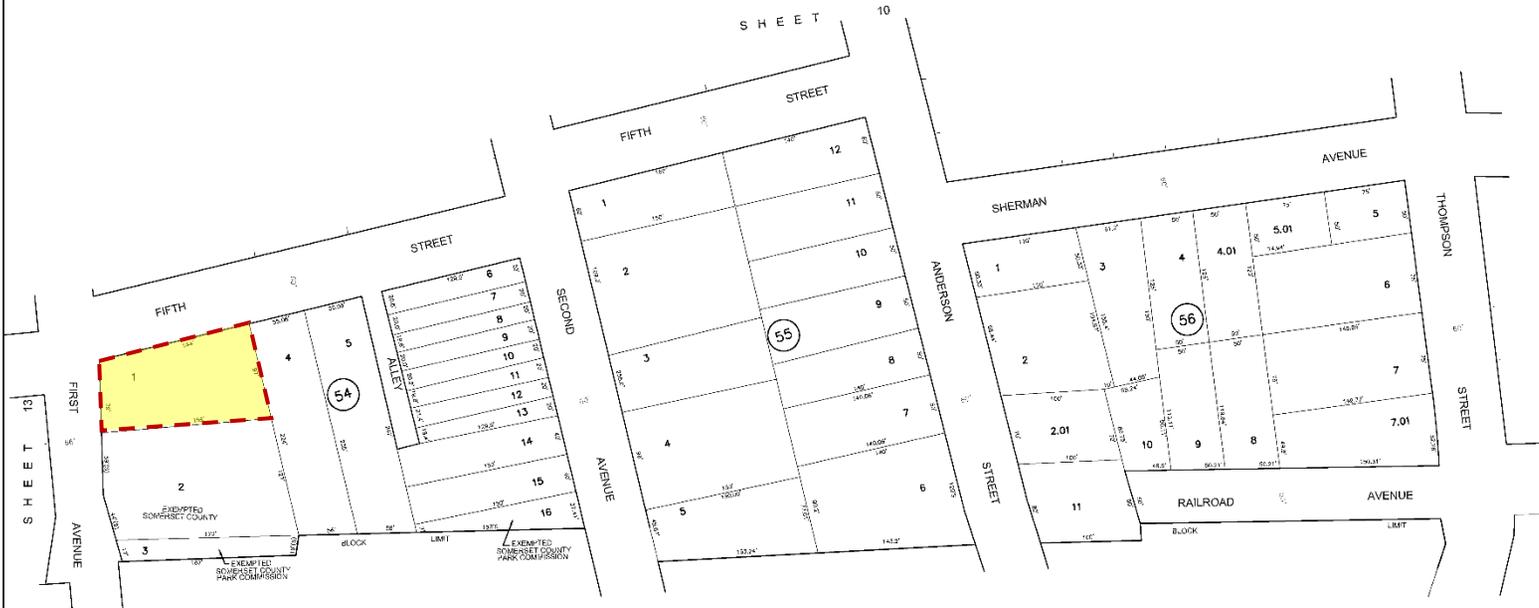
2. The Resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those power for use in a redevelopment area other than the use of eminent domain (non-condemnation redevelopment area) or whether the redevelopment area determination shall authorize the municipality to use all those powers for use in a redevelopment area, including the power of eminent domain (otherwise known as a “Condemnation Redevelopment Area”). Such determination has been made as set forth above.
3. The Planning Board must prepare and make available a map delineating the boundaries of the proposed Study Area, specifying the parcels to be included to be investigated. A statement setting forth the basis of the investigation or the preliminary statement should accompany this map.
4. The Planning Board must conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Borough Council.
5. The Borough Council may accept, reject, or modify this recommendation by adopting a resolution designating lands recommended by the Planning Board as an AINR.
6. If the Borough Council resolution assigning the investigation to the Planning Board states that the redevelopment determination shall establish a Condemnation Redevelopment Area, then the notice of the final determination shall indicate that: (i) the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the redevelopment area, and (ii) legal action to challenge the final determination must be commenced within forty-five (45) days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.
7. A Redevelopment Plan (the “Plan”) may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the AINR.
8. The Borough Council may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance or as a substitute re-zoning of the Study Area.

Only after completion of this process is a municipality able to exercise the powers under the LRHL.

C. Progress

In satisfaction of #1 and #2 above, the Borough of Raritan Council adopted Resolution 2025-08-123 on August 19, 2025, which authorized the Land Use Board to undertake this study (Appendix A). The purpose and scope statement of this Study, as well as the provided map delineating the boundaries of the proposed Study Area (See Figure 1), satisfy #3. The body of this Study constitutes the report of the Land Use Board’s findings in satisfaction of #B.4 above.

| REVISIONS | | |
|-----------|----------|----|
| Date | Describe | By |
| | | |
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| | | |
| | | |



This sheet has been drawn using Computer Aided Drafting/ Design (CAD/D)

TAX MAP
 BOROUGH OF RARITAN
 SOMERSET COUNTY, NEW JERSEY
 SCALE: 1"=50' 3/19/04
MICHAEL J. CANNONI
 SC-COR DEPALMA
 P.O. BOX 5192
 CLINTON, NJ 08809-0192

FIGURE 1: PROPOSED AREA IN NEED OF REDEVELOPMENT

D. Purpose & Scope

In accordance with the process outlined above, this Preliminary Investigation Report will determine whether the Study Area meets the statutory requirements under Section 5 of the LRHL for designation as a non-condemnation “area in need of redevelopment”. This Study was prepared at the request of the Borough of Raritan Land Use Board and was duly authorized by the Mayor and Borough Council. The scope of work for the Study encompassed the following: land use review; assessment of property conditions; occupancy and ownership status within the study area; review of tax maps and aerial photos; review of building records; review tax assessment data; review of environmental assessments and any subsequent documentation of remediation; review of the existing zoning ordinance and zoning map for the Borough of Raritan; and review of the Master Plan for the Borough.

IV. CONSIDERATION OF STATUTORY CRITERIA FOR ESTABLISHING AN AREA IN NEED OF REDEVELOPMENT

A. Introduction

Section 5 of the LRHL sets forth the regulations for which an area may be designated an “area in need of redevelopment” if after investigation, notice, and public hearing, the governing body determines by resolution that the area meets any one of the following criteria:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking 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, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such 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 property therein or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

- 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 the 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 provision 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.

It is noted that Section 3 of the LRHL (“Section 3”) cites that 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.” The redevelopment area must also include lands that are “reasonable and rational” given their location, size, shape and access to produce a redevelopment project that will achieve the goals of the community.

B. Zoning Description

The Study Area is located within the B-4 Neighborhood Business District which has the following associated uses pursuant to §207-117 of the Borough of Raritan Land Use Ordinance:

Permitted Principal Uses:

- Commercial, general business and other retail stores.
- Offices for professional or business uses, including executive, engineering, accounting, scientific, research and development, and statistical and financial purposes.
- Personal service establishments.
- Libraries and other governmental and quasi-governmental uses.
- Public or private parks, playgrounds, recreation buildings and facilities.

Permitted Accessory Uses:

- Any accessory use on the same lot with and customarily incident to any use permitted in this district.

Permitted Conditional Uses:

- Public, private, and vocational schools.
- Public utility facilities.
- Places of worship.
- Nonprofit chartered membership organizations.

C. Existing Conditions

The Study Area is 1.02 acres in size. It is a slightly irregular, rectangular-shaped corner lot, with 150 square feet of frontage along Fifth Street, and approximately 70 feet of frontage along First Avenue. The lot becomes deeper in a linear fashion away from the corner, reaching approximately 88 feet in depth by the opposite property line. Impervious coverage was estimated in 2015 by NJGIS at approximately 60%, with 19% building coverage.

The principal structure in the Study Area is a two-story building resembling a residential structure adapted and expanded for commercial use. Tax records indicate that the structure is 2,660 square feet in floor area and was erected in 1950. Public comment received at prior Council/Land Use Board meetings suggests that the building was previously used for a local bar. However, historical street view imagery indicates that the site has been discontinued for commercial use since at least September of 2018 (See Appendix C). It is unknown if the Study Area is still associated with a valid liquor license.

V. APPLICATION OF STATUTORY CRITERIA TO STUDY AREA

The following analysis is provided of the site against the statutory criteria for declaring a property an area in need of redevelopment:

A. 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.”

This criterion is not applicable. While the structure is old, a site field visit could not identify any immediate deficiencies beyond the scope of an ordinary renovation for re-tenanting purposes to address.

B. Criteria “b”:

“The discontinuance of the use of buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such 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.”

This criterion is applicable. Historical street view imagery shows that the Study Area has been discontinued for commercial use since at least September of 2018.

C. Criteria “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.”

This criterion is not applicable: The Study Area is not owned by a qualifying public entity.

D. Criteria “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.”

This criterion is applicable. As currently arranged, the Study Area’s frontage along First Avenue is inaccessible due to a retaining wall. Access to the front entrance of the building is along a narrow strip of lawn from Fifth Street. Creation of any safe pedestrian access from First Avenue, ADA-compliant or otherwise, is likely impossible within the constraints of the current layout. Furthermore, any such access would require work within the County right of way.

As it would advance public safety to, if not begin the process of redesigning the street corner in conjunction with the County at this time, leave available the possibility of a comprehensive redesign in the future, permitting the Plan that permits a new structure with adequate setback for any future streetscape improvements along First Avenue would be a legitimate use of the Borough’s police power in furtherance of the public’s welfare.

E. Criteria “e”:

“A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.”

This criterion is not applicable: The Study Area is a single parcel owned by a single private entity.

F. 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.”

This criterion is not applicable: The Study Area is less than five contiguous acres in size.

G. Criteria “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 the 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...”

This criterion is not applicable: Raritan Borough does not have an active enterprise zone.

H. Criteria “h”:

“The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.”

This criterion is not applicable. A review of the Borough’s Master Plan elements and related planning initiatives did not identify this site or its premises as the subject of a particular smart growth policy adopted by, or study endorsed by, the Borough.

VI. CONCLUSION

This Preliminary Investigation Report was prepared on behalf of the Borough of Raritan Land Use Board to determine whether the Study Area qualifies as “an area in need of redevelopment” in accordance with Section 5 of the LRHL. It is the finding of this investigation that the Study Area meets the redevelopment criteria “b, and “d,” of the LRHL, and in its current state fails to promote the neighborhood character of the community, as identified in the Borough Master Plan. The designation of the Study Area as a non-Condemnation area in need of redevelopment is the first step to achieving the community character the Borough desires.

F:\Projects\3300 - Raritan\3300 Gen Eng\071 11 Fifth Street AINR\Redevelopment Study\Drafts\2025-10-24 - 11 FIFTH STREET AINR INVESTIGATION (ESPJ).docx



APPENDIX A: RESOLUTION
2025-08-123 AUTHORIZING
STUDY

BOROUGH OF RARITAN
RESOLUTION NO. 2025-08-123

**AUTHORIZING THE BOROUGH OF RARITAN PLANNING BOARD
TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR THE
REDEVELOPMENT OF APPROXIMATELY 13,141 SQUARE FEET
OF LAND COMMONLY KNOWN AS 11 FIFTH STREET AND
IDENTIFIED AS BLOCK 54, LOT 1 AS SHOWN ON THE BOROUGH
OF RARITAN TAX MAP**

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

WHEREAS, the Local Redevelopment and Housing Law sets forth specific procedures for establishing an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, prior to the Borough Council making a determination as to whether a particular study area qualifies as an area in need of redevelopment, the Borough Council must authorize the Raritan Borough Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the subject area meets the criteria of an area in need of redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

WHEREAS, as required by the amendment to N.J.S.A. 40A:12A-6, the Legislature has directed that the Resolution authorizing the Planning Board to undertake a preliminary investigation state whether the redevelopment area determination shall authorize the Borough to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (“Condensation Redevelopment Area”); and

WHEREAS, the redevelopment area shall be deemed to be a Non-Condensation Redevelopment Area, thereby removing the authority and power of the Borough Council to exercise the power of eminent domain to acquire any property within the delineated area; and

WHEREAS, the Borough of Raritan wishes to direct the Raritan Borough Planning Board to undertake a preliminary investigation to determine whether the proposed study area of approximately 13,141 square feet commonly known as 11 Fifth Street and identified as Block 54, Lot 1 as shown on the Raritan Borough Tax Map qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5.

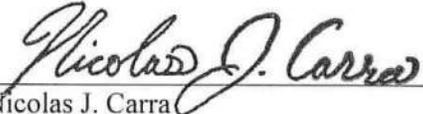
NOW, THEREFORE, be it resolved by the Borough Council of the Borough of Raritan, in the County of Somerset and State of New Jersey, that the Raritan Borough Planning Board is hereby directed to conduct the necessary preliminary investigation, including the holding of a public hearing, to determine whether the study area identified above is or is not an area in need of redevelopment under the criteria set forth in N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Borough Council in the form of a Resolution with supporting documentation.

ATTEST:



 Kimberly Mathewson
 Acting Borough Clerk



 Nicolas J. Carra
 Mayor

I HEREBY CERTIFY that the foregoing Resolution was Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 22 First Street, Raritan, NJ 08869, on August 19, 2025.



 Kimberly Mathewson
 Acting Borough Clerk

| MOTION | SECOND | MEMBER | YEA | NAY | ABSTAIN | ABSENT |
|--------|--------|------------|-----|-----|---------|--------|
| | | Agrawal | ✓ | | | |
| | | Armahizer | | | | ✓ |
| ✓ | | DiGraziano | ✓ | | | |
| | ✓ | Fritzinger | ✓ | | | |
| | | Patente | | | | ✓ |
| | | Tozzi | ✓ | | | |



APPENDIX B: PHOTO LOG,
SITE VISIT ON 7-21-2025

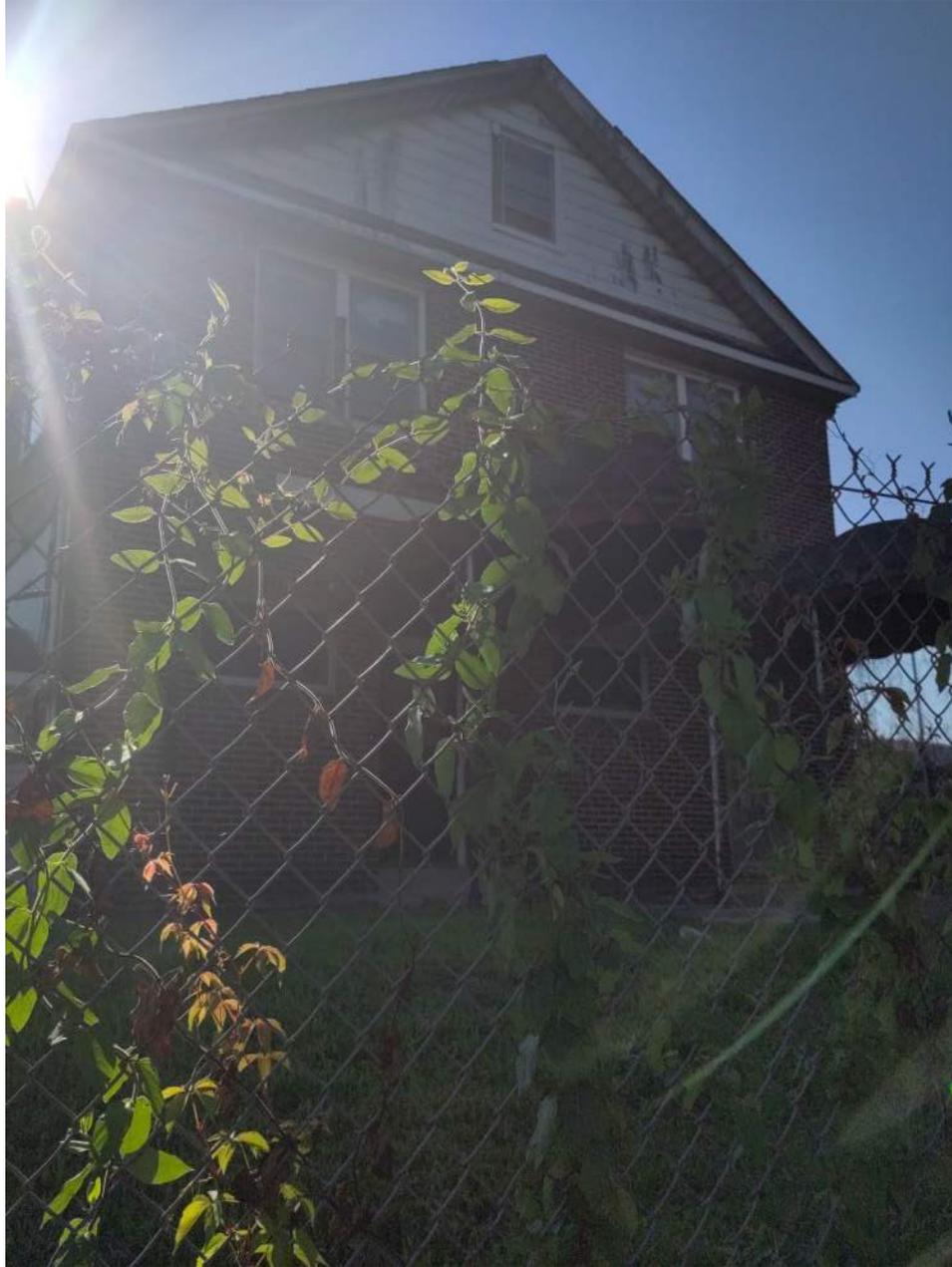


Figure 1: View of Frontage from First Avenue



Figure 2: Streetscape Conditions along First Avenue



Figure 3: View of Approach along Fifth Street



Figure 4: Detail of Front Elevation along Fifth Street



Figure 5: Detail of Rear Elevation



Figure 6 and 7: Typical Exterior Conditions around Foundation Level





Figure 8: Area Behind Building



Figure 9: Possible Former Parking Area Facing Towards Tennis Courts



APPENDIX C: HISTORICAL STREET VIEW IMAGERY

[Click here for Activity Tracking details...](#)

SRP CASE OVERSIGHT REPORT
RARITAN TOWNSHIP SANITARY LANDFILL II
BUSKY LN
Raritan Boro, NJ

| | |
|------------------------------|----------------------|
| PI Number | G000010664 |
| Activity Number | LSR120001 |
| Bureau | LSR |
| Document Title | RARITAN TWP SLF MAIN |
| Case Status | LSRP Oversight |
| Case Status Date | 5/8/12 |
| Confirm Contamination | Yes |
| Case Manager | WIENCKOSKI, RONALD |
| Phone | (609) 984 - 4617 |

| Remedial Level | Start Date | End Date |
|---|-------------------|-----------------|
| C3: Multi-Phased RA - Unknown or Uncontrolled Discharge to Soil or GW | 3/30/93 | |

| Case Types | Start Date | End Date |
|---------------------------|-------------------|-----------------|
| Adjusted Direct Oversight | 5/27/22 | |
| Landfill SRP Subject | 11/28/11 | |
| LSRP 0-1 CAOC | 3/11/19 | |
| LSRP GW FEE | 10/19/11 | |
| MOA | 3/30/93 | |
| Spill Act Discharge | 4/25/19 | |

| | |
|------------------------------|-------------------|
| LSRP Name | EDWARD L SULLIVAN |
| Business Phone Number | () - |