Non-Condemnation

AREA IN NEED OF REDEVELOPMENT
PRELIMINARY INVESTIGATION REPORT

Borough of Red Bank,
MONMOUTH COUNTY, NEW JERSEY

Block 1, Lot 1
Block 3, Lots 1.01, 1.02, 2.01, 4.01, 6, 7.01 & 9.01
Block 4.01, Lots 1 & 2

July 20, 2021

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The original document was appropriately signed and sealed in accordance with the Chapter 41 Title 13 of the State Board of Professional Planners.
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1: INTRODUCTION

Purpose of Study

This Area in Need of Redevelopment Study has been prepared pursuant to Resolution # 21-152 of the Borough Council of the Borough of Red Bank, which has directed the Planning Board to undertake an investigation to determine if certain properties meet the statutory criteria necessary for designation as an area in need of redevelopment, under the Local Redevelopment and Housing Law (LRHL) found at N.J.S.A. 40:12A-5. A copy of this resolution can be found in Appendix A to this report.

Following which, the Borough has contracted with CME Associates to review and prepare the preliminary investigation report in accordance with the procedures set forth in the Local Redevelopment and Housing Law (LRHL).

The subject area is made up of ten (10) properties near the northern tip of the Borough, located along Riverside Avenue (SR 35), Rector Place, and Bodman Place. These properties will collectively be referred to as the “Study Area”.

- Block 1, Lot 1;
- Block 3, Lots 1.01, 1.02, 2.01, 4.01, 6, 7.01, and 9.01;
- Block 4.01, Lots 1 and 2

A map illustrating the boundaries of the Study Area can be found in Appendix B.

This analysis will investigate the aforementioned tax lots and determine if any of the properties within the Study Area meet the statutory criteria necessary to be declared as an “Area in Need of Redevelopment,” pursuant to N.J.S.A. 40A: 12A-5 of the LRHL. The authorizing resolution specifies the study should be conducted as a preliminary investigation analysis for a Non-Condemnation Area in Need of Redevelopment. The use of eminent domain by the Borough to acquire any or all of the properties within the Study Area shall not be permitted, even if any are determined to be in need of redevelopment.

A particular parcel or area qualifies for redevelopment if it meets any one of the eight statutory criteria (criteria a through h) that are listed in Section 5 of the LRHL. Additionally, a particular parcel can be included as part of a designated redevelopment area even if it does not on its own meet one of the above mentioned criteria, if it is needed to effectuate redevelopment of an overall Study Area, per Section 3 of the LRHL.

These criteria, and the degree to which the parcels within the Study Area meet these criteria, are outlined in detail within Section 4: Application of Statutory Criteria of this report.
Study Methodology

In the preparation of the study, the following records have been reviewed:

- Official Tax Maps of Borough of Red Bank
- Tax and Building records for the Study Area
- Aerial photos of the Study Area
- Borough of Red Bank Master Plan documents
- Development history of each property
- Zoning Map and Ordinances of Borough of Red Bank
- Environmental Records for the Study Area

CME conducted an on-site inspection of each of the properties on June 29, 2021, and on July 19, 2021. These on-site inspections assessed the status of existing use of the properties, improvements, surrounding context, and configuration of the sites including evidence of occupancy or lack thereof, and physical conditions of the Study Area in support of the Area in Need of Redevelopment determination. Photographs of the Study Area from these site visits are included in Appendix C.

Redevelopment Case Law

On September 6, 2013, Chapter 159 was signed into law, deciding that a municipality’s decision to reserve the power of eminent domain shall be moved to the very beginning of the redevelopment process. This changed the process by requiring a municipal governing body to indicate whether it is seeking a “Non-Condemnation Redevelopment Area” or a “Condemnation Redevelopment Area” when asking the local planning board to investigate an area. The Borough Council has decided to pursue a Non-Condemnation Area in Need of Redevelopment Study, as specifically stated in Resolution # 21-152 of the Borough Council.

The case of Gallenthin Realty v. Paulsboro (2007) declared that a property cannot be designated as an area in need of redevelopment without substantial evidence to support this finding. This substantial evidence must be more than a bland recitation of the statutory criteria, or merely a net opinion. In particular, for criteria ‘e’, that property is stagnant and not fully productive, a finding under this criterion cannot simply be that the property is not being used for its optimal purpose. The stagnation must be due to issues of title, or diverse ownership. The stagnation of a property must also be shown to be negatively impacting adjacent or neighboring properties in order for a redevelopment designation under criteria ‘e’ to be sustained.

62-64 Main Street LLC v. Hackensack (2015) followed the Gallenthin v. Paulsboro decision where the City of Hackensack had declared a number of properties to be in need of redevelopment. One owner of 5 particular lots challenged this redevelopment designation on the basis that his properties did not meet
the standards for redevelopment established by the Gallenthin case – that a redevelopment designation must be shown not only to meet one of the criteria, but that it must also be demonstrated to be having a detrimental impact to the general welfare of the community. The appellate court agreed with the challenge, however the Supreme Court determined that the ruling in the Gallenthin case was limited to only criterion “e”. Therefore, outside of criterion “e”, an additional finding that the conditions making a property in need of redevelopment does not necessarily also need to include a finding that such conditions are having direct adverse impacts on the rest of the community. The substantial evidence to support a redevelopment designation, as established previously in cases such as Spruce Manor vs. the Borough of Bellmawr (1998), still holds however. In order to support a redevelopment designation, there must be more than simply a bland recitation of the statutory criteria, or a net opinion stating that the property is in need of redevelopment.

The Local Redevelopment and Housing Law (LRHL) was amended by the state legislature in August 2019 to amend and expand criterion B. The amendment expanded the criteria within letter b by including a statement that it may apply to a single building or buildings, included retail buildings, office parks, and shopping malls expressly as commercial facilities, and states that such may meet this criteria if it has experienced significant vacancies for at least two consecutive years. This amendment is important because it establishes a new threshold for redevelopment qualification – a commercial building that has been “significantly vacant” for at least two consecutive years.

**Redevelopment Process**

The role of the Borough Council and the Planning Board includes a multi-step process set forth in the LRHL that must be observed by the municipal Governing Body (Borough Council) and Planning Board in order to enable the Borough to lawfully exercise the powers which accrue as a result of the employment of redevelopment planning. This process is outlined below:

- The Governing Body must authorize the Planning Board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria in section 5 of P.L.1992, c.79 (C.40A:12A-5). This was accomplished through Resolution # 21-152, adopted by the Mayor and Council of Red Bank on June 23, 2021. Additionally, the Governing Body must decide whether condemnation will be authorized in the redevelopment area. As per that resolution, this is to be a **Non-Condemnation** Redevelopment Investigation.

- The Planning 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 Board may recommend that the study area in its entirety, or any portions thereof, are, or are not in need of redevelopment. The results and recommendations of the hearing are then referred to the Governing Body in the form of a Planning Board resolution for formal action.
• Upon receipt of the recommendation from the Planning 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.

• If any portion of the Study Area is determined to be in need of redevelopment and is designated by resolution as such, the Borough Clerk shall then send a copy of the resolution to the Commissioner of the Department of Community Affairs (NJDCCA).

• Upon designation, the Planning Board or municipal governing body 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 within the designated redevelopment area.

• Upon receipt of the Redevelopment Plan, or recommendations on a redevelopment plan from the Planning Board, the Borough Council may act to adopt the plan by ordinance. The adopted plan will become an amendment to the municipality’s zoning district map and zoning ordinance. The amendment may be treated as an overlay that keeps existing zoning intact while offering a different development alternative or it may supersede the existing zoning entirely.

• The Redevelopment Plan, as an ordinance governing land use, must be sent to the Planning Board for their review. The Planning Board must make recommendations to the Council regarding consistency with the municipal master plan.

• The Borough Council may still adopt the redevelopment plan even if the Planning Board determines it not to be consistent with the municipal master plan, so long as the governing body provides their reasoning for doing so, and in their opinion the redevelopment plan will advance the general welfare of the community.

• Only after completion of this public process, is a municipality able to exercise the powers granted under the redevelopment statute.

Authority

The authority for the Borough to pursue a redevelopment designation on the property is found within N.J.S.A. 40A: 12A-4(a) of the LRHL, which delegates the authority to determine redevelopment and rehabilitation areas, and to prepare and implement redevelopment plans for said areas, to the local governing body. The specific authority for the Planning Board to investigate the Study Area is noted within N.J.S.A. 40A: 12A-4(b)(3).
2: STUDY AREA DESCRIPTION

Study Area Description

The Study Area consists of ten properties, all of which are located in the northern end of the Borough along Route 35 (Riverside Drive) near the bridge to Middletown Township, and at the intersection of Riverside Avenue, Bridge Avenue, and Rector Place.

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Address</th>
<th>Area (acres)</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>80 Rector Place</td>
<td>1.42</td>
<td>Vacant – former gas station</td>
</tr>
<tr>
<td>3</td>
<td>1.01</td>
<td>151 Bodman Place</td>
<td>1.24</td>
<td>Commercial office</td>
</tr>
<tr>
<td>3</td>
<td>1.02</td>
<td>Bodman Place</td>
<td>0.24</td>
<td>Pump station</td>
</tr>
<tr>
<td>3</td>
<td>2.01</td>
<td>141 Bodman Place</td>
<td>1.10</td>
<td>Parking lot</td>
</tr>
<tr>
<td>3</td>
<td>4.01</td>
<td>192 Riverside Ave</td>
<td>0.44</td>
<td>Parking lot</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>131 Bodman Place</td>
<td>0.15</td>
<td>Vacant</td>
</tr>
<tr>
<td>3</td>
<td>7.01</td>
<td>Bodman Place</td>
<td>0.26</td>
<td>Parking lot</td>
</tr>
<tr>
<td>3</td>
<td>9.01</td>
<td>176 Riverside Ave</td>
<td>0.75</td>
<td>Vacant – former VNA building</td>
</tr>
</tbody>
</table>

The Study Area, excluding any rights-of-way, is approximately 6 acres in size on three blocks, and is made up of a mix of commercial uses on each property.
<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Address</th>
<th>Area (acres)</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.01</td>
<td>1</td>
<td>187 Riverside Ave</td>
<td>0.15</td>
<td>Vacant – former service station</td>
</tr>
<tr>
<td>4.01</td>
<td>2</td>
<td>187 Riverside Ave</td>
<td>0.15</td>
<td>Vacant – former service station</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>5.90 acres</td>
<td></td>
</tr>
</tbody>
</table>

The study area boundaries and individual lot lines are illustrated in the Maps found in Appendix B.

The Study Area can effectively be broken up into three pieces, by the three blocks that are found within the properties:

**Block 1** – Lot 1, at 80 Rector Place is a triangular shaped lot with frontage on Rector Place, Route 35, and a bulkhead along the Navesink River. The 1.4 acre property was formerly used as a gas station, but is now vacant, but the building and structures remain on site. The structures include a small building, the canopy that covered the gas pump islands, and a garbage enclosure. The gas pumps and the underground storage tanks have been removed from the property. The rear of the property along the Navesink River is covered in vegetation, and includes a bulkhead along the waterfront.

**Block 3** – This block contains seven properties along Riverside Avenue (Route 35) and Bodman Place. The former Visiting Nurse Association (VNA) building and its accompanying parking lot takes up most of Block 3, utilizing Lots 2.01, 4.01, and 9.01. The three story VNA building occupied the corner of Bodman Place and Riverside Avenue (Route 35), while the parking lot is located west and north of the building. The lots for the VNA building wrap around Lots 6 and 7.01. Lot 6 is a narrow property with frontage on Bodman Place, and is developed with a vacant building and detached garage. Lot 7.01 also has frontage on Bodman Place, and is a surface parking lot that provides off-street parking for residents of a condominium complex across the street. Lot 1.01 is located on the norther end of the block, and has frontage on Bodman Place, the Navesink River, and Route 35, although there is no access to the site from Route 35 as it is at the base of the bridge. This lot is developed with a 3-story office building and its associated parking lot. Lot 1.02 is a small parcel owned by the Borough that is used as a sewer pumping station. The lot has frontage on Route 35, but no access to the street. This lot is accessed via a utility easement that traverses the northern end of Lot 2.01 out to Bodman Place.

**Block 4.01** – Lots 1 and 2 are jointly owned properties that make up one site, located on the southeastern corner of Riverside Avenue and North Bridge Avenue, to the east of Block 1, and to the south of Block 3. The two lots are developed with a single-story vacant commercial building that was previously used as an auto service garage and gas station.

Surrounding the Study Area is a mix of uses. To the southwest along Rector Place are mostly residential uses as well as several commercial offices and the Light House Italian ice stand. To the south on Bridge Avenue is a mix of small office buildings and residential structures. East of the site along Riverside Avenue are commercial properties including Birravino restaurant, and the Molly Pitcher Inn, as well as multi-family residential development. Across Bodman Place to the east of Block 3 are primarily multi-family residential developments and the Oyster Point hotel.
Based on historical aerial photos of the area dating back to 2002, it appears that the majority, if not all of the structures within the Redevelopment Study Area have been in place, and there have been minimal changes to the building layout or circulation patterns of the Area since that time.

The entirety of the Study Area is within a designated sewer service area.

There are no properties within the Study Area that are considered historic or within a historic district listed on the any register of historic places.

The properties within Blocks 3 and 4.01 are already within an area previously designated as in need of Rehabilitation. As per Resolution No. 17-107, many properties in the northern end of the Borough were determined to be in need of Rehabilitation.

The Borough has also already adopted a redevelopment plan for some of the properties on Block 3, Lots 2.01, 4.01, 6, and 9.01. That redevelopment plan permits multi-family development at up to 70 units per acre with density bonuses for providing sustainable building features.
State Planning Area Classification

The State Plan Policy Map classifies the majority of the Borough of Red Bank, and some of the Study Area into the Metropolitan Planning Area (PA-1). Planning Area 1 is intended to provide for much of the state’s future development and redevelopment. Revitalization of cities and towns, promotion of growth in compact forms, stabilization of older suburbs, and redesign of areas of sprawl are the goals of the State Plan for areas located within PA-1.

The lands of the Study Area adjacent to the Navesink River, primarily those on Block 1, Lot 1, and Block 3, Lot 1.01, are designated in the Environmentally Sensitive Planning Area (PA-4). This designation generally coincides with the Special Flood Hazard Area, or the 100-year storm flood areas discussed in the next section. Planning Area 4 is intended generally to limit development activity within lands that are considered constrained by either wetlands, floodplain, or other sensitive features.

However, the entirety of the Borough of Red Bank is located within a designated Center according to the State Plan Policy Map. Regardless of the underlying Planning Area designation, growth and development is encouraged within a designated center.

The map below from the NJ State Office of Planning Advocacy shows the extents of the Planning Area boundaries within the Borough.

The entirety of the Study Area is also located within a designated Smart Growth Area, as illustrated in the map below provided by NJ Department of Community Affairs (DCA) Community Asset Mapping.
The Study Area is not located within a Designated Urban Enterprise Zone (UEZ).
Environmental Records and Conditions

A review of New Jersey Department of Environmental Protection (NJDEP) records and the NJ Geo-web indicates the following environmental considerations:

According to NJDEP records, there are four known contaminated sites within the Study Area, shown in the map on the following page.

- **Block 1, Lot 1.01 – (PI Number 007930)** This is listed as an active contaminated site. There are records of NJDEP actions on this property dating back to April of 1990. As the site is a former gas station, the underground storage tanks, or the gas dispensers themselves had leaked fuel into the soil. Some remedial actions have taken place regarding the contamination related to the gasoline storage, and NJDEP has approved a Response Action Outcome (RAO) for the remediation of gasoline contamination. This means that a Licensed Site Remediation Professional (LSRP) has determined that the contamination has been contained, or cleaned up, to levels acceptable to NJDEP regulations. The gasoline contamination has been closed by NJDEP.

  However, the site remains listed as an active contaminated site due to the historic fill materials along the Navesink River frontage. This historic fill material has not been specifically sampled to determine levels of contamination, but is assumed to potentially be contaminated due to the unknown nature of the soils that were used to artificially build up the area along the bridge.

- **Block 3, Lot 1.02 – (PI Number G000005531)** This Borough owned property is the pumping station operated by Jersey Central Power & Light (JCP&L) and Red Bank Coal Gas. DEP records show that contamination of the soil included benzene, ethylbenzene, methylanaphthalene, naphthalene, toluene, and xylenes exceeding state standards. These contaminants were the result of coal tar spillage. The contaminated soil has been capped with asphalt, and the property will have a deed notice of the contamination on site.

- **Block 3, Lot 4.01 – (PI Number 009803)** This property, which is now part of the parking lot for the VNA building, is a former Mobil Service station according to DEP records. Groundwater contamination in the form of benzene and synthetic organic chemicals had been found in levels exceeding state standards in the soil, likely coming from former underground storage tanks from the previous service station use. Due to this contamination, the site and some of the lands surrounding it are a ‘well restricted area’ meaning that any new wells drilled in the area would have additional construction requirements placed on them in order to avoid water contact with the contaminated soils. In 2016, an RAO was filed for the site, and the issue was then closed by NJDEP, indicating that remedial activities have been satisfactory, although contamination remains on site.

- **Block 4.01, Lot 1 – (PI Number 014918)** Bridge Avenue Gas Station. Contamination within this property has been identified by NJDEP as far back as 1997, and this is still noted as an active remediation site. Records indicate contaminants from spills from the underground storage tanks
and other infrastructure on site including significant amounts of benzene in the soil which had groundwater impacts. Remediation on the site is active, however the full extents of the contamination on site have not yet been identified, and full plans for remediation are yet to be approved. The underground storage tanks, and a hydraulic lift have recently been removed. No RAO has been filed. Further investigation and possible remedial action may be needed.
The map below from NJ-GeoWeb illustrates the areas of groundwater contamination on these sites according to NJDEP records.
As shown in the map above, the majority of Lot 1.01 on Block 3, and a small portion of Lot 1 on Block 1 are made up of historic fill materials that were placed in the Navesink River to artificially build up the land.

There is no indication of any wetlands on these properties per NJDEP 2012 wetlands mapping data.

Flood Insurance Rate Mapping from FEMA indicates that portions of the Study Area are within the Special Flood Hazard Area. This is the areas which are anticipated to be impacted by flooding associated with a 100-year storm event, or a 500-year storm event. These areas include the perimeter of Lot 1 of Block 1, and the majority of Lot 1 of Block 3. The extents of the SFHA on the Study Area are shown on the environmental constraints map found in Appendix B.

Further documentation on environmental contamination within the Study Area can be found in the Environmental Records in Appendix F.
3: STATUTORY CRITERIA

Redevelopment

The Local Redevelopment and Housing Law defines redevelopment as:

“clearance, re-planning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.”

Under N.J.S.A. 40A: 12A-5, a delineated area may be declared in need of redevelopment if, after investigation, notice, and hearing, the governing body of the municipality, by resolution, concludes that within the delineated area any one of the following conditions are 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 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.

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 criteria, the redevelopment statute states: “A redevelopment area may include lands, buildings, or improvements, which 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.” This is known as “Section 3” of the redevelopment criteria.
4: APPLICATION OF STATUTORY CRITERIA

Overview

Based upon the site study, existing conditions, and property records, we find that portions of the Study Area can be designated as an area in need of redevelopment, and portions of the Study Area do not meet any of the statutory criteria that would support a designation.

The following pages contain a parcel by parcel analysis of the conditions of the Study Area and an assessment of how they may or may not meet the criteria.

Photographs of each site within the Study Area can be found in Appendix C.
Evaluation of Properties for Redevelopment Criteria

**Block 1, Lot 1**

**Location:** 80 Rector Place

**Owner:** RBank Capital, LLC

**Owner Address:** 11 Merritt Terrace, NJ 08055

**Area:** +/- 1.42 acres

**Description:**

This property is 1.4 acre triangular lot on the west side of the intersection of Rector Place, Bridge Avenue, and Riverside Avenue (Route 35). The lot has several hundred feet of frontage along the Navesink River, and includes the base of the Route 35 bridge to Middletown Township to the north. The lot is developed with a vacant single story building that used to house a gas station and convenience store, and the canopy over where the gas pump islands were previously located. The majority of the site is paved with a mix of asphalt and gravel or crushed stone. There are three curb cuts providing access to the property from the street, two on Route 35, and one on the narrow frontage of Rector Place, although temporary bollards and chains have been installed to restrict access. The rear of the site along the river is covered in vegetation.

The building and structures on site appear to be in poor condition at this time. The building has been boarded up and is covered in graffiti. The fascia on the building and the canopy is showing signs of rotting in some areas, and has completely fallen off in other areas. A piece of the fascia on the canopy had fallen off at some point between site visits, as
there was a large piece on the ground during the July 19th visit that was not present during the June 29th visit.

The brick façade on the canopy columns has cracked, indicating potential structural damage.

The garbage enclosure on the southern side of the property has been completely overtaken by vegetation, and the doors no longer appear functional.

The paved areas of the site, which make up much of the property, are also in poor condition. There are many cracks throughout the asphalt and concrete areas, and vegetation has overgrown many areas along the perimeter of the property, overtaking the curbing, including covering portions of what once were the handicapped accessible parking stalls on site. The areas underneath the canopy near where the gas pumps were likely located are no longer paved, but a mixture of stone and vegetation.

There is a pile of stones and other debris in the northern side of the parking area, as well as piles of debris near the garbage enclosure on the southern side of the building.

Based on historic photos from Google Earth and Google Maps, it appears that the site has been vacant since at least 2010, and perhaps dating back to 2007. Records from the Planning Board in 2019 state that the property has been vacant for over a decade.

Historic aerial and street view photos from Google Earth and Google Maps can be found in Appendix D.

As discussed above, NJDEP records indicate that contamination on the site from the former gas station use remains present, although remedial activities have brought the levels of contamination and the hazards posed by the contamination to an acceptable standard. The site does remain under active status as per NJDEP records due to the historic fill along the riverfront.

Records from NJDEP regarding the status of environmental contamination can be found in Appendix F.
In 2017, a site plan approval was granted by the Planning Board for a 6-story 76-room hotel on the property. The approval was granted subject to numerous conditions, including approval by both NJDEP and NJDOT for issues relating to environmentally sensitive lands, remediation of the contamination on the property, and traffic issues on Route 35. After the granting of a site plan approval, a developer’s agreement was signed in February of 2018. The approval and subsequent developer’s agreement were years in the making, with the concept plan for a hotel on site initially being proposed in 2010.

In May of 2019, the Planning Board denied an application to extend the previous site plan approval for the hotel on this site. The Board at the time noted that the site has been occupied by an abandoned gas station for over a decade and remained an “unkempt eyesore” at the gateway to the Borough. The Board determined that the developer had ample time to move the hotel project forward, and was not entitled to extend the time period for construction. As a result, the previous approval for a hotel on this site has lapsed.

Copies of the Site Plan approval and the denial of the application for an extension of approval can be found in Appendix H.

On May 20, 2019 the Borough issued a citation for lack of maintenance of overgrown vegetation on the site. A copy of this violation can be found in Appendix E.

The property is currently in foreclosure, with a notice posted to the front of the building of a pending sheriff’s sale on August 16, 2021.

Redevelopment Criteria: A, B, H

Criterion A – The building and the property are in a generally sub-standard condition. The building has become dilapidated, and with pieces of the canopy fascia falling makes the structure in its current condition potentially unsafe as a living or working space.

Criterion B – This property has been vacant for over a decade as evidences by historic photos, and the statements of the Planning Board in 2019, and is a former commercial building that’s use has been discontinued. The building and the property are in a state of disrepair and it is likely un-tenantable in its current state. Potential environmental contamination on this site also makes the site unsuitable for new uses without remedial actions.

Criterion H – The property is located within a designated Smart Growth Area according to NJDCA.
**Block 3, Lot 1.01**

**Location:** 151 Bodman Place

**Owner:** Coastal Building, LLC

**Owner Address:** 125 Half Mile Road, Red Bank, NJ 07701

**Area:** +/- 1.16 acres

**Description:**

This lot is located on the northern end of the Borough at the end of Bodman Place, and has frontage on Bodman Place, the Route 35 bridge, and along the banks of the Navesink River. The lot is occupied by a four-story office building and its associated parking lot. The building appears to be occupied and in good condition. There are no signs of significant deterioration or dilapidation present at this time. The parking lot and landscaping areas also appear to be in good condition. Only minor cracks in the pavement are noted in the parking lot, and the dumpsters were haphazardly placed during the time of site visit, and are without a proper enclosure area. There was also some overgrown vegetation in the areas around the base of the bridge on the west side of the site. Otherwise, the property is occupied and well maintained.

There are no records of any code violations or citations issued recently to this property.

**Redevelopment Criteria: H**

Criteria H – The property is located within a designated Smart Growth Area according to NJDCA.

This lot does not appear to meet any of the other criteria. The building and property appear to be in good condition and well maintained. Although it has not been formally tested in court, meeting criterion H alone is not considered to be the “substantial evidence” necessary to withhold a designation. We would not recommend designating this property based only on Smart Growth principles.
**Block 3, Lot 1.02**

**Location:** Bodman Place

**Owner:** Borough of Red Bank

**Owner Address:** 90 Monmouth Street, Red Bank, NJ 07701

**Area:** +/- 0.23 acres

**Description:**

This lot is a small lot of approximately 1/4 acre on the west side of Block 3, with no direct street accessibility. The lot does have frontage on Route 35, but has no driveway access to the street. The lot is accessible only via an easement across Lot 2.01 to Bodman Place. The property is developed with a sewage pumping station, and is largely paved with concrete, and covered with the buildings housing the pumping station and its associated equipment. The site is surrounded by a chain link fence on all sides that restricts access to the site. The frontage along Route 35 consists of a guard rail along the highway, and overgrown vegetation between the guard rail and the fence.

The two small masonry structures on the site appear to be in adequate condition. The pavement on site also appears to be in adequate condition, although there is some vegetation growth near the bases of the buildings.

There are some materials, including metal and PVC piping, as well as CMU blocks and a few fire hydrants stacked on site for storage.

As noted above, the site is listed on the NJDEP known contaminated sites list, with a history of contamination related to spilled coal tar. As recently as 2020, there were considerations given
to cleaning up the groundwater contamination on site by removing impacted soils by use of a jet-grouting pump. However, it has since been determined that this action would be unnecessary and the site will remain in its current state, but with a deed notice to be filed indicating the presence of the contaminated soil underneath the surface.

Records from NJDEP regarding environmental contamination can be found in Appendix F.

**Redevelopment Criteria: E, H**

Criterion E – This is land owned by the Borough of Red Bank that has no direct access to a public street other than an easement to Bodman Place. Due to the subsurface environmental contamination on the property it is unlikely to be developed through private capital alone.

Criterion H – The property is located within a designated Smart Growth Area according to NJDCA.
**Block 3, Lots 2.01 & 4.01**

**Location:** 141 Bodman Place; 192 Riverside Avenue

**Owner:** 176 Riverside, LLC SAF

**Owner Address:** 359 Springfield Ave, 2nd Floor, Summit, NJ 07901

**Area:** +/- 1.1 acres; +/- 0.46 acres

**Description:**

Lots 2.01 and 4.01 are being considered together as they are both held in common ownership, and are similarly developed as the parking lot area surrounding the former VNA building on Lot 9.01. The parking lot on these properties surrounds the building on Lot 9.01, as well as two unrelated properties on Lots 6 and 7.01. Lot 2.01 is an irregularly shaped parcel that has frontage on both Bodman Place and Route 35. Access to the parking lot is provided by two curb cuts on Bodman Place, both of which are located on Lot 2.01. Lot 4.01 is an extension of the parking lot on Lot 2.01, and is located in the southwestern end of Block 3, having frontage on Riverside Avenue, although no accessibility to the street. There is also a gazebo located on the property, in between the parking lot and the dumpster enclosure areas. The parking lot has been vacant since the VNA moved out of the building in early 2018, although it appears that vehicles from the Colony House apartments across the street may be using the empty lot for parking at this time.

Both lots are developed as the parking for the former VNA building, and are paved and curbed, with landscaped islands in parking areas and additional landscaping surrounding them. The frontage along Route 35 includes a walkway to the front of the VNA building, and shade trees and shrubs providing a landscape buffer between the parking and the street. All of the parking stalls...
appear to be striped, and there are stop bars located at the ends of drive aisles. The condition of the pavement throughout the parking areas appears to be adequate, although there are small cracks in some areas and some vegetation is growing in these cracks and along the curbing. The striping and markings within the parking areas are fading, but are still evident.

The dumpster enclosure on the western side of Lot 2.01 did not have garbage containers, but was covered in miscellaneous debris at the time of site visit. Otherwise, the properties are in good condition. The landscaping is being maintained, and the overgrowth of vegetation is minimal in and around the parking lots is minimal. Any issues of degradation or substandard conditions on these lots are minor maintenance issues, and not significant defects on the property.

Located on the northern end of Lot 2.01 is the access easement from Bodman Place to the Pumping Station on Lot 1.02.

As discussed above, there is documentation of environmental contamination on Lot 4.01, with the lot being located in a well restricted area due to groundwater contamination issues. However, according to NJDEP records this contamination has been addressed, and the property was moved from an active contamination site to a closed status in 2016, indicating that actions taken were satisfactory to NJDEP at the time, and no further remedial actions are deemed necessary. Some potential groundwater contamination remains beneath the surface, but this would only impact the placement or construction of new wells on the site.

As this property, along with others in the area are already designated as an area in need of rehabilitation, a Redevelopment Plan for the area was adopted in 2018. Consistent with the adopted redevelopment plan, in December of 2019 final major site plan approval was granted by the Planning Board for a multi-family development on Lots 2.01, 4.01, 6, and 9.01 of Block 3. This approval was to demolish the existing structures on the property and construct a 210 unit rental apartment complex, with affordable housing units included, and a few small commercial spaces as well.

A copy of the adopted redevelopment plan, the resolution granting final site plan approval can be found in Appendix H.

Redevelopment Criteria: B, H

Criterion B – The properties are commercial parking lots that were accessory to the former VNA building that have been vacant for over 2 years with the VNA moving out in early 2018. The revised criterion allows for designation for commercial properties that have been “significantly vacant” for over two years. As will
be discussed below, the VNA building has been vacant for over two years, leaving these parking lots vacant for this same time frame.

Criterion H – The property is located within a designated Smart Growth Area.
**Block 3, Lot 6**

**Location:** 131 Bodman Place

**Owner:** 131 Bodman, LLC

**Owner Address:** 359 Springfield Ave, 2nd Floor, Summit, NJ 07901

**Area:** +/- 0.15 acres

**Description:**

This property is a small and narrow lot with frontage on Bodman Place. The lot is approximately 0.15 acres in size, and is developed with a two-story residential building and a detached garage in the rear of the property. Although the structure appears residential in the nature of its construction, it was most recently used as a commercial office for a janitorial service company rather than a residence, and is tax assessed as a Class 4A commercial property. An asphalt driveway on the southern end of the lot provides access to the detached garage in the rear. The driveway is curbed in the front, and a proper curb-cut is located on Bodman Place.

The building is currently vacant and boarded up, and the lot is becoming overgrown with vegetation. Based on images from historic Google Maps records, it appears that the building may have been occupied as recently as September 2017. By August of 2018, the driveway had been blocked, and by September of 2019 the windows had been boarded up and it is apparent that the building was vacated. The images found in Appendix D show the condition of the property in August of 2018 and September of 2019. Although it is likely that by March of 2018 the building was vacated at the latest, with the most recent sale to its current owners occurring at that time.
The paving of the driveway is also in poor condition, and is overgrown with weeds and other vegetation. Behind the house, it is not apparent where the paving ends, and if there is any curbing around the driveway.

The principal building on the property is showing signs of disrepair, with exterior siding peeling off of the structure, and some of the roofing shingles are covered in what appears to be mold or similar growth.

The detached garage is a concrete block structure that is also showing signs of a lack of maintenance, with the garage doors being rusted and vegetation effectively blocking vehicular access into the garage. A pedestrian door on the garage is also in poor condition, with the framing around the door showing signs of rot, and the door itself not being flush with the frame.

The interior of the building is in poor condition, with damage evident from water leaks from a bathroom which left standing water in the basement and damaged the first floor, although the damage is not noted to be structural. The condition of the building has lead to its being boarded up and having “keep out” signage posted to the doorways. A report provided by the current owners of the property assessing its condition prior to purchase can be found in Appendix J.

As this property, along with others in the area are already designated as an area in need of rehabilitation, a Redevelopment Plan for the area was adopted in 2018. Consistent with the adopted redevelopment plan, in December of 2019 final major site plan approval was granted by the Planning Board for a multi-family development on Lots 2.01, 4.01, 6, and 9.01 of Block 3. This approval was to demolish the existing structures on the property and construct a 210 unit rental apartment complex, with affordable housing units included, and a few small commercial spaces as well.

A copy of the adopted redevelopment plan, and the resolution granting final site plan approval can be found in Appendix H.

**Redevelopment Criteria: A, B, H**

Criterion A – The building is in a substandard condition, with water damage evident from a leak in the 2nd floor bathroom as of 2018. Since that time, no maintenance has been done on the property other than to secure the points of entry.

Criterion B – The property is a former commercial building that has been vacant for over 2 consecutive years at this time. Although it is not clear the exact date of the last time period where the building was occupied, the current owners of the property purchased it in March of 2019, and have not utilized or maintained the property since that time.

Criterion H – The property is located within a designated Smart Growth Area.
Block 3, Lot 7.01

Location: Bodman Place

Owner: Park Ridge, II, II, IV, LLC

Owner Address: 1750 Oak Street, Lakewood, NJ 08701

Area: +/- 0.26 acres

Description:

Lot 7.01 of Block 3 is located on Bodman Place, in between Lot 6 and Lot 2.01. This is also used as a parking lot, but not associated with the VNA building or site. This small parking lot is used by residents of the Colony House apartments located across Bodman Place. The lot is a paved lot, with curbing along the driveway entrance and the frontage of Bodman Place, but not along the perimeter of the parking areas. There is a small concrete sidewalk between the parking lot and the frontage of Bodman Place, although it does not connect to any other sidewalk within the ROW of Bodman Place.

The parking lot does have striping to indicate individual parking spaces, however the striping is faded significantly making it difficult to determine stalls. With no curbing around the lot, the edges of the pavement are getting slightly overgrown with vegetation, in particular on the south side along the border with Lot 6 and in the rear of the lot adjacent to Lot 2.01. There are also small cracks in the pavement within the parking lot.

Although the parking lot is not in immaculate condition, and is not properly curbed, the issues and defects noted at the time of site visit are generally minor maintenance issues and do not present any serious or significant detrimental impacts.
**Redevelopment Criteria: H, Section 3**

Criterion H – The property is located within a designated Smart Growth Area.

Section 3 – Although this parcel itself does not necessarily meet any of the criteria other than H, its location in the center of the block surrounded by the former VNA site make its inclusion necessary for the effective redevelopment of the area as a whole. Without the inclusion of this site, any redevelopment would have to be built around the property, which may be difficult. An efficient and effective redevelopment of the area would require an assemblage of properties in a regular shape so as to be able to properly site buildings, circulation, and parking spaces.
**Block 3, Lot 9.01**

**Location:** 176 Riverside Avenue

**Owner:** 176 Riverside, LLC Saxum Real Estate

**Owner Address:** 359 Springfield Ave, 2nd Floor, Summit, NJ 07901

**Area:** +/- 0.76 acres

**Description:**
This property is located on the corner of Bodman Place and Riverside Avenue (Route 35). The lot is approximately 0.76 acres, and is developed with a three-story brick office building that was previously the home of the Visiting Nurse Association of Central New Jersey. The building was constructed in 1913, with an addition built in 2000. The lot also contains a small parking lot on its north side that is connected to the parking found on Lots 2.01 and 4.01.

The building on site occupies most of the southern and western sides of the property, and is located in close proximity to both street frontages, including a corner of the building that is less than 10 feet away from the curb of Route 35 where it curves towards the intersection with Bridge Avenue.

The building is currently unoccupied, with the VNA having vacated the building by 2018 after selling the property to its current owners.

From the exterior, the building generally appears to be in good condition, with only minor defects noted by visual inspection of the property. These defects include staining on the bricks, and a few windows that have missing shutters. The parking lot on the property and the landscaping around the building are also in adequate condition, with...
minimal defects visible. There are some cracks in the pavement, and a sidewalk along the north side of
the building has vegetation growing along its edges, but otherwise appears adequate.

However, in December of 2020 there was a vehicle that crashed into the building from Route 35, causing
significant damage to the building, and resulting in the issuance of a violation from the Borough, citing it
as an unsafe structure. The damage to the building included complete removal of a column and damage
to another column supporting the portico on the front of the building, and breaking entirely through the
brick façade and the light-gage metal wall behind that, to make a hole in the side of the building. This was
the second such accident in this location, with a similar crash occurring in 2017.

The violation for an unsafe structure was issued on December 14, 2020, and
gave the property owner until February 21, 2021 to either have the building
vacated or rectify the damages. As per the violation notice, no persons are
permitted to enter the building until the building has been deemed safe and
issued a certificate of occupancy from the Borough’s building department.
As of the time of site visits on both June 29, 2021, and July 19, 2021 a copy
of the violation notice was still posted on the window of the building, and
much of the damage from the crash was still evident. Borough records do
not indicate that this issue has been abated. The column that was broken
has been replaced by a wooden post, and there is boarding over the hole in
the façade. It appears that only temporary stop-gap measures have been
implemented, and the building has not been repaired.

Records from the Borough’s Construction Official documenting the damage
and issuing the violation can be found in Appendix E.

An analysis of the property by the commercial real estate research firm
Otteau Group, noted that in 2018 the building was considered to be Class
“C” office space. Class “C” office space is the lowest rating, representing
spaces that are considered generally undesirable by tenants and commands
the lowest rents. A copy of this report can be found in Appendix J.

The building’s interior is showing signs of damage from prior lack of maintenance. An inspection of the
interior of the building showed signs of water damage from roof leaks in multiple locations. These included
within the stairwells, and in nearly every office space on the third floor of the building. The acoustical drop
tile ceiling panels throughout the third floor are showing staining from water damage, and holes have
formed as the panels have deteriorated as well.
As this property, along with others in the area are already designated as an area in need of rehabilitation, a Redevelopment Plan for the area was adopted in 2018. Consistent with the adopted redevelopment plan, in December of 2019 final major site plan approval was granted by the Planning Board for a multi-family development on Lots 2.01, 4.01, 6, and 9.01 of Block 3. This approval was to demolish the existing structures on the property and construct a 210 unit rental apartment complex, with affordable housing units included, and a few small commercial spaces as well.

A copy of the adopted redevelopment plan, and the resolution granting final site plan approval can be found in Appendix H.

**Redevelopment Criteria: A, B, H**

Criterion A – Unsafe structure – although the majority of the building appears to be in fair condition, and the parking and landscaping surrounding the building are not in poor condition, due to the damage caused by the vehicle crash to the front of the building, a violation notice for an unsafe structure still stands on the property and has not been fully remedied.

Criterion B – The building, and its associated parking areas, has been vacant since at least 2018, which is a period of over 2 consecutive years. As it is considered Class "C" office space and is a relatively large space at 35,000 square feet of floor space, it seems unlikely that a tenant would be identified to lease this much Class C space.

Criterion H – The property is located within a designated Smart Growth Area.
Block 4.01, Lots 1 and 2

Location: 187 Riverside Avenue

Owner: Gambacorto, James, & Luz, Maria

Owner Address: 108 Stout Drive, Middletown, NJ 07748

Area: +/- 0.30 acres

Description:

Lots 1 and 2 of Block 4.01 are being reviewed as a single entity, as they are held in common ownership and developed as if a single property. The lots are located on the southern side of the intersection of Riverside Avenue and Bridge Avenue. The two properties together are approximately 0.30 acres in size, and have multiple curb cuts on each street providing access to the site, with the majority of the frontage on Route 35 being a depressed curb. There is one building on the property, which is the former gas station and auto service garage known as Bridge Avenue Gas.

There are also two billboards on the property, one on top of the building, and the other along the southern property line.

Aside from the two billboards, the property is vacant and not currently being used. The entirety of the property is covered in asphalt, concrete, or gravel at this time. The underground storage tanks and gas pumps associated with the former gas station were removed in 2020, and these areas are now covered in gravel and stone.

Based on historic images from Google Maps Street View, it is not entirely clear when the gas station and service station on the property ceased operations. Images from August of 2012 show the site in a similar
condition to its current state, and there are orange cones in front of each gas pump, which would indicate that the gas station use was not operating at the time. Images from September 2018 show a similar pattern of lack of use. An article from the website Red Bank Green in 2010 states that the former tenant Raceway did not renew a lease for the property at that time. It appears that the site has been vacant since then, with the exception of the billboards. A copy of the report of closure can be found in Appendix K.

The current configuration of the property places curb cuts and driveways essentially within the intersection. As shown in the image above, this places vehicles in a position so that they may be entering the intersection where visibility of the traffic light may be limited. This creates a potentially unsafe condition having driveways in such close proximity to the intersection, especially on a high traffic highway such as Route 35.

The building and the surrounding parking and gravel surfaces do not appear to be in good condition. There are broken windows on the building, and damage to the stucco façade. Wood paneling around one of the doors is deteriorated, and falling off the building. The concrete walkway in front of the building is breaking apart. One of the garage doors is missing a panel that has since been covered in plywood, but does not cover the entire panel. In addition there is electrical wiring haphazardly strewn about the rear of the building along the roofline and along a light pole.

The pavement on the property is in a general state of disarray with a mixture of broken concrete, asphalt, gravel, and stone in various places throughout the site. In the rear of the building are piles of rocks and broken concrete. The sidewalk along the frontage of Bridge Avenue is broken up and also in a state of disrepair.
There is also a pole mounted sign near the corner on the property which has electrical wiring uncovered and open.

In February of 2018 there were two citations issued to this property for violations of the Borough code: one for failure to remove holes and depressions in the parking lot that hold water; and the other for a failure to maintain the property due to peeling paint on the building.

Records of these code violations can be found in Appendix E.

There have been some improvements along the edge of the property on Route 35 that appear to be recent, these include new curbing and crosswalks within the Right-of-Way, and not on the property itself. This may have been done as a part of larger improvements to the State ROW.

The interior of the building appears to be in poor condition. Although the interior of the building was not accessible, it was visible through the storefront windows. In the main lobby of the building, the ceiling had collapsed, potentially from water damage. There were no panels or tiles on the ceiling as it was completely open to the joists with only some remnants of insulation hanging from the ceiling. All of the paint was peeling off of the walls, and the floors appeared in poor condition as well. The interior space that was previously used for car repairs does not appear to be in as poor of a state of condition. The concrete floors appear intact, although there is a hole where the hydraulic lift may have been previously located.

As noted previously, environmental contamination from the gas station and service station on this property was recorded by NJDEP going back as far as 1997. This property is still listed as an active contaminated site. Remediation on the site is ongoing and a Licensed Site Remediation Professional (LSRP) has been retained to aid in the investigation and potential clean-up of the site. The underground storage tanks and the hydraulic lift have been removed, which were the likely sources of contamination, however further investigation and remedial action may be warranted before any Response Action Outcome (RAO) may be filed and the site ready for some type of development.
Environmental Records from NJDEP can be found in Appendix F.

According to reports from the Borough Tax Assessor, the property is currently in bankruptcy, however all tax payments have been made since February 2019.

**Redevelopment Criteria: A, B, D, H**

**Criterion A** – The building and the pavement on the site are generally substandard, unsanitary, and dilapidated. Although it is not clear the structural condition of the building and roof, the interior space is significantly deteriorated with no ceiling, and scraps of insulation and other materials hanging from the roof joists. The conditions of this space, which is approximately 1/3 of the interior of the building, represents an unwholesome working condition in its current state.

**Criterion B** – The property is a commercial site that has been significantly vacant for over 2 consecutive years. Although there are two billboards on the site that appear to be regularly maintained and in good condition, they represent only a small portion of the property. The rest of the property does not appear to have been used for any commercial purposes since 2010.

**Criterion D** – The improvements on the property are dilapidated, and obsolete. There is a continuous curb cut along Route 35, as well as curb cuts into the gas station located in front of the stop bar and essentially in the intersection at the corner. The site is also completely covered by impervious surfaces which can be considered excessive land coverage. These conditions are detrimental to the general welfare of the community, as the vacancy of the site along with the poor conditions of the pavement and sidewalks present potentially hazardous walking surfaces. The excessive curb cuts, and the location of the curb cuts into the intersection also present safety hazards.
Criterion H – The property is located within a designated Smart Growth Area.
5: STUDY CONCLUSION AND RECOMMENDATIONS

Redevelopment

The majority of the properties within the Study Area can be designated as an area in need of redevelopment due to meeting at least one of the criteria.

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APPENDICES

Appendix A – Governing Body Resolutions

1. Resolution 21-152 of the Borough Council

Appendix B – Study Area Maps and Tax Maps

1. Study Area Map
2. Environmental Constraints Map
3. Borough Tax Maps

Appendix C – Site Photographs

Appendix D – Historic Aerial Imagery and Street Imagery

1. Google Earth Historic Aerial images
2. Google Maps Historic Street view images

Appendix E – Records of Code Violations

1. 80 Rector Place – Violation Notice
2. 176 Riverside Ave – Unsafe Structure
3. 187 Riverside Ave – Violation Notice
4. 187 Riverside Ave – Violation Notice

Appendix F – Environmental Records

Appendix G – Redevelopment Plan for Block 3, Lots 2.01, 4.01, 6, and 9.01

Appendix H – Site Plan Approvals

1. Resolution of Site Plan Approval for Block 1, Lot 1
2. Denial of Application for Extension of Approval for Block 1, Lot 1
3. Resolution of Site Plan Approval for Block 3, Lots 2.01, 4.01, 6, and 9.01

Appendix I – Tax Records

Appendix J – Property Assessment Reports

1. 131 Bodman Place
2. 176 Riverside Ave

Appendix K – December 2010 report from Red Bank Green
APPENDIX A - GOVERNING BODY RESOLUTION
RESOLUTION AUTHORIZING THE PLANNING BOARD TO CONDUCT AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF THOSE PORTIONS OF BLOCKS 1, 3, 4.01 THAT FRONTS ON RECTOR PLACE, BRIDGE AVENUE, RIVERSIDE AVENUE AND BODMAN PLACE TO DETERMINE WHETHER THE PLANNING BOARD FINDS THAT THE PROPERTIES SATISFY THE LOCAL REDEVELOPMENT AND HOUSING LAW IN NEED CRITERIA AND SHOULD BE DECLARED AN AREA IN NEED OF REDEVELOPMENT, AND IF SO, COMMENCE WITH THE PREPARATION OF A REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq., as amended and supplemented (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the Municipal Council (“Borough Council”) of the Borough of Red Bank (the “Borough”) must first authorize the Red Bank Planning Board (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough that an investigation occurs with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the property identified on the tax map of the Borough as those portions of blocks 1 (lot 1) and 4.01 (lots 1-2) and all of block 3 (lots 1.01, 1.02, 2.01, 4.01, 6, 7.01, 9.01) that fronts on Rector Place, Bridge Avenue, Riverside Avenue, Bodman Place with addresses between 80 Rectors Place, 187 Riverside Avenue, Bodman Place, 131 Bodman Place, 141 Bodman Place, 151 Bodman Place, 176 Riverside Avenue, and 192 Riverside Avenue, along with all streets and right of ways appurtenant thereto (collectively, the “Study Area”) and to determine whether all or a portion of the Study Area meets the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-5, and whether all or a portion of said Study Area should be designated as an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A.40A:12A-6 the governing board has determined that this resolution authorizes the municipality to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain; this resolution is a Non-Condemnation Redevelopment Area, and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Red Bank, New Jersey as follows:

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to N.J.S.A.40A:12A-5 and whether said Study Area should be designated a “Redevelopment Area”.
3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of investigation.
4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be
affected by a determination that the Study area shall be an area in need of redevelopment.

5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is in an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and shall be made part of the public record.

6. After conducting its investigation, preparing a map of the Study Area and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as a Redevelopment Area.

7. If the Planning Board recommends that all or a portion of the Study Area as a Redevelopment Area, the Planning Board shall commence with the preparation of the redevelopment plan.

8. A notice of this action shall be published in the official newspaper authorized to publish legal notices for the Borough as required by law.

9. A copy of this resolution shall be filed in office of the Borough Clerk.

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Dated: June 23, 2021

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on June 23, 2021.

Pamela Borghi
Pamela Borghi, Municipal Clerk
APPENDIX B – STUDY AREA MAPS
Redevelopment Study Area

Legend

- Study Area Property
- Parcel Boundaries
- Red Bank Boundary

Blocks
1, 3, 4.01
Redevelopment Investigation

Monmouth County
New Jersey

Source: NJGIN Network, MODIV data

06.30.21
1 inch = 167 feet
N/A
CD
Environmental Constraints

Blocks
1, 3, 4.01
Redevelopment Investigation

Monmouth County
New Jersey

Legend

▲ Contaminated Site

Wetlands

Study Area Property

Special Flood Hazard Area

500-Year

100-Year

Source: NJGIN Network, MODIV data
APPENDIX C – PHOTOS OF THE STUDY AREA

Photos of Study Area taken on June 29, 2021, and July 19, 2021
Block 1, Lot 1

View of property from Route 35 bridge looking south

Driveway apron on Route 35
Asphalt surfaces and curbing on northern end of site

Vegetation and fence in rear of property
Pile of debris along curbing and fence at northern end of property

Canopy and asphalt along Route 35
View of main building from the north, looking south

ADA parking space adjacent to northern end of building
Vegetation in rear of property along Navesink River

Area of former gas pump islands under canopy
Garbage enclosure on southern end of property

Overgrowth of vegetation and debris on southern side of building
View of canopy from southern end of the property

View of building from southern end of property
Overgrowth of vegetation at garbage enclosure

Overgrowth of vegetation at southern property line
View of canopy and asphalt from southern end of property

Deteriorated pavement on southern end of property
View from southern end of property looking north

Overgrowth of vegetation at southern property limits
View of property from VNA building
Notice of environmental remediation

damage to canopy fascia
Notice of foreclosure / sheriff’s sale

Pieces of fascia fallen from canopy
Block 3, Lot 1.02

Entrance to pump station area from easement across Lot 2.01

Access driveway / easement on Lot 2.01 to Bodman Place
Pump station building

Fence surrounding property, along Route 35 bridge
Vegetation along Route 35 bridge frontage

Pump station building from Route 35 looking east
Pump station buildings from Route 35 looking east

Building and equipment viewed from southern end of property looking north
View of southern end of property
Block 3, Lot 1.01

View of entrance to site on Bodman Place

View of parking lot and building from east end of property, looking west
View of riverfront on property

View of northern side of building
Dumpster location on southern side of parking lot

View of edge of parking lot at Route 35 bridge
View of waterfront looking east
Block 3, Lots 2.01 & 4.01

View of entrance to parking lot from Bodman Place

View of parking lot from entrance, looking southwest
View of northern end of parking lot, looking towards Lot 1.01

Access easement and driveway from Bodman Place looking towards Lot 1.02
Gazebo and parking area on Lot 4.01, adjacent to Lot 7.01

View of informal path from parking area to Lot 7.01
Sidewalk frontage on Riverside Avenue
View of gazebo on Lot 4.01

View of parking area looking towards Route 35
Dumpster enclosure with debris inside

Dumpster enclosure and driveway on Lot 2.01
Block 3, Lot 6

View of principal structure from south on Lot 9.01 looking north

Front of structure from Bodman Place
Detached garage in rear of structure

Front of structure and driveway from Bodman Place
Rear of structure from driveway area looking east

Deteriorated pavement and overgrowth of vegetation on driveway in rear of property
Overgrowth of vegetation on northern property line

Overgrowth of vegetation on northern property line
Rear of structure

Door to garage
Block 3, Lot 7.01

Entrance to parking lot from Bodman Place

Northern side of parking lot looking towards Lot 2.01
Parking area looking east towards Bodman Place

Parking area looking west towards Lot 4.01
Edge of parking area with overgrowth from Lot 6, looking south
Block 3, Lot 9.01

View of VNA building looking north from Riverside Avenue

View of VNA building from Bodman Place at corner of Riverside Avenue
View of property from intersection of Bridge Avenue and Riverside Avenue

Front entrance of building from parking area, looking southwest
Porch on west side of building

Sidewalk and landscaping along Bodman Place frontage
Damage to building from vehicular crash, partially repaired

Interior of building, office space on ground level
Interior of building, damage from vehicular crash

Standing water on roof on southeast corner of building
Mechanical equipment on roof of building, note missing side panel

Interior hallway on third floor of building
Hallway space on third floor of building

Water damage on third floor of building
Conference room space on third floor of building

Cafeteria space on ground level of building
Cafeteria space on ground level of building
Staining on bricks at southwest corner of building

Entrance to building looking south
Damage to building from crash

Notice of unsafe structure posted
Damage from crash

Damage from vehicle crash
Damaged wall in stairwall

Water damage on third level of stairwell
Water damage on third floor

Water damage on third level of stairwell
Office space on third level of building

Wall damage on ground level of building
Block 4.01, Lots 1 & 2

View of property from Bridge Avenue looking east

View of Bridge Avenue frontage looking north towards intersection
Broken pavement and stone on site, from Bridge Avenue looking northeast

Rear of property from Bridge Avenue, looking east
Frontage of property on Riverside Avenue, looking east

Location of former gas pumps, now gravel lot
Frontage of building and billboard, from Riverside Avenue looking southeast

Frontage of lot on Riverside Avenue looking west
East side yard of lot, looking south, note broken window

Pile of broken concrete and billboard in rear of property
Rear façade of building, note broken window

Excessive wiring along rear façade of building
Garage door panel on front of building, note missing glass and gap in plywood cover

Interior of building, lobby area
Dilapidated ceiling in lobby area

Damaged flooring in building lobby area
Peeling paint and deteriorated conditions in building lobby area

Dilapidated ceiling and walls in building lobby area
Poor condition of sidewalk on Bridge Ave  Exposed wiring on pole mounted sign at corner
Entrance to garage area, with deteriorated siding

Poor condition of pavement at garage
Broken window on side of building

Piles of crushed stone and concrete in rear of building
Gap in eave at rear of building

Excessive wiring at corner of building
Rear entrance to building office

Cone to mark area of removed storage tanks and gas pumps
Interior garage space

Deteriorated siding at building entrance
APPENDIX D – HISTORICAL IMAGERY

Google Earth Aerial Imagery, December 2002

Google Earth Imagery, July 2007
Google Maps Street View – August 2013 – Block 1 Lot 1

Google Maps Street View – September 2019 – Block 3, Lot 6
APPENDIX E – RECORDS OF CODE VIOLATIONS
The State of New Jersey

VS.

Defendant's Name: First Initial Last
LIBANK CAPITAL LLC C/O LARRY COHEN

Address

City

State Zip Code

Telephone:

Birth Date:

Sex Eyes

Height

Restrictions

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

SS:

Complaining Witness: FRANK COO

of CODE ENFORCEMENT OFFICE
Residing at 910 MONMOUTH ST

by certification or on oath, says that to the best of his/her knowledge or
information and belief, the named defendant on or about the
20 2019 at NOON
in RED BANK 1340 County of MONMOUTH NJ
did commit the following offense:
FAILURE TO MAINTAIN PROPER
OF OVCughty (25-5.29c) 609-2
in violation of (one charge only)

LOCATION OF OFFENSE

OATH: Subscribed and sworn to before
me this day of yr

(Signature of Complaining Witness)

CERTIFICATION: I certify that the fore-going
statements made by me are true. I am
aware that if any of the fore-going statements
made by me are willfully false, I am subject
to punishment.

(Signature of Person Administering Oath)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY

Probable cause is found for the issuance
Of this Complaint-Summons

Yes No

(Signature of Judicial Officer)

No

(Signature of Judge)

YOU ARE HEREBY SUMMONED TO APPEAR

BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED

Court Date Month Day Year Time A.M. P.M.

(Signature of Person Issuing Summons)
The State of New Jersey
VS.

Defendant's Name: James Gambacusto

Address: 108 Stout Dr, Middletown

State: NJ
Zip Code: 07748

City: Middletown

Telephone:

Birth Date:
Month: 7
Day: 27
Year: 1982

Sex: Male

Height:

Eye Color:

Restrictions:

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

Complaining Witness: Frank Lacos C/O

of CODE ENFORCEMENT OFFICE

Residing at 90 Monmouth St

by certification or on oath, says that to the best of his/her knowledge or information and belief, the

named defendant on or about the

Month: 7
Day: 18
Year: 2017

in RED BANK 1340 County of MONMOUTH N.J.

did commit the following offense:

FAILURE TO MAINTAIN PREMISES FREE

OF DEBRIS OR MUD ON BUILDING

in violation of (one charge only)

25:5-29

(Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE: 74 River Ave

Describe Location

OATH: Subscribed and sworn to me this __________ day of __________, yr __________

(Signature of Complaining Witness)

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signature of Person Administering Oath)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

Probable cause is found for the issuance of this Complaint-Summons.

YES

NO

(Signature of Judicial Officer)

YES

NO

(Signature of Judge)

YOU ARE HEREBY SUMMONED TO APPEAR

BEFORE THIS COURT TO ANSWER THIS COMPLAINT IF YOU FAIL TO APPEAR ON THE DATE
AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

COURT APPEARANCE REQUIRED

COURT DATE: 2/22/18
COURT TIME: 8:30 AM

(Place Summons Issued)

(Signature of Officer Issuing Summons)

SF (September 2009)
The State of New Jersey

VS.

Defendant's Name: James Cambracorto

Address: 109 Stuart Drive Middletown

State: NJ Zip Code: 07748

Date

Birth: Mo. Day Yr. Sex

Driver's License #: State Exp. Date

Complaining Witness: Frank Wood, CPO

Residing at 90 Monmouth St

by certification or oath, says that to the best of his/her knowledge or information and belief, the

named defendant on or about the 2-18-18, did commit the following offense:

TRESPASS TO REMOVE HOURS, DEPRESSIONS

THAT HOURS WATER THE PARKING LOT/LOT

at 1340 RED BANK

in violation of (one charge only)

(Statute, Regulation or Ordinance Number)

LOCATION

OF OFFENSE

187 EVERSIDE AVE

OATH: Subscribed and sworn to before me

this day of , 2018

(Signature of Complaining Witness)

(Signature of Person Administering Oath)

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COUNT USE ONLY

Probable cause is found for the issuance of this Complaint-Summons.

YES

NO

(Signature of Judicial Officer)

LAW ENFORCEMENT USE ONLY

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

YES

NO

(Signature of Judge)

YOU ARE HEREBY SUMMONED TO APPEAR

BEFORE THIS COURT TO ANSWER THIS COMPLAINT IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST

NOTICE TO APPEAR

COUNT COURT DATE MONTH DAY YEAR TIME

(Signature of Person Issuing Summons)

Complaint-Summons

SF (September 2009)
NOTICE OF UNSAFE STRUCTURE

BOROUGH OF RED BANK
90 MONMOUTH STREET-3RD FLOOR
RED BANK, NJ 07701
732 5302760

Application Date:
Control Number: 0
Permit Number: 0
Date Permit Issued:
Notice Date: 12/14/2020
Violation Number: 20200035/0

IDENTIFICATION

Work Site Location: 176 RIVERSIDE AVENUE  
Owner in Fee: 176 RIVERSIDE LLC % SAXUM REAL ESTATE  
Address: 359 SPRINGFIELD AVENUE 2 FLR  
SUMMIT NJ 07901

Block: 3  Lot: 9.01  Qualif
Agent:

Address:

Telephone:

To: Owner:  
Agent/Contractor:

Date Of Inspection: 12/13/2020
Date Of This Notice: 12/14/2020

ACTION

Take NOTICE that as a result of the inspections conducted by this agency on 12/13/2020 on the above property, an unsafe condition has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32. The building or structure, or portion thereof, deemed an unsafe condition is described as follows:

DAMAGE TO STRUCTURE

You are hereby ORDERED to:

☐ Vacate the above structure by

☐ Demolish the above structure by , or correct the above noted unsafe conditions by no later than 2/15/2021.

Failure to correct the unsafe condition or refusal to comply with this ORDER will result in this matter being forwarded to legal counsel for prosecution and assessment of penalties up to $2,000.00 per week per violation. You must immediately declare to the Construction Officer your acceptance or rejection of the terms of this ORDER.

Any building or structure vacated pursuant to this ORDER shall not be reoccupied unless and until a certificate of occupancy is issued by the Construction Official.

If you wish to contest this ORDER, you may request a hearing before the Construction Board of Appeals of the Monmouth County Construction Board of Appeals within 15 business days of receipt of this notice as provided by N.J.A.C. 5:23A-2.1. The Application to the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the specific sections of the Uniform Construction Code in question and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and nature of the relief sought by you, and you may also append any documents that you consider useful.

The fee for an appeal is $100.00 and should be forwarded with your application to the Construction Board of Appeals Office at:
1 E. Main St. Hall of Records Annex 2nd Floor Freehold NJ 07728

If you have any questions concerning this matter, please call: 732 5302760

By Order of: ANTHONY NEIBERT  CONSTRUCTION OFFICIAL

Date: 12/14/2020

Sent by Certified Mail #: 
BOROUGH OF RED BANK
90 MONMOUTH STREET-3RD FLOOR
RED BANK, NJ 07701
732-5302760
MONMOUTH

APPLICATION TO CONSTRUCTION BOARD OF APPEALS

Date Issued:
Control Number: 0
Permit Number: 0
Date Permit Issued:
Notice Date: 12/14/20
Violation Number: 20200035 / 0

IDENTIFICATION

| Work Site Location: 176 RIVERSIDE AVENUE |
| Owner In Fee: 176 RIVERSIDE LLC % SAXUM REAL ESTATE |
| Address: 359 SPRINGFIELD AVENUE 2 FLR |
| SUMMIT NJ 07901 |
| Telephone: |
| Block: 3 Lot: 9.01 Qual: |
| Agent: |
| Address: |
| Telephone: |

APPLICANT STATEMENT

Specific section(s) of the Regulation in question:

Briefly state your position in this matter and explain the nature of the relief you seek.
(If more pages required, additional pages may be attached.)

The Construction Board of Appeals has 10 business days following the submission of the appeal to make a decision pursuant to N.J.A.C. 5:23-2.37(s).

| Fees: $ |
| Paid [ ] Check No.: |
| Collected By: |

Signed: ____________________________ Date: ________________________
(Application)

(Application will not be considered complete unless accompanied by the appeal fee. Fee shall be waived when appeal is based on failure of agency to act within a specified time frame.)
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**Site Detail Report**

Run Date: 07/12/21 11:10 am

- Sites: 4126
- RBANK CAPITAL

- Sites with Conditions
- Other Sites
- Non-Renal Sites
- Pending Sites
- Incidents
- SPG Closed Sites
- SPG Active Sites
- CEA Fact Sheet
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Red Bank Boro, NJ
RTE 35 & RECTOR Pl
RBANK CAPITAL
SRP CASE OVERSIGHT REPORT

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**Document Title**: 80 Rector Place Historic Fill

**Bureau**: LSR

**Activity Number**: LSR20001

**PI Number**: 007930

**Activity Manager**: Phone: () -

**Customer Name**: RBANK CAPITAL

**Address**: 80 Rector Pl

**City, State, Zip**: Red Bank Boro, NJ 07701

**Click here for Activity Tracking details...**
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Red Bank Boro, NJ

Click here for Activity Tracking details...
### Activity Tracking Report

**07/12/2021  10:50 AM**

**RBANK CAPITAL**

**PI Number:**  007930

**LSR110001**

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<p>| SRP CLEARING HOUSE, LSRP       | Date Remediation was Required to be Initiated | 4/18/90         |
| HUSTA, ERIN                    | LSRP Retention Form Received                 | 8/13/11         |
| SRP CLEARING HOUSE, LSRP       | LSRP Annual Remediation Fee Form Received     | 8/13/11         |
| SRP CLEARING HOUSE, LSRP       | LSRP Obligation Event Date                   | 8/13/11         |
| MIELE, DAVID                   | PN: Documentation of Public Notification Received | 9/7/11         |
|                                | Case Transferred                            | 11/4/11         |
| SRP COMPLIANCE ASSISTANCE, LSRP| May 2014 RI Deadline-Compliance Alert Letter Issued | 6/19/13         |
| KIERNAN, MURIEL                | correspondence                               | 5/7/14          |
| SRP CLEARING HOUSE, LSRP       | Classification Exception Area Biennial Certification Received | 5/7/14         |
| SRP CLEARING HOUSE, LSRP       | Remedial Action Report Received               | 5/7/14          |
| SRP CLEARING HOUSE, LSRP       | Remedial Investigation Regulatory Timeframe   | 5/7/14          |
| SRP CLEARING HOUSE, LSRP       | Remedial Investigation Report Received         | 5/7/14          |
| TENGU, ERIC                    | Phone call - LSRP Compliance Assistance       | 1/28/15         |
| TENGU, ERIC                    | Phone call - LSRP Compliance Assistance       | 1/29/15         |
| TENGU, ERIC                    | phone call made                               | 1/29/15         |
| SRP CLEARING HOUSE, LSRP       | Remedial Investigation Completed               | 2/5/15          |</p>
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<td>DIBBS, MATTHEW</td>
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<td>MCFADDEN, FRANK</td>
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**Activity Type Description**: LSRP New Case
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Activity Tracking Report
07/12/2021 10:53 AM

RBANK CAPITAL

PI Number: 007930

PFR040001

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<td>GRZYMSKI, THOMAS</td>
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84437 - JCP&L COAL GAS PLANT RED BANK

Site Details Report

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**Case Manager**
- **Confirm Contamination**: No
- **Case Status Date**: 5/8/12
- **Case Status**: LSRP Oversight
- **Document Title**: RED BANK COAL GAS JCP&L
- **Activity Number**: LSR120001
- **Activity Number**: 6000005531

**Bureau**
- LSR

**Contact Information**
- **LSRP Name**: STEVEN UELAND
- **Business Phone Number**: (215) 491-6512
- **Case Status Date**: 5/8/12
- **Confirm Contamination**: No
- **Case Status**: LSRP Oversight
- **Document Title**: RED BANK COAL GAS JCP&L
- **Activity Number**: LSR120001
- **Activity Number**: 6000005531

**Red Bank Boro, NJ**
- Bodman Place
- RED BANK COAL GAS (JCP&L)

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### Activity Tracking Report

#### RED BANK COAL GAS (JCP&L)

**PI Number:** G000005531

**LSR120001**

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# Activity Tracking Report

07/12/2021 12:26 PM

RED BANK COAL GAS (JCP&L)

PI Number: G000005531

RPC000002

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<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Received</td>
<td>8/19/05</td>
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<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Approved</td>
<td>10/19/05</td>
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<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Received (Addendum)</td>
<td>5/9/06</td>
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<td>Remedial Investigation Workplan Received (Addendum)</td>
<td>6/14/07</td>
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<td>Remedial Investigation Workplan Approved</td>
<td>12/21/07</td>
</tr>
<tr>
<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Received (Addendum)</td>
<td>7/8/08</td>
</tr>
<tr>
<td>MOTTER, ALLAN</td>
<td>Referral Return by Technical Coordinator</td>
<td>7/29/08</td>
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<tr>
<td>NICHOLAS, GEORGE</td>
<td>Referral Returned by Geologist</td>
<td>8/8/08</td>
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<td>NICHOLAS, GEORGE</td>
<td>Referral Returned by Geologist</td>
<td>8/10/08</td>
</tr>
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<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Received (Addendum)</td>
<td>6/10/09</td>
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<tr>
<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Workplan Received</td>
<td>6/10/09</td>
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**Activity Class Description**: Responsible Party Remediation

**Activity Type Description**: Remedial Investigation
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<th>Event Description</th>
<th>Date</th>
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<td>7/28/09</td>
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<td>GEORGES, SHENNEL</td>
<td>PN: Documentation of Public Notification Received</td>
<td>9/9/09</td>
</tr>
<tr>
<td>GEORGES, SHENNEL</td>
<td>PN: Documentation of Public Notification Approved</td>
<td>10/14/09</td>
</tr>
<tr>
<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Report Approved</td>
<td>3/16/10</td>
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<td>CINQUE, ANTHONY</td>
<td>Remedial Investigation Workplan Approved</td>
<td>3/16/10</td>
</tr>
<tr>
<td>NICHOLAS, GEORGE</td>
<td>Referral Returned by Geologist</td>
<td>8/10/10</td>
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<tr>
<td>HOBBS, ANGELA</td>
<td>Receptor Evaluation (Initial) Received</td>
<td>3/1/11</td>
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<td>EAKER, JOE</td>
<td>LSRP May 2012 Readiness Letter Issued</td>
<td>6/1/11</td>
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<tr>
<td>EAKER, JOE</td>
<td>LSRP May 2012 Readiness Letter Issued Dec 2012</td>
<td>12/29/11</td>
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<td>HUSTA, ERIN</td>
<td>LSRP Request to proceed w/o Department Pre-approval Received</td>
<td>5/4/12</td>
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<td>HUSTA, ERIN</td>
<td>LSRP Retention Form Received</td>
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<tr>
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<td>Case Transferred</td>
<td>5/8/12</td>
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<td>SRP CLEARING HOUSE, LSRP</td>
<td>LSRP Opt-in Request to be Approved</td>
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Classification Exception Area/Well restriction Area

CEA ID: RED BANK COAL GAS JCP&L
Activity Number: LSR120001
Subject Item ID: CEA1167408

Case Info
Case ID: G000005531 LSR120001
Preferred ID: G000005531 LSR120001

Address: BODMAN PL
City: Red Bank Boro
County: Monmouth

See Exhibit A [Site Location Map]

3.4.3.1.01
All PI Block and Lot

See Exhibit A [Site Location Map]

3.4.3.1.02
All PI Block and Lot

County:
City:
Address:
Organization:
Address:

Case ID:
Preferred ID:
CEA ID:
Activity Number:
Subject Item ID:

RED BANK COAL GAS JCP&L

Classification Exception Area/Well restriction Area
The CEA encompasses 4,000 square feet and extends off-site to a depth of 22 feet. The ground water boundaries are based on actual data.
This CEA/WRA applies to the contaminants listed in the table below. The ground water quality criteria/primary drinking water standards for these contaminants are listed in parts per billion (ppb). All constituents standards (N.J.A.C. 7:9:9-6) apply at the designated boundary.

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>Concentration</th>
<th>Units</th>
<th>Cleanup Goal</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benzene</td>
<td>106</td>
<td>Micrograms Per Liter</td>
<td>1</td>
<td>Micrograms Per Liter</td>
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<tr>
<td>Ethylbenzene</td>
<td>1,550</td>
<td>Micrograms Per Liter</td>
<td>700</td>
<td>Micrograms Per Liter</td>
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<tr>
<td>Methylnaphthalene</td>
<td>216</td>
<td>Micrograms Per Liter</td>
<td>30</td>
<td>Micrograms Per Liter</td>
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<tr>
<td>Naphthalene</td>
<td>2,950</td>
<td>Micrograms Per Liter</td>
<td>300</td>
<td>Micrograms Per Liter</td>
</tr>
<tr>
<td>Toluene</td>
<td>856</td>
<td>Micrograms Per Liter</td>
<td>600</td>
<td>Micrograms Per Liter</td>
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<tr>
<td>Xylenes (total)</td>
<td>4,740</td>
<td>Micrograms Per Liter</td>
<td>1,000</td>
<td>Micrograms Per Liter</td>
</tr>
</tbody>
</table>

Site:

**CEA Boundaries**

- **Horizontal**: See exhibit B (CEA/WRA Location Map)
- **Vertical**: See exhibit B (CEA/WRA Location Map)

Note:

1. Maximum concentration detected at the time of CEA establishment.
2. Maximum concentration detected at the time of CEA establishment.

- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
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- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
- Maximum concentration detected at the time of CEA establishment.
Since groundwater quality data indicates exceedance of contaminants above the Primary Drinking Water Standards, and the designated uses of Class II-A aquifer included potable use, the CEA established for this site is also a Well Restriction Area. The extent of Well Restriction shall coincide with the boundaries of the CEA.

<table>
<thead>
<tr>
<th>Date</th>
<th>Established</th>
<th>Duration</th>
<th>Date Closed/Lifted</th>
<th>Comments</th>
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<tbody>
<tr>
<td>9/26/18</td>
<td>Indeterminant</td>
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</table>

Double Case Wells: With the exception of monitoring wells installed into the first water-bearing zone, any proposed well to be installed within the CEA/WRA boundary shall be double cased to an appropriate depth in order to prevent any vertical contaminant migration pathways. This depth is either into a confining layer or 50 feet below the vertical extent of the CEA.

Evaluate Production Wells: Any proposed high capacity production wells in the immediate vicinity of the CEA/WRA should be pre-evaluated to determine if pumping from these wells would draw a portion of the contaminant plume into the cone of capture of the production wells or alter the configuration of the contaminant plume.

Sample Potable Wells: Any potable well to be installed within the footprint of the CEA/WRA shall be sampled annually for the parameters of concern. The first sample shall be collected prior to using the well. If contamination is detected, contact your local Health Department. If the contamination is above the Safe Drinking Water Standards, then the NJDEP Hot Line should be called. Treatment is required for any well that has contamination above the Safe Drinking Water Standards.

<table>
<thead>
<tr>
<th>Restrictions</th>
<th>Well Restriction Boundaries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>
Site Specific Well Restrictions

* None at this time

Monday 12 July 2021
<p>| PI #  | PI Name         | Type       | County  | Municipality | Cases with Conditions | Other Sites | Non-Remedial Sites | Pending Sites | SRP Closed Sites | SRP Active Sites | Status  | Document Title | Document | Document Status | Document Title | Document Status | Document Title | Document Status |
|-------|----------------|------------|---------|--------------|-----------------------|-------------|-------------------|---------------|-----------------|-----------------|---------|----------------|----------|----------------|----------------|----------------|----------------|----------------|----------------|</p>
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<tr>
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<th>Remedial Level</th>
<th>Start Date</th>
<th>End Date</th>
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</thead>
<tbody>
<tr>
<td>Regulated UST</td>
<td>8/11/89</td>
<td>8/11/89</td>
<td>8/11/89</td>
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<tr>
<td>LSRP GW Fee</td>
<td>8/1/09</td>
<td>8/1/09</td>
<td>8/1/09</td>
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<td>LSRP 2-10 CAC</td>
<td>8/1/09</td>
<td>8/1/09</td>
<td>8/1/09</td>
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<tr>
<td>Comfirm Contamination</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Case Status Date</td>
<td>8/24/16</td>
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<td>Case Status</td>
<td>RA 4 (Limited Restricted Use)</td>
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<td>PI Number</td>
<td>009803</td>
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### SRP CASE OVERSIGHT REPORT
#### MOBIL OIL CORP 15-C7M

**RT 35 & RIVERSIDE AVE**

**Red Bank Boro, NJ**

<table>
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<tr>
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<td>Document Title</td>
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<td>BOMM</td>
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<td>Confirm Contamination</td>
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<td>Case Status Date</td>
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<td>Remedial Level</td>
<td>C2: Form Design - Known Source or Release with GW</td>
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<td>Remedial Contamination Date</td>
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<td>End Date</td>
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<td>Regulated UST</td>
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**No LSRP**

**LSRP Name**

**Business Phone Number**

**Case Manager**

**Case Manager Name**

**CASE OVERSIGHT REPORT**

**SOUDERS, MARK**

**Phone**

(609) 292 - 1945

**Click here for Activity Tracking details...**
Activity Tracking Report

07/12/2021  11:44 AM

MOBIL OIL CORP 15-C7M

PI Number: 009803

LSR110001

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<td>Date Remediation was Required to be Initiated</td>
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<tr>
<td>HUSTA, ERIN</td>
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<td>LSRP Annual Remediation Fee Form Received</td>
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<td>SRP CLEARING HOUSE, LSRP</td>
<td>LSRP Obligation Event Date</td>
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<td>May 2014 RI Deadline-Compliance Alert Letter Issued</td>
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<td>Remedial Investigation Report Received</td>
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<td>Full Laboratory Data Deliverable Form &amp; Analytical Results Received</td>
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<td>CHUDZIK, MICHAEL</td>
<td>RAO-A (Limited Restricted Use) Filed</td>
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Activity Class Description | Licensed Site Professional Program
Activity Type Description | LSRP Opt-In Case
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<td>Data Cleanup Completed</td>
<td>2/29/16</td>
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<td>Document Closed</td>
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<td>SRP CLEARING HOUSE, LSRP</td>
<td>Remedial Action Regulatory Timeframe</td>
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## Activity Tracking Report

**07/12/2021 11:48 AM**

**MOBIL OIL CORP 15-C7M**

**PI Number:** 009803

**PFR030001**

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<td>O&amp;M Report Received</td>
<td>7/13/04</td>
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<td>GRZYMSKI, THOMAS</td>
<td>O&amp;M Report Approved</td>
<td>10/12/04</td>
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<td>GRZYMSKI, THOMAS</td>
<td>O&amp;M Report Received</td>
<td>12/27/04</td>
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<td>GRZYMSKI, THOMAS</td>
<td>Remedial Action Workplan Received</td>
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<td>PSARIANOS, KEVIN</td>
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<td>5/5/05</td>
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<td>PSARIANOS, KEVIN</td>
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<td>5/5/05</td>
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<td>GRZYMSKI, THOMAS</td>
<td>O&amp;M Report Received</td>
<td>6/17/05</td>
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<td>KAKAS, DONALD</td>
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<td>12/16/05</td>
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<tr>
<td>KAKAS, DONALD</td>
<td>O&amp;M Report Received</td>
<td>6/27/06</td>
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<td>GOODWIN, MARTY</td>
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<td>8/10/06</td>
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<tr>
<td>KAKAS, DONALD</td>
<td>O&amp;M Report Received</td>
<td>12/19/06</td>
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<td>KAKAS, DONALD</td>
<td>CEA Proposal Received</td>
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<th>Activity Class Description</th>
<th>Publicly Funded Remediation</th>
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<td>RP - Operation and Maintenance (Billable)</td>
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<td>Name</td>
<td>Action</td>
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<td>------------------</td>
<td>---------------------------------------------</td>
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<tr>
<td>KAKAS, DONALD</td>
<td>O&amp;M Report Received</td>
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<tr>
<td>SOUDERS, MARK</td>
<td>O&amp;M Report Received</td>
</tr>
<tr>
<td>WYATT, JUNE</td>
<td>O&amp;M Report Received</td>
</tr>
<tr>
<td>WYATT, JUNE</td>
<td>O&amp;M Report Received</td>
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<td>GOULD, KIMBERLY</td>
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<td>WYATT, JUNE</td>
<td>O&amp;M Report Received</td>
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<tr>
<td>SOUDERS, MARK</td>
<td>Classification Exception Area Approved</td>
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<tr>
<td>SOUDERS, MARK</td>
<td>O&amp;M Report Approved</td>
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<tr>
<td>WYATT, JUNE</td>
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<td>WYATT, JUNE</td>
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<td>Receptor Evaluation (Initial) Received</td>
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Classification Exception Area/Well restriction Area

CEA ID: Activity Number

LSR110001

Subject Item ID: LSR110001

Cea ID: CEA133955

Case Info

Case ID: 009803 LSR110001

Preferred ID: 009803

Case

FORMER MOBIL SERVICE STATION #15-C7M

Address: 192 RIVERSIDE AVE

City: Red Bank

County: Monmouth

Lot and Block of the CEA

See Exhibit A [Site Location Map]

Contacts

Case Contact: Address: Line 1

Site Contact

Organization

Address

Monday 12 July 2021

Page 1 of 4
CEA Information

-)

DEP

Paulsboro, N.J. 08066

- EXXONMOBIL ENVIRONMENTAL SERVICES COMPANY

- Richard Rodack

- 6000 Billingsport Road, P.O. Box 8-233

- Address

- Organization

- Site Contact

- 1001 Billingsport Road, Room 127

- Address

- Organization

- Site Contact
This CEA/WRA applies to the contaminants listed in the table below. The ground water quality criteria/primary drinking water standards for these contaminants are listed in parts per billion (ppb). All constituents standards (N.J.A.C. 7:9:9-6) apply at the designated boundary.

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>Concentration</th>
<th>Units</th>
<th>Cleanup Goal</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benzene</td>
<td>1,570</td>
<td>micrograms per liter</td>
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<td>1,117</td>
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Note:
1. Maximum concentration detected at time of CEA establishment
2. Ground water quality standards

CEA Boundaries
- Vertical: See exhibit B (CEA/WRA Location Map)
- Horizontal: See exhibit B (CEA/WRA Location Map)

Included in affected aquifer above CEA Boundaries.
Established Duration Date Closed/Lifted Comments
1/6/09 17.00

Since groundwater quality data indicates exceedance of contaminants above the Primary Drinking Water Standards, and the designated uses of Class II-A aquifer included potable use, the CEA established for this site is also a Well Restriction Area. The extent of Well Restriction shall coincide with the boundaries of the CEA.

**Well Restrictions**

<table>
<thead>
<tr>
<th>Well Restriction Boundaries</th>
<th>Restrictions</th>
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<tbody>
<tr>
<td>Double Case Wells</td>
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**Site Specific Well Restrictions**

- **None at this time**

---

Double Case Wells: With the exception of monitoring wells installed into the first water bearing zone, any proposed well to be installed within the CEA/WRA boundary shall be double cased with the exception of monitoring wells installed into the first water bearing zone. Any proposed well to be installed within the CEA/WRA boundary shall be double cased with the exception of monitoring wells installed into the first water bearing zone.
<table>
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<tr>
<th>PI #</th>
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<td>GAS</td>
<td>Monmouth</td>
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**SRP Active Sites**

**SRP Closed Sites**

**Pending Sites**

**Incidents**

**Non-Remedial Sites**

**Other Sites**

**Sites with Conditions**

**SRP Closed Sites**

**Pending Sites**
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| Vapor Concerns                    | 12/13/10   |          |
| Regulated UST                     | 9/20/11    |          |
| LSRP GW FEE                       | 9/20/11    |          |
| LSRP 2-10 CAOC                    | 9/20/11    |          |

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**Confirm Contamination**: Undetermined

**LSRP Oversight**: LSR

**Document Title**: UCL20001

**Activity Number**: LSR200001

**PL Number**: 014918

**Bridge Ave GAS**

**187 Riverside Ave**

**Red Bank Boro, NJ**

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Red Bank Boro, NJ
187 Riverside Ave
Bridge Ave GAS

Click here for Activity Tracking details...
### LSRP Name

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### BRIDGE AVE GAS

Red Bank Boro, NJ
187 Riverside Ave
BRIDGE AVE GAS

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#### Case Status

- UST Grant Application Closed
- UST Fund Application Closed
- UST Fund-Reg
- UST Fund

#### Case Status Date

6/17/19

#### Document Title

97-05-21-1503-27 UST FUND

#### Bureau

BCFM

#### Activity Number

PFR130001

#### PI Number

014918

Click here for Activity Tracking details...
Red Bank Boro, NJ
187 Riverside Ave
BRIDGE AVE GAS
SRP CASE OVERSIGHT REPORT

LSRP Name

Business Phone Number

LSRP CASE OVERSIGHT REPORT

BRIDGE AVE GAS
187 RIVERSIDE AVE
Red Bank Boro, NJ

Case Types

Start Date
End Date
LSRP 2-10 CAOC
9/20/11
LSRP GW FEE
9/20/11
Regulated UST
5/21/97
Vapor Concerns
12/13/10

Remedial Level

Start Date
End Date
C2: Formal Design - Known Source or Release with GW
5/21/97

Confirm Contamination
Yes

Case Manager
LASKEY, LOREN

Case Status
Transferred

Case Status Date
5/8/12

Case Title
7/05-2.1-1503.27 BUST C2

Bureaus
BUST

Activity Number
USR000001

PI Number
04918

Click here for Activity Tracking details...
### Activity Tracking Report

**07/12/2021 12:29 PM**

**BRIDGE AVE GAS**

**PI Number:** 014918

**LSR120001**

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<td>LSRP - SRRA Conversion Case</td>
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<td>Date Remediation was Required to be Initiated</td>
<td>5/21/97</td>
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<tr>
<td>LIPMAN, LEONARD</td>
<td>Site Investigation Report Received</td>
<td>8/4/03</td>
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<td>LASKY, LOREN</td>
<td>Site Investigation Report Received</td>
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<td>HOBBES, ANGELA</td>
<td>Receptor Evaluation (Initial) Received</td>
<td>3/1/11</td>
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<td>Date Compliance with SRRA Requirements</td>
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<td>11/15/12</td>
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<td>12/10/12</td>
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<td>PN: Documentation of sign/letter/fact sheet received</td>
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### Activity Tracking Report

**07/12/2021  12:31 PM**

**BRIDGE AVE GAS**

**PI Number:** 014918

**LSR200001**

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07/12/2021 12:35 PM

BRIDGE AVE GAS

PI Number: 014918
LSR210001

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07/12/2021  12:37 PM

BRIDGE AVE GAS

PI Number:  014918

PFR130001

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**07/12/2021  12:38 PM**

BRIDGE AVE GAS

**PI Number:** 014918

**USR000001**

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October 10, 2020

Maria Graziano, Administrative Assistant
Planning & Zoning Department
Borough of Red Bank
90 Monmouth Street
Red Bank, NJ 07701
(732)530-2753

Re: Proposed Jet Grouting Remedy Layout
Red Bank Former MGP Site
Bodman Place, Red Bank, New Jersey
Langan Project No: 200013001

Dear Sir or Madam:

Enclosed please find check number 2952451 for $2,500.00 for Escrow Payment dated 10/02/2020. If you have any questions, please give me a call at (973) 401-8230.

Kind regards,

Denise E. Johnson

Denise E. Johnson
Admin to: Elaine Comings
Elaine Comings
Project Manager

: Ec

Enclosures
September 11, 2020

Ziad Shehady
Business Administrator
Borough of Red Bank
90 Monmouth Street
Red Bank, NJ 07701

Re: Proposed Jet Grouting Remedy Layout
Red Bank Former MGP Site
Bodman Place, Red Bank, New Jersey
Langan Project No.: 200013001

Dear Mr. Shehady:

This letter is written in follow-up to our last meeting between representatives for the Borough of Red Bank, CME Associates, JCP&L, Langan and H&G Public Affairs in which we discussed potential remedial options for addressing coal tar in the subsurface of the Red Bank Sewage Pumping Station property (the site).

As discussed, the coal tar at the site presents no risk to human health and the environment because it is capped beneath an asphalt surface at a depth of 14 to 23 feet below grade. It is not impacting, nor would it be expected to impact, receptors.

However, the Borough has required that JCP&L complete active remediation of as much coal tar in the subsurface at the site as possible, recognizing that some quantities of coal tar thereafter would remain and require a deed notice. As discussed, the most practical remedial option for addressing coal tar at the site is jet grouting.

As discussed during our meeting, JCP&L believes the risks associated with implementing a remedial action at the site, even with jet grouting, far outweigh the benefits. Remediation of the coal tar using jet grouting poses the following substantial risks:

- Damage during installation to unidentified or mismarked utilities/infrastructure.
- Damage during installation to sewer line or other utilities from ground vibrations.
- Potential short-circuiting of grout to other areas through unidentified underground conduits or voids during installation, potentially causing damage and preventing successful remediation.
- Health and safety risks during installation such as bursting of high-pressure hoses.
- Sewer line damage from heavy equipment (30,000 to 40,000 lbs) driving across and/or sitting above the sewer line during installation.
We are concerned with other impacts to operations. To perform a jet grouting remedy, sufficient space must be found to stage equipment and provide access to the injection rig to complete the jet grouting injections. In particular, the following equipment must be staged at the site for a period of between two and four months:

- Jet Grouting Pump and Mixing Plant – an 8’x40’ to 10’x90’ area would be required, depending on the remediation contractor that is selected and the final design.

- Spoils Solidification Basin – an approximate 25’x16’ (400 square foot) area would be required.

The project site itself is too small to safely stage the equipment necessary for jet grouting while still providing access to the facility. So, JCP&L has evaluated potential layouts for jet grouting equipment and has communicated with the adjacent property owners in an attempt to gain access for temporarily staging the jet grouting equipment on their properties. Both owners indicated that they are unwilling to grant access because the jet grouting equipment would interfere with their operations.

The remaining option is to stage the jet grouting equipment in the sewage pumping station access drive, as shown on the attached Figure 1, and the spoils solidification basin on site. This would require the pumping station access driveway be blocked for approximately two to four months while the remedy is being implemented. The Borough would therefore have to arrange for alternate access to the pumping station from an adjoining property.

JCP&L requests that the Borough review the proposed jet grouting layout shown on Figure 1 so we can continue to discuss plans for implementing the remedy. Following that discussion, JCP&L will complete pre-design soil sampling to refine the area of injections. In addition, supplemental utility information will be required from the Borough to complete the design of the remedy, including the age and material of construction of each utility. JCP&L anticipates the supplemental pre-design work and further evaluation of utilities will be conducted during or after October 2020. We trust that access from the Borough for this investigation can be quickly granted.

In anticipation of a jet grouting remedy and deed notice, our counsel will prepare an agreement to implement the remedy. A deed notice will be required to address coal tar and other constituents remaining in soil at concentrations exceeding the New Jersey Department of Environmental Protection (NJDEP) Soil Remediation Standards (SRS). The agreement will allow access for the remedial work, address the impacts from the work and risks and access impacts outlined above, require the deed notice (and associated remedial action permit), and describe the parties’ respective obligations and rights after the remedy and deed notice are implemented. We will send that draft to you or your designated counsel for review and execution before the remedy is implemented.

The remedy cannot yet be scheduled but JCP&L will proceed with design and other arrangements after the pre-design work is complete, the Borough enters into the agreement discussed above, and the contractor is selected, potentially after public bidding (as JCP&L is a regulated utility).
JCP&L also requests the Borough's input regarding establishment of the escrow account the Borough requested. Langan has reached out to CME Associates on two occasions to request information for setting up an escrow account but has not received a response.

Please feel free to contact me at 215-491-6532 or dhopper@langan.com should you have any questions or require additional information. We look forward to hearing back from you on this matter.

Sincerely,

Langan Engineering & Environmental Services, Inc.

Darren T. Hopper, PE
Senior Project Manager

Enclosure(s): Figure 1

cc: Elaine Comings, JCP&L
    Steven Ueland, PE, LSRP, Langan
    Richard Lo Castro, PG, Langan
    Laura Neumann, CME Associates
    Turan Behram, CME Associates
    John McKeegan, H&G Public Affairs
    Richard J. Conway, Jr., Esq., Schenck, Prince, Smith & King
Maria Graziano <mgraziano@redbanknj.org>

RE: Red Bank Former MGP Site - Jet Grouting Remedy
1 message

Neumann, Laura <lauran@cmeusa1.com>                Fri, Sep 11, 2020 at 2:57 PM
To: Darren Hopper <dhopper@langan.com>, "zshehady@redbanknj.org" <zshehady@redbanknj.org>, Maria Graziano <mgraziano@redbanknj.org>
Cc: "ecomings@firstenergycorp.com" <ecomings@firstenergycorp.com>, Steve Ueland <sueland@langan.com>, Rich LoCastro <rlocastro@langan.com>, "Turan, Behram" <bturan@cmeusa1.com>, "John McKeegan (jMcKeegan@hgpa.com)" <jMcKeegan@hgpa.com>, "rjc@spsk.com" <rjc@spsk.com>

Contact Maria Graziano in Planning/Zoning at Borough Hall.

From: Darren Hopper <dhopper@Langan.com>
Sent: Friday, September 11, 2020 2:56 PM
To: Neumann, Laura <lauran@cmeusa1.com>; zshehady@redbanknj.org
Cc: ecomings@firstenergycorp.com; Steve Ueland <sueland@Langan.com>; Rich LoCastro <rlocastro@Langan.com>; Turan, Behram <bturan@cmeusa1.com>; John McKeegan (jMcKeegan@hgpa.com) <jMcKeegan@hgpa.com>; rjc@spsk.com
Subject: RE: Red Bank Former MGP Site - Jet Grouting Remedy

Laura,

How would we go about setting up the escrow? Does the Borough hold the escrow? Who do we contact to set it up?

Darren

Darren T. Hopper, PE
Senior Project Manager

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Mobile: 215.534.7210
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Virginia Ohio Florida Texas Arizona Colorado Washington California
Athens Calgary Dubai London Panama

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From: Neumann, Laura <lauran@cmeusa1.com>
Sent: Friday, September 11, 2020 2:51 PM
To: Darren Hopper <dhopper@Langan.com>; zshehady@redbanknj.org
Cc: ecomings@firstenergycorp.com; Steve Ueland <sueland@Langan.com>; Rich LoCastro <rlocastro@Langan.com>; Turan, Behram <bturan@cmeusa1.com>; John McKeegan <jMcKeegan@hgpa.com>; rjc@spsk.com
Subject: RE: Red Bank Former MGP Site - Jet Grouting Remedy

Darren,

Please post $2500 in escrow for necessary review for my firm.

Laura

From: Darren Hopper <dhopper@Langan.com>
Sent: Friday, September 11, 2020 2:46 PM
To: zshehady@redbanknj.org
Cc: ecomings@firstenergycorp.com; Steve Ueland <sueland@Langan.com>; Rich LoCastro <rlocastro@Langan.com>; Neumann, Laura <lauran@cmeusa1.com>; Turan, Behram <bturan@cmeusa1.com>; John McKeegan <jMcKeegan@hgpa.com>; rjc@spsk.com
Subject: Red Bank Former MGP Site - Jet Grouting Remedy

Mr. Shehady,

Attached please find a letter we have prepared regarding the proposed jet grouting remedy for the Red Bank Former MGP Site (currently the Red Bank Sewage Pumping Station). We look forward to your response.

Darren

Darren T. Hopper, PE
Senior Project Manager

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November 6, 2020

Borough of Red Bank
90 Monmouth Street
Red Bank, NJ 07701

Attn: Ziad Shehady
Business Administrator

Re: Proposed Jet Grouting Remedy Layout
Location: Red Bank Former MGP Site
Block: 3; Lot: 1.02
Our File No. HRBP0003.01

Dear Mr. Shehady:

In accordance with your authorization, our office has reviewed the Proposed Jet Grouting Remedy as presented in the September 11, 2020 letter prepared by Darren T. Hooper, PE of Langan Engineering & Environmental Services, Inc.

Based upon our review of the above information, we offer the following comments for your consideration:

1. The proposal is to remediate the above referenced location by removing as much subsurface coal tar as possible through the use of a jet grouting pump, mixing plant and spoils solidification basin. This remedial plan as described would be acceptable to our office.

2. Staging for this effort could require an area as large as 10' x 90' for the jet grouting pump and mixing plant and 16' x 25' for the spoils solidification basin. The proposed location for the pump and mixing plant is within the 20' wide access easement, which serves as the driveway to the sanitary sewer pump station from Bodman Place. This is shown on the exhibit provided by Langan. The equipment is expected to be staged here for a period of approximately 2-4 months, during which time the Borough will need alternate access to the sanitary sewer pump station. Alternate access should be coordinated. The subject property has retaining walls on all sides due to the grade change from the adjacent properties, so the best access to the site is likely from the adjacent property directly to the north.

3. Should the Borough accept the proposed remedy and staging location, Langan requests utility records for this location. Additionally, draft deed language will be provided to the Borough for review.
If you have any questions with regard to the above matter, please do not hesitate to call

Very truly yours,

CME Associates

[Signature]
Jordan A. Rizzo, PE
Borough Engineer's Office

cc:
Cliff Keen, Director Public Utilities
Darren Hooper, PE – Langan
Steven Ueland, PE, LSRP – Langan
Richard LoCastro, PG - Langan
Elaine Comings – JCP&L
John McKeegan – H&G Public Affairs
Richard Conway, Jr., Esq. – Schenck, Prince, Smith & King
Laura Neumann, PE, PP - CME
Behram Turan, PE, LSRP - CME
APPENDIX G – Redevelopment Plan
Redevelopment Plan
Block 3, Lots 2.01, 4.01, 6, 7.01 & 9.01
176 Riverside Avenue, et. al
Red Bank, New Jersey

Prepared for:
The Borough of Red Bank
Monmouth County, New Jersey

Adopted: December 12, 2018

Prepared By:

1460 Route 9 South
Howell, New Jersey 07731
(732) 462-7400

Peter Van den Kooy, PP, AICP
License No. 05918

Chris Dochney, PP, AICP
License No. 06225

The original document was appropriately signed and sealed in accordance with NJAC 13:41
Acknowledgements

Borough Council
Mayor Pasquale Menna
Council President Edward Zipprich
Councilwoman Kathleen Horgan
Councilman Mark Taylor
Councilman Michael Whelan
Councilman Erik Yngstrom
Councilman Michael Ballard

Planning Board
Mayor Pasquale Menna
Thomas J. Welsh, Class II
Councilman Michael Ballard, Class III
Juanita Lewis, Class IV
Louis DiMento, Class IV
Dr. Guy Maratta, Class IV
Arthur V. Murphy, Class IV
Barbara Boas, Class IV
Daniel Mancuso, Class IV
Hazim Yassin, Alternate No. 1
Michael Lettieri, Alternate No. 2
Michael Ballard, Mayor’s Alternate
Edward Herrman, T&M Associates, Board Engineer
Michael Leckstein, Board Attorney
Dina Anastasio, Board Secretary

Borough Officials
Ziad Shehady, Business Administrator
Glenn R. Carter, PP, AICP, Director of Planning and Zoning
Greg Cannon, Esq., Borough Attorney
Leslie G. London, Esq., Affordable Housing Attorney
Redevelopment Advisory Committee

Team Members
Laura Neumann, PE, PP
Peter Van den Kooy, PP, AICP
Chris Dochney, PP, AICP
Julia Bordelon
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INTRODUCTION

On May 10, 2017, the Red Bank Borough Council adopted Resolution No. 17-107 directing the Borough Planning Board to undertake a preliminary investigation to determine whether a portion of the Borough met the statutory criteria to be designated as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-3 et seq. (the “LRHL”). At the public hearing on July 17, 2017, the Planning Board recommended that the Borough Council designate the Study Area as an “Area in Need of Rehabilitation” pursuant to the LRHL. The Borough Council subsequently adopted Resolution No. 17-174 on July 26, 2017 designating the Study Area as an “Area in Need of Rehabilitation” in accordance with the Planning Board’s recommendation. Block 3, Lots 2.01, 4.01, 6, 7.01, and 9.01, which are the properties included in this Redevelopment Plan (“Redevelopment Plan” or “Plan”), were included in the delineated area that was found to meet the standard for an area in need of rehabilitation designation.

It is expected that the designation of an area in need of rehabilitation will prevent the further deterioration of an area and promote the overall development of the community. One of the tools afforded to the municipality by the LRHL to accomplish this task is the adoption of a Redevelopment Plan to govern redevelopment in the area.

This Redevelopment Plan is intended to govern the redevelopment of Block 3, Lots 2.01, 4.01, 6, 7.01, and 9.01 (referred to herein as the “Redevelopment Area”). The Plan establishes permitted land uses, bulk and area requirements, and design standards for any proposed development of the Redevelopment Area. The adoption of this plan is the first phase of a multi-step process that will establish the basic parameters for redevelopment. After the parameters for redevelopment are adopted, later phases of the redevelopment process shall include a detailed redeveloper agreement between the Borough and the designated redeveloper. In addition, the designated redeveloper(s) must prepare and submit a development application to the Planning Board where the Board will have an opportunity to review said application and ensure that the developer satisfies all applicable requirements as set forth within this Plan and any applicable additional requirements set forth within the Borough’s Ordinance.
STATUTORY REQUIREMENTS

This Plan, and the provisions herein, have been prepared pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7), which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an...area in need of rehabilitation...according to criteria set forth in section 5...as appropriate.” Pursuant to the requirements of the LRHL, this Redevelopment Plan includes an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment area sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.

- Proposed land uses and building requirements in the redevelopment area.

- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the redevelopment area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

- An identification of any property within the redevelopment area proposed to be acquired in accordance with redevelopment plan;

- Any significant relationship of the redevelopment plan to:

  (a) The Master Plans of contiguous municipalities;

  (b) The Master Plan of the County in which the municipality is located, and;

  (c) The State Development and Redevelopment Plan (the “SDRP”) adopted pursuant to the “State Planning Act,” P.L. 1985, c.398 (C.52:18A-196 et al.).

- As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985,c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

- A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited
against a prospective municipal obligation under the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on the progress in implementing the plan for the provision of comparable, affordable replacement housing required pursuant to this section.

The LRHL provides that “a redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985 c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.” Finally, the Plan is required to describe its relationship to pertinent municipal development regulations and must note whether the provisions of the Plan supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district.
DESCRIPTION OF REDEVELOPMENT AREA

The Redevelopment Area governed by this Plan is approximately 2.7 acres in area and is comprised of the following properties:

- Block 3, Lot 2.01
- Block 3, Lot 4.01
- Block 3, Lot 6
- Block 3, Lot 7.01
- Block 3, Lot 9.01

The boundaries of the lands governed by this Plan can be seen in Appendix A: Redevelopment Area Boundaries Map.

The Redevelopment Area is bordered by Lots 1.01 and 1.02 in Block 3 to the north, Bodman Place to the east, Riverside Avenue to the south and New Jersey State Route 35 to the west. Just north of the Redevelopment Area is the Navesink River, and the site is also less than 0.5 miles from the Red Bank Train Station and just over 0.5 miles from the downtown area.
REDEVELOPMENT PLAN OBJECTIVES AND RELATIONSHIP TO LOCAL OBJECTIVES

This Redevelopment Plan provides standards to facilitate the redevelopment of an existing single-family home converted into an office, vacant office building, and surface parking lots. The objectives of the Redevelopment Plan are as follows:

- Create a distinct sense of place at a key location along New Jersey Route 35 in the northern end of the Borough, one of the first visible sites in the Borough when entering from Middletown Township;

- Establish a contextual and attractive gateway to the Borough that contributes to the vibrancy and connectivity of the downtown area and the overall neighborhood and attracts residents and businesses to the area;

- Facilitate pedestrian access and walkability in the vicinity of Route 35, Riverside Avenue, and Bodman Place in a manner that allows for the free flow of traffic along these roadways.

- Provide for flexibility and creativity with respect to design of buildings and improvements within the Redevelopment Area while ensuring that the aesthetics of redevelopment project(s) are of a high quality and consistent with the character and history of the neighborhood and the Borough.

- Promote sustainability through environmentally conscious design, materials, and uses;

- Provide for the revitalization of the Redevelopment Area in a manner consistent with the Red Bank Borough Master Plan, Monmouth County Planning documents, and the State Development and Redevelopment Plan.

The Redevelopment Plan objectives articulated above are consistent with and seek to advance the goals of the Borough Master Plan and SDRP as discussed herein.
LAND USE PLAN

Relationship to Zoning and Land Development Regulations

In order to implement the Plan consistent with the objectives herein, the Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. Except as otherwise noted herein, this Plan shall serve as an optional overlay district on the underlying zoning regulations of the Borough including use, bulk, and design standards as they relate to the area governed by this Redevelopment Plan. Where categorically no standards are provided within this Plan, the standards found within the Borough’s Planning and Development Regulations shall apply.

Applications for development may proceed either under the underlying zoning standards, or the standards found within this Plan. The developer shall have the option of the conventional underlying zoning or the redevelopment zoning, but once chosen the options cannot be altered or combined. No benefits or incentives available as per the Local Redevelopment and Housing Law (LHRL) to a redeveloper shall be available unless development occurs in accordance with the standards put forth in this Redevelopment Plan.

Land Use and Building Requirements

Permitted Principal Uses

1. Inclusionary multifamily dwellings and apartment uses;
2. Professional and administrative offices, including co-working spaces Co-working spaces shall mean an office use in which common and unassigned office space is made available on a short-term basis, including daily rates. Assigned office spaces and longer lease periods may be included in this definition so long as they are still provided access to common use space and common facilities. Long term assigned (increments greater than 1 month) office space without access to common use space and common facilities shall be considered Professional and administrative offices;
3. Common open space and public areas including public plaza, seating areas, public art, and pocket-parks;
4. Any other use which is substantially similar to the permitted principal uses listed herein, subject to the approval of the Planning Board.

Prohibited Uses

1. Adult oriented businesses.
2. Boardinghouses and lodging houses.
3. Bulk storage.
4. Drive through facilities.
5. Fast-food establishments.
8. Industrial uses.
11. Motor vehicle diagnostic and service facilities.
12. Motor vehicle repair garages.
14. Self-service laundry or self-service dry cleaning shops.
15. Shops which offer for sale firearms and/or ammunition.
16. Tattoo parlors/body piercing.
17. Thrift stores, secondhand, pawn and consignment shops.

**Permitted Conditional Uses**

The following uses are permitted as conditional uses, and shall be permitted subject to satisfying the conditions listed below:

1. Primary food service establishments.
   a. Maximum gross floor area shall be 2,500 square feet.
2. Retail food establishments.
   a. Maximum gross floor area shall be 2,500 square feet.
3. Public parking facilities.
   a. Parking facilities that are constructed primarily as accessory use facilities for a principal use may be permitted to provide excess capacity within the parking facility that may be leased to third parties, or made available to the public for general parking.

**Permitted Accessory Uses**

1. Leasing offices associated with residential development.
2. Resident amenities for private use by residents including but not limited to: common terraces/decks/gardens, tenant storage areas, private fitness centers, swimming pools, business centers, green roofs, and interior common areas.
3. Off-street parking associated with permitted principal uses in accordance with the Off-Street Parking, Loading and Circulation Requirements outlined within this Plan.
4. Electric car charging stations.
5. Signs as regulated pursuant to §490-104.
6. Sidewalk cafes as regulated pursuant to §562.
7. Any other use that is deemed by the Planning Board or Zoning Officer to be customary, incidental, and accessory to the principal uses or structures permitted herein.
Lot, Building, and Intensity Requirements

<table>
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<tr>
<th>Standard</th>
<th>Requirement</th>
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<tr>
<td>Minimum Project Area</td>
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<td>Minimum Building Setback</td>
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<td>Front Yard</td>
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<td>Side Yards:</td>
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<tr>
<td>Lot 1.01</td>
<td>20 feet</td>
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<td>Other side lot lines</td>
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<tr>
<td>Rear Yard</td>
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<tr>
<td>Flood Hazard Area</td>
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<tr>
<td>Maximum Building Height</td>
<td>6 stories/65 feet</td>
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<td>Maximum Building Coverage</td>
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<tr>
<td>Maximum Impervious Coverage</td>
<td>90%</td>
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<tr>
<td>Maximum Residential Density</td>
<td>70 dwelling units/acre</td>
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<td>Minimum Gross Habitable Floor Area</td>
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<td>Studio Unit</td>
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<tr>
<td>One-Bedroom Unit</td>
<td>600 square feet</td>
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<tr>
<td>Two-Bedroom Unit</td>
<td>1,000 square feet</td>
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<tr>
<td>Three-Bedroom Unit</td>
<td>1,150 square feet</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>None</td>
</tr>
</tbody>
</table>

Additional Standards

1. All applications for redevelopment shall include a publicly accessible outdoor plaza, courtyard, or similar gathering space of a minimum of one thousand (1,000) square feet, located along or adjacent to a public Right-of-Way. The space shall include public seating and decorative landscaping. Any impervious surfaces devoted to a public gathering space shall be exempt from maximum coverage requirements.

2. All portions of a building which are above the 4th story shall be set back a minimum of 10 additional feet from the primary building façade.

3. Porches, stoops, or steps at building entrances may encroach into the required front yard area a maximum of five (5) feet, provided that a minimum sidewalk width of five (5) feet is maintained.

4. There shall be no limitation to the size or overall area of stoops, porches, or stairs at the ground level of a building.

5. Bay windows, balconies, overhangs, or other projections from the building façade may encroach into the required front yard area a maximum of three (3) feet, provided that a minimum clearance of twelve (12) feet above the adjacent sidewalk grade is maintained.

6. No buffer areas shall be required between the Redevelopment Area and any adjacent lots or uses.

7. No additional bulk, density, intensity, or dimensional standards shall apply to redevelopment projects other than those found in this Plan.
Off-Street Parking, Loading, and Circulation Requirements

1. Off-street parking shall be provided in a vertical parking garage or combination of vertical parking garage and surface parking lot in accordance with the provisions of §490-98 of the Borough Planning and Development Regulations and the provisions of this Redevelopment Plan. Off-street parking to serve any residential use shall be provided pursuant to the following parking ratios for the specified dwelling units:
   a. Studio and One-Bedroom Units: 1 space per dwelling unit.
   b. Two-Bedroom Unit: 1.7 spaces per dwelling unit.
   c. Three-Bedroom Unit: 2 spaces per dwelling unit.

2. All non-residential uses, except primary food establishments and primary liquor service establishments, shall have a parking requirement of 1 space per 350 square feet of gross floor area. Primary food establishments and primary liquor service establishments shall have a parking requirement of 1 space per 4 seats.

3. Up to 50% of the parking requirement for any non-residential use of the property can be satisfied by on-street parking within 200 feet of the Redevelopment Area. In order to utilize on-street parking to satisfy this requirement, a redeveloper must demonstrate that parking supply is present and generally available during the hours of operation for the proposed non-residential use.

4. Vehicular access shall be provided from Bodman Place. A maximum of two (2) access driveways shall be permitted along the roadway. Vehicle entrances to internal parking garages shall not front upon Riverside Avenue or State Route 35.

5. Off-street loading shall be provided in accordance with the provisions of §490-97 of the Borough Planning and Development Regulations.

6. Any application for development shall include a detailed Traffic Impact Statement, which shall address impacts associated with the proposed project on the existing roadway network. The report shall address adequacy of service levels at access points, adequacy of existing signalized intersections, vehicular and pedestrian circulation throughout the site, and the adequacy of proposed parking and loading areas.
Sustainable Building Requirements and Permissible Density Bonuses

In order to encourage redevelopment project(s) to meet additional goals of the Borough, a developer shall be entitled to a density bonus of five (5) additional units per acre for each of the following sustainable building measures which are incorporated into the redevelopment project, up to a maximum of 20 additional dwelling units per acre:

The following sustainable building measure shall be required of all applications for redevelopment within the Redevelopment Area:

1. Demonstration that the project would meet the requirements in order to achieve a LEED (Leadership in Energy Efficient Design) Silver rating or greater. Actual certification shall not be required.

The following sustainable measures shall be considered optional, and are encouraged but not required of any redevelopment project:

2. The inclusion of a “green roof” on the top of the building. A minimum of 50 percent of the building roof area must be covered in living plant materials.
3. The inclusion of solar panels, solar site lighting, or a solar energy system into the project.
4. The inclusion of a wind energy system into the project.
5. Demonstrating that the building has been designed to use passive solar heating to decrease reliance on mechanical systems.
6. The utilization of locally sourced materials in the construction of the building. A minimum of 50% of the primary building structure materials, exterior finish materials, and interior finishes must originate within 200 miles of the Borough of Red Bank.
7. The incorporation of a gray water recycling system into the building.
8. The incorporation of a rain garden into the stormwater management system.
9. The provision of bicycle parking at a ratio of one (1) space for every three (3) residential units.
10. The provision of a shuttle to transport residents to and from the Red Bank Train Station during peak commuting hours. The transportation service must be offered for at least three (3) trips each during morning and evening commuting hours.
11. The provision of on-site car sharing services. A minimum of five (5) parking spaces provided shall be restricted for use of car-share vehicles.
12. Providing one half of one percent (0.5%) of the estimated construction costs of the building towards public art. The public art may be provided on site in an area either publicly accessible, or highly visible to the public, or at an off-site location, subject to the approval of the Planning Board and the Mayor and Council.
**Design Standards**

*General Design Standards*

Redevelopment of the Redevelopment Area shall comply with the following general design standards:

1. The design of redevelopment project(s) shall take into account the character and context of the surrounding neighborhood and streetscape. Redevelopment project(s) shall be designed in a manner that:
   a. Utilizes materials and architectural elements that complement and are compatible with the built environment along Bodman Place and Riverside Avenue.
   b. Distinguishes the site as a gateway into the Borough using massing, additional height and/or contrasting materials.
   c. Places monuments, fountains, or similar structures at points of visual termination. These structures shall generally employ enhanced height, massing and architectural treatments designed to stand out.
   d. Includes high quality, durable architectural materials.
   e. Incorporates a complementary color palette that utilizes neutral shades. The façade finishes may incorporate bold accent colors provided that such accent colors are compatible with primary finishes and all other color selections.
   f. Incorporates façade articulation and fenestration in a manner that is sensitive to the built environment and reduces the overall perceived mass of any building(s).
   g. Minimize the visual impact of parking facilities, whether they be vertical parking garages, or surface parking lots.

2. Blank, or featureless walls shall be avoided.

3. Architectural elements and treatments shall be provided along all building facades to provide a visually interesting design which shall be subject to the review and approval of the Borough Planning Board.

*Architectural Design Standards*

1. Buildings shall be oriented so that their primary entrance faces the public street.

2. Primary exterior building wall materials shall be brick, stone, wood, stucco, metal, glass, or similar quality materials.

3. Building walls shall be consistent in quality and finish materials on all elevations visible from the public street.

4. Where a blank or featureless wall is unavoidable, it shall be decorated with a mural, green screens, or other form of public art, which is intended to create a visually attractive and pedestrian friendly streetscape.
5. Buildings which have a horizontal width of greater than 100 feet on any façade shall be designed to be visually separated into vertical segments rather than long horizontal walls.

6. No building shall have a wall with an uninterrupted length of more than 50 feet without including a change in the vertical plane of the facade. This may be achieved through any one or combination of the following:
   a. Pilasters, bay windows, building step-backs, and other façade recesses or projections.
   b. The step-back or projection shall be a minimum of 18 inches from the primary building façade.
   c. The changes in the building façade plane shall occur over at least two stories of a building which is 3 stories in height or greater. For buildings less than 3 stories in height, the change may occur on only a single story.

7. Openings for windows or window panes shall have vertical dimensions greater than or equal to the horizontal dimensions.

8. Windows may be grouped to create a horizontal composition, if separated by a mullion. Their combined width shall not exceed 3 times their height.

9. Windows shall be inset into the wall cavity a minimum of 4 inches from the building face.

10. Window sills and lintels shall project a minimum of 2 inches from the building face.

11. If exterior shutters are used, they shall be sized and mounted to fit their window opening, whether or not they are actually operable.

12. Pitched roofs shall have eaves that overhang the building face by a minimum of 2 feet.

13. Buildings with flat roofs shall have a decorative cornice which projects on average a minimum of 6 inches from the building face.

14. Focal elements or architectural features on a building which serve to distinguish the site as a prominent gateway area into the Borough may be permitted to exceed building height requirements by up to 20 feet.
   a. Such features shall not occupy more than 5% of the roof area of the building

Commercial Design Standards

1. For any food service or retail food establishment spaces, a minimum of 60% of their building façade area shall be transparent glazing.

2. No more than 20 percent of the glazed area may be blocked by interior furnishings, advertisements, or paper signs.

3. The maximum height of the storefront sill above the sidewalk shall be 3 feet.
4. Commercial tenant spaces in a building shall be designed to incorporate a designated signage band above the storefront area.

5. Outdoor dining is permitted within the sidewalk area in front of restaurants or cafes.
   a. Where outdoor dining is proposed, a minimum effective sidewalk of 5 feet in width shall be maintained to allow for pedestrian movement.
   b. Tables and chairs for outdoor dining must be located immediately in front of, or within 30 feet of the establishment which is serving the food.
   c. Restaurants shall provide for their own disposal of waste and recycling materials.

Landscaping & Fence Design Standards

1. All areas on a site not used for buildings, sidewalks, pavement or other circulation shall be landscaped with plantings that are intended to complement the design of the building and other site improvements.

2. Where foundations on a principal building are exposed, they shall be screened by decorative landscaping.

3. Garden walls shall be constructed of the same material as the first floor of the principal building.

4. Garden walls shall be a minimum of 24 inches in height, and a maximum of 36 inches in height.

5. A landscape or decorative paver strip of at least 4 feet in width shall be placed between the curb and the sidewalk.

6. Street trees shall be placed within the landscape or decorative paver strip at a maximum of 40 feet apart.

7. Street trees shall be deciduous shade trees that are a species native to the Jersey shore area and suitable for an urban environment.

8. Street trees shall be a minimum of 2.5 inches in caliper and have a minimum branch height of 6 feet above the sidewalk at the time of planting.

9. Residential setback areas shall be enclosed by a garden wall or other landscaping.

10. Street furniture such as benches or planters are encouraged.

11. All benches, planters, or other landscaping shall be located so as to not hinder or interfere with pedestrian traffic.

12. Chain link fences are not permitted.

13. Fences in a front yard area shall be visually open and have a maximum height of 4 feet.

14. Fences in a side or rear yard area shall have a maximum height of 6 feet.

Circulation Design Standards
1. Loading and service areas shall be located to the side or rear of the principal building, and screened from public view to the extent feasible.

2. Parking lots or structured parking shall be screened from public view to the maximum extent feasible.

3. Structured parking shall be designed to be complementary to the design of the principal building.

4. Access to parking lots or structured parking shall be designed to minimize conflicts with pedestrian traffic.

5. Public sidewalks with a minimum width of 5 feet shall be provided along the frontage of all streets.

6. Sidewalks shall be provided between the public sidewalk and the entrances to buildings.

7. Crosswalks shall function as an extension of the sidewalk, and include appropriate ADA accessible curb ramps.

**Mechanical Equipment and Utilities**

1. Efforts shall be made to make utilities and mechanical equipment as visually unobtrusive as possible.

2. Where feasible, utilities shall be located underground.

3. Mechanical equipment such as HVAC, emergency generators, and other such equipment shall be located to the side or rear of a principal building, or on the roof, and shall be screened from public view.

4. Utilities meters shall be located internally, or to the side or rear of the principal building, and shall be screened from public view.

5. All trash, recycling, and storage of refuse shall be fully enclosed within the proposed building(s), except that staging shall be allowed in designated areas outside on pick up days.

6. Permanent outside storage of trash, recycling, or other refuse shall be prohibited.

7. Trash and recycling receptacles for public use shall be located at intersections of high pedestrian traffic.

**Additional Design Standards**

1. Up to two (2) development identification signs are permitted, provided that said signs are consistent with the overall character of the development.

2. Any signage for a non-residential use in the Redevelopment Area shall conform to the standards for W1 or W2 signs as set forth in §490 Attachment 1 – Schedule A, Sign Regulations.

3. Directional and safety signage shall be provided in accordance with applicable standards to ensure ease and safety of vehicular and pedestrian circulation throughout the site.
4. All lighting within the Redevelopment Area shall be provided in accordance with the applicable provisions of the Borough Planning and Development Regulations and shall be subject to the compliance approval of the Board Engineer.
PLANNING RELATIONSHIP

Red Bank Borough Master Plan

Pursuant to the LRHL, “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.” (N.J.S.A. 40A:12A-7d).


The 1995 Master Plan established several goals pertaining to the development and redevelopment of the Borough including:

- Develop in higher density mixed-use centers that accommodate the varied housing types, employment, retail and support services, the use of alternative modes of transportation; and
- As part of the larger goal of expanding the commercial tax base, the Downtown should grow and thrive. Development should be encouraged, historic structures and areas should be protected, and a true mix of uses that includes a variety of residences should occur.

The Master Plan Reexamination Reports prepared and adopted subsequent to the 1995 Master Plan recognize that the objectives and policies of the 1995 Master Plan continue to remain appropriate. The 2002 Master Plan Reexamination Report noted that “insufficient parking continues to be a problem” and that “Heightened emphasis on providing adequate parking and improved traffic flow is an important issue to focus on as the Borough moves forward.” Indeed, all of the Borough’s Master Plan Reexamination Reports note the Borough’s land use boards have been reluctant to approve applications where adequate parking is not provided.

This Redevelopment Plan sets forth standards that will facilitate the construction of a mixed use inclusionary multifamily development that provides adequate parking to serve any residential or nonresidential component that may be developed as part of any redevelopment project(s). This Redevelopment Plan provides standards that will contribute to the growth of the Borough’s Downtown and provide a true mix of uses. This Redevelopment Plan also contains requirements ensuring the provision of an affordable housing component to the project. With this in mind, the Redevelopment Plan and standards herein are substantially consistent with the Borough Master Plan and will effectuate the goals and objectives of the Master Plan.

Contiguous Municipalities

Red Bank Borough is bordered by the Navesink River and Middletown Township to the north and west, the Borough of Fair Haven to the east, and the Boroughs of Little Silver, Shrewsbury, and Tinton Falls to the south. While the Redevelopment Area is proximate to the Borough’s northwesterly border with Middletown Township, the Navesink River separates the Redevelopment Area from developed portions of Middletown, and thus will have a negligible
effect on the Master Plan of Middletown Township and the other municipalities bordering Red Bank Borough.

**Monmouth County**

The Monmouth County Master Plan was adopted by the County Planning Board on October 17, 2016. The Master Plan establishes three overarching goals for development in Monmouth County, each with various principles and objectives to guide planning efforts. This Redevelopment Plan and the goals and objectives established herein serve to further the objectives of Goal #3 (“Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay”) of the Monmouth County Master Plan:

- Encourage a range of housing options including types, sizes, styles, and accommodations to meet the needs associated with various lifestyles, life-stages, abilities, and occupations of residents while supporting economic sustainability within the region.

- Encourage the redevelopment and revitalization of highway commercial corridors that incorporate multi-purpose uses, higher design standards, are located outside Special Flood Hazard Areas (SFHA), and improve circulation both on and off-site.

- Promote vibrancy, attractiveness, and a diverse array of uses, occupations, services, and amenities for downtowns and business districts.

- Encourage regional and local arts/cultural planning initiatives and support creative placemaking efforts that attract innovative ideas, community involvement, entrepreneurial talent, and new businesses to a community.

- Promote in-fill development and the adaptive reuse of substandard, underutilized, or abandoned structures that complement or improve adjacent land uses and support or enhance neighborhood character resulting in healthier places to live, work, learn, and recreate.

- Promote the development and use of design standards that reinforce neighborhood character and improve the appearance and appeal of special improvement districts, commercial districts and corridors, and redevelopment areas.

- Encourage housing development in locations that provide access to various modes of travel that could reduce automobile dependency.

The Redevelopment Plan promotes the continued revitalization and enhancement of a portion of the Borough that has been designated an area in need of rehabilitation and serves to promote the Borough’s easily accessible, compact, and varied core, which contains a robust mix of uses. This Redevelopment Plan establishes standards that permit the development of inclusionary multifamily residential uses that will serve to diversify the housing stock and opportunity for housing within the Borough. The Redevelopment Area is bordered by a State Route and serves as one of the gateways to the Borough, thus promoting placemaking along a visible corridor. Furthermore, the Redevelopment Area is located less than 0.5 miles from the Red Bank Train Station, which provides access to local and regional transit options via bus and rail. The
The redevelopment of the Redevelopment Area serves to promote the use of public transit while capitalizing on the walkability of the Borough.

**Coastal Monmouth Plan**

The Coastal Monmouth Plan, prepared by the Monmouth County Planning Department in 2007 and revised in 2010, recognizes Red Bank as a Regional Center in accordance with the designation of the Office of Smart Growth, Department of Community Affairs. The Coastal Monmouth Plan also recognizes that the Borough’s population will continue to grow at a substantial rate. This Redevelopment Plan provides provisions to:

- Encourage the development of housing to accommodate the Borough’s anticipated population growth; and
- Enhance the mix of uses contained within the Borough’s mixed-use center.

Therefore, this Redevelopment Plan is consistent with the provisions of the Coastal Monmouth Plan.

**State Development and Redevelopment Plan**

The State Plan Policy Map and State Development and Redevelopment Plan (SDRP) classify all of Red Bank Borough as a Metropolitan Planning Area (PA-1). According to the State Plan, the Metropolitan Planning Area is intended to provide for much of the state’s future development and redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities. Further, the SDRP envisions the Metropolitan Planning Area as an area to promote compact development forms and protect natural resources.

The Redevelopment Area is located in an existing urbanized area characteristic of the Metropolitan Planning Area. Existing infrastructure is readily available to serve the Redevelopment Area and the Redevelopment Area is located proximate to a wealth of transportation choices.

The goals, objectives, and provisions of this Redevelopment Plan are intended to guide the redevelopment of the Redevelopment Area in a manner consistent with the State Plan policies established for the Metropolitan Planning Area. The Plan serves to promote growth in compact forms. Redeveloping the Redevelopment Area will also serve to expand housing to attract a balanced residential population in a manner consistent with the traditional urban fabric.
ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Acquisition and Relocation

The Redevelopment Area governed by this Redevelopment Plan is an Area in Need of Rehabilitation and does not confer any condemnation power to the municipality. The Redevelopment Area does not currently contain any residential uses. Therefore, provisions related to acquisition and relocation assistance are not required. In the event that it is determined that relocation assistance is necessary, the Borough will provide the appropriate relocation assistance pursuant to applicable State and Federal law as necessary.

Inventory and Replacement of Affordable Housing

The Redevelopment Area governed by this Redevelopment Plan contains no housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304). No affordable units will be removed as a result of implementation of this Redevelopment Plan. The provision of any newly required affordable housing shall be included in the redevelopment agreement(s) entered into by the Borough and the designated redeveloper(s).

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. Any proposed changes in permitted uses, the land use plan, building height, or other core design concepts of this Plan shall require notice and public hearings in a manner similar to the adoption of the original Plan.

Redevelopment Powers

The Borough may also use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this Plan, except that the use of eminent domain shall be prohibited. The Borough may enter into agreements with a designated redeveloper(s) in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the designated Redevelopment Area that it owns or may acquire via means other than eminent domain. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or redevelopers in connection with the implementation of the Redevelopment Plan.

Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Borough Council and shall be in effect until the
redevelopment of the Redevelopment Area is completed as evidenced by the issuance by the Borough of a certificate of project completion in accordance with the Redevelopment Plan.
REDEVELOPER OBLIGATIONS

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a designated redeveloper. The following restrictions and controls on redevelopment shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

- The redeveloper will be obligated to carry out the specified improvements in accordance with this Redevelopment Plan.
- The redeveloper, its successors or assignees shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.
- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.
- The redevelopment agreement(s) shall contain provisions to assure that the redeveloper provides a good faith effort to pay a fair share towards, and cooperate in seeking any necessary outside agency approvals in connection with off-site transportation improvements.
AFFORDABLE HOUSING REQUIREMENTS

The redeveloper shall provide for an affordable housing component to the project so as to contribute towards the Borough’s constitutional fair share obligation through any lawful mechanism recognized by the Fair Housing Act and the Council on Affordable Housing’s implementing regulations as agreed upon by the Borough. Compliance with this requirement shall be included in any redevelopment agreement(s) entered into by the Borough and the designated redeveloper(s).
PLANNING BOARD REVIEW PROCESS

Pursuant to N.J.S.A. 40A:12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the redevelopment area:

- No building or zoning permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Borough Council and the Planning Board.

- Regular maintenance and minor repair shall not require Planning Board review and approval.

- Where any change of tenancy or site alteration is proposed which would not require subdivision or site plan approval as per the Borough’s Planning and Development Regulations, or would not result in a change in the intensity of the development, review of the proposed change by the Planning Board shall not be required and a building or zoning permit may be issued by the construction or zoning official.

- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55D-1 et seq. and the Borough Planning and Development Regulations.

- As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Borough Planning and Development Regulations. The performance guarantees shall be in favor of the Borough of Red Bank, and the Borough Engineer shall determine the amount of any performance guarantees.

- Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the Local Redevelopment and Housing Law and N.J.S.A. 40:55D-1 et seq.

- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."

- The Planning Board may grant “C” variances, exceptions or waivers from design standards from the requirements for site plan or subdivision approval. Any exceptions or waivers granted shall be reasonable within the general purposes and intent of the provisions for site plan review and/or subdivision approval within this Redevelopment Plan. No deviations may be granted under the terms of this section unless such deviations can be granted
without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan or the Borough Master Plan.

- No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Redevelopment Plan that results in a “D” variance, pursuant to N.J.S.A. 40:55D-70d, may only be addressed as an amendment to the Redevelopment Plan by the Borough Council rather than via variance relief through the Borough Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

- Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Red Bank Planning and Development Regulations and Borough Zoning Map.

- Unless otherwise defined in the Redevelopment Plan, terms used in this Redevelopment Plan shall have the same meaning as defined in the Borough Planning and Development Regulations.

- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.

- The extent of the redeveloper’s responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution thereto, shall, whether on-site or off-site, be subject to a redevelopment agreement with the Borough of Red Bank, as the municipal redevelopment agency.

- Any and all definitions contained within this Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Borough Planning and Development Regulations shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be considered invalid.

- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough Ordinance and State law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

The above provisions are all subject to approval by ordinance and/or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.
AMENDMENT TO ZONING MAP AND DEVELOPMENT REGULATIONS

The Borough Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area in its entirety. Additionally, the listing of zoning districts in the Borough of Red Bank Planning and Development Regulations is hereby amended to include a reference to this Redevelopment Plan constituting such overlay zoning district.

Where specifically provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the Planning and Development Regulations of the Borough of Red Bank. In all other instances, the Borough Planning and Development Regulations shall remain in full force and effect.
OTHER PROVISIONS

In accordance with the LRHL, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.

- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.

- The Redevelopment Plan does not permit or require the acquisition of privately-owned property.

- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Red Bank. The Plan also advances the goals and objectives of the New Jersey State Development and Redevelopment Plan.

Non-Discrimination Provisions

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Borough Council or by a redeveloper or any of its successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the redeveloper, upon the basis of race, creed, color, sexual orientation, or national origin in the sale, lease, use, or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use on the basis of race, creed, color or national origin.
Appendix A: Redevelopment Area Boundaries
Redevelopment Area Aerial Map

Red Bank Borough
Monmouth County
New Jersey

Legend

- Redevelopment Area
- Red Bank Parcels

Source: NJGIN
APPENDIX H – Site Plan Approvals
Resolution No. 2017 -

RESOLUTION OF THE PLANNING BOARD
OF THE BOROUGH OF RED BANK
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

(Granting Preliminary & Final Major Site Plan
Approval with Bulk C Variances)

Block 1, Lots 1
80 Rector Place
Application Number P 10489
RBank Capital, LLC
(Hampton Inns & Suites)

WHEREAS, the Planning Board of the Borough of Red Bank is empowered, pursuant to the Municipal Land Use Law, \( \text{N.J.S.A. 40:55D-1} \), et seq., to hear and determine applications for development and variances under certain specific conditions; and

WHEREAS, the applicant, RBank Capital, LLC, (Hampton Inns & Suites) has filed with the Planning Board Secretary an application for preliminary and final major site plan approval with Bulk C variances, for premises commonly known as 80 Rector Place, Red Bank, New Jersey, also known as Block 1, Lot 1 on the official tax map of the Borough of Red Bank, in order to construct a 76 room, 6 story hotel along with associated uses site improvements; and

WHEREAS, the applicant has provided due notice to the public and all surrounding property owners as required by law and has caused publication in a newspaper in general circulation in the Red Bank area in accordance with the requirements of the Municipal Land Use Law, \( \text{N.J.S.A. 40:55D-1 et. seq.} \), this Board gaining jurisdiction thereunder; and

WHEREAS, the within matter was heard at regularly scheduled public hearings of the Planning Board and all interested parties wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Planning Board, having considered the application, testimony of the applicant, exhibits submitted and the opinions of the Planning Board Engineer, makes the following findings of facts and conclusions:

1. The subject property is located in the WD Waterfront Development Zone, containing frontage along NJ State Highway Route 35 and Rector Place, bordered on the north and the west by the Navesink River and to the south by a residential one-family home situated in a different zoning district.

2. The subject property consists of lot area 45,385 sq. ft. where the zone requires 30,000 sq. ft. for the proposed use.

3. Additionally, the zoning requirements necessitate a minimum frontage of 200 feet where 428 feet of frontage exists along State Highway 35 and Rector Place.

4. The site is encumbered with a public access easement along the riverfront which will be improved as part of the application. The existing site contains three (3) ingress and egress points situated along its frontage due to its historical use as a gasoline station.
5. The application is for a hotel which is permitted in the WD Zone.

6. The applicant proposes to construct a 76 room, six story Hampton Inn and Suites Hotel with associated amenities which will include an outdoor swimming pool, deck area, breakfast area, conference rooms, on-site parking and boardwalk along the riverfront also open to the public.

7. The Board reviewed the nature of the hotel use, being a business traveler use, which amenities do not include a restaurant or bar, nor accessory uses such as banquet facilities or large conference rooms. This hotel is essentially a business traveler orientated hotel serving a buffet breakfast in the morning, providing modest size meeting rooms on site to be utilized only by the hotel guests and not to be made available for non-guest functions. The Board also considered the testimony of the applicant stating that the typical occupancy rate for this type of hotel is somewhere between 70% to 80% of the total guest rooms.

8. The application initially required variances for the following deficiencies: parking spaces where 78 spaces are required and 75 are proposed; minimum required front yard setback of 35 feet where .05 feet are proposed; minimum required rear yard setback of 25 feet where 16.25 feet is provided; minimum required distance from a flood hazard area of 35 feet where 24.13 feet is proposed; maximum permitted height of 75 feet where 82.4 feet is proposed; maximum number of wall signs where 1 sign is permitted and 2 signs are proposed; maximum permitted sign height of 20 feet where 71 feet is proposed; shape, height, length and graphic content and area of proposed ground sign; internal illumination of ground sign is proposed where internal illumination is not permitted; off-street loading space is required by Ordinance but not provided/proposed by the applicant.

9. This application was presented in 2011, but no further action was taken on the original application due to litigation by objectors and various revisions that took place in the Red Bank Zoning Ordinance. As a result, the application was subsequently submitted to the Board as a new application based upon current Ordinances and new testimony.

10. The applicant produced the following witnesses: Larry A. Cohen, a principal of the applicant, as to hotel operations, and expert testimony from Jason L. Fichter, PE, as to civil engineering, Gary Dean, PP, as to traffic engineering, Lewis Silverstein, as to architecture, Peter Ritching, as to environmental conditions, and Roy DeBoer, as to planning testimony.

11. Public hearings were conducted; in this matter before the Planning Board on November 21, 2016, December 19, 2016 and February 6, 2017.

12. Questions were raised by the applicant’s attorney concerning the standing of an objector which the applicant characterized as a competitor to the Hampton Inns & Suites. This issue was raised at several hearings and the objector’s attorney produced a Lease indicating that the objector had leased an office on Broad Street in Red Bank. Although questions were raised as to the genuineness of the objector’s “Red Bank location”, the Board determined that it was not in a position to rule on the merits of the objectors’ standing, it being the focus of the Planning Board to resolve and rule on zoning and planning issues rather than the motives and purpose of an objector.

13. The applicant presented extension testimony as to the design of the proposed hotel and the limitations of the proposed site that generated the need for several variances.
14. Testimony was presented that decades prior to the current Zoning Ordinance the site contained a modest hotel. In more recent times, the property was developed as an Exxon gas station and functioned as such for several years before it was closed. As of the time of the hearings the site remains a vacant gasoline and service station and has remained in such a vacant state for many years.

15. Testimony was produced that there was certain environmental contamination which occurred as a result of leakage during the time that the gasoline station was in operation. As a result, remediation took place and the owners of the subject property, Exxon, entered into certain agreements including the imposition of a deed restriction prohibiting the use of the property for residential development.

16. The applicant’s engineer, Jason L Fichter, testified that the premises was approximately one acre in size and that the proposed building would consist of six floors with floors one and two utilized primarily for public space with guest rooms located on floors three through six. A canopy and drop off area would be located in front of the building, and the height of the canopy would be 13.5 feet in accordance with the request of the Fire Department in order to pass emergency and fire equipment under the canopy.

17. Testimony was produced that the Hampton Inns organization requires franchisees to provide a minimum of 76 rooms and therefore to accomplish that number of rooms, a six floor hotel would be necessary.

18. Mr. Fichter indicated that although 75 feet of height is permitted by the Ordinance the method of measurement results in the building being 82.4 feet in height.

19. The Ordinance also requires 78 parking spaces where 75 are proposed, 51 of those spaces are 9' x 18' whereas 24 are 8' x 16' for compact cars.

20. Testimony was produced that the maximum number of employees would be six with only two members working the midnight shift. The parking calculation required one parking space per three employees but it was expected that the occupancy rate would be no more than 80% thereby requiring no more than 64 parking spaces on site.

21. The applicant is proposing twenty four (24) compact stalls or approximately thirty two (32%) percent of the total parking stalls provided on-site, which the Board found adequate under the circumstances, due to the nature of the use and the applicant’s willingness to provide appropriate signage designating the compact vehicle parking. The Board also found that the majority of the parking stalls, being forty seven (47), were full-size stalls in compliance with the Ordinance.

22. Questions by the Board members concerning the possibility of underground parking were answered by the applicant by indicating that the Exxon deed restriction dictated that no underground parking was permissible and therefore the applicant is proposing surface parking spaces.

23. The Board determined that, based upon the above and the concurrence of the Board Engineer of such existing study as set forth in his review letter of September 30, 2016, there was adequate parking on site as proposed by the Applicant, and the resulting three (3) parking space deficiency (75 spaces provided where 78 spaces required ) was minor in nature, and the resulting deficiency of three (3) spaces would not have a substantial negative impact upon the hotel site or present any negative vehicle parking issues off-site.
24. The Applicant also provided the required Americans with Disabilities Act "ADA" parking requirements for the site, where there would be four (4) barrier free stalls for purposes of compliance with "ADA" regulations.

25. Discussions were held concerning the boardwalk which would be located in the public easement and the possibility of extending the boardwalk to the end of the applicant’s property. The applicant indicated that there were some issues with the adjoining neighbor who was not in favor of extending the boardwalk to his property which continues to be a traditional residential use.

26. Gary Dean, PE, PP, was sworn in as the applicant’s traffic expert. The Board and the public were concerned with the movements onto Route 35 as the location is immediately after the Navesink River (Coopers) Bridge which as a matter of practice results in relatively high speed traffic coming off the bridge into Red Bank heading south. This is further complicated by a traffic light located at the southern part of the applicant’s property; said traffic light often causes back up traffic along the Route 35 frontage of the applicant’s property.

27. The left turn into the property was questioned repeatedly by a number of the members of the Planning Board, it being their experience and local knowledge that such a proposal would be dangerous and inappropriate. The applicant did provide that there would be no left turn out of the property and patrons and activity existing the property intending to head north on Route 35 would be forced to head south and go through a number of left turns and circulation onto other streets in Red Bank.

28. A great deal of discussion took place concerning left turns into the subject property by cars heading north on Route 35 towards Middletown. The applicant and the applicant’s expert testified that such movement would be appropriate by the creation of a painted left turn stacking lane in the north bound lane of Route 35 right before the Cooper Bridge.

29. A question arose as to whether the Board could prohibit the left turn into the property if Route 35 was under the jurisdiction of the New Jersey DOT. The Board took the position that the design would ultimately be subject to the approval of the DOT, but that the Board did have jurisdiction to question, on the basis of safety and design access, the issue of whether a left turn into the premises from Route 35 heading north was appropriate and a safe design.

30. Pete Ritching was sworn in as the applicant’s environmental consultant. Mr. Ritching explained that the site had been remediated and that such remediation had been completed and that the soil was clean. He further testified that there was approximately 5,000 sf of ground water contamination still remaining but that the cleanup would occur over a period of roughly 21 years. There are currently four wells on the property which, because of the design of the hotel would have to be relocated. Testimony revealed that Exxon commonly placed restrictions on the use of property through deed restrictions although they were not necessarily required by the DEP or the projections as to any damage remaining after remediation.

31. Lewis Silverstein, the architect for the applicant testified as to various features inside the hotel and noted that the parking garage would be located at elevation 20 feet and that the building measured 61.3 feet, but there is a 30 inch parapet. For these reasons, and the location, the building required an additional variance for height as it could not meet the 75 maximum allowable height and still contain six stories and the Fire
Department’s requirement for a 13.5 foot clearance at the canopy and drop off area. The variance remained a C variance as it remained under the 10% limitation, which had it been exceeded, would have required the applicant to apply to the Board of Adjustment for a variance under N.J.S.A. 40:55-70(d).

32. The Applicant also addressed as part of its site plan application, demolition of existing structures, relocation of ground water monitoring wells, ingress and egress to the site, internal circulation, emergency services access to the site, improvements to the waterfront area and public access easement area, landscaping, lighting, signage, storm water management issues, soil disturbance, sanitary sewerage, drinking water, trash removal, off-site and off-track improvements.

33. The Applicant also addressed as part of its site plan application, demolition of existing structures, relocation of ground water monitoring wells, ingress and egress to the site, internal circulation, emergency services access to the site, improvements to the waterfront area and public access easement area, landscaping, lighting, signage, storm water management issues, soil disturbance, sanitary sewerage, drinking water, trash removal, off-site and off-track improvements.

34. In light of the above, the Board determines that the applicant has substantially complied with the Site Plan Ordinance and the design waivers requested by the applicant associated with the site plan are reasonable due to the constraints imposed upon the property by its shape, size, location and existing conditions, to present a hardship and practical difficulties in the development of site for this permitted purpose.

35. The Borough Development Ordinance in this Zoning District does not provide for architectural design criteria. However, the Board did request the Applicant provide more brick face to the northern façade of the building to provide more architectural elements to the building which the Applicant agreed to comply therewith. The Board reasoned that the architectural design and floor plan is atypical of a business traveler oriented hotel of this nature and the design of the building was in part fostered by the requirement that the first level above the parking surface be a height of 13’6”, based upon the recommendation of the Fire Marshal, the unique shape of the property and the design of the hotel plaza area took advantage of the waterfront location of the subject property and provides a passive recreational area for the hotel guests. The open area under the building where the parking is situated provides a venue of openness to the river.

36. The Applicant sought the following design waivers:

   a. Where a commercial pool should be located not less than 50 feet from the side property line, whereas the Applicant proposed 16.5 feet from the property line. The reasons associated for the granting of design waiver was that this was not necessarily a commercial pool; it is, in fact, a private pool limited to guests staying at the hotel. The pool is not large, it is essentially a lap pool with a small spa area and it is elevated above the street level and, therefore, the Board found that it would not have substantial negative impact upon neighboring properties in light of its location adjacent to the Navesink River and the proposed buffering of the neighbor’s property to the South, which neighbor John Mulvihill, owner of lot 2, appeared before the Board and did not object to the location of the pool. A literal enforcement of the Ordinance due to the size, shape and configuration of the parcel in relation to the proposed building would be impractical or exact undue hardship upon the Applicant due to the particular conditions relating to the subject property.
b. Applicant sought a design waiver associated with the size of parking stalls, where same are to be 9' wide x 18' long, wherein the Applicant proposed 24 compact parking stalls. The Board reasoned that the number of compact parking spaces is reasonable in light of the nature and extent of the hotel operations in that there would not be a lot of daily movement in and out of the parking spaces due to the nature of the operations unlike, for example, a food store. Furthermore, the Board found that it would be more beneficial to have more parking spaces on site than less parking spaces based upon the required size of the parking stalls. The Board further considered the testimony of the Applicant's witnesses in relationship to the projected percentage of occupancy associated with the 76 room hotel, where in it projected same to be in the area of 70% to 80% which would avail to a significant amount of parking on site. For reasons stated the Board found a literal enforcement of the provisions of this ordinance would be impractical or exact undue hardship upon the Applicant because of the particular conditions pertaining to the land in question.

c. The Applicant seeks a design waiver for vehicle parking within the front yard area. The Board in consideration of the testimony and exhibits brought forth by the Applicant determines that parking on-site is essential and the ordinance does require 78 parking spaces. Due to the shape of the site and the inability to provide underground parking garage due to the existing environmental constraints on the site the Board determines that the Applicant is confronted with exceptional practical difficulties or a hardship in the design of the parking area and therefore it is necessary to have parking located in the front setback. The Board further finds that there will be landscaping between the State Highway 35 and the parking area which will mitigate the effect of the parking in the front setback area.

d. The Applicant also seeks a design waiver associated with the minimum distance of a parking stall to an entrance drive.

37. The Ordinance requires all entrance drives to extend a minimum distance of 60 feet back from the street curb or to a major access aisle. The Applicant in this instance is providing 35.34 feet from the curb line to the access aisles or the ingress/egress drive.

38. The Board has reviewed the site plan in this matter and has considered the testimony of the Applicant's witnesses. The Board finds that due to the configuration of the site, the environmental constraints and the topography and the requirement to provide adequate parking on-site that the Applicant is confronted with exceptional practical difficulties or hardship in the design of the site and therefore, literal enforcement of the ordinance would exact undue hardship on the Applicant. Furthermore, there is nothing in the record to indicate that location of the parking stalls vis-à-vis the access drive from the highway would create a safety concern or issue. Therefore, the Board grants the design waiver set forth herein.

39. The Applicant sought the following Bulk or "C" variances from the zoning ordinance criteria:

a. The Applicant sought a variance from minimum front yard setback of 35 feet were Applicant was proposing .5 feet to the marquee of the building.
b. The Board found that the existing site contains a large canopy over the existing gasoline pumps and the canopy is located very close to the front property line. The proposed marquee will essentially be a cover over the drive-through area and would be situated also close to the property line. However, a mitigating circumstance is the fact that the actual building is set back 52.61 from the front property line which far exceeds the requirement of 35 feet. The Board found that the setback to the building from State Highway 35 of 52 feet is a benefit due to the mass of the building and the volume of traffic on the State Highway and the noise associated with such traffic volume. Therefore, the intrusion of the marquee into the front setback line is not as massive as if the mass of the building violated the front setback. Furthermore, the Board found that the marquee provides a shelter for hotel guests against inclement weather conditions and is a benefit to the overall hotel project. Lastly, the Board found that the shape and topography of the site provides practical difficulties in situating a contemporary hotel building on this unique piece of property.

c. The Applicant sought a variance from the required minimum rear yard setback of 25 feet for a principal structure, whereas the Applicant is providing 16.25 feet to the southwesterly lot line adjacent to lot two (2).

40. The Board finds that the property has a unique triangular shape and is bordered by public roadways being State Highway 35 and Rector Place and significant topography changes exist on the site as it slopes to the Navesink River. The Board finds that, by reason of same, the Applicant is confronted with a hardship or practical difficulties in the development of the site. The Board further finds that there is adequate buffering between the proposed hotel and the adjoining property and the property owner did not pose any objections to same. Also, the Board considered that the closest portion of the hotel building was not necessarily adjacent to the property owner's home but situated towards the open space of the adjoining lot 2.

41. The Board finds that there would be substantial benefits derived from a deviation from the zoning ordinance as the Applicant was eliminating a pre-existing nonconforming use, being a gas station which has been boarded up for many years and is, essentially, an eyesore as one enters the Borough from the north on State Highway 35 and also presents a unsightly condition to the adjoining residential neighbors.

42. The Applicant also sought variances regarding the minimal rear yard setback of 35 feet for any structure from the Navesink River flood hazard area line, whereas the plaza level of the building is located approximately 24.13 feet within the limits of the flood hazard area line.

43. The Board finds that the relief sought herein is appropriate based upon the shape and topography of the property, which is unique in both respects.

44. The building structure as proposed contains a first level lobby area, which contains a very small surface footprint, being only 540 sq. ft., and its proposed construction is at elevation twenty (20) above mean sea level. The plaza area and a small portion of the building is approximately 13.6 feet above proposed grade which extends into the flood hazard area. The plaza area and a small portion of the building is, therefore, elevated above the ground level and does provide for adequate air, light and open space, due to the nature of the building design.
45. Additionally, by reason of the proposed building elevation, it does not subject same to potential flooding even in light of its close proximity to the Navesink River. Lastly, the Board considered the property's unique shape, topography and the impact of the flood hazard line upon the ability of the Applicant to reasonably utilize the property for a permitted use, together with the accessory structures which are required as to vehicle parking areas, and the development of the Borough public access easement area along the waterfront with a boardwalk. The Board also recognizes that the flood hazard area line does not only run through subject property but many of the properties along the Navesink River which have been developed in the past. So this is not necessarily a specific issue caused by this development but many of the properties along the river already developed have encountered conflicts between their development and the flood area hazard line. Therefore, the Board finds the relief requested by the Applicant is reasonable under the circumstances and it can be granted.

46. The hotel building structure exceeds the maximum height elevation of 75 feet to a height of 82.4-MSL; 81.3-NAVD 88, based upon the ordinance measurements from the USC&GS Datum Mean Sea Level "MSL" = 0, as opposed from the area surrounding the building that the actual height of the building structure is 62.4 feet as measured from the ground area around the building, which mitigates the effects of the height variance. Additionally, based upon the Borough's Fire Marshall's requirement that the first level or plaza level be raised to a height of 13'6" above the ground level for purposes of emergency access, the height of the building was increased to reflect the Fire Marshall's request, thus creating the height variance as so requested by the Applicant.

47. Lastly, due to the uniqueness of the site as to its shape, environmental constraints and topography, the Applicant does have limited buildable area to construct the hotel. Consequently, as a result of the constraints on the buildable area, despite the gross square footage area of the lot substantially exceeding the ordinance requirements, the Applicant had to increase the height of the building in order to make the project feasible, in light of the constraints on the property.

48. The Applicant sought further relief as to the proposed signage to be utilized at the site.

a. The development application entailed utilization of three (3) building signs or façade signs and one (1) freestanding or a monument sign located adjacent to the entrance and exit of State Highway 35.

b. Consequently, the Applicant sought relief under the existing ordinances as it pertains to commercial signage.

c. The Applicant requested relief from eight (8) areas of the sign ordinance as follows:

d. The ordinance permits only one (1) building sign or wall sign fronting on a public roadway, whereas the Applicant proposed a wall sign fronting on Route 35 and a second site facing the Navesink River, a third sign located on the North side of the building and a fourth sign mounted on the front of the marquee facing State Highway 35.

e. The Applicant sought relief from the sign ordinance which requires that the permitted sign height to be within the signable area. In this case, a maximum height of signable area is 20 feet, whereas the Applicant proposed one sign on
the north facade of the building at 71.17 feet and one sign on the rear facade of the building at a height of 65.33 feet. These signs are building signs or façade signs.

f. The Applicant proposes a ground or highway sign known as a type G4 sign. The G4 under the ordinance must be rectangular in shape. The Applicant's sign is in the shape of an irregular hexagon (6 sides or angles) which the ordinance does not permit.

g. The Applicant's proposed highway sign or type G4 sign contains a proposed 40 square feet, whereas the ordinance only permits a maximum area 12.5 square feet.

h. The Applicant's highway sign or type G4 sign is proposed to be at the height of ten (10) feet, whereas the ordinance permits a maximum height of four (4) feet where landscaping will be used at the base of the sign.

i. The Applicant proposes a highway or type G4 sign of 7.75 feet in length, whereas the ordinance permits a length of five (5) feet.

j. The Applicant proposes internal illumination of the highway or type G4 sign, whereas internal illumination is not permitted.

k. The Applicant proposes a maximum sign coverage greater than 60%, whereas the ordinance permits or limits the maximum coverage of any sign face to 60%.

l. The Board finds that the Applicant's request for relief as to the building or façade signs is reasonable under the circumstances.

m. As to the building or façade signs, the Board finds that the sign on the marquee facing State Highway 35 conforms with the ordinance as to the shape, size, and height of the sign.

n. The Board finds that the building or façade signs are at a higher elevation than the permitted signage area. However, due to the fact that there are no buildings either commercial or residential located in close proximity of the building on the west side of the property which faces the Navesink River, the sign is appropriate in light of the significant distance from the building across the river to the adjoining Municipality.

o. The sign does help direct motorists traveling from the Garden State Parkway through the River Plaza area of Middletown to the hotel.

p. The Board further the finds that the signage on the building facing southbound traffic on State Highway 35 does alert motorists to the location of the Hotel from a significant distance as a motorist would approach the State Highway 35 Bridge. It is essential at that point that the motorist maneuvers his/her vehicle to the right lane so that it may exit the Highway at a reduced speed and enter the hotel parking lot. Therefore, the Board finds that, for safety reasons, it is important that motorists be alerted early enough to make the proper vehicle movements into the site.
q. As to the Monument sign or the highway sign G4 sign located at the Hotel entrance, the Board finds that the sign exceeds the maximum square foot area the height and width of same and is internally illuminated. However, the Board finds that, due to the location of the proposed Hotel and the fact it is located on a highway where the speed limits are significant, there be appropriate signage to alert motorists early enough as to the location of the site to make the proper vehicle movements. The Board does note that the property is somewhat offset or skewed and therefore some visibility issues exist as one drives southbound on the bridge due to the alignment of the bridge and highway. This is an existing condition of the bridge and highway as so situated.

r. The Board further finds that the shape of the sign and internal illumination of the highway sign is an insignificant deviation from the Ordinance and is aesthetically pleasing and provides proper identification of the location of the site in the evening hours.

s. The Applicant sought further relief as to the ordinance requirement to provide off street loading spaces. The Applicant does not pose any offstreet loading due to the nature of the operations.

49. The Board considered the testimony of the operations representative regarding the nature of deliveries to the site and the pickup of trash at the site.

50. The Applicant testified through its operations manager Lawrence Cohen that the site contains 76 sleeping rooms and not contain a restaurant, bar or banquet facility. The restaurant will serve guests a buffet breakfast. Deliveries to the site by trucks will essentially be for delivery of breakfast food items in the morning and the pickup of trash. There is a laundry service on site in-house and the only time laundry would be delivered would be when new linens or towers would be ordered.

51. Due to the nature of the business traveler type hotel there would not be large trucks traveling to the site. Furthermore, the trash is located in an interior storage room, where the staff will roll out the dumpsters for pick up to a private trash hauler.

52. In light of the testimony and review of the plans, the Board determines that there is no necessity for an off- street loading area and, therefore, sees no negative impact to the site or to neighbors by reason of not having a offstreet loading area and therefore determines that same is not necessary.

53. For the reasons set forth above, the Board finds that the Applicant has established by the preponderance of evidence sufficient proofs for the granting of the variances under and NJSA 40:55D-70.c.(1). The property is triangular in shape and bounded by two public roadways being Rector Place and State Highway 35. The site is also bounded by the Navesink River and a residential parcel of property to the south.

54. The site also is constrained due to environmental conditions associated with slopes and floodplain.

55. The site further contains constraints associated with environmental conditions due to the site's prior utilization as an active gasoline service station.

56. By reason of the above the Board finds that the strict application of the ordinances will result in peculiar and exceptional practical difficulties to, or exceptional undue
hardship upon the developer of the property and grants the variances to relieve such difficulties or hardships.

57. The Board also finds that the Applicant demonstrated by the preponderance of the evidence sufficient proofs to meet the criteria under NJSA 40:55D-70.c.(2).

58. The Board finds the purposes of the Municipal Land Use Law will be advanced by deviation from the zoning requirements and that the benefits derived will substantially outweigh any detriment.

59. The Board finds that this application will eliminate a pre-existing nonconforming use, being a gas station, and, therefore, provides an opportunity for the Borough to have a use that is a permitted use in the zone.

60. The development of the property will also eliminate a long-standing eyesore, (a boarded up gas station) which has existed for many years situated at a major intersection on the north side of the Borough.

61. The development of the site will be a benefit to the Borough in that the public access easement along the Navesink River will be developed into a boardwalk for public access purposes and provide area for passive recreation for Borough residents.

62. Furthermore, the deteriorated bulkhead along the waterfront will be replaced with a new bulkhead or similar type structure that's creating a safer and pleasing environment and will stop the erosion of soil into the Navesink River.

63. The development of the site will eliminate three (3) existing ingress and egress points off the highway to the site which present safety concerns to the Board.

64. The Applicant proposes elimination of the three (3) ingress and egress points replacing same with one ingress and egress point on the north side of property which the Board believes is the safest point for ingress and egress to and from the site.

65. The Board further finds that this approval will not substantially impair the intent and purpose of the zone plan and zoning ordinance in that the proposed use is a permitted use and that the variances requested by the Applicant are not substantial in light of the constraints imposed on the property by its location, shape, topography, and existing environmental conditions. The Board further notes that the majority of the variance relief requested was signage to be utilized at the site, that the parking variance was deminimus in nature, the height variance was driven by the inability to provide underground parking at the site and request by the fire marshal that the first level be raised to a height of 13’6” which resulted in the height of the building being increased, necessitating the variances.

66. The Board also considered in its deliberation the objections imposed by CT95-CT07 200 Park Avenue LLC, located at 57 Board Street, Red Bank, New Jersey, represented by Ronald Gasiorowski, Esq.

67. As represented by Ronald Gasiorowski, Esq., the Objector leases a business office at 54 Board Street, Red Bank, and is in the hotel business located outside the Municipality of Red Bank. The Board afforded the Objector standing.
68. The Objector produced Alexander Litwornia, P.E., who specializes in the area of traffic engineering.

69. Mr. Litwornia's testimony encompassed various points associated with ingress and egress to the site, traffic volume, and site circulation.

70. The Objector's engineer's testimony surrounded concerns regarding left-hand turns into the site as being unsafe.

71. However, the issue became moot when the Applicant agreed not to seek a left-hand turn into the site for northbound traffic on Highway 35.

72. The Objector's engineer also cited the fact that the traffic volume counts for State Highway 35 collected by the Applicant's Traffic engineer Gary Dean, PE, were several years old and, therefore, should not be considered by the Board as accurate. However, the Objector's engineer failed to account for or review the Applicant's amended traffic study dated December 16, 2016 being a current study analysis, showing consistent traffic volume during peak hours from 2009 to December, 2016.

73. Lastly, the Objector's engineer testified as to the on-site vehicle circulation as being unsafe and the on-site parking was inadequate based upon the three (3) space deficiency and the number of compact spaces. However, the Objector's expert did not offer any specifics other than, in his opinion, that the first several parking spaces as one entered into the site would cause conflict with vehicles entering off the highway. Furthermore, the study of the Objector's engineer referenced as to adequate parking on site was an antiquated study conducted many years ago and did not convince the Board that the Institute of Transportation Engineers study as cited by both the Board Engineer and the Applicant's Traffic Engineer was flawed as to the suggested vehicle parking spaces necessary for a hotel of this nature.

74. The Board considered the Objector's engineer's testimony and rejects same and determines that the site substantially complies with the Borough Site Plan Ordinance and the design takes into consideration adequate safety measures for site ingress and egress, and on-site vehicle and pedestrian circulation.

75. The Objector also produced Peter Steck, a Professional Planner who was retained by the Objector and testified that the adjoining residential properties to the south are in the same zoning district as the hotel site. The Board finds this is not accurate, although some maps wrongly indicated the Zone. He further testified that the lights provided on site cause pollution. However, the Board finds Applicant meets the Borough's lighting standard as to the required foot-candle for the parking lot area.

76. Mr. Steck further opined that the site could be better used for other permitted uses, like an office building. However, he failed to offer any evidence, nor was there any traffic engineer's testimony offered by the Objector as to the volume of traffic at peak hours which would be generated by an office building or what the size of the office building would be, if so proposed. Furthermore, this hotel use is a permitted use, which the Governing Body has during contemplation of preparation of the zoning ordinance considered the location of the property and the surrounding road network in formulating the permitted uses for this zoning district.
77. The Objector's Planner determined that parking garages are troublesome and highly visible. However, he did not acknowledge that accessory parking garages are permitted in the zone.

78. Furthermore, the Objector's Planner testified that the height of the building exceeded the permitted height and that it was substantial. However, the height variance sought is a "C" or bulk variance and not a use or d.6 under NJSA 40:55D-70.d.6 variance which is essential how the Municipal Land Use Law "MLUL" differentiates height variances being either "c" variances or "d" variances. It is the Board's findings that the height variance is not a substantial deviation from the ordinance and is justified under the circumstances as expressed elsewhere herein.

79. The Objector's expert also opined that the signage as proposed by the Applicant was not appropriate for the site. However, the Objector's expert did not consider the location of the site in relationship to the road network and surrounding areas. The Board considered the expert's testimony; however, the Board rejects same and finds the signage under the circumstances appropriate.

80. The Objector's Planner also rendered his opinion that the variances as to setback were not justifiable as the lot greatly exceeds the lot size required by the Ordinance. However, he did not adequately take into consideration the property's unique constraints as to shape, location, topography or the substantial benefits the Borough will receive by reason of this development and, therefore, the Board considered the expert's testimony but rejects same regarding the granting of the "c" variances.

NOW THEREFORE BE IT RESOLVED BY the Planning Board of the Borough of Red Bank that the application of RBank Capital, LLC to construct a Hampton Inn business hotel be approved subject to the following conditions:

1. A left turn entrance for vehicles traveling north on Route 35 shall be prohibited and the entrance design to the hotel on Route 35 shall be revised so as to prohibit the left turn in movement.

2. Subject to compliance with the recommendations of the Bpard Engineer’s letter of September 30, 2016 and subsequent revisions which are incorporated herein by reference

3. Subject into the applicant’s entering into a Developer’s Agreement with the Borough of Red Bank concerning, but limited to, issues of construction, maintenance and control of the public right of way along the river.

4. Subject to the revision of the architectural plans to show the additional brick face to the northern facade of the building to provide more architectural elements to the building.

5. The action of the Planning Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Planning Board of Red Bank or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.

6. All representations made under oath by the applicant or his agents shall be deemed conditions of this approval, and any misrepresentations or actions by the applicant
contrary to the representations made before the Board shall be deemed a violation of this approval.

7. This application is granted only in conjunction with the conditions noted herein and but for the existence of the same, the within application would not be approved.

8. The applicant shall comply with the Planning and Development Regulations of the Borough of Red Bank, to the extent that it is consistent with this Resolution, and shall comply with the requirements of the Construction Code and the Fire and Health Code Officials.

9. If applicable the applicant shall be required to comply with and/or provide an Affordable Housing Growth Share requirement in accordance with Borough Ordinances 2005-45 and 2005-46 and any other related/associated Borough Ordinances.

10. Subject to any and all other Municipal, County, State or Federal regulations as they may apply.

11. Subject to the payment of any and all taxes and professional fees.

12. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Red Bank at their sole cost, within thirty days of this Resolution and provide proof of publication.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board Secretary attend to the publication of the within Resolution by reference in the local official newspaper within 10 days of the Board adopting said Resolution.

The foregoing was Moved by

Seconded by and on Roll Call, the following vote was recorded:

Affirmative:

Abstentions:

I, Dina Anastasio, Secretary to the Planning Board of the Borough of Red Bank, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Board of Borough of Red Bank at its regular meeting held on

Dina Anastasio, Secretary
Planning Board
Resolution No. 2019 - 13
RESOLUTION OF THE PLANNING BOARD
OF THE BOROUGH OF RED BANK
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

(Denied of Application for Extension)

Block 1, Lot 1
80 Rector Place
Application Number P10489
RBank Capital, LLC

WHEREAS, the Planning Board of the Borough of Red Bank is empowered, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., to hear and determine applications for development and variances under certain specific conditions; and

WHEREAS, the applicant, RBank Capital, LLC, has filed with the Planning Board Secretary an application to extend the statutory time period for a major site plan approval with bulk C variances, for premises commonly known as 80 Rector Place, Red Bank, New Jersey, also known as Block 1, Lot 1 on the official tax map of the Borough of Red Bank, in order to construct a 76 room, 6 story hotel; and

WHEREAS, the application for extension was heard at the regular April public meeting of the Planning Board where testimony was taken and any interested party was given the opportunity to be heard; and

WHEREAS, the Planning Board having considered the application and testimony makes the following findings of fact and conclusions;

1. The Applicant initially proposed to build a six story hotel on the subject site as far back as December, 2010.

2. The subject site is at the northern entrance to the Borough of Red Bank and has been occupied for over a decade by an abandoned gasoline service station and as such continues to be an unsightly and unkempt eyesore at the Borough entrance.

3. The application encountered numerous difficulties as there were questions concerning whether or not the hotel use was permitted at the subject site.

4. The Applicant was accommodated through ordinance revisions to clarify the proposed use both as to the hotel use and the questions concerning building height.

5. The basic site plan and proposal has in concept remained unchanged for almost 9 years.

6. The application was delayed by litigation concerning the ordinance revisions, but the ordinances were upheld by the Superior Court.
7. Preliminary and final site plans were submitted dated July 12, 2016.

8. After full hearings the application was approved although the proposal represented difficult traffic issues and impacted environmentally sensitive areas since the site was along-side the Navesink River.

9. The approval by Resolution of May 1, 2017 required the further approval of the New Jersey Department of Transportation as the site was located on State Highway Route 35 and the New Jersey Department of Environmental Protection as it impacted the Navesink River and its banks.

10. Throughout the hearings and prior to the passage of the application, testimony was presented by the Applicant to the Board indicating that issues with the Department of Transportation and the DEP had been ongoing and the impression was left that generally speaking the proposed site plan as proposed would shortly receive approvals from said agencies.

11. Many of the reasons for granting the variances required for this site plan passage centered on the need to remove a serious eyesore from the site, at the northern entrance to the Borough.

12. Throughout the 2-year statutory protection period afforded by N.J S.A. the Applicant was given substantial opportunity to seek the approvals of the outside State Agencies. The general outline of the project was known to the Applicant for a period of almost 7 years prior to the May 1, 2017 approval.

13. The public hearing at the April, 2019 Planning Board Hearing revealed that the Applicant had not been diligent in pursuing its DEP and DOT approvals. In fact, it was revealed that after almost 2 years of waiting the Applicant was first applying again to the agencies for approval after determining that the original applications were being denied.

14. The Applicant presented no testimony to demonstrate that it had been diligent in pursuing the necessary outside approvals.

15. It was revealed that throughout the process involving the subject lot going back to the initial proposal in 2010 that the site was poorly maintained and in fact remained in an unsightly condition throughout the approval process. Even on the eve of the Applicants request for an extension the property remained overgrown and unsightly,

16. The Borough is presently in the process, due in part to the slow movement of the Applicant in meeting the conditions of the approval, to reconsider and possibly adopt redevelopment proposals for the northern portions of the Borough along and near the Navesink River. Redevelopment is necessary due to the conditions of the subject site as well as to fulfill other Borough obligations for affordable housing and redevelop recently vacated structures in the same zoning districts.
17. It is the Planning Boards conclusion that the Applicant has had a substantial period of time to complete the application process and the Borough should not and cannot continually delay the upgrading of the entire area due to conditions that existed 10 years ago but now have changed.

18. For the reasons set forth above and for good planning considerations the application for an extension of the time period under N.J.S.A. 40:551)-52 must be denied.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Red Bank on this 6th day of May, 2019, that the application of RBank Capital, LLC be denied.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board Secretary attend to the publication of the within Resolution by reference in the local official newspaper within 10 days of the Board adopting said Resolution.

The foregoing was Moved by Barbara Boas
Seconded by Lou DiMento

and on Roll Call, the following vote was recorded:

Affirmative: Mike Ballard, Lou DiMento, Barbara Boas and Dave Cassidy.
Negative: None
Abstentions: None

I, Dina Anastasio, Secretary to the Planning Board of the Borough of Red Bank, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Board of Borough of Red Bank at its regular meeting held on June 17, 2019.

Dina Anastasio, Secretary
Planning Board
Resolution No. 2019-17
RESOLUTION OF THE PLANNING BOARD
OF THE BOROUGH OF REI) BANK
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
(Granting Preliminary and Final Major Site Plan Approval with Waivers)
Block 3, Lots 2.01, 4.01, 6 & 9.01
176 Riverside Avenue
Application Number P 13263
176 Riverside, LLC

WHEREAS. the Planning Board of the Borough of Red Bank is empowered, pursuant to the Municipal Land Use Law. N.J.S.A. 40:55D-1 et seq., to hear and determine applications for development and variances under certain specific conditions; and

WHEREAS. the applicant 176 Riverside, LLC, has filed with the Planning Board Secretary an application for preliminary and final major site plan approval with waivers to demolish an existing office building and construct a five story mixed use building consisting of 210 residential units, and approximately 9,000 square feet of commercial space with related site improvements on premises commonly known as 176 Riverside Avenue, Red Bank. New Jersey, also known as Block 3, Lots 2.01, 4.01, 6 & 9.01 on the official tax map of the Borough of Red Bank: and

WHEREAS. the applicant has provided due notice to the public and all surrounding property owners as required by law and has caused publication in a newspaper in general circulation in the Red Bank area in accordance with the requirements of the Municipal Land Use Law. N.J.S.A. 40:55D-1 et. seq., this Board gaining jurisdiction thereunder; and

WHEREAS, the within matter was heard at regularly scheduled public hearings of the Planning Board and all interested parties wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Planning Board, having considered the application, testimony of the applicant, exhibits submitted and the opinions of the Borough Engineer, makes the following findings of facts and conclusions:

1. The subject property is in a redevelopment zone and subject to a redevelopment plan. The proposed development is permitted on the overlay zoning plan and therefore is a permitted use.

2. The Applicant appeared before the Red Bank Planning Board (the "Board") on July 15, 2019, August 5, 2019, September 4, 2019, September 16, 2019, October 7, 2019 and December 2, 2019, at which time it was represented by Chad Warnken, Esq. The Applicant provided testimony of the following witnesses in support of its application:

   a. Robert Freud, P.E., P.P. who was qualified and accepted by the
Board as a licensed professional engineer and professional planner;

b. John McCormack, P.E. who was qualified and accepted by the Board as a licensed professional traffic engineer;

c. Frank J. Minervini, A.I.A. who was qualified and accepted by the Board as a licensed architect; and

d. David Lustberg, C.I.A. who was qualified and accepted by the Board as a licensed landscape architect.

Ronald Gasiorowski, Esq. appeared on behalf of a neighboring property owner the Colony House, objecting to the Project. Mr. Gasiorowski had the opportunity to question the Applicant’s witnesses as well as present the testimony of Al Litwornia, a Professional Engineer and Planner, in support of his client’s objections. Members of the public also had the opportunity to question the Applicant’s witnesses and make comments regarding the Project during the course of the hearings.

4. The Applicant provided appropriate notice of the application and public hearing in accordance with the Municipal Land Use Law ("MLUL") N.J.S.A. 40:55D-12 prior to the first hearing. Announcements were made at each hearing advising the public of the date, time and place of the subsequent hearings. Notice was, however again provided in accordance with Municipal Land Use Law N.J.S.A. 40:55D-12 prior to the December 2, 2019 meeting, as the meeting scheduled for November 4, 2019 was cancelled for lack of a quorum. The Board acknowledges an objection to the notice was made by Mr. Gasiorowski, Esq. but finds that the notice provided by the Applicant was adequate and provided a common sense description of the nature of the application, such that an ordinary layperson could understand its potential impact upon him or her so that they could make an informed decision whether or not to participate in the hearings and application. The notice also contained "catch all" language indicating that in addition to the specific actions being sought, the Applicant was seeking any and all other variances, exceptions or design waivers that may be required to permit the Project to be developed. The Board further notes that a large number of the public came out and participated in the hearings.

5. The Property is approximately 2.44 Acres (106,467 SF) in size. It is located in an area in need of rehabilitation and is subject to the Redevelopment Plan for 176 Riverside Ave, et al. adopted by the Borough of Red Bank on December 12, 2018 in Ordinance 2018-40, (the "Redevelopment Plan"), which serves as an optional overlay zone for the Property. The Applicant has entered into a Redevelopment Agreement with the Borough to be the redeveloper of the Property.

6. Lot 6 of the Property currently contains an existing residential structure used as an office with one driveway, and Lots 2.01, 4.01 and 9.01 of the Property contain the existing former Visiting Nurses Association ("VNA") building with two driveways and parking lots. The Property has frontages on three roadways: Bodman Place, Riverside Avenue (Rt. 35) and Bridge Avenue (Rt. 35). The fourth property line is on an access easement which the Borough uses to access its pump station. All proposed vehicular access to the Project is from Bodman Place as required by the Redevelopment Plan.
7. The Applicant proposes to demolish the 13,499 SF (footprint) VNA office building and additional structures and seeks Preliminary and Final Site Plan Approval to construct a 210 unit apartment complex with 9,000 SF of co-working office space, 2,350 SF of retail food space, 326 total vehicle parking stalls. 70 bike parking locations (322 vehicle and all bike parking to be located in a parking garage structure) and related infrastructure (the "Project"), all of which are permitted under the Redevelopment Plan.

8. The 210 apartments shall be broken down as follows: 113 one-bedroom units, 91 two-bedroom units and 6 three-bedroom units. Of the 210 total units, 32 shall be affordable units, which shall be broken down as follows: 6 one-bedroom units, 20 two-bedroom units and 6 three-bedroom units. As testified all apartment sizes will meet or exceed the minimum area requirements of the Redevelopment Plan.

9. The 9,000 SF of Co-Work Space/Professional and Administrative Offices shall be operated, leased and managed in accordance with the Permitted Principal Uses of the Redevelopment Plan.

10. The 2,350 SF of retail food space as proposed serves as an accessory use to the residential use and complies with the conditions of the Redevelopment Plan (a maximum of 2,500 SF is permitted). It shall be operated in accordance with the Permitted Conditional Uses of the Redevelopment Plan.

11. The Redevelopment Plan provides for a base permitted residential density of 70 units per acre, but allows up to an additional 20 units per acre of density bonus upon the project incorporating certain sustainable measures with the bonus being calculated based upon 5 units per acre per measure. The Board finds that based upon the testimony of the Applicant's witnesses, the Project incorporates the following sustainable goals outlined in the Redevelopment Plan which justify the requested residential density for the Project:

   a) The proposed building meeting a LEED Silver equivalent;
   b) Providing bike parking at a ratio of 1 spot for every 3 units;
   c) Providing car sharing services spots (5 spots);
   d) The incorporation of rain gardens into the storm water design; and
   e) Providing of a shuttle service for the Project's residents to the train station during peak commuter hours.

12. The Project as designed and proposed is in substantial conformance with the Redevelopment Plan, does not require any variances and its provision of 32 affordable units is a benefit to the community and helps the Borough meet its affordable housing obligations. As such, the Board finds it is appropriate to grant the Preliminary and Final Site Plan Approval for the Project.

13. The proposed site layout provides for consolidation of the three existing driveways on the Property into what functions as two driveways. Although, each of the two driveways are made up of two separate curb cuts, for a total of four curb cuts. The proposed driveway geometry is sufficient to accommodate fire truck and delivery vehicles, which provides for better life safety for the surrounding neighborhood, and promotes goals of the MIAJL,
specifically "to secure safety from fire, flood, panic, and other natural and man-made disasters" as well as "to encourage the location and design of transportation routes, which promotes the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight" as set forth in N.J.S.A. 40:55D-3(b) and (h), as such movements are difficult under the current conditions. Additionally, the proposed loading area and parking spaces on the Bodman Place frontage are in an appropriate location and serve to keep the parking and loading activity for the Project off the public street and on site, which will help minimize any impact on the neighboring properties.

14. The Applicant's proposed method to handle trash removal, specifically its representation that it will contract with a private local hauler on an as needed basis and that the proposed building will contain two trash rooms near the loading areas which will allow for portable totes to be rolled for pickup from the loading areas (off street), and restricting the hours for trash pick up to prior to 10 am, will address neighbor concerns regarding same.

15. Although neighborhood residents questioned the amount of parking being proposed by the Applicant, the Board finds that the parking proposed for the Project, which is all self-contained on site, exceeds what is required under the Redevelopment Plan, is consistent with industry standard ITE parking demand projections for similar sites as well as with other recently approved and constructed apartment projects in the Borough and is appropriate for the Project.

16. With respect to traffic, the Board finds that the traffic being generated by the project is not entirely "new" traffic and that it is substantially similar to the traffic previously generated by the VNA building particularly during the pm peak hour exiting Bodman Place, which is the critical traffic movement. The Board further finds that while the VNA building is currently vacant the Applicant may by right continue the previous office use which would generate substantially similar traffic exiting Bodman Place during the pm peak hour.

17. Additionally, while the Board recognizes the neighbor's concerns regarding traffic in the area, it finds that many of the traffic issues raised by the neighbors are an off-site condition outside of the Applicant's control and those conditions will exist with or without the Project. Furthermore, the number of proposed residential units and the square footage of proposed commercial space are permitted under the Redevelopment Plan as adopted by the Borough Council.

18. The Board finds the Applicant is proposing a significant landscaping package, which includes a publicly accessible outdoor plaza of at least 1,000 square feet as required in the Redevelopment Plan. The outdoor plaza was relocated by the Applicant from the frontage along Riverside Avenue (Rt. 35) to Bodman Place in response to comments by the public and the Board. The Board finds that the new location on Bodman Place is an appropriate placement and results in the added benefit of permitting the Applicant to expand the proposed rain gardens.

19. In response to comments from the Board, the Applicant also agreed to provide an extra year of maintenance guarantee on the proposed landscaping, for a total of three years.
20. With respect to the architectural features of the proposed building, the façade of the structure is a combination of brick, glass and cement board panels. Based upon the exhibits and testimony by the Applicant's witnesses, the Board finds that the Project and proposed building meets the architectural design standards of the Redevelopment Plan. Furthermore, in response to questions by the public questioning the façade of the building facing Bodman Place, the Applicant provided a rendering of the building as viewed from Bodman Place, which the Board finds evidences compliance with the Redevelopment Plan requirement for consistency in quality and finish material on all elevations visible from the public street.

21. The Project will provide an 18,000 SF outdoor amenity space on the third level which will include a pool, wellness space, spaces for relaxing and socializing, barbequing areas and spaces for outdoor recreation. Additionally, there will be a rooftop dog run on the north and south ends of the Project. Storm water runoff from the dog runs will be collected in either the sanitary or storm sewer drains in the discretion of the Board engineer and the Borough construction department. The Board finds these features appropriate and in conformance with the Redevelopment Plan.

In addition, as identified in the engineering review letter dated July 5, 2019, provided by T&M Associates on behalf of the Board, the following design waivers are required for the Project, which the Board finds it is permitted to grant pursuant to the Redevelopment Plan and which are justified for the reasons set forth below:

a. Permitting unscreened loading areas within the front yard on Bodman Place;
b. Permitting parking within the front yard on Bodman Place;
c. Providing a 1'-3' wide pavers strip between the curb and sidewalk whereby 4' is required;
d. Permitting light levels in excess of 0.5 foot candles at the property line;
e. Exception from the Residential Site Improvement Standards ("RSIS") 10 permit 326 parking stalls (of which 290 are residential spaces) which is in excess of what is required under the Redevelopment Plan (RSIS requires 398 parking stalls); and
   Permitting more than 2 driveways on Bodman Place (which although they function as two driveways containing four curb cuts).

23. With respect to permitting unscreened loading areas within the front yard on Bodman Place, the Board finds that it would be a hardship for the Applicant to comply with this requirement as the Property has three frontages and the fourth property line is an access easement. Board further finds and agrees with the Applicant's witnesses that the proposed unscreened loading area on Bodman Place is not a substantial detriment to the public good and that it is reasonable given the circumstances. It is the best design alternative as it keeps any loading activity on site and off the street, which will minimize impact on the neighboring properties.

24. With respect to permitting parking within the front yard on Bodman Place, the Board finds that it would be a hardship for the Applicant to comply with this requirement as the Property has three frontages and the fourth frontage is an access easement. The Board further finds and agrees with the Applicant's witnesses that the proposed parking on Bodman Place is not a substantial detriment to the public good and is reasonable given the circumstances. The amount of parking in the front yard is minimal and will be used primarily for short term and
guest parking. As such, it is the best design alternative as it keeps such activity on site and off the street which will minimize impact on the neighboring properties.

25. With respect to providing a 1'-3' wide pavers strip between the curb and sidewalk whereby 4' is required, the Board finds that in the area in question the sidewalk is curvilinear in nature so what is proposed meets the existing sidewalk and also aligns with the curved right-of-way that currently exists, accordingly, while this curvilinear design does not meet the 4' buffer set forth in the Redevelopment Plan, the Board finds this curvilinear design creates a more interesting streetscape and properly aligns with the existing right-of-way while meeting the design intent of the Redevelopment Plan. As such, the granting of this waiver will not result in a substantial detriment to the public good, is reasonable given the circumstances and is justified.

26. With respect to permitting light levels in excess of 0.5 foot candles at the property line, the Board finds that the exceedance is due to the proposed street lights within the Bodman Place right-of-way as required by the Redevelopment Plan. This exceedance only occurs at the common property line with adjacent Lot 3 near the street frontage and the proposed design is a safer design alternative and will not negatively impact the neighboring property owners. As such, the granting of this waiver will not result in a substantial detriment to the public good, is reasonable given the circumstances and is justified.

27. With respect to the exception from the RSIS Parking standards, the Board finds that the RSIS recognizes that a municipal approving authority may develop and recommend to the Board supplementary and/or alternative parking standards. In this case, the Redevelopment Plan proposed such an alternate standard, with which the Applicant complies. As such, the granting of this waiver will not result in a substantial detriment to the public good, is reasonable given the circumstances and is justified.

28. With respect to permitting more than two driveways on Bodman Place. Mr. Gasiorowski has argued that the Board is not permitted to grant any relief from (his requirement as it is a core design concept which requires the Redevelopment Plan be amended.) The Board disagrees with this argument. The Redevelopment Plan expressly states that the Board is authorized to grant both "C" variances and designer waivers. It states:

The Planning Board may grant "C" variances, exceptions or waivers from design standards from the requirements for site plan or subdivision approval. Any exceptions or waivers granted shall be reasonable within the general purposes and intent of the provisions for site plan review and/or subdivision approval within this Redevelopment Plan. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan or the Borough Master Plan. Plan at page 23-24.

The number of driveways is not a core design requirement of the Redevelopment Plan. Redevelopment Plan is clear it only requires the Plan be amended if a "D" variance under N.J.S.A. 40:55D-70d is being sought. It states:
No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Redevelopment Plan that results in a "D" variance, pursuant to N.J.S.A. 40:55D-70d, may only be addressed as an amendment to the Redevelopment Plan by the Borough Council rather than via variance relief through the Borough Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq. Plan at page 24.

As such, the Board finds it has authority to act on this request.

29. Additionally, Colony House, through its attorney Mr. Gasiorowski, argues that the deviation from this standard would require a C variance. The Board disagrees with this argument and finds that the number of driveways is a design standard, as determined by the Board Engineer, which the Board may grant relief from by way of a design waiver. Nevertheless, the Board finds the Applicant has justified relief from this standard whether or not it is treated as a design standard or a C variance under N.J.S.A. 40:55D-70(c). The Board finds that although the Applicant's proposed driveways contains four curb cuts, it essentially functions as two driveways (which was acknowledged by the objector's attorney and his expert witness). The Board further agrees with the testimony of the Applicant's witnesses and finds that the proposed driveway design is a better design alternative than simply two curb cuts as it provides for better and safer traffic circulation and allows for both fire trucks and school buses to safely turn around on Bodman Place, which currently is not possible and would be difficult if each driveway contained a single curb cut. Thus, the proposed driveway design provides for better life safety for the surrounding neighborhood and advances goals of the specifically "to secure safety from fire, flood, panic, and other natural and man-made disasters" as well as "to encourage the location and design of transportation routes, which promotes the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight." N.J.S.A. 40:55D-3(b) and (h). Furthermore, the Board agrees with the Applicant's witnesses and finds a deviation from the design criteria would not result in a substantial negative impact to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan, as the driveway design does not result in a larger or more intensive Project. In fact, the design helps alleviate conflicting movements as the Property which is the subject of this application currently has three driveways (two at the existing VNA building and one at the house/office), while the proposed design functions as two driveways. Thus, the proposed design helps consolidate the number of driveways on Bodman Place. Accordingly, the benefits of granting the technical deviation from the design standards outweigh any potential negative impact to the neighboring properties or zone plan in general. Accordingly, the Board finds the Applicant has provided testimony sufficient to satisfy either the granting of a design waiver or a C variance under N.J.S.A. 40:55D-70(c).

30. The Board further finds that the Colony House's argument that approving the Project will deny them the opportunity to develop their property as that will result in more than three driveways on Bodman Place is without merit. The limitation on the number of driveways on Bodman Place is a design standard contained in the Redevelopment Plan which is part of an optional overlay zone. Colony House retains all rights it has to develop its property pursuant to the underlying zoning, which does not contain any such limitation. Furthermore, that design standard only applies to properties which are part of an "Application for Development" under the optional overlay zone contained in the Redevelopment Plan. The Colony House
property was not part of the Application for Development for the Project, and as such, is not subject to the design standards applied to the Project. In the event Colony House desires to make an Application for Development pursuant to the Redevelopment Plan overlay zone, they will be permitted to seek the appropriate number of driveways on their property.

31. Accordingly, the Board finds it is appropriate to grant Preliminary and Final Site Plan Approval for the Project and the requested design waivers noted above for the reasons set forth herein.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Red Bank in accordance with the findings of fact and conclusions set forth herein that the preliminary and final major site plan approval along with design waivers be granted for 176 Riverside, LLC for premises located at 176 Riverside Avenue, Red Bank, New Jersey, subject to the following conditions:

1. The maintenance guarantee for Landscaping shall be extended from 2 to 3 years.

2. Although the Project does not require Department of Transportation ("DOT") approval for the installation of a traffic signal at the intersection of Bodman Place and Riverside Avenue/Route 35 (or any other DOT approval), and although the Board is not conditioning it’s approval of the Project on the installation of a traffic signal at the intersection of Bodman Place and Riverside Avenue/Route 35 (or any other location), the Board conditions it's approval upon the Applicant coordinating, preparing and paying for an application to the DOT, on the Borough’s behalf, requesting a traffic signal at the intersection of Bodman Place and Riverside Avenue/Route 35. If such application is approved, the Applicant will be required to pay its fair share for the traffic signal as determined by Applicable Law but not less than eighty percent (80%) of the cost thereof.

3. The Applicant will be required to coordinate the phasing of construction and other construction issues, such as access to the site, with the Borough Construction Office, the Borough Engineer and the Borough Police Department. The Applicant shall enter into or modify any existing development agreement with the Borough of Red Bank to incorporate this condition.

4. Trash pick-up shall be before 10am.

5. The Applicant will allow school buses and emergency vehicles to use its drive ways to turn around on Bodman Place.

6. Stormwater runoff from the dog runs will be collected in either the sanitary or storm sewer drains in the discretion of the Board Engineer and the Borough Construction Department.

7. The Applicant will comply with the technical conditions contained in the T&M review letter dated July 5, 2019 except to the extent testified to at the hearings.
8. That this variance will be deemed to be void by abandonment if a permit is not issued within one year from the date hereof.

9. The action of the Planning Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Planning Board of Red Bank or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.

10. All representations made under oath by the applicant or his agents shall be deemed conditions of this approval, and any misrepresentations or actions by the applicant contrary to the representations made before the Board shall be deemed a violation of this approval.

11. This application is granted only in conjunction with the conditions noted herein and but for the existence of the same, the within application would not be approved.

12. The applicant shall comply with the Planning and Development Regulations of the Borough of Red Bank, to the extent that it is consistent with this Resolution, and shall comply with the requirements of the Construction Code and the Fire and Health Code Officials.

13. Subject to any and all other Municipal, County, State or Federal regulations as they may apply.

14. Subject to the approval of the Monmouth County Planning Board, Fire Official, Building Department, Historic Commission Committee and the Visual Improvement Committee.

15. Subject to the payment of any and all taxes and professional fees.

16. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Red Bank at its sole cost, within thirty days of this Resolution and provide proof of publication.

The foregoing was Moved by Barbara Boas
Seconded by: Dave Cassidy and on Roll Call, the following vote was recorded:
Affirmative: Dan Mancuso, Barbara Boas, Dave Cassidy, Fred Stone

Negative: None

Abstentions: None
I, Maria Graziano, Secretary to the Planning Board of the Borough of Red Bank, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Board of Borough of Red Bank at its regular meeting held on December 16, 2019.

Maria Graziano, Secretary
Planning Board
Chris-please see the below for the tax arrearage.

Begin forwarded message:

From: Andrea Schwarz <aschwarz@redbanknj.org>
Date: June 29, 2021 at 3:03:37 PM EDT
To: Shawna Ebanks <sebanks@redbanknj.org>
Subject: Tax Records

Shawna,

The following is a summary of arrearages for the requested properties:

**Block 1 Lot 1, 80 Rector Place.** This property has a history of delinquencies that precedes 2015. A lien was sold on 1/1 on October 26, 2015 and redeemed 3 days later on October 29, 2015, by Red Bank Capital, LLC. The lien, 15-00001, was for 2014 taxes and totaled $22,309.03. To stay out of the 2016 tax sale, all 2015 taxes plus the year end penalty and associated interest were paid on August 30, 2016. For the remainder of 2016 – 2019 there are payments made, many late and significant interest fees and year end penalties incurred. On September 28, 2020 another lien was sold, 20-00001, paying 2019 taxes. The lien holder has added 2020 and 2021 year to date taxes to this lien. As of today, June 29, 2021, the lien totals $79,882.59. Note that a key principal in Red Bank Capital, Larry Cohen is now deceased. The mother, who via Cash 4 Assets, is the mortgage holder, is working on settling the debts and potentially selling the property. Vacant land.

**Block 3 Lot 1.01, 151 Bodman Place.** Owned by Coastal Building LLC. No liens or tax delinquencies. Minor utility interest fees. Successful tax appeal covering 2014-2017.

**Block 3 Lot 1.02, Bodman Place.** This is a tax exempt Borough of Red Bank property.

**Block 3 Lot 2.01, 141 Bodman Place.** Now owned by 176 Riverside, LLC SAF. Deeded/sold to them in January 2018 by VNACJ Properties (Visiting Nurse Assn); the deed covers 3/2.01, 4.01 and 9.01. VNA owned properties were tax exempt. No liens. Taxes billed beginning in 2018. Minor interest fees on 2018 tax payment; no delinquencies since then.

**Block 3 Lot 4.01, 192 Riverside Avenue.** Also owned by 176 Riverside, LLC SAF. Covered in 2018 sale from VNACJ Properties. No liens. One minor tax interest
payment in 2018 when billing gets started. Land, probably parking.

**Block 3 Lot 6, 131 Bodman Place.** Sold to 131 Bodman LLC in March 2018. Minor tax delinquency in 2018. 2020 small lien sold on September 28, 2020; this was lien 20-00003, which was redeemed 21 days later on October 19, 2020. The lien was for unpaid utilities and totaled $223.82.

**Block 3 Lot 7.01, Bodman Place.** No liens or tax delinquencies.

**Block 3 Lot 9.01, 176 Riverside Ave.** Now owned by 176 Riverside LLC, Saxum Real Estate. Part of the same sale deed as 3/2.01 and 4.01. No liens. Minor tax delinquency when billing got started in 2018; none since.

**Block 4.01 Lot 1, 187 Riverside Avenue.** Property currently in Bankruptcy filed in 2019. Dismissed bankruptcy filed in 2011. Small, inactive lien, 11-00002, sold on November 30, 2011 and redeemed on February 28, 2020. Lien totaled $504.48. Significant lien sold on February 14, 2013, 13-00001, for taxes and water. Original certificate was over $50,000, mostly tax. Been in bankruptcy since 2019. Lien 13-00001 redeemed on February 28, 2020; lien totaled $341,063.35. The lien covered taxes and utilities from 2012 - 2018. Former service station. Property also has two billboard accounts that also are taxed. Owner and/or law firm which handled the redemption have made all tax and utility payments since February 2019. Currently minor tax delinquency of $8.39 of the $24,000+ paid in annual taxes. On time payments are a condition of the bankruptcy.

**Block 4.01 Lot 2.** No such property. 4.01/1 has two sub accounts, 4.01/1/B01 and B02 that are billboard accounts.

That's it.

--

Andrea Schwarz
Borough of Red Bank
Tax Collector Office
732-530-2742
APPENDIX J – Property Reports
Site Assessment: 131 Bodman Ave, Redbank NJ

Date: 2/23/2018

Weather: 34 degrees and drizzling
OVERVIEW

1. **Easements for Municipal or Private utilities crossing the property to Force main pumping station at 141 Bodman Ave. (May Limit development)**
2. Structures are in **fair to good** condition. Foundations show no signs of failure
3. Utilities were cut off to the house so we were not able to see what was running
4. Equipment in the home appear to be in **fair to good** shape and could possibly be operational
5. Building envelope- Siding, windows and roof appear to be in **fair to good** shape
   a. No water infiltration appeared to be present in space

**Estimate Repair Cost**

1. **Water Damage Repairs $12,800 to $14,850**
   o Dumpster for wall and floor finish repairs
     i. 2@ 675 = $1350
   o Finish floor Replacement on the 1st floor-
     i. Tile: 250SF @ 30 SF = $7,500
     ii. Wood to match existing: 250SF @ 12 SF = 5500
   o Subfloor Replacement if needed
     i. 10 sheets ¾” or 23/32” Plywood = $1500
   o Wall repairs (Assume framing and finish)
     i. 50LF @ $50/LF = $4500

2. **Other Upgrades or Repairs to considered $ $25,600**
   o Replace Galvanized Sanitary Piping
     i. Lump Sum $2100
   o Basement Sump Pump
     i. LumpSum $1,500
   o Replace 100 amp panel with 200 amp service
     i. Lump Sum- $3,500
   o Soils testing to confirm site around former oil tank meet NJ clean soil conditions
     i. Lump Sum- $3,500
   o Window upgrade from single pane to insulated
     i. Lump sum-$15,000
**SITE: (Fair to Good)**

1. **Exterior**
   - There is a residential Structure on the property.
   - There is a 2 car garage on the back end of the property.
   - Grade appears to promote positive drainage.
   - 65 to 75% of the site is considered impervious either due to structure or asphalt paving.
   - There is parking in the rear sufficient for 2 to 3 cars.
   - There are private or public underground utilities not specific to the site. The unknown utilities are likely associated with the municipal sanitary force main pump station located at 141 Bodman Ave.
   - There was an oil tank that was decommissioned and likely removed from the site.

**Structures: (Good Condition)**

1. **Residential Structure** - a Cape Cod stick build Dougfir framing on a typical 8 inch cinderblock wall with Concrete footing foundation.
   - The roof is asphalt shingles.
   - There are no noticeable cracks in the foundation.
   - There are no noticeable failures in the roof line.
   - Building Envelope (fair to good condition)
     - Lath sheathing with Aluminum siding.
     - Asphalt shingle roof appears to be in fair to good shape. No leaks were noticed in the roof.
     - Windows are aluminum frame single pane glass.
   - There are two means of egress of engress into building. You can enter from the front (North) of the building or the side (East) of the building.

2. **2 Car Garage** - It is a cinderblock wall construction with a Dougfir stick built framed roof.
   - The roof is asphalt shingles.
   - There are no noticeable cracks in the foundation.
   - There are no noticeable failures in the roof line.

**Interior – (Poor to Fair Condition)**

1. **Residential Structure**-
   - **Basement (fair condition)**
     - No sump pump was found.
     - There is a Central AC unit gas fired. Condenser is in the rear of the building.
• Refrigerant piping appears to be in good condition with no kinks. Not sure if the AC works.
• Sanitary piping appears to be galvanize but show no signs of leaking or cracking.
• There is a 40-gallon hot water heater which appears to be in good condition. Operation could not be determined as the water has been turned off to the home.
• There is a 100-amp Square D service panel to the home. To have two more slots for spare breakers. There appears to be no sign of corrosion. It may make since to upgrade the panel to 200 amp service because this building has been used for light commercial use and may have been rezoned for this use. Although it is not a requirement.
• There was an indication of a leak from the 2nd floor. Water found its way into the basement filling the basement to a height of 3 to 4 inches. Event may have compromised the evaporator, fan, heater burners on the central AC/Furnace.
• Assume a replacement or repair is required.
• No sump pump was observed in the basement. This is of minimal concern as the site appears to get good drainage 3 of the sides appear the be impervious or paved.
• Walls in the basement were not parged and the block foundation walls appeared to be in good condition with little to no deterioration.
• The chimney appeared to be in good standing condition. Joist and girders that were visible appeared to be in good shape with no signs of warpage, sagging, or cracking which often come with age.
• There was a crawl space, but nothing was observed in this space
• Basement has debris in it and
  o **1st Floor (poor to fair condition)**
    • First Floor has water damage in at least a third of the floor due to a leak that started in the ceiling below the 2nd floor bathroom
    • The damage appears to be superficial and isolated only to the finish flooring and possibly the subfloor. No part of the flooring was found weak because of saturation. Further damage will need to be assessed when removing floor.
    • All walls appear to be in good shape. Electric outlets and light switches seem to be in good shape.
    • Windows appear to be in good shape no water infiltration was observed.
2nd floor (good to fair condition)
- No water damaged was observed on this floor as the water was isolated to the ceiling of the first floor
- All finishes are in good shape.
  All finishes are dated.
  The windows appear to be in good shape no water infiltration was observed.
- The roof appears to be in good shape no leaks were observed in the ceiling.
  All electrical devices appeared to be in good shape no faulty wiring or burnt devices could be observed.

General
- electric, water and gas are all turned off.

2. 2-Car Garage
- Did not review interior
Improvement Analysis

The following improvement description is based on the physical inspection of the subject, assessor records and information provided by the borrower and the client.

### General Data

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Class:</td>
<td>Class C</td>
</tr>
<tr>
<td>Number of Stories:</td>
<td>3 stories</td>
</tr>
<tr>
<td>Parking Spaces:</td>
<td>149 on-site spaces</td>
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</tbody>
</table>

### Building Area

<table>
<thead>
<tr>
<th>Gross:</th>
<th>35,225 Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source:</td>
<td>Field Measurements, Review of Property Records Cards</td>
</tr>
</tbody>
</table>

### Age/Life

| Year Built/Age     | 1913 / 100+ Years Old, addition and renovation in 2000 |

### Remaining Economic Life - Marshall Valuation Service

<table>
<thead>
<tr>
<th>General Building Type</th>
<th>Class</th>
<th>Actual Age</th>
<th>Effective Age</th>
<th>Remaining Economic Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Average</td>
<td>A 55</td>
<td>55</td>
<td>50</td>
<td>45</td>
</tr>
</tbody>
</table>

### Exterior

<table>
<thead>
<tr>
<th>Foundation:</th>
<th>Concrete Block</th>
</tr>
</thead>
<tbody>
<tr>
<td>Framing:</td>
<td>Steel Frame</td>
</tr>
<tr>
<td>Exterior Walls:</td>
<td>Brick</td>
</tr>
<tr>
<td>Roofing:</td>
<td>Flat Buildup</td>
</tr>
<tr>
<td>Doors / Windows:</td>
<td>Commercial - Metal Framed Door and Windows</td>
</tr>
<tr>
<td>Roll Up Doors</td>
<td>None</td>
</tr>
</tbody>
</table>

### Interior

<table>
<thead>
<tr>
<th>Floors:</th>
<th>Vinyl, Tile, Carpeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walls:</td>
<td>Gypsum</td>
</tr>
<tr>
<td>Ceiling:</td>
<td>Gypsum, Suspended</td>
</tr>
<tr>
<td>Ceiling Height:</td>
<td>Typical</td>
</tr>
<tr>
<td>Basement:</td>
<td>Full Basement Utilized for mechanicals and storage</td>
</tr>
</tbody>
</table>

### Mechanical

<table>
<thead>
<tr>
<th>Heating:</th>
<th>Gas Fired Forced Warm Air</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooling:</td>
<td>Separate system for each unit</td>
</tr>
<tr>
<td>Plumbing:</td>
<td>Public Water &amp; Sewer - Combination Copper and PVC Piping</td>
</tr>
<tr>
<td>Fire Protection:</td>
<td>Smoke Detectors, Wet Sprinkler System, Fire Suppression System</td>
</tr>
<tr>
<td>Electrical:</td>
<td>Service is considered adequate for the subjects current use</td>
</tr>
<tr>
<td>Elevators:</td>
<td>Two passenger elevators</td>
</tr>
</tbody>
</table>
### Improvement Ratings

<table>
<thead>
<tr>
<th>Quality:</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condition:</td>
<td>Average</td>
</tr>
<tr>
<td>Functional Utility:</td>
<td>Average</td>
</tr>
</tbody>
</table>

### Furniture, Fixtures and Equipment (FF&E)

This appraisal excludes any valuation of FF&E and only provided an appraisal of the real estate only.

### Comments

The subject consists of a Class C, three-story, vacant office building containing a gross building area of 35,225 square feet, circa 1913 with an addition in 2000. The site contains 2.23 acres and provides for 149 on-site parking spaces. The building was recently vacated by the Visiting Nurse Association of New Jersey who is relocating their headquarters outside of Red Bank. The subject property is currently under contract of sale for $8,125,000. The buyer intends to lease up the space on an interim basis with future plans to eventually redevelop the site into multifamily housing. The subject is considered functional for its present use and there were no major items of deferred maintenance observed at the inspection.
APPENDIX K – Report from Red Bank Green
The pumps at Raceway gas station are gone, but the landlord says a new dealer will open within weeks. (Photo by Dustin Racioppi; click to enlarge)

By DUSTIN RACIOPPI

Sometimes there are no last-minute deals or neon signs signaling a business’s end. It’s like, one day you’re gassing up the car and the next, the pumps are gone. Or you go for a slice and the doors are locked.

And you wonder, what happened?

Such is the case in Red Bank.

Red Bank Pizza’s closing is still a mystery. (Photo by Dustin Racioppi; click to enlarge)

In recent weeks, two Bridge Avenue businesses have quietly closed shop, leaving many to wonder why. redbankgreen only has the answer to one of them: Raceway gas at the tip of Bridge Avenue, just before the Navesink separates Red Bank and Middletown.

The property’s landlord, who did not want to give his name for this story, said the lease with Raceway ran out and was not renewed. The company, which operated in Red Bank for 20 years, pulled its pumps out last week, leaving only two gas dealers within the town’s borders both at the corner of Shrewsbury Avenue and Newman Springs Road.

A new gas retailer is in line to move in, gunning to resume pit stop ops by next week, he said.

A sudden departure down the street is still a mystery, though.
Bobby Chiafullo, after a two-year hiatus from the Red Bank pizza party, returned in late October with great expectations to resurrect his family’s pizza business, and added a bistro element to the upper floor, giving the idea that he was back for good. But within days, the business was gone, without explanation. Phone calls to Chiafullo’s other business, Chiafullo’s Navesink Pizza, have not been returned.

Posted on December 1, 2010 at 7:42 am, filed under Business, Food and Drink, MIDDLETOWN, PieHole, Restaurants and tagged bobby chiafullo, raceway gas, red bank nj, red bank pizza. Bookmark the permalink. Follow any comments here with the RSS feed for this post. Trackbacks are closed, but you can post a comment. Email this story.