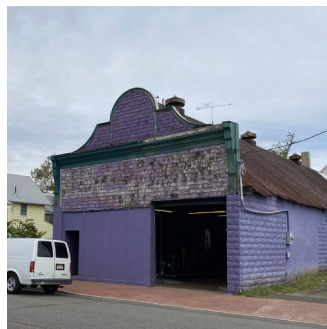


AREA IN NEED OF REDEVELOPMENT STUDY
CENTRAL BUSINESS DISTRICT | **BOROUGH OF HIGHLANDS, NEW JERSEY**



Area in Need of Redevelopment Study
Central Business District
Borough of Highlands, New Jersey

July 8, 2021

Prepared for:
The Borough of Highlands Land Use Board

Prepared by:
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The original of this report was signed and
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I. INTRODUCTION

This study examines whether certain properties in the Borough of Highlands, Monmouth County, New Jersey, meet the statutory criteria for designation as an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-1, et seq. The study was prepared for the Borough of Highlands Land Use Board, pursuant to a resolution adopted by the Mayor and Council of the Borough of Highlands. The area under consideration is comprised of 155 parcels on portions of 31 tax blocks known as Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114 (heretofore referred to as the “Study Area”) in the eastern section of the Borough. The Mayor and Council resolution authorized this study to be prepared for the Land Use Board to determine whether the Study Area qualifies as a “Non-Condemnation Redevelopment Area” as specified in the LRHL at N.J.S.A. 40A:12A-6.

The scope of work for the study encompassed the following: surveys of land uses and property conditions, occupancy and ownership status within the Study Area and nearby areas; review of municipal tax maps and tax records of the Borough of Highlands; review of zoning, health, property maintenance and related violations, development applications and approvals, building and demolition permit activity, and police activity logs for Study Area properties; review of deed records where applicable; review of the existing zoning ordinance and map for the Borough of Highlands; and review of the Borough of Highlands’ Master Plan.

The remainder of this report is divided into four sections. Chapter II describes the existing conditions and locational context of the parcels under consideration for redevelopment area status, while Chapter III discusses the applicable zoning and master plan recommendations for the area, along with other relevant planning efforts. Chapter IV considers the appropriateness of the Study Area boundaries, sets forth the statutory criteria used to determine whether an area is in need of redevelopment, and then applies those criteria to the Study Area to determine whether they warrant a redevelopment designation. Chapter V presents the overall conclusions regarding the Study Area’s potential for redevelopment area status. The Appendices include documents obtained from the Borough supporting the information in this study and photographs of the Study Area properties.

II. EXISTING CONDITIONS IN THE STUDY AREA

The area under consideration for Non-Condemnation Redevelopment Area designation encompasses parts of 31 tax blocks located in the eastern section of the Borough of Highlands. The Study Area includes a portion of the parcels on Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114, as identified on the official tax maps of the Borough of Highlands, listed in Table 1. The street address, ownership information, and area of the 155 parcels which comprise the Study Area are also shown in Table 1. Any discrepancies between the list in Table 1 and the block/lot information provided in the Borough tax assessor's records (dated June 22, 2021, see Appendix D2) are noted in the individual property evaluations, where applicable.

Table 1: Study Area Properties

Block	Lot	Address	Owner	Area± (acres)
40.01	21.01	40 WEST NORTH STREET	HIGHLANDS BORO	0.22
40.01	21.02	42 WEST NORTH STREET	BOROUGH OF HIGHLANDS	0.33
40.01	22.01	38 WEST NORTH STREET	BOROUGH OF HIGHLANDS	1.69
41	2.01	57 BAY AVENUE	BASKET, JOSEPH	0.13
41	3	59 BAY AVENUE	BEHAN, MICHAEL, CRAIG W & SUELLEN	0.06
41	4	61 BAY AVENUE	61 BAY AVENUE LLC	0.14
41	5	65-67 BAY AVENUE	SMITH, MURRAY T.	0.14
41	6	69-71 BAY AVENUE	KOEPPPEL, RICHARD J & JOSEPH W	0.08
41	7	30 SECOND STREET	30 SECOND STREET, LLC	0.06
41	8	75 BAY AVENUE	SWANTON, JAMES & BARBARA	0.21
41	9	BAY AVENUE	DOUTY, DOUGLAS & BAYARD	0.21
41	10	85-87 BAY AVENUE	AMERICAN LEGION	0.14
41	13.01	95-99 BAY AVENUE	MCKAY HOLDINGS LLC	0.42
42	1	60 BAY AVENUE	CAHILL, DAVID	0.15
42	10	88 BAY AVENUE	DOUTY, DOUGLAS & BAYARD	0.16
42	12.01	84 BAY AVENUE	RICCIARDONE, BRIAN	0.19
42	13	78 BAY AVENUE	WEST, CARL	0.13
42	14	74 BAY AVENUE	TRI STATE REALTY, LLC	0.10
42	15	68 BAY AVENUE	SHARKEY, HUGH & MARY	0.04
45	4.01	102 BAY AVENUE	PMIG DPNJ LLC C/O PETROL.MRKT.GRP	0.26
45	6.01	98 BAY AVENUE	BAY AVENUE VENTURES LIMITED LIABILI	0.19
45	7	92 BAY AVENUE - KAY STREET	TRI-STATE REALTY, LLC	0.08
46	1	103-107 BAY AVENUE	ARBORS INVESTMENT GROUP LLC	0.28
46	2	111 BAY AVENUE	111 BAY AVENUE PROPERTIES, LLC	0.14
46	3	123 BAY AVENUE	BAY AVENUE VENTURES LLC	0.41
46	4	125 BAY AVENUE	125 BAY AVE, LLC	0.28
46	5	139 BAY AVENUE	THE DAVIS FAMILY, LLC	0.12
46	6	141 BAY AVENUE	BAY AVENUE VENTURES LLC	0.16
46	7	143 BAY AVENUE	143 BAY LLC % DINAMI PARTNERS	0.14
46	8	BAY AVE & WEST NO ST	SHANNON ENTERPRISES LLC	0.12
47	6	132 BAY AVENUE	132 BAY AVE, LLC	0.07
47	7	130 BAY AVENUE	KOCHANIK, ELIZABETH ANNE	0.07
47	8	128 BAY AVENUE	128 BAY AVE, LLC	0.05

47	9	126 BAY AVENUE	126 BAY AVENUE LLCC/O GOLDSTEIN	0.06
47	10	124 BAY AVENUE	BOROUGH OF HIGHLANDS	0.06
47	11	122 BAY AVENUE	M&L DANGELO LLC	0.06
47	12	120 BAY AVENUE	HINLICKY, MARK	0.17
52	1	CORNWALL ST & BAY	BOROUGH OF HIGHLANDS	0.06
52	2	140 BAY AVENUE	BRASWELL, KENNETH R & CARLA CEFALO	0.06
53	1	MILLER ST	BOROUGH OF HIGHLANDS	0.38
53	2	65 MILLER STREET	HALSTED, RICHARD & CATHERINE	0.30
53	3	9 WEST NORTH STREET	SHEA, WILLIAM J	0.17
53	4	7 NORTH STREET	HAMMER, ROBERT W & ANN	0.10
53	5	63 MILLER STREET	CIRECO, STEPHEN	0.06
53	6	BAY AVE & MILLER ST	K-H PROJECTS, LLC	0.04
53	7	BAY AVENUE	KELLY,TOM/K-H PROJECTS,LLC	0.02
53	8	157 BAY AVENUE	SPICE PROPERTIES LLC	0.05
53	9	151 BAY AVENUE	BAY AVENUE PROPERTIES, LLC	0.04
54	1	150 BAY AVENUE	SOYKA, HELEN (ESTATE)	0.29
54	3.01	146-148 BAY AVE	CIRECO, STEPHEN	0.08
54	4	144 BAY AVENUE	CONSIGLIERE, LLC	0.10
54	5	38 NORTH STREET	FLANNERY, JOHN M. & DANIELLE A.	0.06
54	7.01	49 MILLER STREET	LDN REAL ESTATE, LLC	0.30
58	1	154 BAY AVENUE	TKB PROPERTIES LLC	0.09
58	3.01	50 MILLER STREET	BORROMEO, TYRONE D & CECILE A	0.08
58	17.01	192 BAY AVENUE	BAY AVENUE VENTURES, LCC	0.10
58	18	190 BAY AVENUE	PRINCE, LOUIS PRINCE, NANCY	0.06
58	19 (& 20) ¹	188 BAY AVENUE	TRI-STATE REALTY, LLC	0.11
58	23.01	182 BAY AVENUE	DOCSIDE, LLC	0.16
58	24	170 BAY AVENUE	HELLER PROPERTY PARTNERS, LP	0.07
58	25	168 BAY AVENUE	YEUNG, SAU WAN	0.06
58	26	164 BAY AVENUE	ANDREW APARTMENTS,LLC C/O A FRANK	0.07
59	5	SECOND ST	BOROUGH OF HIGHLANDS	0.12
59	6	SECOND TO MILLER	BOROUGH OF HIGHLANDS	0.16
59	8	66 MILLER STREET	TOWIE LLC	0.08
59	9	165 BAY AVENUE	165 BAY HOLDINGS LLC	0.07
59	10	171 BAY AVENUE	BOROUGH OF HIGHLANDS	0.28
59	11.01	181 BAY AVENUE	BAY AVE PROEPRTY MANAGEMENT LLC	0.17
59	11.02	179 BAY AVENUE	EMBRY, GEOFFREY & CARROZZA, MARIA	0.09
59	13.01	187 BAY AVENUE	BADRICK, GARY & CRAIG & STEVEN	0.11
59	14	191 BAY AVENUE	DAVECAROL PROEPRTIES, LLC	0.05
59	16.01	193-195 BAY AVENUE	SIGMAN REAL ESTATE PARTNERS LLC	0.09
63	4	VALLEY STREET	GIUNTA, AGATINO & ALESSANDRA	0.11
63	5	197 BAY AVENUE	GIUNTA, AGATINO & ALESSANDRA	0.06
63	6	203 BAY AVENUE	GIUNTA, AGATINO & ALESSANDRA	0.06
63	7	205 BAY AVENUE	35PPT, LLC	0.06
63	9.01	207 BAY AVENUE	BAY BREEZE PROPERTIES LLC	0.11
63	10	211 BAY AVENUE	ADAMS, MICHAEL & KIMBERLY	0.06
63	11	213 BAY AVENUE	CARAMANICIA, ANTHONY	0.06
63	13.01	215 BAY AVENUE	WENRICH, GLEN & DECICCO, AIMEE	0.11

63	14	219-221 BAY AVENUE	MCAULIFFE, JOHN	0.06
63	15	219-221 BAY AVENUE	MCAULIFFE, JOHN	0.06
63	16	225 BAY AVENUE	KNOX, ROBERT M	0.14
63	17	227 BAY AVENUE	DEVANEY, JOHN & DOROTHEA & KEVIN, M	0.08
63	19.01	231 BAY AVENUE	231 BAY AVENUE ASSOCIATES, LLC	0.23
64	1	196 BAY AVENUE	HIGHLANDS COWORK LLC	0.09
64	2	208 BAY AVENUE	RKGG REALTY, LLC	0.09
64	17	230 BAY AVENUE	CARD, RUSSELL	0.11
64	18	228 BAY AVENUE	ROSE, JENNIFER	0.06
64	19	226 BAY AVENUE	DEPALMA, DAVID J & DANIELLE RAIMONDO	0.08
64	20	222 BAY AVENUE	MAXSON, RICHARD MATTHEWS	0.08
64	21	218 BAY AVENUE	SHANNON ENTERPRISES LLC	0.06
64	22	218 BAY AVENUE	PEERS, RANDOLPH A & ROMAN, DEBORAH	0.06
64	23	216 BAY AVENUE	VOLKERT, HERBERT C & CECELIA	0.06
64	24	214 BAY AVENUE	YHH REALTY LLC	0.11
64	25	210 BAY AVENUE	210 BAU AVENUE LLC	0.06
64	28.01	208 BAY AVENUE	SAINI, BHUPINDER S.	0.17
69	1	234 BAY AVENUE	LIB. PROPERTY MAN.C/O L.LUTTRELL PC	0.17
69	2	238 BAY AVENUE	NILL, KAREN L.	0.07
69	4.01	242 BAY AVENUE	242 BAY AVENUE, LLC	0.15
69	5	29 ATLANTIC STREET	MARESCA, PHILIP & HELEN	0.06
69	6	29 ATLANTIC STREET	MARESCA, PHILIP & HELEN	0.06
70	1	233 BAY AVENUE	KEEGAN, AMANDA	0.07
70	2	235 BAY AVENUE	U.S. BANK TRUST, NA, TRUSTEE	0.08
70	3	237 BAY AVENUE	PITTENGER, WILLIAM & BELL, MAXINE	0.06
70	15	239 BAY AVENUE	YOUNG, CALVIN A	0.06
70	16	241 BAY AVENUE	ROBERTON, LIAM	0.06
70	17	245 BAY AVENUE	FLYNN, MICHAEL	0.06
71	4	247 BAY AVENUE-ATLANTIC STREET	DOMINGS, BARBARA K	0.06
71	5	249 BAY AVENUE	DOMINGS, BARBARA K	0.07
71	6	251 BAY AVENUE	DOHERTY, JARLATH & WILKINSON, PAUL	0.07
72	1	28 ATLANTIC STREET	NAVISTA ENTERPRISES, LLC	0.12
72	2	BAY AVENUE	BURTON, ROBERT	0.06
72	11.01	270 BAY AVENUE	270 BAY AVENUE LLC C/O KEFALONITIS	0.11
72	12	272 BAY AVENUE	CERBANTES, LEONEL	0.05
73	2	SEADRIFT AVENUE	CERVANTES, LEONEL	0.16
74	1	273 BAY AVENUE	CHESBRO, JAMES B.	0.11
74	8.01	83 BARBARIE AVENUE	RIPRAPS, LLC	0.07
74	9	277 BAY AVENUE	RIPRAPS, LLC	0.11
75	1	274-276 BAY AVENUE	GRAM RIVER DRIVE, LLC	0.17
75	17	282 BAY AVENUE	CLARK, EVELYN ROSE	0.06
75	18	284 BAY AVENUE	CLARK, EVELYN ROSE	0.11
80	1	286 BAY AVENUE	CONRAD, DONNA MARIE	0.06
80	2	288 BAY AVENUE	HUVANE, MARTIN & GENEVIEVE	0.03
80	20	294 BAY AVENUE	TROCCOLI, MICHELLE E	0.07
80	21	292 BAY AVENUE	MAIN %LINDA GRAYBILL	0.06

80	22	290 BAY AVENUE	SERVIDIO, FRANK PETER JR	0.06
81	1	285 BAY AVENUE	KENNY, PAUL	0.06
81	2	287 BAY AVENUE	HORNIACEK, JAMES & DAWN	0.06
81	10.01	295 BAY AVENUE	VALINOTI, JR., JOSEPH	0.13
81	12	289 BAY AVENUE	ARJIKA PROPERTY INC	0.11
82	1.01	297-299 BAY AVENUE	ICE HOLDINGS, LLC	0.13
82	6.01	BAY & HUDDY AVE	BAY AVENUE DEVELOPERS, LLC	0.16
83	1 (& 14) ¹	300 BAY AVENUE	SHANNON ENTERPRISES LLC	0.37
88	1.01	311 BAY AVENUE	RESCH, ALLEN & GERALDINE	0.11
88	2	71 WATERWITCH AVENUE	REED, THOMAS J.	0.05
88	3	71 WATERWITCH AVENUE	REED, THOMAS J.	0.15
88	4.01	67-69 WATERWITCH AVENUE	HARBER, KENNETH	0.16
88	5	321 BAY AVENUE	PEAK CONSTRUCTION & DESIGN LLC	0.10
89	1	310 BAY AVENUE	SHANNON ENTERPRISE, LLC	0.11
89	2	58-60 HUDDY AVENUE	PENTA, VINCENT & ELIZABETH	0.16
89	13.01	65 WATERWITCH AVENUE	PENTA, VINCENT & ELIZABETH	0.28
94	1	BAY & WATERWITCH AVENUES	326 BAY LLC	0.11
94	15 (15.02 & 15.03)	69-71 SNUG HARBOR AVE	ELLITHY, BELAL & NANCY/DUBINSKIY, VICTOR & ELLEN	0.14
94	16	326 BAY AVENUE	TAKIAN, RANDY & KRIKORIAN, MARGOT	0.06
95	1	WATERWITCH & BAY AVENUE	BOROUGH OF HIGHLANDS	0.51
96	1	331 BAY AVENUE	VETERANS OF FOREIGN WARS	0.33
96	2.01	171 BAY AVENUE	BOROUGH OF HIGHLANDS	0.15
96.01	2.01	BAY AVENUE	BOROUGH OF HIGHLANDS	0.25
96.01 (96)	3	409 BAY AVENUE	OAK PARK GROUP, LLC ATTN:T.CALABRESE	0.12
114	1.01	SHORE DRIVE	VALLEY NATIONAL BANK	0.35
114	1.02	SHORE DRIVE	VALLEY NATIONAL BANK	0.09
114	3.02	SHORE DRIVE	VALLEY NATIONAL BANK/BOROUGH OF HIGHLANDS	0.20
Total Area				20.64²

Sources: Monmouth County Open Public Records System, NJDEP Land Use Screening Report and area measurement tool, Borough Tax Maps.

Notes:

¹ Properties have been combined when records combine their ownership and area information.

² Approximate area due to rounding.

The Study Area locational context and boundaries are shown on Figure 1. The total area of the Study Area is approximately 20.64 acres. The Study Area is defined by the boundaries of the CBD zone as adopted on the Zoning Map by Ordinance 18-22 in December of 2018, which generally follows the north and south sides of Bay Avenue, and certain properties on both South Second Street and Shore Drive. The tax lots which comprise the Study Area are shown on Figure 2. The aerial context of the Study Area is shown on Figure 3.

The Study Area properties are described in more detail in Chapter IV. Existing land uses include commercial, residential (one to four family), residential apartment, public property, municipal parks, a religious institution, a social institution, surface parking lots, and vacant, unimproved land. Land uses within the vicinity of the Study Area are varied and include a mix of residential and nonresidential uses. The area across Shore Drive from the Study Area to the southwest consist primarily of residential uses. Properties to the northeast and southwest of the Study Area are primarily residential.

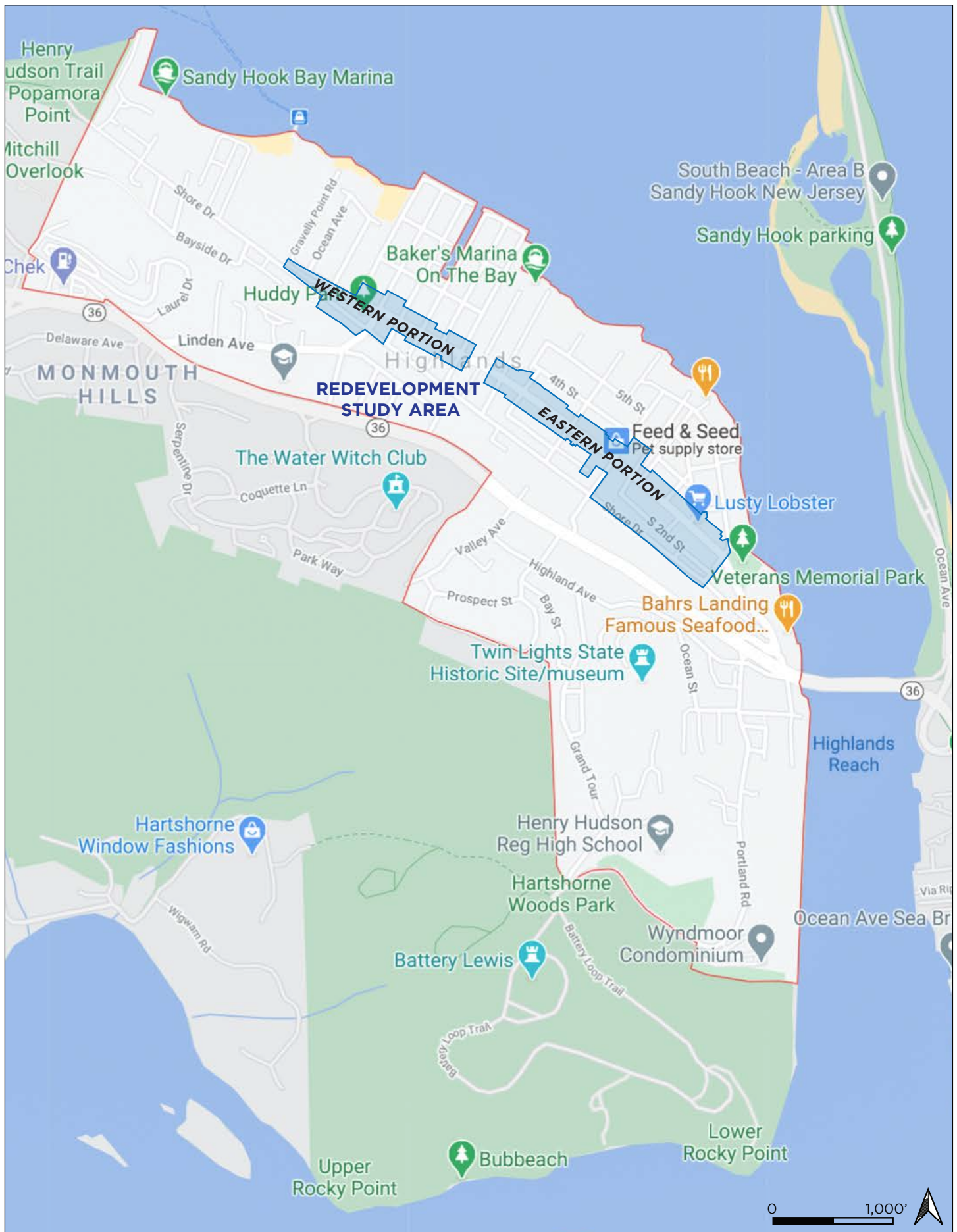


FIGURE 1: LOCATIONAL CONTEXT

EAST END/EASTERN CENTRAL BUSINESS DISTRICT STUDY AREA | BOROUGH OF HIGHLANDS, NJ

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

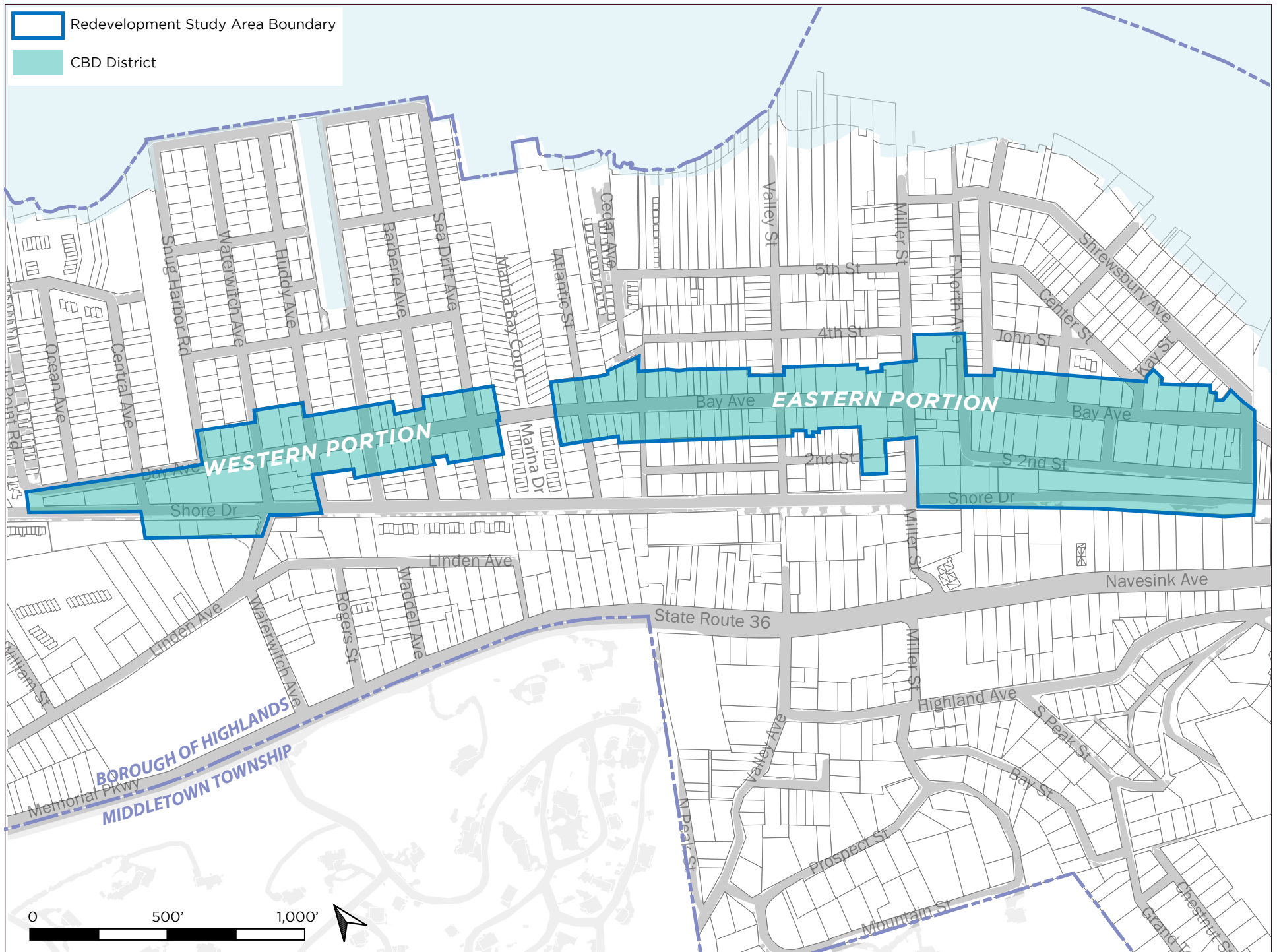


FIGURE 2: REDEVELOPMENT STUDY AREA | BOROUGH OF HIGHLANDS, NJ

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

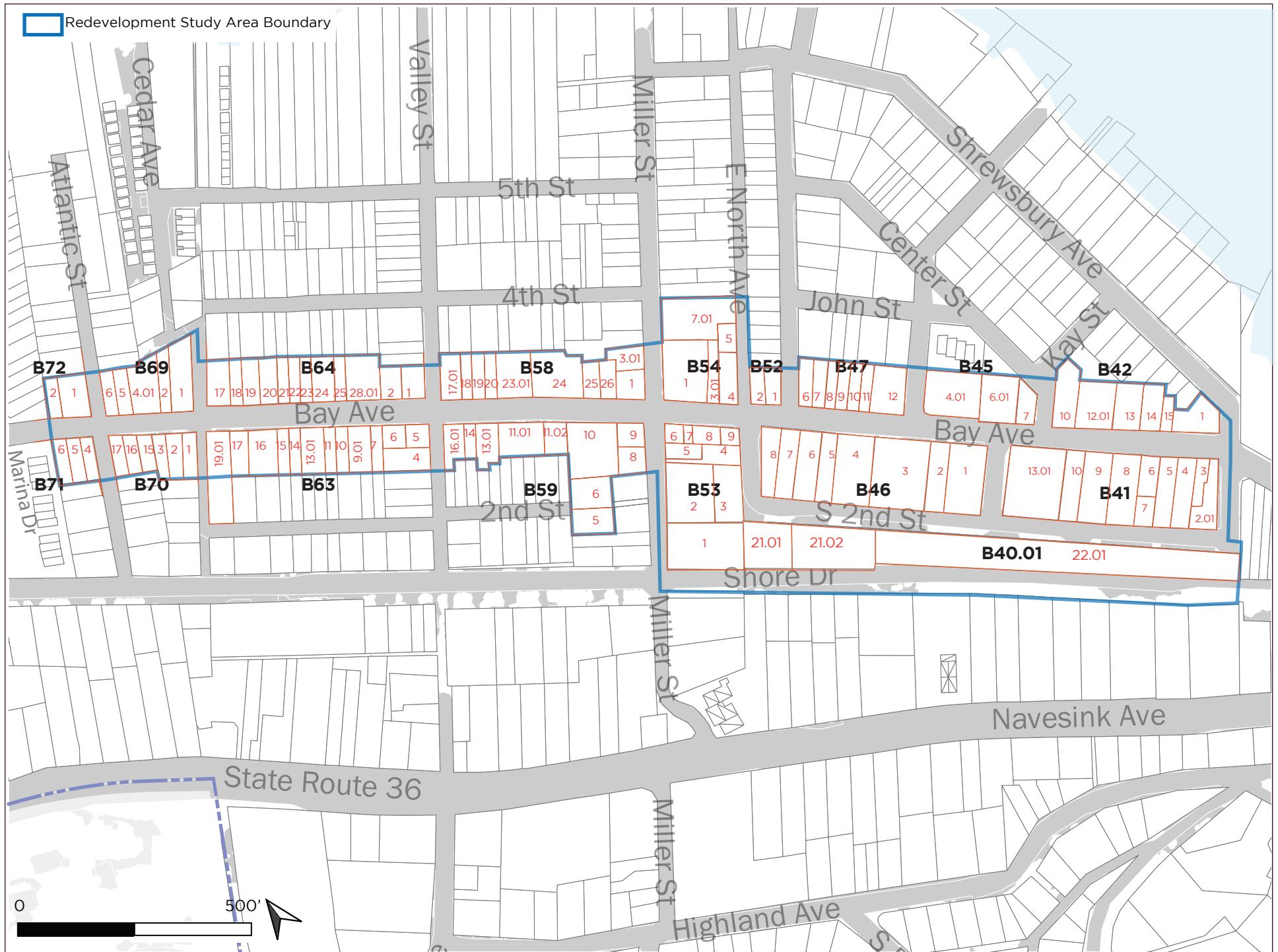


FIGURE 3A: TAX LOTS WITHIN THE STUDY AREA: EASTERN SECTION | BOROUGH OF HIGHLANDS, NJ

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

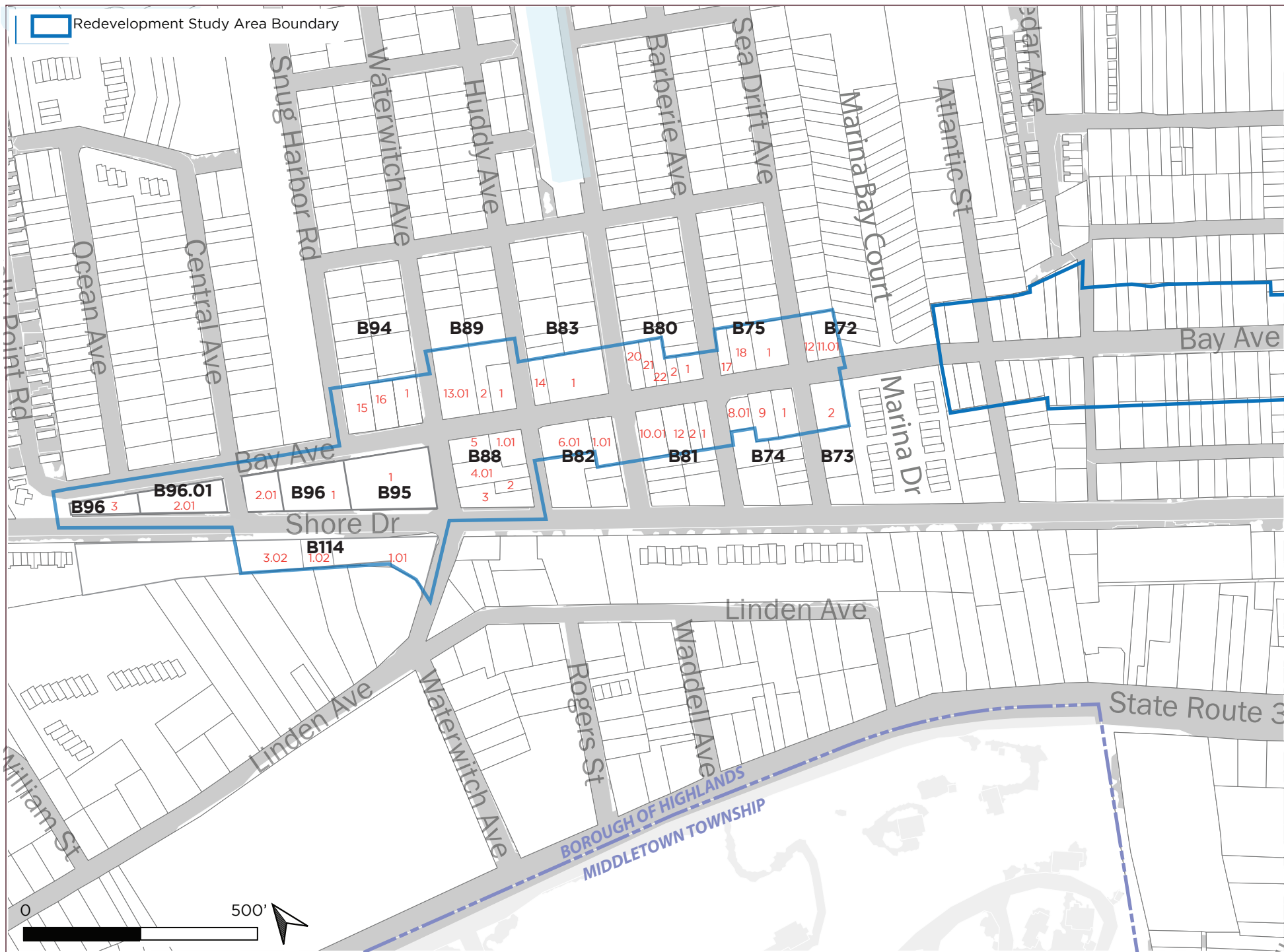


FIGURE 3B: TAX LOTS WITHIN THE STUDY AREA: WESTERN SECTION | BOROUGH OF HIGHLANDS, NJ

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FIGURE 4A: REDEVELOPMENT STUDY AREA AERIAL CONTEXT: EASTERN SECTION | BOROUGH OF HIGHLANDS, NJ
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FIGURE 4B: REDEVELOPMENT STUDY AREA AERIAL CONTEXT: WESTERN SECTION | BOROUGH OF HIGHLANDS, NJ
PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

III. EXISTING PLANNING AND ZONING

A. Master Plan

The Borough of Highlands has completed several plans and studies which attempt to address an ongoing lack of investment and business activity in the Borough, particularly on the Bay Avenue commercial corridor. These problems were noted prior to the destruction brought about by Superstorm Sandy but were exacerbated after the storm. The Borough has recommended a series of strategies to revitalize the Bay Area commercial corridor in recent years, several of which have been implemented. A previously untapped recommendation is to investigate the designation of eligible properties as areas in need of redevelopment to encourage a rebirth of the commercial corridor.

The Borough of Highlands' most recent comprehensive Master Plan was adopted in 2004. To promote economic development in the downtown, the 2004 Master Plan recommended "investigating the potential for redevelopment within the downtown to address problems, identify opportunities and provide a guide for future reinvestment," and "[a]ssembling sites that can be offered for new business development," among other strategies. At the time of writing the 2004 Master Plan, the Study Area roughly corresponded to the boundaries of the B-2 Central Business District, which was intended to "accommodate a higher density concentration of retail, service, office and entertainment uses than other commercial districts in the Borough."

A reexamination of the 2004 plan, along with a land use plan element, was adopted in 2009. The 2009 Master Plan Reexamination recommended several changes to the Borough's Development Regulations for the B-1 Neighborhood Business District and the B-2 Central Business District, which generally comprised the east and west ends of Bay Avenue and Shore Drive. The recommended changes related to flooding, parking, permitted uses, bulk requirements, and design to advance the Borough's goal to "[s]trengthen commercial districts, especially the Bay Avenue Central Business District."

The current Master Plan document consists of a reexamination report and amendments, which were adopted by the Borough's Land Use Board on December 27, 2016 ("the 2016 Master Plan Update"). The 2016 Master Plan Update "places special emphasis on facilitating recovery from Superstorm Sandy's impacts, as well as promoting resiliency to future storm impacts and other potential natural hazards." The plan describes the impact of Superstorm Sandy on the Borough:

Superstorm Sandy struck the coast of New Jersey on October 29, 2012, and caused extensive damage to the Borough of Highlands from both storm surge and wind damage. Approximately 1,250 homes within the Borough were damaged or destroyed as well as over 60% of all Borough businesses. All of the Borough's sewage pump stations went offline due to floodwater inundation and/or power system failure. Trees and power lines throughout the Borough fell, in many cases damaging buildings and homes. (pp. 23)

The 2014 Strategic Recovery Planning Report further noted that "14 downtown restaurants were destroyed, of these, six remain closed." The 2016 Master Plan Reexamination addressed the lack of business investment and activity in the downtown, stating that this "ongoing concern... was only exacerbated by the impacts of Superstorm Sandy."

The 2016 Master Plan Update contains significant discussion about the Study Area. In particular, it recommended elimination of the B-1 and B-2 districts and overlay zones, and establishment of a unified CBD Central Business District (CBD) zone "to better accommodate the desired uses for the downtown area [and to] minimize nonconformities and reduce the number of variances that may be required to encourage redevelopment in underutilized lots and areas damaged by Superstorm Sandy

or that may be damaged in future storm events.” The 2016 Master Plan Update recommended that the new CBD zone be governed by a form-based code to “ensure all redevelopment occurs in a manner that is consistent with the image and character of the Borough.” The 2016 Master Plan Update assured consistency with past plans, noting that “many of the recommendations from the 2009 Report will be integrated into the new zone district.” It recommended that the downtown’s building design and streetscape features should “promote[] and emphasize[] the nautical, seaside, small town nature of Highlands.” In addition to the creation of a new CBD zone, the 2016 Master Plan Update recommended allowing parking as a conditional use in business districts outside of the waterfront to encourage “more opportunities for innovative parking arrangements.” The plan also recommended that residential uses be permitted on all floors above the ground level in mixed-use buildings. In terms of redevelopment, the 2016 Master Plan Update recommended that “[r]edevlopment studies should include the waterfront, downtown neighborhoods, and the Miller Street corridor.”

The Borough amended its Development Regulations to remove reference to the B-1 and B-2 districts and overlays, create reference to the CBD zone, and update permitted uses in the zone, including allowing parking as a permitted conditional use in the CBD zone (see Ordinance 18-01, adopted in February of 2018, and Ordinance 18-06, adopted in May of 2018). No new regulations were adopted related to permitting residential uses on the upper floors of mixed-use buildings.

The most recent Zoning Map was adopted by Ordinance 18-22 in December of 2018, which established the Central Business District (CBD) zone and demarcated it “along Bay Avenue from South Street to the VFW and along Miller Street from Bay Avenue to the Waterfront to replace current existing zoning and overlay districts; with the exception of the existing Multi-Family Zone District located along Marina Bay Court.” The Study Area is entirely within the CBD zone. A Form-Based Code and Design Guidelines document for the CBD zone was prepared in May of 2019 but has not yet been adopted.

Since the 2016 Master Plan Update, area in need of redevelopment investigations and plans were adopted for the Captain’s Cove Marina and the Shadow Lawn Mobile Home Park, in 2018. No area in need of redevelopment investigations have been conducted for areas within the CBD zone.

A full list of the 2016 Master Plan Update Goals & Objectives related to commercial land uses and economic development/redevelopment can be found in the publicly-available 2016 Master Plan Reexamination Report..

B. Other Planning Documents

There have been a number of plans and studies for the Study Area:

- Central Business District Design Manual, undated
- Intraborough Bicycle Plan, June 2011
- Highlands Recovery Plan, 2013
- Rutgers Bloustein School Studio Report, Spring 2014
- “Getting to Resilience” Recommendations Report, June 2014
- Strategic Recovery Planning Report, September 2014

This report identified 13 priority actions that are “most urgently needed to improve public safety, increase resistance to damage from future storms, and stimulate economic recovery’ (NJ DCA).” Of relevance to redevelopment of the Study Area, priority action #9 was to, “[u]ndertake redevelopment study(ies) and prepare plan(s) for areas determined to be in need

of redevelopment. Previous plans have recommended redevelopment efforts in several areas of the borough, including the waterfront and downtown neighborhoods. Moreover, there have also been recommendations to... elevat[e] buildings in the downtown area. All of these recommendations could be reviewed and, if feasible and acceptable, accomplished through the redevelopment planning process."

In addition, priority area #11 stated, "The [Getting to Resilience (GTR)] Report... recommends that the Borough's plans (including the Master Plan and any redevelopment plan) include explicit references and recommendations related to resiliency."

- Coastal Storm Risk Management Presentation/Briefing, March 2017
- Capital Improvement Program for 2017
- Stormwater Pollution Prevention Plan, April 2018
- Form-Based Code & Design Guidelines, May 2019 (not adopted)
- Final Integrated Feasibility Report and Environmental Assessment, Raritan Bay and Sandy Hook Bay, Highlands, New Jersey, Coastal Storm Risk Management, May 2020

This document by the U.S. Army Corps of Engineers assesses the feasibility and environmental impact of a series of intervention options to reduce flood risk between the study period of 2026 to 2076.

C. Zoning

The Study Area is located within, and is defined by the boundaries of, the Central Business District (CBD). Uses and bulk requirements permitted in the CBD zone are governed by the Borough's Development Regulations. The boundaries of the CBD zone and adjacent zoning districts in the Borough are shown on the Zoning Map adopted in December of 2018. The existing Study Area and surrounding zoning districts are shown on Figure 4. Permitted uses in the CBD zone are as follows:

1. Permitted Principal Uses.
 - a. Retail sales and services, business and personal service establishments;
 - b. Finance such as banks, savings institutions, credit unions, consumer lending, and securities brokerage;
 - c. Insurance offices such as life, health, medical carriers, claims adjusting and all other insurance related activities;
 - d. Medical and health care offices;
 - e. Restaurants, bars and taverns and other eating establishments, except drive through restaurants;
 - f. Professional, administrative and business office and services;
 - g. Recreational retail sales and service businesses related to water sports and outdoor recreation, such as, but not limited to, bicycling, fishing and surfing;
 - h. Houses of Worship;
 - i. (Reserved)
 - j. Taxi/livery/bus companies, except on parcels with frontage on Bay Avenue;
 - k. Essential services as defined in this chapter;
 - l. Offices and facilities for municipal, County, State and Federal government;
 - m. Art, handicraft studios/workshops and galleries and craft stores;
 - n. Microbreweries and distilleries;
 - o. Pool halls;
 - p. Home furnishing stores;

- q. Music, ballet and dance studios;
 - r. Hardware, plumbing and electric supply sales;
 - s. Health and fitness studios including spa services;
 - t. Existing single-family homes; and
 - u. Residential above the first floor.
2. Permitted Accessory Uses: Off street parking areas; Uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses.
3. Conditional Uses:
- a. Bed and Breakfasts;
 - b. Hotels; and
 - c. Parking as a principal use.
4. Area and Bulk requirements as shown in Schedule I and below.
- a. Side yards. No side yard is required adjacent to the properties in the CBD zone, however, if any is to be provided, it shall be at least five (5) feet. Any side yard which serves as a boundary between that lot and any residence zone shall be at least five (5) feet and shall contain buffering in accordance with the requirements of this section.
 - b. For any building containing residential uses, outdoor living space shall be provided, at the rate of one hundred (100) square feet per unit, plus fifty (50) square feet per bedroom. This space may be provided either at ground level or directly adjacent to the unit in the form of decks and/or roof top terraces. The area provided shall be private, for the exclusive use of the residential terrace and shall be sufficiently screened or otherwise designed to insure that privacy and exclusive use.

Table 2 lists the use and bulk regulations for this district:

Table 2: Central Business District Bulk Regulations

CATEGORY	REQUIRED
Minimum lot area	-
Minimum lot frontage/width	-
Minimum lot depth	-
Minimum front yard setback	0 ft.
Minimum side yard setback	0 ft.
Minimum side yard setback, if provided or if adjacent to residential zone	5 ft. ¹
Minimum rear yard setback	12 ft.
Maximum height	36 ft. ²
Maximum lot coverage	80%
Maximum building coverage	35%
Floor area ratio (FAR)	0.65

Table Notes:

¹ The required side yard setback adjacent to a residential property shall contain buffering.

² Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2½) feet.

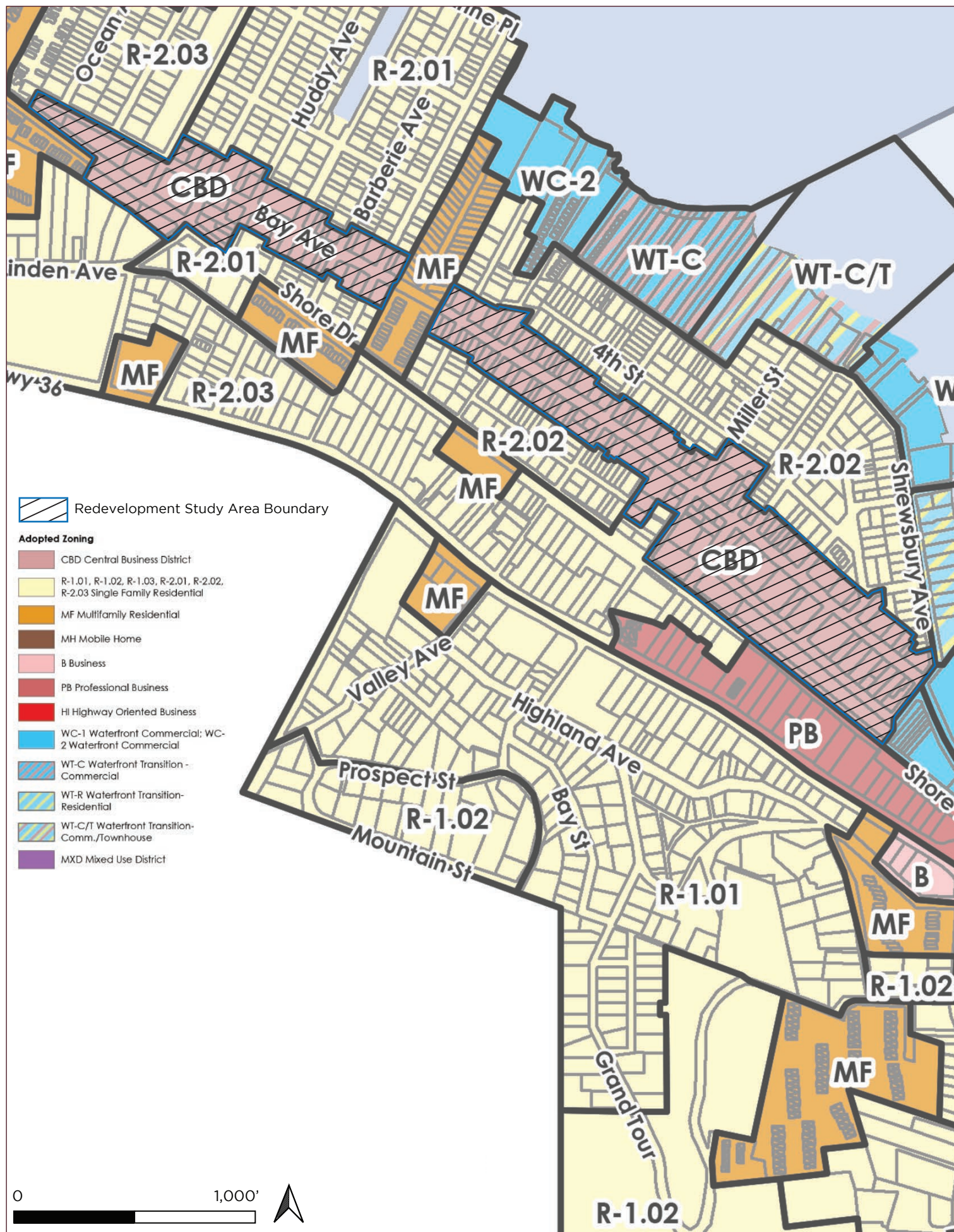


FIGURE 5: EXISTING ZONING OF THE REDEVELOPMENT STUDY AREA | BOROUGH OF HIGHLANDS, NJ

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IV. CONSIDERATION OF THE STATUTORY CONDITIONS FOR ESTABLISHMENT OF AN AREA IN NEED OF REDEVELOPMENT AS APPLIED TO THE STUDY AREA

A. Introduction

Under the regulations of the LRHL at N.J.S.A. 40A:12A-5, a delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in Section 6 of P.L.1992, c.79 (N.J.S.A. 40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of 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 areas 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 a study area with multiple parcels, individual properties or blocks that do not meet any of the statutory conditions may still be included within an area in need of redevelopment provided that within the study area as a whole, one or more of the expressed conditions are prevalent. This provision is referred to as “Section 3” and is set forth under N.J.S.A. 40A:12A-3, which states in part:

A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part.

The following section describes the particular Study Area boundaries and improvements within the Study Area, and considers whether or not the statutory criteria for an “area in need of redevelopment” designation are met.

B. Individual Property Evaluations

The following evaluates the current conditions within the Study Area and considers whether this area meets any of the statutory criteria for an “area in need of redevelopment” designation. For the purposes of this evaluation, each individual property was evaluated based on surveys of land usage, property conditions, occupancy, and ownership status.

The following information was requested from the Borough for the Study Area parcels, although data was not always available or provided:

- Inspection or other records indicating flood damage and its extent, at least since October 2012;
- Property tax records for certain properties;
- Current tax delinquencies/arrearages;
- Police reports over the last 5 years (only those related to property issues);
- Health, maintenance, fire and related code violations over the last 5 years;
- Building/demolition permits over the last 5 years;
- Certificates of Occupancy over the last 5 years;
- Planning/Zoning Board applications/approvals over the last 5 years;
- Inspection records related to flood damage; and
- Any properties deemed by the local Construction Code Official to constitute an “imminent hazard.”

The appendices include documentation obtained from the above request and photographs illustrating existing conditions in the Study Area.

Block 40.01, Lot 21.01

Address:	40 West North Street
Owner:	HIGHLANDS BORO
Use:	Municipal structure and parking
Zoning District:	CBD
Year Built: ¹	No data
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

The property is a through lot owned by the Borough of Highlands with 92.17 feet of frontage on South Second Street and 91.31 feet of frontage on Shore Drive. The property consists of a one-story municipal infrastructure building, a large tank structure, a permanently parked trailer, and a small parking area. The building appears to be in good/fair condition and is elevated several feet about the ground elevation. The trailer is in fair condition and is elevated slightly above the ground elevation.

The property generally slopes upward from the street rights-of-way and the eastern side lot line to the center of the property, with the building located at the highest elevation. The large tank structure is located adjacent to the eastern corner of the building and is close to the highest elevation on the property.

There is a small parking area located in the Shore Drive front yard with direct access from the roadway, a driveway located in the right (southeast) side yard that is accessible from Shore Drive, and a driveway located in the left (northwest) side yard which extends from West North Street to Shore Drive. The parking area in the front yard on Shore Drive is in good condition but does not have any pavement markings. The side right driveway is in good condition, consists of a permanently parked trailer, and provides access to the garage door of the building. In addition, a shipping container was observed in the right driveway during a site inspection in January 2021. A trash enclosure area surrounded by a white PVC fence is located in the Shore Drive front yard adjacent to Block 53, Lot 1. There is an internal sidewalk in front of the parking area facing Shore Drive, which connects to steps leading to the building entrance.

There is a concrete retaining wall on the northeast and northwest sides of the building, facing South Second Street and Block 53, Lot 1. There is a block retaining wall on the side lot line adjacent to Block 53, Lot 1. The concrete and block retaining walls flank the left driveway. A graduated block retaining wall extends from the concrete retaining wall at an angle toward South Second Street. The property is surrounded by chain link fencing on all four sides, with a gate at the right driveway. An electric utility pole and a stormwater inlet are located in the middle of the driveway between South Second Street and the parking area. There are no streetscape improvements on South Second Street or Shore Drive in front of the property.

¹ The source of all “Year Built” data is from the Monmouth County Open Public Records Search. The source of all “owner” information and block and lot corrections are from the Borough tax assessor’s records dated June 22, 2021. See Appendix D2.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.²

This parcel meets the following criteria: c, d

The northeast frontage of this municipally owned property is located at the “elbow” of West North Street and South Second Street, which limits access via this frontage. In addition, the property is bounded on two sides by other municipally owned parcels and is used for municipal purposes. Therefore, the comparative topographical challenges and poor site access make this property unlikely to be developed through the instrumentality of private capital.

The property also suffers from faulty site arrangement. The access from West North Street/South Second Street is dangerous and inefficient as there is an electric utility pole located in the middle of the driveway. The sloped portions of the property are susceptible to erosion in the case of heavy rainfall and/or storm surge. It appears that the building and large tank structure are not located above the 11-foot base flood elevation, putting them at risk for potential damage during a major flood. These factors are detrimental to the general welfare of the community.

Based on the above, Block 40.01, Lot 21.01 meets criteria “c” and “d” of the LRHL.

Block 40.01, Lot 21.02

Address:	42 West North Street
Owner:	BOROUGH OF HIGHLANDS
Use:	Municipal office, garage and parking
Zoning District:	CBD
Year Built:	No data
Stories:	One story, one story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

The property is a through lot owned by the Borough of Highlands with 129 feet of frontage on South Second Street and 155.13 feet of frontage on Shore Drive. It consists of a permanently parked trailer used as municipal office space, a municipal office storage shed, a parking lot, and a large and a small garage for DPW vehicles located to the east of the municipal office trailer. The trailer is in good condition, has an ADA-accessible ramp, and is elevated slightly above the ground elevation. The municipal shed is in good condition. The large DPW garage is in good condition, but the small garage is in poor condition, with rotting wood siding. Access to the parking lot is provided from both Shore Drive and South Second Street. The parking lot is maintained in good condition and has ADA-compliant pavement markings. Access to the DPW garages is via the DPW storage yard on adjacent Lot 22.01. There are no streetscape improvements on either Shore Drive or South Second Street. Tax records show this property has been without taxable improvements since at least 2008, the earliest date for which tax records are provided online.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

² All FEMA flood zone and base flood elevation information contained herein is via the U.S. Federal Emergency Management Agency’s (FEMA) National Insurance Rate Map (FIRM) number 34025C0088G, last revised June 20, 2018.

This parcel meets the following criteria: d

The permanently parked trailer which serves as the Borough's municipal building is overcrowded and inadequate to serve the Borough's needs. In addition, the trailer is located at a relatively low elevation within a high-risk flood zone, and is not sufficiently structurally sound to withstand flooding or storm surge. There is a reasonable risk that flooding could damage irreplaceable and potentially important municipal documents in the trailer. These factors are detrimental to the general welfare of the community.

Based on the above, Block 40.01, Lot 21.02 meets criterion "d" of the LRHL.

Block 40.01, Lot 22.01

Address:	38 West North Street
Owner:	BOROUGH OF HIGHLANDS
Use:	Municipal office, storage, and parking
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

This property is a long and narrow through lot with 832 feet of frontage on both South Second Street and Shore Drive. It is bisected by an extension of Spring Street. Several small DPW sheds, a mobile restroom trailer, and a covered materials storage structure are located throughout the lot. There are two Police office trailers to the east of the Spring Street extension.

There are two paved parking areas, each at the east and west ends of the property. The west end parking lot is accessible via both South Second Street and Shore Drive. The east end parking areas are located on the south side of South Second Street and both sides of Shore Drive and are intended for police and public parking. The east end parking area was observed to be occupied near maximum capacity during a weekday site inspection in January 2021. Police vehicle parking is located in an area blocked off with moveable barriers and signage,

In addition, there is a DPW yard on the western portion of the property, which consists of materials storage areas, garages, dumpsters, shipping containers, and utility vehicles. The DPW yard appears to be used as a work yard and storage area for DPW-related equipment and materials. The property is surrounded by chain link fencing.

The police office trailers appear to be in good condition. On-street parallel parking is provided on the north side of Shore Drive in front of the property. There are no streetscape improvements on the South Second Street side of the property.

A majority of the property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet, and the remainder of the property is within Zone X.

This parcel meets the following criteria: c, d

The land is owned by the municipality and, due to its excessively long and narrow lot dimensions and its location at the convergence of minor roadways and facing the back end of Bay Avenue buildings, is not likely to be developed through the instrumentality of private capital.

The property also suffers from faulty site arrangement. There is inefficient access to the DPW yard via gates in the chain link fencing at several locations. The arrangement of the DPW yard is unorganized and appears to consist of a random and variable arrangement of equipment, vehicles, and materials. The parking areas serving the Police Department were observed to be insufficient to meet the parking demand. These conditions are detrimental to the safety, health, morals, and welfare of the community.

The police and DPW office facilities are overcrowded in trailer buildings and are inadequate to serve the Borough's needs. In addition, the trailers are located within a high-risk flood zone, and are not sufficiently structurally sound to withstand flooding or storm surge. There is a reasonable risk that flooding could damage irreplaceable and potentially important police or DPW documents in the trailers. These factors are detrimental to the general welfare of the community.

Based on the above, Block 40.01, Lot 22.01 meets criteria "c" and "d" of the LRHL.

Block 41, Lot 2.01

Address:	57 BAY AVENUE
Owner:	BASKET, JOSEPH
Use:	Residential
Zoning District:	CBD
Year Built:	1928
Stories:	Two stories, two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a corner lot and a through lot with 19 feet of frontage on Bay Avenue, 150.65 feet of frontage on South Street, and 60.7 feet of frontage on South Second Street. This property consists of a two-story dwelling at the corner of Bay Avenue and South Street, a two-story above a concrete one-car garage at the corner of South Second Street and South Street, and a storage shed in the shared rear yard. The Bay Avenue dwelling is elevated a few feet above the ground elevation on a concrete base. The South Second Street dwelling is elevated one level. The dwellings and shed are generally in good condition with some minor signs of wear. The dirt driveway to the one-car garage is in poor condition, considering it poorly delineated and has overgrown vegetation. There were various maintenance and patio items in the shared rear yard. The yard areas are surrounded by chain link fencing on the lot frontages and wood fencing on the shared side lot line. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on South Street is in fair condition. There are no streetscape improvements on South Second Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The property suffers from a faulty site arrangement considering that two separate dwellings are provided on the same property and that the property does not provide the minimum required off-street parking to support the two dwellings.

Although the Bay Avenue dwelling is elevated a few feet, it is not elevated to account for the base flood elevation in a high-risk tidal flood hazard area. Therefore, the property is reasonably subject to a severe risk of flood hazards, including structural damage to the dwelling, damage to personal property, and potential harm to, or entrapment of, residents. As such, the site conditions are detrimental to health, safety, and welfare of the community.³

Based on the above, Block 41, Lot 2.01 meets criterion “d” of the LRHL.

Block 41, Lot 3

Address:	59 BAY AVENUE
Owner:	BEHAN, MICHAEL, CRAIG W & SUELLEN
Use:	Residential
Zoning District:	CBD
Year Built:	1908
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is an irregular shaped lot with 27 feet of frontage on Bay Avenue and consists of a two-story dwelling elevated above a one-car concrete garage and a small shed in the rear yard. The dwelling is generally in good condition with some minor signs of wear. The rear yard is surrounded by wooden fencing. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

Although the property appears to exceed the maximum lot coverage of 35 percent for the CBD zone, the dwelling has been elevated to account for the base flood elevation. As such, the property is not detrimental to the health, safety, morals, or general welfare of the community, and it does not meet any of the redevelopment criterion of the LRHL. However, the subject property is a “jigsaw” lot that

³ In addition to these concerns, which are typical in many areas of coastal New Jersey that have older housing stock in AE zones, the Highlands is particularly vulnerable to flooding. In their 2020 environmental assessment of flood mitigation strategies for Highlands, the U.S. Army Corps of Engineers states that “the surge potential is very high in Highlands during extreme coastal storms,” due to offshore topography and other meteorological factors, (pp. 38). The Shrewsbury River, Sandy Hook peninsula, and barrier beaches “act[] to exacerbate high water from Raritan Bay and Sandy Hook Bay,” including “low-lying flooded areas [that] extend[] along the entire Borough from the northwest to the southeast boundaries.” Storm surge is capable of reaching 1,500 feet inland across the entire downtown, rendering roadways impassible and limiting access to evacuation routes during severe storm events. This occurred in 2012 with Hurricane Sandy, a 190-year storm, which submerged the entire downtown corridor underwater and resulted in Bay Avenue and other roadways being impassible. Further, the U.S. Army Corps warns that “[m]any residents are dependent on present access routes. Shore Drive, Bay Avenue, and other local roads would continue to be at risk of flooding and damage from hurricanes and coastal storms over the 100-year planning horizon, which may cause a life and safety hazard to the community,” (pp. 42). Existing protective measures in Highlands Borough such as coastal bulkheads, when breached at an elevation of five feet above sea level, trap storm surge and exacerbate the duration of flooding (pp. 44). These particular conditions in Highlands Borough compound on top of the normally high risks of living within a flood zone, resulting in an especially high likelihood of severe property damage and risks to the health, safety, and general welfare of the community.

forms a rectangular shape with adjacent to Block 41, Lot 2.01, which can be designated using the redevelopment criteria of the LRHL. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario involving the adjacent Lot 2.01, which is a corner and a through lot with an irregular shape, would require accommodation of Lot 3 to promote the effective design and redevelopment of the area. As such, Lot 3 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 41, Lot 3.

Block 41, Lot 4

Address:	61 BAY AVENUE
Owner:	61 BAY AVENUE LLC
Use:	Residential
Zoning District:	CBD
Year Built:	1913
Stories:	One story, one story (both above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash and debris (5/18/17).

Property description:

The property is a through lot with 40 feet of frontage on Bay Avenue and South Second Street. This property consists of two separate one-story dwellings elevated above concrete one-car garages. The dwellings appear to be in good condition. The dwellings are situated on the southwest two-thirds of the property, while the remaining third of the property consists of open lawn area on Bay Avenue. There is a right gravel driveway from South Second Street to the southerly dwelling and a left concrete and gravel driveway extending from South Second Street to the dwelling at the center of the property. The gravel driveways are in fair condition with some overgrown vegetation, but the concrete portion of the left driveway is in cracked and in poor condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on South Second Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

The property has an unusual site arrangement considering that two one-family dwellings are concentrated on one side of the property and there is a shared front yard. However, a compliant amount of off-street parking is provided to support the two dwellings, they are elevated to account for the base flood elevation, and the buildings and site improvements are maintained in good condition. Therefore, the property is not detrimental to the health, safety, morals, or general welfare of the community, and it does not meet any of the redevelopment criterion of the LRHL. However, the property is located along a row of properties (Block 41) for which most can be designated using the redevelopment criteria of the LRHL. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of

which they are a part.” A redevelopment scenario involving the remaining properties on Block 41 would require accommodation of Lot 4 to promote the effective design and redevelopment of the area and avoid a “gap tooth” effect in the redevelopment area. As such, Lot 4 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 41, Lot 4.

Block 41, Lot 5

Address:	65-67 BAY AVENUE
Owner:	SMITH, MURRAY T.
Use:	Residential
Zoning District:	CBD
Year Built:	1943
Stories:	One story, one story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Rubbish accumulation (1/14/15); Sidewalk & driveways, Weeds, Receptacle requirements (8/1/17); Open/overflowing bins, Separation and placing for removal (3/19/19); Time for pick up, Separation and placement for pick up (3/19/19).

Property description:

The property is a through lot with 40 feet of frontage on Bay Avenue and South Second Street. The property consists of two one-story dwellings facing each street frontage and a concrete parking area in the South Second Street front yard. The Bay Avenue dwelling is located at the ground elevation, has a low, flat roof, and is in poor condition, with paint peeling and some damage to the façade. A walkway to the left of the Bay Avenue dwelling appears to be in poor condition. The South Second Street dwelling is elevated approximately five feet above the ground elevation and generally appears to be in good condition with some minor signs of wear. The front parking area appears to be in fair condition, with some overgrown vegetation. There have been several persistent property maintenance violations on the site over the past five years, primarily for excess trash accumulation and separation for pick up. The parking area does not appear to be accessible to the Bay Avenue dwelling. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on South Second Street. There is an empty decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The property suffers from a faulty site arrangement considering that two separate dwellings are provided on the same property and share a rear yard area. Although the parking area provides sufficient off-street parking spaces to support the two dwellings, there does not appear to be direct access from the parking area to the Bay Avenue dwelling. As such, the site arrangement results in an insufficient off-street parking arrangement to support the Bay Avenue dwelling.

The Bay Avenue dwelling is in poor condition and the property has experienced ongoing maintenance issues related to trash, as documented by property violations on the site. These conditions are detrimental to a vibrant commercial corridor.

The Bay Avenue dwelling is not elevated at all and the South Second Street dwelling is not elevated to account for the base flood elevation. Therefore, the property is reasonably subject to a severe risk of flood hazards, including structural damage to the dwellings, damage to personal property, and potential harm to, or entrapment of, residents. As such, the site conditions are detrimental to health, safety, and welfare of the inhabitants and community (see footnote 3).

Based on the above, Block 41, Lot 5 meets criterion “d” of the LRHL.

Block 41, Lot 6

Address:	69-71 BAY AVENUE
Owner:	KOEPPPEL, RICHARD J & JOSEPH W
Use:	Residential
Zoning District:	CBD
Year Built:	1943
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Separation and placing for pick up (2/9/16); Sidewalk & driveways, Weeds, Receptacle requirements (8/1/17); Separation and placement for pick up (3/19/19).

Property description:

The property has 40 feet of frontage on Bay Avenue and consists of a two-story, two-family dwelling facing Bay Avenue. The dwelling is generally in good condition with some minor signs of wear. The dwelling is elevated a few feet from the ground elevation. There have been several persistent property maintenance violations on the site over the past five years, primarily for trash separation for pick-up. No off-street parking is provided on the site. The paver sidewalk on Bay Avenue is in good condition. There is a planter pot in an empty decorative tree well on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The property suffers from a faulty site arrangement considering that it does not provide the minimum required off-street parking to support the two dwellings.

The property has experienced ongoing maintenance issues related to trash, as documented by property violations on the site. These conditions are detrimental to a vibrant commercial corridor.

The dwelling is not elevated to account for the base flood elevation. Therefore, the property is reasonably subject to a severe risk of flood hazards, including structural damage to the dwellings, damage to personal property, and potential harm to, or entrapment of, residents. As such, the site conditions are detrimental to health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 41, Lot 6 meets criterion “d” of the LRHL.

Block 41, Lot 7

Address:	30 SECOND STREET
Owner:	30 SECOND STREET, LLC
Use:	Residential
Zoning District:	CBD
Year Built:	1943
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Upkeep of vacant structure (12/28/15, 5/24/16), Vacant property registration (5/24/16), Unfit building (2/21/18).

Property description:

The property has 40 feet of frontage on South Second Street and consists of a one-story dwelling facing South Second Street and a one-car asphalt driveway in the left side yard. The one-family dwelling is in poor condition with extensive peeling paint, a broken dormer window, and a front screen door that is askew and off its hinges. The dwelling is elevated a few feet from the ground elevation. The driveway has broken pavement and is in poor condition. A vehicle was observed parked in the driveway and another vehicle was parked in the front yard on South Second Street during a site inspection in March 2021. There is a broken wooden fence at the end of the driveway. There have been several persistent property violations on the site over the past five years, including for upkeep and registration of a vacant structure and for an unfit building. There are no streetscape improvements on South Second Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The dwelling is vacant and in poor condition, as documented by property violations on the site, which detracts from a vibrant commercial corridor.

In addition, the dwelling is not elevated to account for the base flood elevation. Therefore, the property is reasonably subject to a severe risk of flood hazards, including structural damage to the dwellings, damage to personal property, and potential harm to, or entrapment of, residents. The one-car driveway does not provide sufficient off-street parking to support the dwelling, which has resulted in a vehicle being parked in the front yard. This, and the poor condition of the dwelling and improvements, results in a general sense of neglect on the site. As such, the site conditions are detrimental to health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 41, Lot 7 meets criterion “d” of the LRHL.

Block 41, Lot 8

Address:	75 BAY AVENUE
Owner:	SWANTON, JAMES & BARBARA
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	No data

Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Parking on Borough property (5/8/18).

Property description:

The property is a through lot with 60 feet of frontage on Bay Avenue and South Second Street. This property consists of a one-story industrial garage with high ceilings and a large asphalt parking area/driveway on the Bay Avenue front yard. There are two large garage doors on the Bay Avenue façade and one large garage door on the South Second Street façade. The building is occupied by “Sea Bright Service Center,” an auto repair shop, and “Swanton,” an HVAC/fuel oil service shop. The building and parking area are in good condition. Several personal vehicles and an HVAC service van were observed in the front parking area during a site visit in March 2021. In addition, a large fuel (“fuel oil, diesel fuel, gasoline”) truck was observed parked on the paver sidewalk on Bay Avenue. There have been infrequent property violations on the site over the past five years, of which none have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on South Second Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Auto repair shops and HVAC repair shops are not permitted uses in the CBD zone. From a planning standpoint, it is typically inappropriate to locate an auto repair use or an HVAC service shop in the middle of a walkable downtown commercial corridor considering that they each use hazardous fuels, oils, solvents, and other hazardous substances. In addition, the type of large repair and fuel vehicles accessing the site detract from a pleasant, walkable downtown environment. Rather, auto repair and HVAC service shops are more appropriate as highway commercial uses. As such, the property is detrimental to the health, safety, and general welfare of the community.

Based on the above, Block 41, Lot 8 meets criterion “d” of the LRHL.

Block 41, Lot 9

Address:	BAY AVENUE
Owner:	DOUTY, DOUGLAS & BAYARD
Use:	Commercial (parking lot)
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Solid waste disposal, Brush weeds, trash, debris (2/1/16); Grease trap (10/24/16).

Property description:

This property is a through lot with 60 feet of frontage on Bay Avenue and South Second Street. The property consists of two separate parking lots. The property is owned in common with The Lucky Lobster site (Block 42, Lot 10), which is located across Bay Avenue. The northeast half of the site consists of a paved parking lot for The Lusty Lobster, with access from Bay Avenue. The southwest half of the site consists of a gravel parking lot with tandem-parked vehicles and boats, with access from

South Second Street. Wooden fencing surrounds the southwest parking area, and a wooden fence is located on the north side lot line adjacent to The Lucky Lobster parking lot. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem.

There are two street trees, a planter box, and a bench in front of the property on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the South Second Street side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

Although the haphazard collection of vehicles and boats is less than ideal, this area is surrounded by fencing to avoid visual impacts. In addition, the northeast parking area is in good condition. Therefore, the property does not meet any of the redevelopment criterion of the LRHL. However, the property is located adjacent along a row of properties, most of which can be designated using the redevelopment criteria, including Block 41, Lots 8 to the left and Block 41, Lot 10 to the right. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 to the subject property, adjacent Lot 10 would stand alone on the block, and it is unlikely that property would be redeveloped on its own. Therefore, a redevelopment scenario involving the adjacent Lot 10 would require accommodation of Lot 9 to promote redevelopment of Lot 10 and the effective design and redevelopment of the area. As such, Lot 9 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 41, Lot 9.

Block 41, Lot 10

Address:	85-87 BAY AVENUE
Owner:	AMERICAN LEGION
Use:	Other Exempt
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	WIRE/POLE DOWN (10/15/20).

Property description:

The property is a through lot with 40 feet of frontage on Bay Avenue and South Second Street. It consists of the one-story American Legion building “Twilight Post, No. 143.” The building appears to occupy a majority of the lot area. There is a brightly colored mural on the Bay Avenue façade and a low white picket fence and small garden in the narrow Bay Avenue front yard. The building is topped with an American flag and there is a POW-MIA flagpole in the Bay Avenue front yard. The building appears to be in good condition. The area at the rear of the building, fronting on South Second Street, appears to have been recently repaved and in August 2020 consisted of outdoor seating, tents, and smoke grills at the rear of the building. Orange barriers were observed blocking off the seating and grilling area from the street. In January 2021, the seating area had been removed. There have been infrequent

property maintenance violations on the site over the past five years, and none of which appear to be a persistent problem.

There is a stormwater inlet at the center of the rear lot line. No off-street parking is provided on the property. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD zone. This excessive land coverage, together with the age of the structure and its location within a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Based on the above, Block 41, Lot 10 meets criterion “d” of the LRHL.

Block 41, Lot 13.01

Address:	95-99 BAY AVENUE
Owner:	MCKAY HOLDINGS LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Outdoor storage (5/5/16).

Property description:

This property is a corner lot and a through lot with 120 feet of frontage each on Bay Avenue and South Second Street and 150 feet of frontage on Spring Street. The property consists of overgrown vegetation, a large dumpster, an abandoned trailer, a discarded wooden pallet, rubble, and other debris. Tax records show this property has been vacant and without taxable improvements since at least 1989, the earliest date for which tax records are provided online.⁴ A wooden fence surrounds the property on all sides, though it is not continuous on southeast and northwest lot lines adjacent to the American Legion building and adjacent to Spring Street. The entrance to the property is via a gate in the chain link fencing on Spring Street. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Spring Street is in fair/good condition. There are no streetscape improvements on the South Second Street side of the property. There are three street trees in decorative tree wells in front of the property on Bay Avenue. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem.

The Land Use Board of the Borough of Highlands granted preliminary and final major site plan approval on January 7, 2020, for a use variance and a de minimis parking exception from the Residential Site

⁴ All “tax records” referenced herein are sourced from the Monmouth County Open Public Records System, Consolidated Records Search.

Improvement Standards (RSIS) for an eight-unit residential development on the subject property, as memorialized on February 4, 2021. The development consists of two, three-story townhouse buildings, each containing four units, and the provision of 16 parking spaces.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property has been vacant for more than 30 years. However, a multi-family townhouse development was recently approved on the subject property. After laying vacant for several decades, which would normally qualify the property for designation under criterion “c” of the LRHL, the property is now being developed through the instrumentality of private capital.

Based on the above, Block 41, Lot 13.01 does not meet the criterion of the LRHL.

Block 42, Lot 1

Address:	60 BAY AVENUE
Owner:	CAHILL, DAVID
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1923
Stories:	Three stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalk and driveways, Weeds, Receptacle requirements (8/1/2017); Brush weeds trash debris removal (8/31/16).

Property description:

This property is an irregular shaped corner lot and through lot with 105 feet of frontage on Bay Avenue, 47.5 feet of frontage on South Street, and 61.16 feet of frontage on Shrewsbury Avenue. The property consists of a three-story multi-family (four-unit) apartment building, which is not permitted in the CBD zone. The building appears to be in fair to good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear have been a persistent problem. There is a broken railing on one of the upper floor balconies and the roof is in fair condition. The building has an exterior fire escape for secondary egress from the second and third floors. There is a gravel driveway and parking area on the interior side of the lot, with access provided from Bay Avenue and Shrewsbury Avenue. HVAC units are located on an exterior shelf above first floor windows, but gas and electric meters are located and ground level. There is a multi-trunk tree located at the corner of South Street and Shrewsbury Avenue.

The paver sidewalk on Bay Avenue and the cement sidewalk on South Street and Shrewsbury Avenue are in good condition. There are two street trees in decorative tree wells in front of the property on Bay Avenue. There is one curb cut on both Bay Avenue and Shrewsbury Avenue. The parking area for the building is a combination of gravel, grass and dirt, with no delineation provided from an adjacent vacant lot on Shrewsbury Avenue (Lot 2), which is not located in the CBD zone. On multiple site visits, trash and recycling cans were observed in the front yard area on Bay Avenue, with no enclosure provided.

The property is within the AE flood zone with a one percent chance base flood elevation of 11 feet on the majority of the property and 12 feet on the northeast corner of the property.

This parcel meets the following criterion: d

The property suffers from a faulty site arrangement, with an undefined parking area covering the entirety of the yard areas to the north and northwest of the dwelling, with no delineated parking spaces or marked aisles, and lack of separation from an adjacent property in separate ownership (Lot 2). It therefore does not appear that there is adequate space for off-street parking to support the four dwelling units. The utilization of exterior fire escapes for upper floor egress is an obsolete design. More importantly, the age of the building and the location of residential uses on the ground floor in a high-risk flood zone suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Based on the above, Block 42, Lot 1 meets criterion “d” of the LRHL.

Block 42, Lot 10

Address:	88 BAY AVENUE
Owner:	DOUTY, DOUGLAS & BAYARD
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	\$16.59 for Q3 2020.
Police reports (property-related incidents, last five years):	HAZARDOUS CONDITION (12/24/17 (tent in road), 1/4/18 (loose boat in river)), OPEN DOOR/WINDOW (12/17/18), ALARM ACTIVATIONS (6/6/16, 1/29/18, 7/24/19).
Property violations/hazardous conditions:	Grease trap (10/24/16).

Property description:

This property is an irregular shaped corner lot and through lot with 47 feet of frontage on Bay Avenue, 127 feet of frontage on Kay Street (the segment that is perpendicular to Bay Avenue), and an additional 31 feet of frontage on Kay Street. The property consists of a one-story cinder-block building with high ceilings and is occupied by a food establishment called The Lucky Lobster. There is a nautical-themed mural on Bay Avenue façade. The building does not have any windows on the Kay Street façades. Four off-street parking spaces are provided in the Bay Avenue front yard. There is a loading bay and concrete loading space, overgrown vegetation, and wooden pallets in the front yard on Kay Street, all located adjacent to a single-family dwelling. There is a freestanding sign at corner of Bay Avenue and Kay Street. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent problem.

The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Kay Street is in poor condition. There is on-street parallel parking in front of the property on Bay Avenue and Kay Street, though the parking on the latter street is unmarked.

The property is within the AE flood zone with a one percent chance base flood elevation of 11 feet on the majority of the property and 12 feet on the northeast corner of the property.

Tax records indicate that the property is delinquent on taxes by \$16.53 for Quarter 3 of 2020.

Police have responded to infrequent property-related incidents on the site over the past five years.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

This property suffers from a faulty arrangement. There is a loading bay located at the rear of the building that has non-perpendicular access from Kay Street. The location and angle of this truck access driveway means that trucks entering and leaving the site block the driveway of the adjacent single-family dwelling, which presents a safety hazard for residents. The parking lot in the front of the building requires vehicles to back directly into Bay Avenue, which is unsafe for pedestrians on the sidewalk and passing motorists.

In addition, the design of the building is obsolete. There are only a few small windows on the front façade, and windows that were once located on the Center Street façade of the building have since been filled in. It is a modern best practice that commercial establishments in downtown corridors have windows facing the street to encourage a dynamic commercial environment. Considering this property has experienced ongoing problematic situations warranting police involvement and considering the struggling downtown corridor, the obsolete building design is detrimental to the safety and welfare of the community.

The property has experienced ongoing problematic situations that warrant police involvement, and which suggests that the property is detrimental to the health, safety, morals, and welfare of the community.

Based on the above, Block 42, Lot 10 meets criterion “d” of the LRHL.

Block 42, Lot 12.01

Address:	84 BAY AVENUE
Owner:	RICCIARDONE, BRIAN
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1918
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds, Receptable requirements (8/1/17); Separation and collection (2/9/16); Separation and collection, Brush weeds trash and debris removal (2/26/16).

Property description:

This property has 80 feet of frontage on Bay Avenue and consists of a 2½-story residential building. The building appears to have cement and vinyl siding with a large porch at the front of the dwelling over the first floor. The dwelling appears to be in fair/poor condition, with peeling paint on the front and right side façades and rotting wood and damaged plaster on the right side façade. The damaged

portions of the façade appear to be concentrated within a few feet from the ground elevation. The entrances to the building are located slightly above the ground elevation. The rear and right side of the property consists of an unkempt gravel parking area and lawn. The parking area is surrounded by chain link fencing on the left side and front lot line. A gate in the fence is wide enough for one vehicle to pass through. There is a small shed in the rear yard. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the residential uses are located on the ground floor in a high-risk flood zone, the property has compliant lot coverage to help mitigate and manage the effects of stormwater.

However, the dwelling has experienced damage to the façade which suggests that it is in fair/poor condition. The unkempt gravel parking area suffers from an obsolete layout considering it is poorly delineated and there is only space in the gate for one vehicle to enter or exit at a time. The poor conditions and layout on the property are detrimental to the health and welfare of the community and contribute to a sense of neglect on the commercial corridor.

Based on the above, Block 42, Lot 12.01 meets criterion “d” of the LRHL.

Block 42, Lot 13

Address:	78 BAY AVENUE
Owner:	WEST, CARL
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	Outside lien
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Outdoor storage (9/21/16, 5/18/17, 12/7/17, 2/9/18, 5/15/18); Brush, weeds, trash debris removal (5/18/17, 5/18/18); Protective treatment (7/7/17, 5/15/18); Exterior walls (7/7/17, 5/15/18); Overhand extension (7/7/17); Unfit building (12/7/17); Component serviceability (2/9/18); Unsafe conditions (2/9/18).

Property description:

This property has 58 feet of frontage on Bay Avenue and consists of a one-story cinderblock commercial building with high ceilings and a gravel/asphalt driveway in the right side yard. The building appears to be in poor condition, as the roof has rusted substantially, paint is peeling extensively, and the wood siding on the Bay Avenue façade is rotting. There is a loading bay on the Bay Avenue frontage. The gravel/asphalt driveway is in poor condition and consists of a shipping container, a boat, various work items, space for two rows of tandem parked vehicles, and overgrown vegetation. There have been several persistent property maintenance violations on the site over the past five years, including

for outdoor storage and brush, weeds, or trash removal, as well as for poor building conditions, including an “unfit building” and “unsafe conditions.” Residential uses are located behind the property.

An “outside lien” is recorded on the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: a, d

The building is in poor condition and the driveway and yard areas are unkempt, as documented by property violations on the site, including for an “unfit building” and “unsafe conditions.” The generality of the building is unsafe and is conducive to unwholesome working conditions. These conditions are also detrimental to the health, safety, morals, and welfare of the community..

The building has an obsolete design. The warehouse has a small footprint but only one loading bay, whereas modern warehouses are typically larger and require multiple loading bays. There is no dedicated parking area or driveway for personal vehicles to support the warehouse use.

Further, the property suffers from a faulty arrangement, considering that the warehouse and outdoor storage of a shipping container, boat, and other work items is directly adjacent to residential properties at the rear, with no rear yard to buffer the uses. This proximity is detrimental to the welfare of the adjacent residential properties. In addition, a warehouse use with a loading bay is inappropriate in a downtown commercial corridor. Trucks entering and existing the property present a health and safety risk to pedestrians in the area.

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and appears to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Based on the above, Block 42, Lot 13 meets criteria “a” and “d” of the LRHL.

Block 42, Lot 14

Address:	74 BAY AVENUE
Owner:	TRI STATE REALTY, LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sign regulations (2/4/16), Weeds, brush, trash debris removal (2/4/16, 2/17/16, 6/23/17, 10/31/17, 11/15/17, 5/25/18), Part 5 land use (2/17/16), Outdoor storage (10/31/17), Motor vehicles (12/7/17).

Property description:

This property has 45 feet of frontage on Bay Avenue and consists of vacant, unkempt lawn area and a tree at the right rear corner. Tax records show this property has been vacant and without taxable improvements since 2003/2004. There is a low paver wall on front lot line. A block wall is located on left side lot line in rear yard, adjacent to Block 42, Lot 13. A wooden fence is located on the front, left side, and rear lot lines and a portion of the right side lot line in the rear yard. Portions of the wooden fence are in poor condition, with missing boards and fence sections that are coming apart at the rear. A small segment of white decorative fence is located atop the front wall and in front of the wooden fence. There is no vehicular or pedestrian access provided from the street to due to the low wall on front lot line. There is a gate at the front left corner of the property. To access the site via the gate, a vehicle would have to enter via the driveway on Block 42, Lot 13. There have been persistent property maintenance violations on the site over the past five years, including for weeds, brush, trash and debris removal.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: c, d

This property has been vacant and without taxable improvements since 2003/2004. Tax records show that a tax sale of the property occurred in 2016. The historical lack of development through the instrumentality of private capital suggests that the property is likely to remain vacant for the foreseeable future.

In addition, the site is maintained in poor condition, as documented by persistent property violations on the site. Boards are missing on the wooden fence, and it is falling over in some areas. These poor site conditions are detrimental to the health, safety, and welfare of the community and prevent the growth of a vibrant commercial corridor. Lastly, the site suffers from a faulty arrangement considering that vehicular site access is only provided via the adjacent lot and that a low wall on the front lot line restricts access.

Based on the above, Block 42, Lot 14 meets criteria “c” and “d” of the LRHL.

Block 42, Lot 15

Address:	68 BAY AVENUE
Owner:	SHARKEY, HUGH & MARY
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	2 stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalks and driveway, Weeds, Receptacle requirements (8/1/17).

Property description:

This property has 25 feet of frontage on Bay Avenue and consists of a two-story building that occupies a majority of the lot area. A large porch is located on the second floor at the rear of the building. The

building is in fair/poor condition considering that vinyl siding is missing over a large area on the left façade, the bricks on the front façade have separated and appear unstable, and that there is wear to the cement foundation of the building. Barbed wire is strung up the left front left corner of the building. There is a cement walkway and stone garden in the right side yard. A white solid fence is located on the right side lot line. There have been infrequent property maintenance violations documented on the site over the past five years, of which none appear to have been a persistent problem. The property is listed as commercial on tax records, but it appears to be used for residential apartments. The paver sidewalk on Bay Avenue is in good condition. There is on-street parallel parking in front of the property on Bay Avenue. No off-street parking is provided on the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The building has condition issues, as documented above, which are detrimental to a vibrant commercial corridor. Lastly, the property does not provide a compliant amount of off-street to support the residential uses on the site.

Based on the above, Block 42, Lot 15 meets criterion “d” of the LRHL.

Block 45, Lot 4.01

Address:	102 BAY AVENUE
Owner:	PMIG DPNJ LLC C/O PETROL.MRKT.GRP
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	Tax sale (sewer); delinquent \$33.68 for Q3 2020.
Police reports (property-related incidents, last five years):	ALARM ACTIVATION (3/25/15, 8/13/15, 11/4/15, 11/19/15 (twice)).
Property violations/hazardous conditions:	None

Property description:

This property is a corner lot with 105 feet of frontage on Bay Avenue and 80 feet of frontage on Jackson Street. The property consists of a gas service station with two fuel dispensers and a one-story commercial building with a convenience store on the left side and a liquor store on the right side. The entrances to the stores are oriented toward Bay Avenue. The cement parking lot is in fair condition and provides nine parking spaces, including one ADA-accessible space. A curb cut that covers more than half of the site’s Bay Avenue frontage provides access to the parking lot and fuel dispensers as does a driveway on the Jackson Street frontage. There are two freestanding signs on the property: one freestanding sign is located on the corner of the property at the intersection of Bay Avenue and Jackson Street, which displays the logos of the gas station and store as well as gas prices; and the second freestanding sign is located in the Bay Avenue front yard adjacent to Block 45, Lot 6.01, which advertises the liquor store.

The paver sidewalk on Bay Avenue is in good condition. The concrete sidewalk on Jackson Street is in fair condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. There are two freestanding area lights on the property, on Jackson Street adjacent to Block 45, Lot 2.01 and on Bay Avenue adjacent to Block 45, Lot 6.01. Vehicular site access is from both Bay Avenue and Jackson Street. There is a solid white fence on the side lot line parallel to Bay Avenue. A trash/recycling area that is enclosed by solid fencing is located against the solid white fence adjacent to Block 45, Lot 2.01. Townhomes are located on Block 45, Lot 2.01 behind the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This property is listed on the database of leaking underground storage tanks (LUST), according to the Army Corps of Engineers.⁵

This parcel meets the following criterion: d

This property is identified by the U.S. Army Corps of Engineers to be on the database of leaking underground storage tanks. A leaking UST, particularly in a high risk flood zone, is a hazard to health and safety of the community. Further, gas stations are not permitted uses in the CBD zone. From a planning standpoint, it is typically inappropriate to locate a gas station in the middle of a downtown commercial corridor, as the nature of the use and high vehicular traffic it generates detract from a pleasant, walkable downtown environment – particularly when a large curb cut for site access interrupts the streetscape, as is the case on this property's Bay Avenue frontage. Rather, gas stations are generally more appropriate as a highway commercial use. As such, the property is detrimental to the health, safety, and welfare of the community.

Based on the above, Block 45, Lot 4.01 meets criterion “d” of the LRHL.

Block 45, Lot 6.01

Address:	98 BAY AVENUE
Owner:	BAY AVENUE VENTURES LIMITED LIABILITY
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

This property has 80 feet of frontage on Bay Avenue and consists of vacant lawn area. Tax records show this property has been vacant and without taxable improvements since 2001/2002. There are overgrown hedges and shrubs on the Bay Avenue front lot line. There are several trees on the left side lot line adjacent to Block 45, Lot 4.01 and two trees on the rear lot line. There is a stone driveway from Bay Avenue that is overgrown with lawn and in poor condition. The paver sidewalk on Bay Avenue is in good condition. A wooden fence is located on a portion of the rear lot line in the adjacent property to

⁵ U.S. Army Corps of Engineers and New Jersey Department of Environmental Protection, *Final Integrated Feasibility Report and Environmental Assessment, Raritan Bay and Sandy Hook Bay, Highlands, NJ Coastal Storm Risk Management Feasibility Study*, dated May 2020, pp. 28.

the rear. There is a small street tree in a tree well, a fire hydrant, a decorative lamppost, and a freestanding area light on the sidewalk in front of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

The property is developed in common, but is not owned in common, with Block 45, Lot 7.

This parcel meets the following criterion: c

The property has been vacant for almost 20 years prior to this area in need of redevelopment investigation. The property has not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. This lack of confidence that the property would be profitable if developed through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 45, Lot 6.01 meets criterion “c” of the LRHL.

Block 45, Lot 7

Address:	92 BAY AVENUE - KAY STREE
Owner:	TRI-STATE REALTY, LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (2/28/19).

Property description:

This property is a corner lot and a through lot with 40 feet of frontage on Bay Avenue, 66.5 feet of frontage on Kay Street, and 52.3 feet of frontage on Center Street. The property consists of vacant lawn area. Tax records show this property has been vacant and without taxable improvements since 2009/2010. Since then, the property has been previously used as a community garden, according to Google Maps. There are overgrown hedges and shrubs located on the Bay Avenue and Kay Street property lines. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition. However, there are no streetscape improvements on the Kay Street side of the property, and the concrete sidewalk on Center Street is in poor condition. A low paver wall in poor condition is located on the Center Street front lot line. There is on-street parallel parking in front of the property on Bay Avenue, Kay Street, and Center Street. Overgrown hedges and shrubs block vehicular entry to the property despite the presence of a curb cut on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

The property is developed in common, but is not owned in common, with Block 45, Lot 6.01.

This parcel meets the following criterion: c

The property has been vacant for more than 10 years prior to this area in need of redevelopment investigation. The property has not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. The historical lack of development through the instrumentality of private capital suggests that the property is likely to remain vacant for the foreseeable future.

Based on the above, Block 45, Lot 7 meets criterion “c” of the LRHL.

Block 46, Lot 1

Address:	103-107 BAY AVENUE
Owner:	ARBORS INVESTMENT GROUP LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	Tax sale (sewer); delinquent \$9,859.65; last payment date 7/30/19.
Police reports (property-related incidents, last five years):	HAZARDOUS CONDITION (2/15/15), BOROUGH ORDINANCE VIOLATION (7/21/15, (overgrown weeds)), OPEN DOOR / WINDOW (1/18/16).
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (4/21/16, 9/4/18), Weeds (7/13/16), Weeds (International Property Management Code (IPMC)) (9/3/19), Windows, skylight, door frames (7/13/16), Exterior walls (2/26/18), Vacant property/registration (2/26/18, 9/3/19), Unfit building (2/26/18, 9/3/19), Property maintenance (9/3/19).

Property description:

This property is a corner lot and through lot with 80 feet of frontage on Bay Avenue and South Second Street, respectively, and 150 feet of frontage of Spring Street. The property consists of a two-story multi-tenant office and light industrial building that is oriented toward the Bay Avenue frontage. There is an existing light industrial use but the office space is vacant. The building has small windows and appears to be in poor condition. Almost all of the window frames are worn and coming apart, and a patch of shingles has come off of the roof. The second-floor windows were observed to be open during a site inspection on a cold day in January 2021. There is chain link fencing in poor condition surrounding the property on three sides, enclosing the yard area behind the building. There is a paved parking area in very poor condition, rubble, and a pile of dirt in the yard area on South Second Street. A gate in the chain link fence on South Second Street provides access to the parking area, a loading bay, and an attached garage on the ground floor. There have been several persistent property violations on the site over the past five years, including for weeds, brush, trash and debris removal; building conditions such as exterior walls and windows and an “unfit building,” and other maintenance violations.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There are no streetscape improvements on the Spring Street or South Second Street sides of the property. The area between the street rights-of-way and the building and chain link fencing consists of asphalt in poor condition, gravel, and overgrown vegetation. There is on-street parallel parking in front of the property on Bay Avenue, and there are three poorly marked angled parking spaces on Spring Street. However, large trucks were observed to be parallel parked in this area on Spring Street during a site inspection.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, including but not limited to a hazardous condition and a property violation, but none of which appear to be persistent or recent problems.

This parcel meets the following criteria: a, d

The building is dilapidated and in poor condition, as documented by property violations on the site. Almost all the window frames in poor condition, shingles are falling off the roof, and there is a general sense of neglect on the site. Several of the windows on the second floor were observed to be open during a site inspection on a cold day in January 2021, suggesting either inefficient heating systems, poor ventilation, and/or inoperable windows. The generality of the building is substandard and dilapidated, which is conducive to unwholesome working conditions. In addition, these conditions are detrimental to the health, safety, morals, and welfare of the community.

In addition, the building has an obsolete design, and its existing uses are inappropriate in the CBD zone. The building has small windows and provides large areas of blank wall on the Bay Avenue frontage. These blank walls are harsh and detract from the streetscape environment and are inappropriate in a downtown commercial corridor. The office vacancy further contributes to a feeling of neglect on the property. In addition, the building is designed for both office and light industrial uses. However, light industrial uses are not permitted in the CBD zone. Therefore, the building's obsolescence and deleterious land use are detrimental to the health, safety, and general welfare of the community.

Based on the above, Block 46, Lot 1 meets criteria "a" and "d" of the LRHL.

Block 46, Lot 2

Address:	111 BAY AVENUE
Owner:	111 BAY AVENUE PROPERTIES, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story, two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	BOROUGH ORDINANCE VIOLATION (6/7/17), HAZARDOUS CONDITION (6/10/17), OPEN DOOR/ WINDOW (4/3/17, 6/23/19).
Property violations/hazardous conditions:	HAZARDOUS CONDITION (6/10/17), Grease trap (10/24/16), Sidewalks and driveway (12/27/17), Protective treatment (5/15/18), Weeds, brush, trash debris removal (2/27/18), Exterior walls (7/18/18).

Property description:

This property is a through lot with 40 feet of frontage on Bay Avenue and South Second Street, respectively. The property consists of a one-story commercial building on Bay Avenue and an adjoining two-story building directly behind. The property is occupied by the Bay Ave Bakery & Café. The one-story commercial building appears to be out of date but in good condition and the two-story residential

building appears to be in good condition. The entrances to the buildings are located at the ground elevation. However, the first floor of the two-story building appears to be elevated a couple of feet from the ground.

A trash area is located in the left side yard through a small wooden gate. An area to the right of the building is used for the outdoor storage of various items, including but not limited to appliances, tarps, and construction equipment. This outdoor storage area is partially enclosed by a wooden fence.

A dirt and gravel parking area is located in the yard fronting on South Second Street. The parking area is in very poor condition, with deep tire tracks in the dirt. Considering its poor condition, the parking area, which could park four vehicles if it were in good condition, can realistically park two vehicles on the better maintained portions. In addition, the South Second Street yard was observed to consist of a storage shed, two parked trailers, a dumpster screened by wrapped chain link fencing, and the outdoor storage of various items, including but not limited to building materials. There have been several property violations on the site over the past five years, but none of which have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the South Second Street side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The site suffers from poorly maintained site improvements. The off-street parking in the yard on South Second Street has limited usable parking capacity and is in very poor condition, with deep tire tracks in the dirt. This yard, as well as the side yard facing the parking lot on adjacent Lot 3, were observed to be used for the haphazard outdoor storage of a variety items. In addition, the one-story commercial building on Bay Avenue has particularly low ceilings and roof height, and the interior space is small for a modern food establishment. Together, these factors detract from a vibrant commercial corridor and are detrimental to the health, safety, and welfare of the community.

Based on the above, Block 46, Lot 2 meets criterion “d” of the LRHL.

Block 46, Lot 3

Address:	123 BAY AVENUE
Owner:	BAY AVENUE VENTURES LLC
Use:	Commercial - Vacant
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	HAZARDOUS CONDITION (3/2/18 (transformer popped - oil in roadway), 10/29/18).
Property violations/hazardous conditions:	Licensing and registration (1/8/16); Weeds, brush, trash debris removal (10/23/17); Outdoor storage, Motor vehicles, Exterior walls (1/2/18).

Property description:

This property is a through lot with 120 feet of frontage on Bay Avenue and South Second Street, respectively. The property consists of an asphalt parking lot on the southeast side of the property and a vacant two-story building on the northwest side. The two-story portion of the building is in the front on Bay Avenue, and the remaining one-story portion is at the rear. The building was formerly used as

a food establishment and is in fair to poor condition. Paint is peeling extensively from the wood and cement façades, a window at the right rear side of the building is boarded up, and there are several areas of missing shingles on the mansard roof. Three blank signs are mounted on the front and side mansard roofs. The signs on the side mansard roofs are oversized for a food establishment in a downtown corridor. There are two apartments on the second floor of the building, although they are accessed by an uncovered exterior stairway. An HVAC unit is located on the ground level to the right of the building. The parking lot is in poor condition, with extensively broken pavement as well as dirt and gravel areas where water pooling was observed during a site inspection. The yard area behind the building consists of a cement parking pad adjoining the building and a lawn area, where there is storage of construction materials and equipment and where a dilapidated RV is parked. A loading bay is located at the rear façade of the building oriented toward South Second Street.

The parking lot provides 90-degree parking, which currently appears to be used by the adjacent commercial use on Block 46, Lot 2. At least three parking spaces adjoining the Bay Ave Bakery & Café have been converted into a temporary outdoor seating area, as observed during a site inspection. A wooden picket fence is located on the South Second Street lot line. A section of the fence has been removed and leans against the erect portion of the fence, which provides vehicular entry to the property from South Second Street. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

Vacant structure licensing was recorded in 2013, 2015, and 2016, and a Continued Certificate of Occupancy was issued three times in 2018 and last issued April 1, 2019, according to the Code Enforcement Officer. There is no record of any Vacant Property Registration being filed. The structure is currently vacant but is being advertised for rent. The commercial space appears to have been vacant since at least September 2017, with a “for rent” sign and an “apartment for rent” posted on the building, according to Google Maps historical imagery.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, but none of which appear to be a persistent problem.

This parcel meets the following criteria: b, d

The building and site improvements are in poor condition, as described above. The building is in a state of disrepair and the parking lot is severely neglected. Currently, the property is used inappropriately for the storage of construction materials and equipment and for parking of a dilapidated RV. In addition, the building design is obsolete for modern food establishments. The loading bay at the rear of the building is unnecessary. Although the façade on Bay Avenue has large windows which normally activate downtown commercial corridors, the remainder of the building design, including the uncovered exterior stairway access to the second floor apartments, is obsolete in design. Some utilities such as utility meters and HVAC units were observed on the ground floor elevation and are vulnerable to flood damage, while some utilities were observed above the first floor roof. Therefore, the property is detrimental to the health, safety, morals, and welfare of the community.

In addition, the commercial space in the building has been vacant since at least September 2017, and potentially as far back as 2013.

Based on the above, Block 46, Lot 3 meets criterion “b” and “d” of the LRHL.

Block 46, Lot 4

Address:	125 BAY AVENUE
Owner:	125 BAY AVE, LLC
Use:	Church & Charitable
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ALARM ACTIVATIONS (5/11/16, 5/21/16, 7/22/16 (twice), 8/12/16, 5/2/17 (twice), 2/24/18, 5/10/18, 5/26/19, 9/29/20), HAZARDOUS COMPLAINT (7/8/18).
Property violations/hazardous conditions:	None

Property description:

This property is a through lot with 80 feet of frontage on Bay Avenue and South Second Street, respectively. The building is occupied by New Life Christian Church. The two-story building appears to be in good condition. Although the entrance to the church is via Bay Avenue, the church building is located near the South Second Street front lot line and is set back ±90 feet from Bay Avenue front lot line. The entrances to the church are located at the ground elevation.

The Bay Avenue front yard consists primarily of lawn area. There is a monument sign in the Bay Avenue front yard. There are hedges and a few small trees in good condition in front of the building. On the front lot line on South Second Street, there is a white picket fence with two entrance gates, two large metal enclosures, and a gate in the chain link fencing. There is a black decorative fence on the Bay Avenue front lot line and the side lot lines.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There are no streetscape improvements on the South Second Street side of the property. Instead, a gravel area is located in front of the white picket fence on South Second Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property is located within a high-risk flood zone, the property is in good condition and provides a unique public benefit to the community that is recognized by the MLUL and outweighs any potential negative impacts of the property. On balance, the property is not detrimental to the health, safety, morals, or welfare of the community. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

Based on the above, Block 46, Lot 4 does not meet the criteria of the LRHL.

Block 46, Lot 5

Address:	139 BAY AVENUE
Owner:	THE DAVIS FAMILY, LLC
Use:	Residential (1-4 family)
Zoning District:	CBD

Year Built:	1939
Stories:	3½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ALARM ACTIVATIONS (9/1/16).
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (7/13/16).

Property description:

This property is a through lot with 35 feet of frontage on Bay Avenue and South Second Street, respectively. The property consists of a 3½-story residential building facing Bay Avenue and a two-story detached garage facing South Second Street. The ground floor appears to include parking and uninhabited space, and the first residential floor is elevated to the second story. The structures appear to be in good condition. The entrance to the South Second Street garage and the adjacent side yard adjacent are gravel. There are trees in the left side yard from Bay Avenue. There was one property maintenance violation on the site over the past five years.

The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the South Second Street side of the property. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to significant serious activity on the site over the past five years, including but not limited to various disturbances, suspicious activity or persons, terroristic threats, criminal mischief, harassment, and an arrest.

This parcel meets the following criterion: none

Although there have been ongoing problematic situations that warrant police involvement, the buildings and improvements are in good condition. Further, while the structures appear to exceed the maximum permitted building coverage of 35 percent in the CBD district, the principal building appears to be elevated above the base flood elevation over a concrete garage. The property is in good condition, has adapted to flood risk, and therefore is not detrimental to the health, safety, morals, or welfare of the community. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

Based on the above, Block 46, Lot 5 does not meet the criteria of the LRHL.

Block 46, Lot 6

Address:	141 BAY AVENUE
Owner:	BAY AVENUE VENTURES LLC
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1933
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	BOROUGH ORDINANCE VIOLATION (dumpster) (9/30/15), HAZARDOUS CONDITION (12/23/15 (hanging wire), 1/6/2016 (water leak)), BURGLARY (2/27/16).

Property violations/hazardous conditions:	BOROUGH ORDINANCE VIOLATION (dumpster (9/30/15), HAZARDOUS CONDITION (12/23/15 (hanging wire)), 1/6/2016 (water leak)), Sidewalks and driveways (8/1/17), Weeds (8/1/17), Receptacle requirements (8/1/17), Separation and collection (2/9/16), Infestation, Soiling and defecation (9/12/17), Weeds, brush, trash debris removal (9/12/17, 10/7/18).
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Property description:

This property is a through lot with 45 feet of frontage on Bay Avenue and South Second Street, respectively. It consists of three one-story apartment buildings, in which one dwelling is located on the Bay Avenue frontage, one dwelling on the South Second Street frontage, and one dwelling in the center of the property. The dwelling with frontage on Bay Avenue has a stucco façade, small windows, a low ceiling height, a low ground floor elevation, and appears to be in poor condition. A cement walkway provides access to the central one-story building, which adjoins the Bay Avenue building at the rear. This dwelling is elevated a couple of feet above the ground elevation by cement blocks and appears to be in fair condition. Vinyl siding was observed to be falling off and a window screen was askew during a site inspection. The dwelling on South Second Street appears to be in fair condition. Its entrances are located at the ground elevation. There is a large metal dumpster, a dirt driveway, and a shed in poor condition located to the right of the dwelling on South Second Street. Deep tire tracks are carved into the mud of the driveway, as observed during a site inspection. The door frame of the shed is coming apart and a patch of shingles were missing on the roof. There have been several property violations on the site over the past five years, including for hazardous conditions, weeds and trash removal, trash and recycling separation and receptacles, an infestation, and soiling and defecation.

Approximately three off-street tandem parking spaces are provided on the driveway. Rusted chain link fencing surrounds the property on all sides and is bent in several places. There is a tree in the yard area and overgrown vegetation on the fencing on South Second Street. Various household items and trash are strewn around the yard areas.

The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the South Second Street side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: a, d

The buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

In addition, the site suffers from poor site arrangement. The layout of the three dwellings is inefficient. To access the central building, residents must traverse past the other two buildings. There are poorly apportioned walkways and outdoor space which result in an overcrowded outdoor environment. There is no dedicated parking for each dwelling, and the parking that is provided is unmarked tandem parking. It also appears that just one off-street parking space is provided for each apartment building

in which there may be multiple dwellings, resulting in non-compliant off-street parking to support the uses.

The generality of buildings and improvements on the site are in poor condition, as documented by various property violations. Therefore, the property presents unwholesome living conditions for its residents and is detrimental to a vibrant commercial corridor.

Based on the above, Block 46, Lot 6 meets criteria “a” and “d” of the LRHL.

Block 46, Lot 7

Address:	143 BAY AVENUE
Owner:	143 BAY LLC % DINAMI PARTNERS
Use:	Apartment
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories, two stories, and one story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ALARM ACTIVATION (1/21/15, 1/22/15), TRESPASSING (6/21/15, 2/27/20), THEFT (4/12/15, 12/16/15), HAZARDOUS CONDITION (12/9/16), BOROUGH ORDINANCE VIOLATION (5/3/18).
Property violations/hazardous conditions:	Sidewalks and driveways (8/1/7 (twice)); Receptable requirements (8/1/17); Separation and collection (2/9/16); Weeds, brush, trash debris removal (11/28/17, 2/28/18, 3/21/18, 6/4/18, 8/20/18); Unsafe equipment, Dangerous structure, Electrical system (3/21/18); Storage of household solid waste, duty of owner to remove hazards (11/30/20).

Property description:

This property is a through lot with 40 feet of frontage on Bay Avenue and South Second Street, respectively. The property consists of a two-story apartment dwelling located on the Bay Avenue side of the property, a centrally located two-story dwelling attached to the first, and a one-story dwelling located on the South Second Street side of the property. The ceiling height of the latter dwelling appears to be particularly low. Building entrances are located at the ground elevation or slightly above. There is a cement walkway in the left side yard leading to the central building. There are three off-street parking spaces on an unkempt dirt parking area off South Second Street. There is overgrown vegetation and lawn area in the yard facing South Second Street.

The dwellings and site improvements were in generally poor condition. The chain link fence on Bay Avenue is rusted and its inserts are uneven and bent, resulting in a disorganized streetscape environment. The yard areas are strewn with household items and debris. The vinyl siding is starting to fall off the façade of the one-story dwelling on South Second Street. The exterior vent to the attic is broken on the two-story dwelling facing Bay Avenue. In addition, there have been several persistent property maintenance violations on the site over the past five years, including for trash receptacles and collection, weeds, trash, debris, unsafe equipment, storage of dangerous household waste, a “dangerous structure,” and electrical system issues. Police reports indicate further hazardous conditions, Borough ordinance violations, and multiple instances of alarm activations, trespassing, and theft.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There are no streetscape improvements on the South Second Street side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: a, d

The dwellings and improvements are in generally poor condition, as described above and as documented by property violations on the site. The property appears to be generally unkempt and neglected, and violations indicate that the poor maintenance of the dwelling and yard areas have resulted in hazardous conditions. Further, there is a history of property-related police incidents on the site, including theft and trespassing. As such, the property presents unwholesome living conditions and is detrimental to a safe and vibrant commercial corridor.

The buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

In addition, the site suffers from poor site arrangement. The layout of the three dwellings is inefficient. To access the central building, residents must traverse past the other two buildings. There is no dedicated parking for each dwelling, and the parking that is provided is on a parking area in poor condition. It also appears that just one off-street parking space is provided for each apartment building in which there may be multiple dwellings, resulting in insufficient parking to support the uses.

Based on the above, Block 46, Lot 7 meets criteria “a” and “d” of the LRHL.

Block 46, Lot 8

Address:	BAY AVE & WEST NO ST
Owner:	SHANNON ENTERPRISES LLC
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1979
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds, brush, trash debris removal; Storage of household waste; Open/overflowing bins; Time for pick up; Separation and placing for pick up (3/9/20).

Property description:

This property is a corner lot and through lot with 45 feet of frontage on Bay Avenue, 31 feet of frontage on South Second Street, and 150.65 feet of frontage on West North Street. The property consists of a two-story apartment building centrally located on the property and two detached two-car garages located on the Bay Avenue and South Second Street ends of the property. The building and garages

face towards West North Street. The building appears to be in fair condition, with signs of wear. The building is elevated a couple of feet above the ground elevation. A patch of vinyl siding has fallen off the right façade of the dwelling. There is a low block wall on the Bay Avenue front lot line and a low block wall surrounding the base of the dwelling. There are long cracks in the low block wall in front of the dwelling. The garages are stained with mud or moisture at the base. The driveways to the garages are in poor condition, with broken asphalt and vegetation growing on the gravel areas. Further, it is unclear if parking is permitted on the gravel area in front of the dwelling considering that parking spaces are not delineated but cars were observed parked in this area and encroaching into the street right-of-way.

There is a monument sign located in the Bay Avenue front yard for Inlet Café, which is not located on the property. There is chain link and wooden fencing enclosing the right side yard, which consists of overgrown vegetation and debris. The chain link fencing was bent and the gate was open during a site inspection in January 2021. Trash containers were located haphazardly at the front right corner of the lot. There have been several recent property violations on the site over the past five years, including for weeds and trash, storage of household waste, overflowing bins, and trash pick-up timing.

The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the South Second Street or West North Street sides of the property. Although off-street parking is provided on the site, vehicles were observed to be parked on both West North Street and South Second Street during a January 2021 site inspection.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Further, the structures are in fair condition and the yard and driveways areas are maintained in poor condition. Trash pick-up issues have been documented in code violations and observed during a January 2021 site inspection. Vehicles were also observed to be parked partially in the road and partially in the front yard. These poor site conditions are unsanitary and unsafe, and further result in a general sense of neglect on the site. As such, the property is detrimental to the health and welfare of the community.

Based on the above, Block 46, Lot 8 meets criterion “d” of the LRHL.

Block 47, Lot 6

Address:	132 BAY AVENUE
Owner:	132 BAY AVE, LLC
Use:	Commercial – Vacant
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories

Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds, Accumulation of rubbish (8/12/15); Brush, weeds, trash, & debris (3/1/16, 5/18/18, 8/6/18); Vacant property (1/30/18, 2/7/18); Dangerous structure, Unfit building, Upkeep of vacant property (2/7/18); Unsafe structure, Dangerous structure, Rodent harborage, Infestation (8/6/18).

Property description:

The property is a corner lot with 27.46 feet of frontage on Bay Avenue and 103.17 feet of frontage on Cornwall Street. This property consists of a vacant two-story commercial building with a large mural on the Cornwall Street side and a cement parking area at the rear. The building is in poor condition, with rotted wooden eaves and window frames, a broken wooden door frame, broken electrical meters, patches of roofing that have fallen off, faded paint on the siding, soiled and faded canvas awnings, and second floor windows that do not appear to close fully. The ground floor commercial space appears to have been vacant since at least September 2017, according to Google Street View historical imagery. The building condition at that time appears to have been in a poor condition similar to its current state. There have been several persistent property violations on the site over the past five years, including for weeds, accumulation of trash, vacant property upkeep, a dangerous and unfit structure, and rodent harborage and infestation. The paver sidewalk on Bay Avenue and the cement sidewalk on Cornwall Street are in good condition. Two on-street parking spaces are provided in front of the property on Cornwall Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: b, d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community.

The building is in very poor condition, as observed during site inspections and as documented by property violations on the site. These conditions result in a feeling of neglect and are detrimental to a vibrant commercial corridor.

Lastly, the ground floor commercial space has been vacant for at least two years and appears to be untenable due to the building's poor and neglected condition.

Based on the above, Block 47, Lot 6 meets criteria "b" and "d" of the LRHL.

Block 47, Lot 7

Address:	130 BAY AVENUE
Owner:	KOCHANIK, ELIZABETH ANNE
Use:	Commercial
Zoning District:	CBD
Year Built:	No data

Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds, Receptacle requirements (7/10/17).

Property description:

The property has 27.46 feet of frontage on Bay Avenue and consists of a two-story commercial building, a concrete patio and a shed in the rear yard, and a high block wall on the rear lot line. Construction on the front façade was observed during a January 2021 site inspection, but the repairs appear to have been completed by a March 2021 site inspection. Overall, the property is in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building occupies a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 47, Lot 7 meets criterion “d” of the LRHL.

Block 47, Lot 8

Address:	128 BAY AVENUE
Owner:	128 BAY AVE, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Vacant property registration filed (1/6/17), Vacant property licensing (3/9/16).

Property description:

The property has 22.58 feet of frontage on Bay Avenue and consists of a two-story commercial building and a concrete patio and a shed in the rear yard. The building appears to be vacant but in good condition. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the building is in good condition, it occupies a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and appears to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 47, Lot 8 meets criterion “d” of the LRHL.

Block 47, Lot 9

Address:	126 BAY AVENUE
Owner:	126 BAY AVENUE LLCC/O GOLDSTEIN
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sign permit required (5/24/17); Sidewalks and driveways, Weeds, Receptacle requirements (7/10/17); Outdoor storage, Windows skylights and doors, Protective treatment, Exterior walls (7/18/18).

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story commercial building occupied by the “Barks on Bay” pet grooming business, a one-story garage addition at the rear, a roof deck above the one-story addition, and a concrete patio at the rear. The building appears to be in good condition overall with some minor signs of wear. The garage is accessible from John Street to the north by traversing the parking lot on Block 47, Lot 4.01 and 4.02. Lot 4.02 is owned in common with the subject property. The garage door displays a sign stating “24 hr Loading Zone NO PARKING.” There have been several property violations on the site over the past five years, including for sign permitting, weeds, receptacle requirements, sidewalk and driveway maintenance, and for building issues such as windows and doors, protective treatment, and exterior walls. However, none of these appear to be persistent or recent problems. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the building appears to be in good condition, it occupies a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and appears to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper

stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 47, Lot 9 meets criterion “d” of the LRHL.

Block 47, Lot 10

Address:	124 BAY AVENUE
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property, Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

This property has 25 feet of frontage on Bay Avenue. It is a vacant property of well-maintained lawn area. The property has been vacant with no taxable improvements since 2000/2001, according to tax records. There is a segment of wooden fence on the rear lot line, enclosing trash cans. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There is no curb cut to the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant for more than 10 years prior to this area in need of redevelopment investigation, and is owned by the municipality. The property has not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. The historical lack of development on the site indicates that it is unlikely to be developed in the future through the instrumentality of private capital.

Based on the above, Block 47, Lot 10 meets criterion “c” of the LRHL.

Block 47, Lot 11

Address:	122 BAY AVENUE
Owner:	M&L DANGELO LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Clean dumpster (8/19/18).

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a one-story commercial building occupied by Gianna’s Fine Italian Cuisine restaurant. The building appears to be in good condition.

There have been infrequent property maintenance violations on the site over the past five years, none of which have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the building is in good condition, it occupies a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and appears to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 47, Lot 11 meets criterion “d” of the LRHL.

Block 47, Lot 12

Address:	120 BAY AVENUE
Owner:	HINLUCKY, MARK
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories and two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds (5/5/16, 8/2/17), Brush, weeds, trash & debris (9/13/17), Sidewalks and driveways (11/27/17).

Property description:

The property is a corner lot with 72.42 feet of frontage on Bay Avenue and 100 feet of frontage on Jackson Street. The property consists of a 2½-story commercial building occupied by “Hinlicky’s Ice Cream Parlor” at the left side of the property, a one-story addition with a roof deck at the rear of the principal building, a shallow concrete patio at the rear of the building, an asphalt parking lot at the outer corner of the property, and a two-story, two-car garage on the right rear side of the property adjacent to Block 47, Lot 1. The buildings appear to be in good condition. There is a low brick wall and flagpole to the left of the parking lot on the Bay Avenue front lot line, and there is a low block wall flanking the right side of the parking lot. Access to the parking lot is provided from a wide curb cut on Jackson Street. A separate curb cut and concrete driveway from Jackson Street provides access to the garage. A small brick patio at the right side of the principal building provides outdoor seating. The parking lot is generally in good/fair condition. There have been several persistent property maintenance violations on the site over the past five years, including for weeds, sidewalks, and driveways. However, none of these appear to have been recent problems. The paver sidewalk on Bay Avenue and the concrete sidewalk on Jackson Street are in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property may slightly exceed the maximum permitted building coverage of 35 percent for the CBD zone, the property is in good condition, is occupied by an active commercial use, and is compliant with lot coverage and off-street parking requirements for the CBD zone. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 47, Lot 12 does not meet the criteria of the LRHL.

Block 52, Lot 1

Address:	CORNWALL ST & BAY
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a corner lot with 35.4 feet of frontage on Bay Avenue and 80 feet of frontage on Cornwall Street. The property is a pocket park owned by the Borough of Highlands. There is landscaping throughout the property, a paver walkway, and a monument sign displaying the names of various businesses on the commercial corridor. The property is maintained in good condition. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well and a decorative lamppost on the sidewalk in front of the property on Bay Avenue. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property is a pocket park maintained in good condition which provides substantial benefit and public good to a downtown commercial corridor that has limited public park space.

Based on the above, Block 52, Lot 1 does not meet the criteria of the LRHL.

Block 52, Lot 2

Address:	140 BAY AVENUE
Owner:	BRASWELL, KENNETH R & CARLA CEFALO
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	No data

Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a corner lot with 35.4 feet of frontage on Bay Avenue and 72.5 feet of frontage on North Street. The property consists of a two-story commercial building and a gravel driveway wide enough for one car behind the building. The building is occupied by “Shore Graphx,” an office use. The building appears to be in fair condition, with some signs of wear including peeling paint on window frames and the building façade. The paver sidewalk on Bay Avenue is in good condition. On-street parallel parking is provided on Bay Avenue. There are no streetscape improvements on North Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the building is in good condition, it occupies a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and appears to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management prevent flood risks on-site and off-site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 52, Lot 2 meets criterion “d” of the LRHL.

Block 53, Lot 1

Address:	MILLER ST
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

This property is a corner lot with 159 feet of frontage on Shore Drive and 99.6 feet of frontage on Miller Street. The property was recently improved for the Highlands Fire Department, including a one-story administrative building, an attached building with four fire truck bays, and a surface parking area. The property appears to be raised above the Miller Street elevation. The surface parking lot is located adjacent to Miller Street consists of ten 90-degree parking spaces, including one ADA-accessible parking space. Access to the surface parking area and the fire house are via Shore Drive. There is some landscaping in good condition surrounding the property. A white picket fence is located on the side lot line adjoining Block 53, Lot 2. The concrete sidewalk on Miller Street is in fair condition, and the concrete sidewalk on Shore Drive is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property has been recently improved and is in good condition. In addition, the public benefit of allowing the new Fire Department property to remain outweighs any potential benefits of redevelopment. The property does not meet any of the redevelopment criteria of the LRHL.

Based on the above, Block 53, Lot 1 does not meet the criteria of the LRHL.

Block 53, Lot 2

Address:	65 MILLER STREET
Owner:	HALSTED, RICHARD & CATHERINE
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 131 feet of frontage on Miller Street and consists of a two-story triplex dwelling on the left side of the property and an asphalt parking lot on the right side yard with approximately 12 parking spaces. The building appears to be in good condition. The front yard consists of landscaping, a couple of trees, and lawn area. The rear yard and narrow left side yard consist of lawn area. There is white PVC fencing on the side and rear lot lines. The front yard slopes up several feet from the front lot line to a block retaining wall in front of the building. As such, the dwellings are elevated several feet above the ground elevation. A small identification sign is located in front of the retaining wall and states "165 miller street apts." The concrete sidewalk on Miller Street is in fair/good condition. On-street parallel parking is not permitted on Bay Avenue. Two storm drains flank the entry driveway in the road.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property includes residential uses on the ground floor in a high-risk flood zone, the grade at the base of the building and the ground floor are elevated several feet above the street elevation and there are landscaped buffers in the front yard, which provide some relief from flood risks. The building and improvements were developed in 2000, according to tax records, which suggests the property was developed to account for some level of flood risk. The building also appears to have been in good condition in 2013 after Superstorm Sandy, according to Google Maps Street View. These factors mitigate the risks to the health and safety of residents in the event of a major flooding event. In addition, the property appears to be compliant with building coverage, lot coverage, and parking standards for the CBD zone, and is in good condition.

Based on the above, Block 53, Lot 2 does not meet the criteria of the LRHL.

Block 53, Lot 3

Address:	9 WEST NORTH STREET
Owner:	SHEA, WILLIAM J
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1923
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Protective treatment (6/1/18); Weeds, brush, trash debris removal (6/1/18, 2/19/20); Construction site accumulation, Sidewalk obstruction (2/19/20).

Property description:

This property has 120 feet of frontage on West North Street. The property consists of a narrow, one-story apartment building in poor condition. Entry steps lead to three dwelling units from West North Street. The building has small windows on North West Street that are shaded by an overhang. A covered porch is located in front of one unit. The dwelling entrances are elevated a couple of feet above the ground elevation. Vehicular and truck access to four one-car garage doors and a loading bay is from West North Street. The short segments of asphalt driveways are in poor condition. There is an outdoor storage area in the right side yard through chain link gates. An overhang from the building extends over this storage area. The rear yard appears to be used for the haphazard outdoor storage of various items. There have been several property violations on the site over the past five years, including for weeds and trash removal, construction site accumulation, and sidewalk obstruction. The cement sidewalk on West North Street is in poor condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: a, d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

In addition, the dwellings lack light and air and are in poor condition, resulting in unwholesome living conditions. There are few, small windows that are further shaded by the overhang. The building design is obsolete and appears more similar to an old light industrial building rather than a residential building. The property has a faulty arrangement and poor site access considering that vehicles must enter the driveways at the intersection of two streets. The location of the truck loading bay directly adjacent to a dwelling entrance presents an unsafe condition for residents. Lastly, the lack of improvements on the property results in a sense of general neglect on the site.

Based on the above, Block 53, Lot 3 meets criteria “a” and “d” of the LRHL.

Block 53, Lot 4

Address:	7 NORTH STREET
Owner:	HAMMER, ROBERT W & ANN
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1918
Stories:	Two stories
Current tax delinquencies/arrearages:	Delinquent \$3,983.64 for Q2 & Q3 2020.
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds, brush, trash debris removal, Upkeep vacant structure, Vacant property licensing (9/27/16).

Property description:

This property is a through lot and a flag lot with 42.5 feet of frontage on West North Street and 10 feet of frontage on Miller Street. A narrow strip of lawn extends from the main portion of the property to Miller Street, creating a flag lot. The property consists of a two-story single-family dwelling with a covered front porch. The building appears to be in poor condition. The first level is elevated a few feet above the ground elevation. A narrow strip of lawn extends from the main portion of the property to Miller Street, creating a flag lot. A curb cut is located at the end of the “pole” portion of the flag lot, indicating that it was once used as a narrow driveway. Currently, a large flowerpot has been placed on the sidewalk on Miller Street to block access to the driveway. Chain link fencing and a white picket fence are located on the sides of the “pole.” Chain link fencing is located on the front lot line on West North Street. There is a low cement wall on the front lot line in poor condition, with peeling paint. There have been several property violations on the site over the past five years, including for weeds and trash removal and for upkeep of a vacant structure. The concrete sidewalk on West North Street is in poor condition and the concrete sidewalk on Miller Street is in fair condition.

The gutters and vinyl covering on the eaves of the front porch and the roof in the rear are falling down. There is a large hole on the façade at the rear of the building that has been boarded up. The rusted chain link fencing surrounding the property is bent and covered in overgrown vegetation. Various household items are strewn throughout the property. A rusted metal drum is located in the rear yard. The concrete foundation of the building appears to have been painted once, but the paint is now faded and patchy. Overall, the poor condition of the property results in the feeling neglect and disorder.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Tax records indicate that the property is delinquent on taxes by \$3,983.64.

This parcel meets the following criteria: a, d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

In addition, the building appears to be dilapidated as described above, and presents unwholesome living conditions to residents. As such, the property is detrimental to the health, safety, morals, and welfare of the community and the residents.

Further, the property suffers from faulty arrangement and layout. Although it appears that the “pole” portion of this flag lot was once a driveway, the driveway is currently blocked and developed as lawn area, and no off-street parking is provided to support the residents. The flag lot layout is not being utilized for a driveway as intended and only serves as a vacant gap on the Miller Street streetscape. As such, the flag lot arrangement is detrimental to the welfare of the community.

Based on the above, Block 53, Lot 4 meets criteria “a” and “d” of the LRHL.

Block 53, Lot 5

Address:	63 MILLER STREET
Owner:	CIRECO, STEPHEN
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories
Current tax delinquencies/arrearages:	Tax sale (sewer).
Police reports (property-related incidents, last five years):	THEFT - PROPERTY (11/27/19).
Property violations/hazardous conditions:	None

Property description:

This property has 32.5 feet of frontage on Miller Street. It consists of a two-story residential apartment building. The dwelling appears to be in fair condition. Two of the three entry doors on Miller Street are raised slightly above the ground elevation, and the remaining entrance is at the ground elevation. A wooden fence surrounds the rear yard, which appears to consist of trees and lawn area. The building appears to be in fair/poor condition. There is peeling paint in various places on the front façade, on the doorsteps, and on some of the wooden window frames, which appear to be rotting. Decorative features on the central front door are falling off. The eave above the ground floor is falling apart and has rotting wood. There are large cracks in the cement façade facing Block 53, Lot 7.

There is no off-street parking on the site or on-street parking on Miller Street. The concrete sidewalk on Miller Street is in fair condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, but none of which appear to be a persistent problem.

Tax records indicate that the property has undergone a tax sale for sewer.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and

personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The dwelling is in poor condition, as described above, which results in a feeling of neglect and is detrimental to a vibrant downtown commercial corridor.

Lastly, the property lacks off-street and on-street parking, indicating an obsolete layout of the property that is insufficient to support the residences.

Based on the above, Block 53, Lot 5 meets criterion “d” of the LRHL.

Block 53, Lots 6 and 7

Address:	BAY AVE & MILLER ST
Owner:	KELLY,TOM/K-H PROJECTS, LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Vacant structure maintenance (IPMC), Weeds, brush, trash debris removal, Vacant property registration (6/15/16).

Property description:

Lot 6 is a corner lot and Lot 7 is an interior lot. They are evaluated together due to common ownership and because they operate as one cohesive site. The properties have a total of 60 feet of frontage on Bay Avenue and 40.5 feet of frontage on Miller Street. Lot 6 has 40 feet of frontage on Bay Avenue and Lot 7 has 20 feet of frontage on Bay Avenue. The property consists of loose sand or stone ground cover, moveable seating, moveable bicycle racks, a small wooden stage, a permanent planter boxes, and a permanent bench facing Miller Street. A block wall is located on the side lot lines. There are curb cuts on Bay Avenue and Miller Street. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent problem. Tax records show this property has been vacant and without taxable improvements since at least 1989, the earliest date for which tax records are provided online.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

These parcels meet the following criterion: c

These properties have been vacant for more than 10 years prior to this area in need of redevelopment investigation. The properties have not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. This lack of confidence that the property would be profitable if developed through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 53, Lots 6 and 7 meet “c” criterion of the LRHL.

Block 53, Lot 8

Address:	157 BAY AVENUE
Owner:	SPICE PROPERTIES LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	One story
Current tax delinquencies/arrearages:	Delinquent \$1,806.66 for Q1, Q2, & Q3 2020.
Police reports (property-related incidents, last five years):	FLOODING (8/13/18), OPEN DOOR/ WINDOW (8/20/18).
Property violations/hazardous conditions:	None

Property description:

This property has 60 feet of frontage on Bay Avenue. It consists of a one-story cement building with a commercial retail business called “Gert’s Snacks & Spices” that extends to the rear lot line. There is a paver patio surrounded by a buffer of loose stone in the right side yard. Moveable tables and planters were observed during a site inspection. There is a curb cut to the left side yard, which consists of gravel and moveable tables. It appears that the left side yard was once used for off-street parking. Trash and recycling containers are located at the rear of the side yards. A wooden fence is located on the right side lot line, and a wooden fence and chain link fence are located on the rear lot line within the adjacent property. The paver sidewalk on Bay Avenue is in good condition.

The building appears to be in fair condition. There is a rusted metal beam on the front façade above the window. However, the building appears to have been recently painted. An HVAC unit is elevated near the roof of the building.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Tax records indicate that the property is delinquent on taxes by \$1,806.66.

This parcel meets the following criterion: d

The property suffers from faulty arrangement and obsolete design. The property is underutilized by a particularly small one-story building and an excess of outdoor space considering the building size. In addition, on-site circulation is poor, considering that a curb cut is located on the left side of the building, while the building entrance is on the right. Therefore, the property’s obsolete design and faulty arrangement are detrimental to the welfare of the community and to a vibrant and cohesive commercial corridor.

Based on the above, Block 53, Lot 8 meets criterion “d” of the LRHL.

Block 53, Lot 9

Address:	151 BAY AVENUE
Owner:	BAY AVENUE PROPERTIES, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	One story
Current tax delinquencies/arrearages:	None

Police reports (property-related incidents, last five years):	OPEN DOOR/WIN (12/18/16, 10/10/20).
Property violations/hazardous conditions:	Vacant structure maintenance (IPMC); Rodent harborage; Window, skylight and door maintenance (7/10/17).

Property description:

This property is a corner lot with 39.60 feet of frontage on Bay Avenue and 38.5 feet of frontage on West North Street. The property consists of a one-story commercial building that occupies the entirety of the property. The building appears to be in good condition on the Bay Avenue façade, which appears to have new windows and a newly painted cement block façade, as well as a brick façade. The windows on the rear façade, which faces a residential use, consists of exposed cement blocks and windows filled in with cement blocks. The building entrances are located on the ground elevation. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent problem. There is no off-street parking on the site. On-street parallel parking is not permitted in front of the property on Bay Avenue, but an unmarked parking space is provided on West North Street. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. A metal sheet is covering a hole in the sidewalk on West North Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to occupy almost the entirety of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Although the front façade has been recently improved, the rear façade consisting of exposed cement blocks, which is visible from West North Street and faces the adjacent residential property, visually detracts from a vibrant commercial and a wholesome residential environment.

Based on the above, Block 53, Lot 9 meets criterion “d” of the LRHL.

Block 54, Lot 1

Address:	150 BAY AVENUE
Owner:	SOYKA, HELEN (ESTATE)
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	PROPERTY - LOST AND FOUND (3/23/19).
Property violations/hazardous conditions:	Grease trap (10/24/16); Window, skylight, door maintenance (10/19/17); Protective treatment,

	Exterior walls (10/19/17, 5/15/18, 7/28/20); Weeds, brush, trash debris removal (9/13/18, 7/28/20); Accumulation of rubbish or garbage, Street number, Construction site accumulation, Open/overflowing waste bins, Abandoned vehicles (7/28/20).
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Property description:

This property is a corner lot with 91.9 feet of frontage on Bay Avenue and 128 feet of frontage on Miller Street. The property consists of a 2½-story commercial building at the corner of the property and along Miller Street, a gravel parking area to the right of the building that is accessible from Bay Avenue, and lawn area and trees behind. The business is a food and drink establishment called “Andy’s Shore Bar.” The entrances to the building are slightly above the ground elevation.

Portions of the façade have been covered in a new house wrap, but new siding is not yet installed. The house wrap currently does not extend up to the peak of the gables in the front yards. The remaining portions of the façade are in poor condition, with large patches of torn siding on the rear façade. Large portions of the rear door frame are missing, and the paint has peeled off and the wood has started to rot on the door frames in the front and side of the building. The paint on the eaves of the building has peeled to expose the wood. Two windows frames on the front façade were boarded up during a site inspection. The concrete foundation of the building appears to be covered in faded and peeling paint. The house wrap installation was observed during site inspections in both August 2020, January 2021, and March 2021. It is unclear when repairs will be complete and to what extent.

There have been several persistent property (maintenance) violations on the site over the past five years, including for maintenance of window, doors, and exterior walls, protective treatment of the building, weeds and trash removal, excess trash and construction site accumulation, and abandoned vehicles.

The parking lot consists of a mix of gravel and lawn in fair condition. The lawn area behind the gravel parking area appears to serve as parking for additional vehicles such as an RV and a boat. There is a concrete patio behind the building and a standalone brick chimney located at the end of the patio on the northern corner of the building. A high, standalone block wall is located on the interior side of the patio. Construction materials, equipment, and scaffolding were observed on the rear patio during a site inspection. There is a wooden fence located atop the cement patio, which is crumbling on the outside edge, on the Miller Street lot line. There is wooden and chain link fencing on the side lot line adjacent to Lot 7.01.

The paver sidewalk on Bay Avenue is in good condition, and the wide concrete sidewalk on Miller Street is in fair condition. There is an empty decorative tree well in front of the property on Bay Avenue and a street tree in front of the property on Miller Street. There is on-street parallel parking in front of the property on Bay Avenue and Miller Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

It is difficult to determine the future overall condition of the commercial building considering it is undergoing repairs. However, the repairs have not progressed appreciably in the six months between the two site inspections conducted for this study, and several property violations have been issued for the condition of the building and the outdoor areas over the past five years. It is further unclear if the property owner intends to repair issues with peeling paint and exposed or rotting wood on door frames

and eaves, to repair the crumbling cement patio, and to repair two broken and boarded up windows on the front façade. The current dilapidated condition of the building, if it is allowed to continue, would be detrimental to the health and safety of the community.

The design of the building is also obsolete for modern commercial uses considering that the windows on the ground floor are particularly small, unlike large ground level windows that are common in modern retail environments. The parking area appears to be inappropriately used as parking for an RV and a boat. The standalone chimney and high block wall behind the building are obsolete. The outdoor chimney may, if used, be a fire hazard due to its proximity to overgrown vegetation or create smoke which could be detrimental to the health of passersby in this downtown commercial area.

Based on the above, Block 54, Lot 1 meets criterion “d” of the LRHL.

Block 54, Lot 3.01

Address:	146-148 BAY AVE
Owner:	CIRECO, STEPHEN
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories
Current tax delinquencies/arrearages:	Tax sale (sewer).
Police reports (property-related incidents, last five years):	CRIMINAL MISCHIEF (4/27/15 (spray paint), 2/25/16 (vandalism), 11/29/15 (broken sidewalk) (twice)), PROPERTY - LOST AND FOUND (3/4/18), FIRE CALLS (6/23/19), OPEN DOOR/WINDOW (6/24/19).
Property violations/hazardous conditions:	None

Property description:

This property had 28.1 feet of frontage on Bay Avenue. It consists of a 2½-story apartment building with an attached one-door garage on the ground level. The front portion of the building appears to be new or newly renovated. The living floors of the building appear to begin on the second story. Considering the ground floor does not appear to be occupied, it is unclear if tandem parking is provided in the attached garage. There are entry steps and a covered porch in the left side yard. The building occupies a majority of the lot area. There is a small alley between the building and the building on adjacent Lot 4. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to several incidents on the site over the past five years, including instances of criminal mischief including vandalism and property damage.

Tax records indicate that the property has undergone a tax sale for sewer.

This parcel meets the following criterion: Section 3

Although there have been ongoing problematic situations that warrant police involvement, the buildings and improvements are in good condition. Further, while the structure appears to exceed the maximum permitted building coverage of 35 percent and the lot coverage of 80 percent in the CBD district, the building appears to be elevated above the base flood elevation over a concrete garage. The property is in good condition, has adapted to flood risk, and therefore is not detrimental to the

health, safety, morals, or welfare of the community. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is on a short block bookended by properties that can be designated using the redevelopment criteria (Block 54, Lots 1 and 4) of the LRHL. Lot 3.01 is a narrow lot and is the only property between the two bookend properties, creating a sliver gap which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario of the other Bay Avenue-facing properties on the block (Lots 1 and 4) would require accommodation of Lot 3.01 to avoid a narrow gap in the redevelopment of the short block. Inclusion of Lot 3.01 under Section 3 would promote the effective design and redevelopment of the area. As such, Lot 3.01 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 54, Lot 3.01.

Block 54, Lot 4

Address:	144 BAY AVENUE
Owner:	CONSIGLIERE, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories, two stories, and one story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	HAZARDOUS CONDITION (9/23/15 (water flow hazard)), BOROUGH ORDINANCE VIOLATION (7/3/16), FIRE CALLS (10/1/18), ALARM ACTIVATIONS (9/11/15, 7/11/17, 7/14/18, 8/7/18, 12/27/18, 8/29/19), THEFT - VEHICLE (7/26/20).
Property violations/hazardous conditions:	None

Property description:

This property is a corner lot with 39.2 feet of frontage on Bay Avenue and 113.5 feet of frontage on East North Street. The property consists of three buildings, including a 2½-story brick commercial building on the corner of Bay Avenue and North Street, a two-story duplex building facing toward North Street, and a one-story residential building facing toward North Street.

There is a food establishment in the commercial building, called “Fresh Restaurant & Catering.” A concrete patio and raised deck with outdoor seating is located on the right side of the commercial building at the corner of the property. The front entrance to the commercial building is at the ground elevation, but the side entrance is raised slightly above the ground elevation. There is no off-street parking for the commercial use.

The residential buildings appear to be in fair/good condition. The entrances to the duplex building are at the ground elevation. The entry door and first floor of the one-story residence are slightly raised above the ground elevation on a concrete foundation. The length of the curb on North Street is at the street elevation.

The front yard of the residential buildings on North Street consists of concrete driveways, sidewalk, and a shed in front of the duplex building. The only visible landscaped area of the property is a small lawn area to the right of the one-story residence. It appears that the concrete front yard is used for

residential parking, except that one driveway is blocked by planter boxes. An HVAC unit located to the right of the one-story residence is raised on a platform several feet off the ground. A wooden fence is located on the side lot line adjacent to Block 54, Lot 5.

On-street parallel parking is permitted on Bay Avenue in front of the property but not on North Street. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional but sometimes serious property-related incidents on the site over the past five years, including but not limited to a property violation, a hazardous condition, alarm activations, and theft.

This parcel meets the following criterion: d

The buildings appear to occupy a majority of the lot area, which exceed the maximum permitted building coverage of 35 percent and appear to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The property also suffers from a faulty arrangement, considering that it is overcrowded with three separate buildings, it has almost no yard areas, a shed is located in the front yard, and it provides no off-street parking for the commercial use. Therefore, this overcrowding and lack of parking are detrimental to the health, safety, morals, and welfare of the community.

Lastly, there is a history of property-related police incidents on the site which are detrimental to a safe and vibrant commercial corridor.

Based on the above, Block 54, Lot 4 meets criterion “d” of the LRHL.

Block 54, Lot 5

Address:	38 NORTH STREET
Owner:	FLANNERY, JOHN M. & DANIELLE A.
Use:	Residential (1-4 family)
Zoning District:	CBD
Year Built:	1913
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

This property has 52.5 feet of frontage on East North Street. The property consists of a two-story residential building above an unenclosed parking area and a concrete patio on the ground floor. The building is located on the left side of the property and has been elevated on concrete blocks. The entry to the building is via steps to a raised porch, underneath which is a small garden.

There are two tandem parking spaces under the left side of the building and one parking space in a driveway in front of the right side of the building. A trash enclosure area is located under the building. An HVAC unit is raised on a platform to the elevation of the first living floor. The remainder of the property is lawn area with some trees and shrubs.

A decorative low block wall is located on the front lot line, and there is a wooden fence on the left side and rear lot lines. A segment of sidewalk is located at the street level elevation in front of the tandem driveway, after which the sidewalk does not continue in front of the property. Overall, the land and improvements on the property are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property is maintained in good condition and is designed to provide a safe and healthy living environment that is located above the flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 54, Lot 5 does not meet the criteria of the LRHL.

Block 54, Lot 7.01

Address:	49 MILLER STREET
Owner:	LDN REAL ESTATE, LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/12/16, 7/26/18, 1/31/19), Outdoor storage (1/31/19), Tire storage, Abandoned motor vehicle (1/31/19).

Property description:

This property is an irregular shaped through lot with 60 feet of frontage on East North Street and 90 feet of frontage on Miller Street. The property is vacant and consists of gravel and lawn areas being used as parking for several vehicles, a large shrub, and overgrown vegetation. A two-story residential building was demolished on the property in 2014/2015, according to tax records. There is block curbing and a wooden fence on the Miller Street front lot line. A curb cut is located on Miller Street, and two stone posts flank either side of the "driveway" on the lot line. There have been several persistent property violations on the site over the past five years. The concrete sidewalk on Miller Street is in fair condition. There are no streetscape improvements on the North Street side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: none

Although the property is vacant and in poor condition, the lack of improvements and relatively recent vacancy offers the possibility that the property could be redeveloped through the instrumentality of private capital. Therefore, these conditions preclude the property from meeting the redevelopment criteria of the LRHL.

Based on the above, Block 54, Lot 7.01 does not meet the criteria of the LRHL.

Block 58, Lot 1

Address:	154 BAY AVENUE
Owner:	TKB PROPERTIES LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	1968
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (3/26/15), CRIMINAL MISCHIEF (6/28/15 (property damage)), HAZARDOUS CONDITION (12/30/15 (building issues)).
Property violations/hazardous conditions:	HAZARDOUS CONDITION (12/30/15 (building issues)); Exterior structure; Exterior walls (1/14/16).

Property description:

This property is a corner lot with 63.02 feet of frontage on Bay Avenue and 66.5 feet of frontage on Miller Street. The property consists of a one-story brick and concrete commercial retail building on the right side of the property, a gravel parking area on the left side of the property, and a storage shed at the left rear corner. The business is the “Feed & Seed” pet food store. The building extends the full depth of the property. A small mural has been completed on the side of the building facing the parking area. A moveable tent canopy and seating area were set up on the left side of the parking area during a site inspection in August 2020, but this area had converted back to a parking area by January 2021. The parking area and building appear to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem.

A low wooden curb is located around the parking area. Access to the parking area is provided from Bay Avenue. On-street parking is not permitted in front of the building on Bay Avenue, and only one on-street parking space is permitted on Miller Street. The paver sidewalk on Bay Avenue and the concrete sidewalk on Miller Street are in good condition. There is a street tree in front of the property on Miller Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, including a hazardous condition due to a “building issue,” but none of which appear to be a persistent or recent problem.

This parcel meets the following criterion: none

The property is in good condition and provides a compliant amount of parking. Although the parking lot in the left side yard creates a gap in the streetscape environment, on balance the property activates the streetscape with its large retail window, mural, and good site maintenance. In addition, while the

property is within a high-risk flood zone, the property generally complies with modern stormwater management regulations considering that the lot coverage and building coverage are compliant and that no residential uses are located on the ground floor.

Based on the above, Block 58, Lot 1 does not meet the criteria of the LRHL.

Block 58, Lot 3.01

Address:	50 MILLER STREET
Owner:	BORROMEO, TYRONE D & CECILE A
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	2016
Stories:	Three stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ARRESTED PERSON (9/16/15 (shoplifting)).
Property violations/hazardous conditions:	Short term rental property licensing (7/14/20).

Property description:

This property is irregular in shape with 50 feet of frontage on Miller Street. The property was developed within the past 10 years as a three-story residential building with a one-car garage on the ground floor. The main entry stairs lead to the second floor of the building, suggesting that the ground floor is not occupiable. The rear yard consists of lawn area. The concrete sidewalk on Miller Street is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The building and site improvements are in generally good condition. Occupiable floors appear to be located above the 11-foot flood elevation. Police activity has been infrequent and does not suggest particular safety issues related to the property. On balance, the improvements on the property contribute to the public good.

Based on the above, Block 58, Lot 3.01 does not meet the criteria of the LRHL.

Block 58, Lots 17.01 and 18

Address:	190/192 BAY AVENUE
Owner:	BAY AVENUE VENTURES, LCC / PRINCE, LOUIS PRINCE, NANCY
Use:	Commercial
Zoning District:	CBD
Year Built:	2000
Stories:	Two stories and one story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	HAZARDOUS CONDITION (3/15/19, 9/3/19).
Property violations/hazardous conditions:	Weeds (IPMC) (7/13/16).

Property description:

Lots 17.01 and 18 are owned in common⁶ and used as one cohesive site. Therefore, these tax lots are evaluated together. Lot 18 has 25 feet of frontage on Bay Avenue. Lot 17.01 is a corner lot with 45 feet of frontage on Bay Avenue and 100 feet of frontage on Valley Avenue.

Lot 18 consists of a two-story frame commercial building at the front of the property and a one-story warehouse at the rear. A food establishment business called “Certified Clam” occupies the property. It appears that the upper floor of the commercial building is occupied by residential tenants. The buildings appear to be in poor condition, with vinyl siding peeling off. The front entrance to the front building is located slightly above the ground elevation. Additional entrances are located on the second story of the left side of the building via exterior stairs and a raised porch. Electricity meters are located on the left exterior of the building, approximately three feet above the ground elevation. The loading dock door of the rear building faces toward Valley Street and is accessed via a concrete driveway cutting across Block 58, Lot 17.01. There is a chain link fence on the front lot line to the left of the building, and there is a white picket fence on the front half of the left side lot line. A storage shed and a dumpster are located on the left side of the buildings.

Lot 17.01 consists of a vacant lot of gravel that is currently utilized for parking and outdoor storage by the adjacent commercial and/or residential uses on Block 58, Lot 18. A concrete driveway for the loading bay on Block 58, Lot 18 cuts across the north end of the property. There is outdoor storage of materials such as wooden pallets and a storage shed located on the side lot line adjacent to Block 58, Lot 16. A concrete bench is located in the Bay Avenue front yard. The remainder of the property is a mix of unkempt gravel and lawn area.

There have been infrequent property maintenance violations on the properties over the past five years, of which none appear to have been a persistent problem.

The paver sidewalk on Bay Avenue and Valley Street are in good condition. The sidewalk on Valley Street is located at the ground elevation. There is a street tree in a decorative tree well in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional but sometimes serious or recurring incidents over the past five years, including but not limited to hazardous conditions, various motor vehicle issues, recurrent first aid calls, a noise complaint, suspicious activity or persons, and a dispute.

These parcels meet the following criterion: d

The site suffers from faulty site arrangement and obsolete design. The two properties are used in common but on their own would be inadequate to support the commercial and warehouse uses on Lot 18. The loading dock does not have direct access to the street and is only accessible via Lot 17.01. The property further suffers from a faulty arrangement and obsolete design considering that the loading bay and the warehouse portion of the building are attached to the residential uses. The location of the loading bay and active truck traffic in a downtown commercial area presents a health and safety hazard to pedestrians in the area.

The property has experienced recurrent problematic situations that warrant police involvement, and which suggests that the property is detrimental to the health, safety, morals, and welfare of the community.

⁶ The deed for Block 58, Lots 17.01 and 18 is dated April 12, 2018.

Based on the above, Block 58, Lots 17.01 and 18 meets criterion “d” of the LRHL.

Block 58, Lots 19 and 20

Address:	188 BAY AVENUE
Owner:	TRI-STATE REALTY, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ALARM ACTIVATIONS (4/9/16, 5/28/16, 1/3/19, 4/3/19, 5/9/19), OPEN DOOR/WIN (7/5/20, 7/25/20).
Property violations/hazardous conditions:	Exterior walls (5/22/17, 4/29/19); Protective treatment, Roofs and drainage (5/22/17); Storm drainage, Weeds, brush, trash debris removal (4/29/19).

Property description:

Lots 19 and 20 are owned in common⁷ and developed together. Therefore, these tax lots are evaluated together. Each lot has 25 feet of frontage on Bay Avenue, for a total frontage of 50 feet. The property consists of a two-story frame office/warehouse building located on the left side and rear portions of the property, and a concrete driveway on the right side of the property. There is a loading bay on the right side of the building at the end of the driveway. The loading bay door is raised above the ground elevation via a ramp. The front and right side entrances are slightly above the ground elevation. An HVAC unit is located in front of the building on a platform elevated a few feet of the ground. The building occupies a majority of the lot area and appear to be in good condition. A low brick wall is located around the front and right sides of the building. A decorative metal fence and entry gate are located on the front lot line in front of the driveway. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There is on-street parallel parking in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, but none of which appear to be a persistent problem.

These parcels meet the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or

⁷ The deed for Block 58, Lots 19 and 20 is dated January 6, 2020.

entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The building has an obsolete design. The warehouse has a large footprint but only one loading bay, whereas modern warehouses typically require multiple loading bays. There is no dedicated parking area or driveway for personal vehicles to support the office and warehouse uses.

Further, the property suffers from a faulty arrangement, considering that the large warehouse portion of the building is directly adjacent to residential properties at the rear, with no rear yard to buffer the uses. This proximity is detrimental to the welfare of the adjacent residential properties. In addition, a warehouse use with a loading bay is inappropriate in a downtown commercial corridor. Trucks entering and existing the property present a health and safety risk to pedestrians in the area.

Based on the above, Block 58, Lots 19 and 20 meets criterion “d” of the LRHL.

Block 58, Lot 23.01

Address:	182 BAY AVENUE
Owner:	DOCSIDE, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	Tax sale (sewer).
Police reports (property-related incidents, last five years):	FIRE CALL (2/18/16), CRIMINAL MISCHIEF (10/22/16), HAZARDOUS CONDITION (11/21/2017), THEFT (11/30/2017), ALARM ACTIVATIONS (1/30/17, 3/18/17, 5/12/17), ILLEGAL DUMPING (3/6/2019), BOROUGH ORDINANCE VIOLATION (3/22/2019), PROPERTY - LOST AND FOUND (6/21/2019), HAZARDOUS ROAD (5/9/2020).
Property violations/hazardous conditions:	HAZARDOUS CONDITION (11/21/2017), BOROUGH ORDINANCE VIOLATION (3/22/2019).

Property description:

This property consists of 70.4 feet of frontage on Bay Avenue. It consists of a two-story brick and frame commercial building centrally located on the property, a one-way gravel driveway in the right side yard, a gravel parking area at the rear, and lawn area in the left side yard. The building is occupied by ShoreSide Veterinary Care. The building and parking lot appear to be in good condition. The front and right side entrances are slightly above the ground elevation and the left side entrance is on the second story via entry steps. Chain link fencing surrounds the left side yard on the front and left side lot lines. A large flagpole is located in the left side yard. The driveway is flanked by wooden curbing. Various large items including but not limited to chairs, tables, a cooler, and grills were observed in the left side yard for storage purposes.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree and a decorative lamppost in front of the property on Bay Avenue. There is on-street parallel parking in front of the property on Bay Avenue.

The property is within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional but serious activity on the site over the past five years, including but not limited to hazardous conditions, a property violation, illegal dumping, criminal mischief, and theft.

Tax records indicate that the property has undergone a tax sale for sewer.

This parcel meets the following criterion: Section 3

Although the property has experienced occasional but serious situations that warrant police involvement, and although the property has undergone a tax sale for sewer, the site improvements are in good condition. The property appears to be compliant with parking requirements, lot coverage, and building coverage. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community and does not meet any of the redevelopment criterion of the LRHL.

However, the property is located along a row of properties (Block 58 on Bay Avenue) for which most can be designated using the redevelopment criteria of the LRHL, including adjacent Lots 19/20 to the left and Lot 24 to the right. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario involving the remaining properties on Block 58 would require accommodation of Lot 23.01 to promote the effective design and redevelopment of the area and avoid a “gap tooth” effect in the redevelopment area. A redevelopment scenario involving the adjacent Lots 19 & 20 and 24 would require accommodation of Lot 23.01 to promote the effective design and redevelopment of the area. As such, Lot 23.01 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 58, Lot 23.01.

Block 58, Lot 24

Address:	170 BAY AVENUE
Owner:	HELLER PROPERTY PARTNERS, LP
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	LOST AND FOUND (8/10/15, 1/21/15), FIRE CALLS (12/6/2018).
Property violations/hazardous conditions:	None

Property description:

This property is an irregular shaped lot with 110 feet of frontage on Bay Avenue. The property consists of a one-story brick U.S. Post Office building on the right side of the property, an asphalt parking lot on the left side of the property, and an open-faced block storage structure at the rear of the principal building. The storage structure has a high ceiling and a wide, doorless opening.

There is a shallow front yard that consists of loose stone. An ADA-accessible ramp to the building entrance is located in the left side yard. The front building entrance is located at the ground elevation. The principal building appears to be in good condition. There is some landscaping and trees on the left side lot line.

The parking lot in the rear yard is enclosed by chain link fencing and a sliding gate, which are topped by barbed wire, to allow for restricted vehicular entry to the loading dock in the rear of the building. A small parking garage is located at the rear of the main building, is unenclosed, and faces the parking lot. A separate, two-car garage is located in the rear yard and is in poor condition, faces toward Lot 5.01, and is generally inaccessible. There is a wide curb cut from Bay Avenue. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related activity on the site over the past five years, including lost and found and fire calls.

This parcel meets the following criterion: d

The structures appear to occupy approximately half of the lot area, which exceeds the maximum permitted building coverage of 35 percent, and the improvements appear to exceed the maximum lot coverage of 80 percent for the CBD district. Although the principal Post Office building is in good condition and provides a public benefit to the community, the excessive lot coverage, together with the building's location in a high-risk flood zone, presents a hazard to the welfare of the community. There is a reasonable risk that flooding could damage irreplaceable and potentially important mail in the facility. The rear portion of the parking lot is bounded by chain link fence topped by barbed wire – which is not appropriate for a downtown setting. The secured parking area and loading area are aspects which represent a faulty arrangement and deleterious land use that are incompatible with a pedestrian-oriented downtown setting, and are detrimental to the welfare of the community.

Based on the above, Block 58, Lot 24 meets criterion “d” of the LRHL.

Block 58, Lot 25

Address:	168 BAY AVENUE
Owner:	YEUNG, SAU WAN
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	AUTO ACCIDENT (11/11/15), ASSIST OTHER AGENCY (12/16/15), OPEN DOOR / WINDOW (8/7/17), THEFT (11/10/17), ASSIST PERSON - (NON MEDICAL, TRANSPORT, OR LOCK-OUT) (11/22/17), FIRST AID (5/29/16, 6/21/18), MV STOP (5/30/17, 8/9/18), ALARM ACTIVATIONS (8/11/18, 11/27/18), DISABLED MV (1/15/19), DOMESTIC ASSIST - PROPERTY ESCORTS, SAFE HOUSE (2/9/19), SECURITY CHECK (3/4/19), ALARM ACTIVATIONS (6/1/19), SECURITY CHECK - ALL SECURE (1/12/19, 2/24/19, 3/2/19, 3/22/19, 5/29/19, 6/19/19, 7/26/19, 8/3/2019, 8/13/19, 8/23/19, 8/24/19,

	8/26/2019, 9/2/2019), SEX OFFENSE (7/6/20), WARRANT SERVICE (7/8/20).
Property violations/hazardous conditions:	Receptacle requirements (8/1/17), Grease trap (10/24/16).

Property description:

This property has 35 feet of frontage on Bay Avenue. The property consists of a two-story brick and concrete commercial building that occupies almost the entirety of the property. It appears that the upper floor may be occupied by residential tenants. The left side yard consists of a concrete alley, entry steps to the upper level, and a raised porch on the second story. The building entrance to the commercial space is on the ground elevation. The building appears to be in good/fair condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. There is no off-street parking provided on the property. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional but serious activity on the site over the past five years, including but not limited to alarm activations, a sex offense, theft, and security checks.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The property also suffers from faulty site arrangement. The location of the building does not allow for off-street parking to be provided on the property, which is noncompliant with Borough parking requirements to support the commercial and residential uses.

Based on the above, Block 58, Lot 25 meets criterion “d” of the LRHL.

Block 58, Lot 26

Address:	164 BAY AVENUE
Owner:	ANDREW APARTMENTS,LLC C/O A FRANK
Use:	Commercial
Zoning District:	CBD
Year Built:	2006
Stories:	Three stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	ALARM ACTIVATIONS (5/7/18, 8/7/18, 8/11/18, 12/6/18, 3/13/19), OPEN DOOR / WINDOW (5/8/19), FIRE CALLS (6/23/19).
Property violations/hazardous conditions:	None

Property description:

This property is roughly rectangular in shape with 35 feet of frontage on Bay Avenue. The property consists of a three-story brick and frame commercial building on the left side of the property, an asphalt and gravel driveway on the right side of the property, and lawn area at the rear. A dog grooming business called “The Groom Room” occupies the ground floor. It appears that residential tenants may occupy the upper floors. The building is set back from the sidewalk further than other properties on the commercial corridor. Entry steps at the rear of the building provide access to a raised porch on the second story. The building appears to be in good condition.

There is a garden and a paver walkway in the front yard. Another walkway connects the driveway to entry steps at the rear of the building. The entrance to the commercial space is at the ground elevation.

The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related incidents on the site over the past five years, including alarm activations.

This parcel meets the following criteria: none

Although the property is located within a high-risk flood zone, it appears to have a compliant lot and building coverage, residential uses are located on the upper floors, and the building and improvements appear to be in good condition.

Based on the above, Block 58, Lot 26 does not meet the criteria of the LRHL.

Block 59, Lots 5, 6 and 10

Address:	SECOND TO MILLER/171 BAY AVENUE
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property/Parking Lot
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	Delinquent \$2,875.23 for Q3 2020 (Lot 10).
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (6/11/15, 12/22/17), CRIMINAL MISCHIEF (4/17/16 (broken door)), HAZARDOUS CONDITION (11/21/17).
Property violations/hazardous conditions:	HAZARDOUS CONDITION (11/21/17).

Property description:

Lots 5, 6 and 10 are considered together because they have the same owner (the municipality) and are developed in common. Lot 5 is an interior lot with ± 13 feet of frontage on the terminus of Second Street. Lot 6 is a flag lot with 10 feet of frontage on Miller Street and ± 16 feet of frontage on the terminus of Second Street. Lot 10 has 104 feet of frontage on Bay Avenue.

The property consists of a recently paved asphalt parking lot. Lots 6 and 10 were formerly developed with the Highlands Municipal Building and parking lot. Hurricane Sandy caused destruction to the Municipal Building and rendered it vacant since 2012. Lot 5 was formerly used for the outdoor storage of metal shipping containers, various materials, and for vehicle parking. Access to the parking lot is

provided from the terminus of Second Street and from Bay Avenue. Moveable bollards block access from Miller Street. Parking islands on the property are depressed and filled with river stone. New storm inlets are located on the parking lot.

The paver sidewalk on Bay Avenue is in good condition. There is a new section of cement sidewalk located at the Bay Avenue curb cut. There are two street trees in decorative tree wells in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to ongoing property-related activity on the site over the past five years, including but not limited to a hazardous condition, criminal mischief. However, none of these appear to have been a recent problem since the conversion of the site into a parking lot.

These parcels meet the following criteria: Section 3

Although the property has experienced police activity over the past five years, the site conditions contributing to such activity have recently changed. The property has been redeveloped as a municipal parking lot in good condition, which provides a public benefit to alleviate parking shortages in the downtown commercial corridor. The parking lot is also improved with new stormwater infrastructure to mitigate the large impervious surface area of the parking lot. On balance, the property contributes to the public good. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is located adjacent to two properties at the end of the block that can be designated using the redevelopment criteria (Block 59, Lots 8 and 9) of the LRHL. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Redevelopment of adjacent Lots 8 and 9 alone would require access driveways near the intersection of two major access roads (Bay Avenue and Miller Street) to the downtown. Inclusion of the subject property (Lots 5, 6, and 10) would allow for Lots 8 and 9 to be redeveloped with access driveways located further from the intersection on Bay Avenue, or from Second Street, to avoid disruption to traffic or emergency routes. Therefore, a redevelopment scenario involving the adjacent Lots 8 and 9 would require accommodation of Lots 5, 6, and 10 to promote the effective design and redevelopment of the area. As such, Lots 5, 6, and 10 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 59, Lots 5, 6, and 10.

Block 59, Lot 8

Address:	66 MILLER STREET
Owner:	TOWIE LLC
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1904
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (3/25/18), PARKING VIOLATION (7/16/20, 10/25/20).

Property violations/hazardous conditions:	Weeds (IPMC) (5/5/16), Weeds, brush, trash debris removal (5/12/16, 7/15/19), Accessory structure maintenance; Glazing; Protective treatment; Exterior walls; Vacant property registration; Maintenance of property (7/15/19).
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Property description:

This property has 55 feet of frontage on Miller Street. It consists of a two-story residence located at the rear of the lot and an accessory shed/outbuilding at the front left corner of the property. The entrance to the dwelling is slightly elevated above the ground elevation. The dwelling and shed are in poor condition. The dwelling has dilapidated front and rear porches, the shed has a boarded-up window, and both buildings have dilapidated siding. There is a cement and paver driveway in poor condition. Cement walkways on the property are in very poor condition. There is a chain link fence on the front lot line and a wooden fence in the right side yard. There have been several recent property violations on the site, including for the condition of the structures, vacant property registration, and overall maintenance of the property.

The cement sidewalk on Miller Street is in fair condition. There is an empty tree well in front of the property on Miller Street. There is on-street parallel parking in front of the property on Miller Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related incidents on the site over the past five years.

This parcel meets the following criteria: a, d

The dwelling and site improvements appear unsafe and substandard due to their age and dilapidated condition, as documented by property violations on the site. These conditions represent harmful living conditions and are also detrimental to a vibrant commercial corridor.

In addition, the location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The property further suffers from a faulty arrangement of improvements. The dwelling is located against the rear lot line, thereby eliminating a rear yard and resulting in a building placement that is directly adjacent to the municipal parking lot. A shed is located at the front lot line, which is unsightly, detracts from the streetscape environment, and is unusual in terms of site layout. As such, the faulty arrangement is detrimental to the safety, health, morals, and welfare of the community.

Based on the above, Block 54, Lot 8 meets criteria “a” and “d” of the LRHL.

Block 59, Lot 9

Address:	165 BAY AVENUE
Owner:	165 BAY HOLDINGS LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories

Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	THEFT (5/4/15), HAZARDOUS CONDITION (5/30/16, 7/2/15 (construction), 3/15/16 (sewer issues), 11/9/17), OPEN DOOR/WINDOW (12/17/15, 2/24/16), BURGLARY (5/3/18).
Property violations/hazardous conditions:	None

Property description:

This property is a corner lot with 60 feet of frontage on Bay Avenue and 52 feet of frontage on Miller Street. The property consists of a 2½-story commercial building that is located on the outside corner of the property, a two-car asphalt parking area accessible from Miller Street, an outdoor space at the rear of the building, and a rear porch on the second level. Currently, a health and fitness use occupies the space. The building appears to be in good condition.

There is a block wall located on the side lot lines adjacent to Block 59, Lots 8 and 10. There is a curb cut and attached one-car garage under the building and accessible from Bay Avenue. The entrances to the building are located slightly above the ground elevation. Electrical meters are located on the right side of the building at the ground floor level. There are several small and mid-sized trees in the rear yard.

The paver sidewalk on Bay Avenue and the cement sidewalk on Miller Street are in good condition. On-street parking is permitted on a portion Bay Avenue in front of the subject property, but it is not permitted on Miller Street. There is a street tree in a tree well in front of the property on Miller Street. A second tree is located in a planter box to the left of the Miller Street driveway. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional but sometimes serious property-related incidents on the site over the past five years, including but not limited to hazardous conditions, theft, and burglary.

This parcel meets the following criterion: d

The building appears to occupy approximately half of the lot area, which exceeds the maximum permitted building coverage of 35 percent. This excessive land coverage, together with its location in a high-risk flood zone and the location of utilities on the ground floor, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

In addition, the property has experienced occasional but serious situations that warrant police involvement, and which suggests that the property is detrimental to the health, safety, morals, and welfare of the community.

Based on the above, Block 59, Lot 9 meets criterion “d” of the LRHL.

Block 59, Lot 11.01

Address:	181 BAY AVENUE
Owner:	BAY AVE PROEPRTY MANAGEMENT LLC
Use:	Vacant
Zoning District:	CBD

Year Built:	1948
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (4/21/19).
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/28/18, 6/25/18, 5/9/19); Unlawful structure, Vacant property maintenance (6/25/18); Vacant property registration, Tire storage (5/8/19).

Property description:

This property has 100 feet of frontage on Bay Avenue. It consists of a vacant 2½-story brick church building which occupies a majority of the lot area. The building appears to be in good condition, although the paint is peeling from some of the historic windows. A cornerstone on the building indicates that it was built in 1948. There have been several persistent property violations on the site over the past five years, including for maintenance of the site, an “unlawful structure,” and vacant property registration.

It appears that the church building does not have an active congregation. An application for site plan approval and a use variance for a drug rehabilitation facility⁸ was scheduled for a hearing before the Land Use Board on November 1, 2018. However, the applicant, “Polaris Retreat, LLC,” withdrew the application without prejudice. Ownership of the property transferred from the Methodist Church & Parsonage to Bay Avenue Property Management LLC, as recorded in January 2019, according to the filed deed.⁹

A low brick wall surrounds the front yard, which is elevated above the street elevation. The building entrances are elevated above the ground elevation. HVAC units are located in the right side yard at the ground elevation. There is chain link fencing on the right side lot line and the rear lot line. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. On-street parallel parking is permitted in front of the building. No off-street parking is provided on the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related incidents on the site over the past five years.

This parcel meets the following criteria: d

The property is no longer used as or owned by a house of worship, and it has remained vacant since at least 2018. As such, the potential benefits of an inherently beneficial use on the property are not being realized. The property has also accrued several property violations since its vacancy, which are detrimental to a vibrant commercial corridor.

Although the property is elevated several feet above the street elevation and appears to be in generally good condition, the property is located within a high-risk flood zone and the elevation does not account for the base flood elevation. The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure

⁸ <https://www.app.com/story/news/local/redevelopment/2018/06/25/highlands-drug-rehab-some-residents-dont-want-polaris-retreat/715418002/>

⁹ Monmouth County Open Public Records System, Consolidated Records Search.

and the location of uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Lastly, the property does not provide any off-street parking to support future uses on the site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community.

Based on the above, Block 59, Lot 11.01 meets criterion “d” of the LRHL.

Block 59, Lot 11.02

Address:	179 BAY AVENUE
Owner:	EMBRY, GEOFFREY & CARROZZA, MARIA
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1929
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	TRESPASSING (5/18/17).
Property violations/hazardous conditions:	Weeds (IPMC) (5/5/16), Weeds, brush, trash debris removal (7/13/16, 6/11/18, 5/8/19).

Property description:

This property has 50.13 feet of frontage on Bay Avenue. It consists of an elevated 2½-story single-family dwelling that is centrally located on the property. The building entrances are elevated what appears to be several feet above the ground elevation. The electrical meter is located on the elevation of the first residential floor. The building is in good/fair condition, with mismatched paint colors on the siding and some peeling paint on the eaves and window frames. There is a one-car paver driveway on the left side of the dwelling. A walkway from the sidewalk to the rear yard is located to the left of the dwelling. A low brick wall is located on the front lot line, a white picket fence is located to the left and rear of the driveway, and a wooden fence is located on the rear portion of the left side lot line and the rear lot line. There have been several persistent property maintenance violations on the site over the past five years for weeds, brush, and trash removal. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. On-street parallel parking is permitted in front of the building.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related incidents on the site over the past five years.

This parcel meets the following criteria: none

Although the building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district and is located in a high-risk flood zone, the dwelling appears to have been elevated to account for the base flood elevation. The property suffers from minor maintenance issues, none of which are serious enough to warrant designation under the LRHL. On balance, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 59, Lot 11.02 does not meet the criteria of the LRHL.

Block 59, Lot 13.01

Address:	187 BAY AVENUE
Owner:	BADRICK, GARY & CRAIG & STEVEN
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1913
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalk obstruction (8/1/17); Outdoor storage (9/12/16); Weeds, brush, trash debris removal (9/12/16, 5/2/17).

Property description:

This property has 50 feet of frontage on Bay Avenue. It consists of a 2½-story frame single-family dwelling located on the left side of the property and a two-car dirt driveway that is in poor condition in the right side yard. The building appears to be in good condition. The front entrance to the dwelling is elevated slightly above the ground elevation. There is a wooden fence located in the right side yard between the end of the driveway and the rear yard, and wooden fencing on the rear lot line. There is chain link fencing on the side lot lines. The rear yard consists of lawn area and trees. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem.

The paver sidewalk on Bay Avenue is in good condition. There is on-street parallel parking in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Based on the above, Block 59, Lot 13.01 meets criterion “d” of the LRHL.

Block 59, Lot 14

Address:	191 BAY AVENUE
Owner:	DAVECAROL PROEPRTIES, LLC
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1923
Stories:	3½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (2/14/16, 8/25/16), PROPERTY - LOST AND FOUND (1/13/18), HAZARDOUS CONDITION (12/14/18).

Property violations/hazardous conditions:	Sidewalk obstruction, Receptacle requirements (8/1/17); Weeds (IPMC) (8/1/17, 8/10/16); CCO required (1/20/16); Weeds, brush, trash debris removal, Outdoor storage (8/10/16).
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Property description:

This property has 25 feet of frontage on Bay Avenue. It consists of a 3½-story frame single-family dwelling in which 2½ living floors are raised above a cement one-car garage underneath. The building appears to be in good/fair condition. The building appears to occupy more than half of the site. A small alley is located between the right side of the dwelling and the building on adjacent Lot 14 of Block 59. An extension of the paver sidewalk serves as the driveway to the garage. The electricity meter is elevated above the ground floor elevation on the left side of the building. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem.

The paver sidewalk on Bay Avenue is in good condition. Although on-street parallel parking is permitted in front of the property on Bay Avenue, there is insufficient space for a vehicle to park on the street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to infrequent property-related incidents on the site over the past five years, including but not limited to a hazardous condition and open doors and windows.

This parcel meets the following criteria: Section 3

Although the building appears to exceed the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district, and although it is located in a high risk flood zone, the dwelling appears to have been elevated to a compliant flood elevation and kept in good condition. On balance, the property is not detrimental to the health, safety, morals, or welfare of the community and it does not meet any of the redevelopment criterion of the LRHL.

However, the subject property is located in the middle of two properties (Block 59, Lots 13.01 and 16.01) that can be designated using the redevelopment criteria of the LRHL. The subject property is a narrow lot, creating a sliver gap between adjacent Lots 13.01 and 16.01, which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” In addition, absent inclusion of the subject property under Section 3 of the LRHL, adjacent Lot 16.01 (a corner lot) would stand alone on the block, and it is unlikely that property would be redeveloped on its own. Therefore, a redevelopment scenario involving adjacent Lots 13.01 and 16.01 would require accommodation of Lot 14 to promote the effective design and redevelopment of the area. As such, Lot 14 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 59, Lot 14.

Block 59, Lot 16.01

Address:	193-195 BAY AVENUE
Owner:	SIGMAN REAL ESTATE PARTNERS LLC
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1923

Stories:	Two stories and one story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (12/8/15), TRESPASSING (5/4/17), THEFT (5/18/15 (telephone scam)), BOROUGH ORDINANCE VIOLATION (4/29/18), FIRE CALL (8/18/19, 5/18/20).
Property violations/hazardous conditions:	Sidewalk obstruction, Weeds (IPMC), Receptacle requirements (8/1/17), Separation collection (2/9/16), Weeds, brush, trash debris removal (5/23/18, 10/12/18, 5/16/19), Roofs and drainage, Infestation, Safe and sanitary maintenance of structural elements (two issues) (12/2/19).

Property description:

This property is an irregular shaped corner lot with 45 feet of frontage on Bay Avenue and 100 feet of frontage on Valley Street. The property consists of a two-story dwelling located adjacent to Block 59, Lot 14 and a one-story dwelling located in the Valley Street front yard. The dwellings are in fair/good condition. The entrances to the dwellings are at the ground elevation. There is a driveway from Valley Street that is wide enough for one vehicle located at the rear of the one-story dwelling. Trees are located at the rear of the two-story dwelling. Various lawn chairs and trash were observed to be strewn about the rear yard during a site inspection. There have been several persistent property (maintenance) violations on the site over the past five years, including for trash/recycling receptacles and collection, weeds and trash removal, an infestation, roofs and drainage, and for safe and sanitary maintenance of structural elements. The paver sidewalk on Bay Avenue is in good condition and the cement sidewalk on Miller Street is in fair condition. There is on-street parallel parking on Bay Avenue but not on Valley Street in front of the property. There is a street tree in a decorative tree well and a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

The Land Use Board heard an application on October 1, 2020 for a minor subdivision of the property into two tax lots, such that each of the existing one-family dwellings would be located on each subdivided lot. The Board denied the application, citing several reasons, including that creation of a small lot of 19 feet in width would not be justified or appropriate for a business use in the CBD zone, that there would be insufficient off-street parking on both properties, and that the proposal would not be in conformance with the master plan goals for the CBD zone. The decisions was memorialized on November 3, 2020.

Police have responded to occasional but sometimes serious activity on the site over the past five years, including but not limited to instances of trespassing, an ordinance violation, theft, open doors or windows, and fire calls.

This parcel meets the following criterion: a, d

The buildings appear to occupy approximately half of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or

entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The property has experienced occasional but sometimes serious property-related police involvement, which suggests that the property is detrimental to the health, safety, morals, and welfare of the community. Poor property conditions such as trash in the rear yard contribute to a feeling of neglect on the site. Neglect and a lack of surveillance are conditions known to attract crime.

The Land Use Board denied a minor subdivision of the property that would have allowed the existing uses to remain, noting a lack of parking and that the subdivision would “substantially impair the intent and purposes of the zoning plan and zoning ordinance, and would not be consistent with the Borough’s master plan.”

The property suffers from faulty site arrangement. The two separate dwellings are inappropriately provided on the same lot with a single shared driveway. The driveway is also insufficient as off-street parking to support the residential uses. In addition, the building designs are obsolete. The entrance to the two-story dwelling is set back ±20 feet despite the dwelling’s location on the front lot line. This arrangement and the resultant blank wall on the property frontage deactivates the streetscape environment in a downtown commercial corridor.

Lastly, the one-story dwelling appears to provide an unusually small living space and very small windows, which suggests a lack of light and air for occupants of the dwelling. The recent property violations for roofs and drainage, “safe and sanitary maintenance of structural elements,” and an infestation are also evidence of unwholesome living conditions.

Therefore, the potential for flood hazard risk, the significant police activity, the poor site conditions, the lack of off-street parking, the recent denial of land use actions for the property, the faulty site arrangement, the obsolete building designs, and the unwholesome living conditions are detrimental to the health, safety, morals, and welfare of the community.

Based on the above, Block 59, Lot 16.01 meets criteria “a” and “d” of the LRHL.

Block 63, Lot 4

Address:	VALLEY STREET
Owner:	GIUNTA, AGATINO & ALESSANDRA
Use:	Residential
Zoning District:	CBD
Year Built:	1989
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 50 feet of frontage on Valley Street and consists of an asphalt parking lot, which is assumed to serve the multifamily building on Block 63, Lot 5, which is owned in common with the subject property. Access to the parking lot is via the driveway on Block 63, Lot 6 from Bay Avenue. The parking lot is in fair/poor condition, with some broken pavement and unmarked parking spaces. A wooden fence is located on the front lot line on Valley Street. The cement sidewalk on Valley Street is in good condition. Tax records suggest the parking lot is the only taxable improvement that has been on the property since at least 1990, and that the year in which the improvements were built was 1989.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been used as a parking lot for at least the past 30 years. The property is in poor condition and is underutilized, especially considering that off-street parking for the adjacent dwelling is already provided on Lot 5. The lack of usable improvements detracts from the vibrancy of the downtown commercial corridor. The long-term vacancy on the property indicates that it is not likely to be developed through the instrumentality of private capital.

Based on the above, Block 63, Lot 4 meets criterion “c” of the LRHL.

Block 63, Lot 5

Address:	197 BAY AVENUE
Owner:	GIUNTA, AGATINO & ALESSANDRA
Use:	Residential
Zoning District:	CBD
Year Built:	1913
Stories:	Three stories (above garage parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a corner lot with 50 feet of frontage on Bay Avenue and 50 feet of frontage on Valley Street. The property consists of a three-story dwelling that is elevated above a concrete, two-car garage, and a gravel driveway located to the right of the dwelling. The dwelling has been elevated a full floor above the ground elevation. A front and side porch and steps provide access to the dwellings at the second level. Access to the garage is provided from the driveway on adjacent Lot 6. A wooden fence is located on the front lot line. The paver and concrete sidewalks on Bay Avenue and Valley Street are in good condition. A storm drain is located in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue and Valley Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. However, the dwelling is elevated to account for the flood elevation and the remaining unbuilt areas consist primarily of impervious gravel. These mitigating factors outweigh the potential for harm to residential uses within a high-risk flood zone.

The property has an unusual arrangement. Access to the garage is realistically provided from the driveway on the adjacent Lot 6. However, this unusual arrangement is mitigated by the common ownership of the two properties. There is the risk that if Lot 6 were developed independently, vehicular access to the subject property would be limited or inadequate. On balance, the property is not

detrimental to the health, safety, morals, or welfare of the community, and it does not meet any of the redevelopment criterion of the LRHL.

However, the property is located at the corner of a block and is surrounded on both street frontages by properties (Block 63, Lots 4 and 6) that can be designated using the redevelopment criteria of the LRHL. Adjacent Lots 4 and 6 form an L-shape around Lot 5, which creates a gap on the corner of the block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 to the subject property, adjacent Lot 4 would stand alone on the Valley Street frontage, and the overall continuity of redevelopment on that end of the block would be impeded. A redevelopment scenario involving the adjacent Lots 4 and 6 would require accommodation of Lot 5 to promote the effective design and redevelopment of the area. As such, Lot 6 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 63, Lot 5.

Block 63, Lot 6

Address:	203 BAY AVENUE
Owner:	GIUNTA, AGATINO & ALESSANDRA
Use:	Vacant
Zoning District:	CBD
Year Built:	2000
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 50 feet of frontage on Bay Avenue and consists of an asphalt driveway in poor condition on the left side of the property, a lawn area, and a garden and a shed at the rear of the property. The driveway and curb cut on Bay Avenue provide access to the garage on Block 3, Lot 5 and the parking lot on Block 63, Lot 4. There have been no taxable improvements on the property since at least 2000, according to tax records. Wooden fencing is located on the front and rear lot lines, and white PVC fencing is located on the right side lot line at the rear. The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant for more than 10 years prior to this area in need of redevelopment investigation. The property has not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. The driveway on the property is used to access adjacent Lots 4 and 5. Since these three properties are owned in common, it is reasonable to surmise that the owner has kept the subject property undeveloped in order to continue serving the driveway access and outdoor space needs of the adjacent properties. The historical lack of development through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 63, Lot 6 meets criterion “c” of the LRHL.

Block 63, Lot 7

Address:	205 BAY AVENUE
Owner:	35PPT, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story commercial retail building occupied by Steve Solop Custom Shirts on the front half of the lot, a lawn area at the rear half of the lot, and a narrow right side yard. White PVC fencing surrounds the rear and right side yards. The building and improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

Although this property lacks off-street parking, the property consists of a use that is compatible with the downtown commercial corridor, it has compliant building and lot coverage for the CBD zone, and it is in good condition. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is surrounded by three properties (Block 63, Lots 4 & 6 on the left and Lot 9.01 on the right) that can be designated using the redevelopment criteria of the LRHL. The subject property is a narrow lot, creating a sliver gap between the adjacent properties, which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario involving the adjacent Lots 4, 6, and 9.01 would require accommodation of Lot 7 to avoid small redevelopment gaps along the corridor and to promote the effective redevelopment of the area. As such, Lot 7 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 63, Lot 7.

Block 63, Lot 9.01

Address:	207 BAY AVENUE
Owner:	BAY BREEZE PROPERTIES LLC
Use:	Residential
Zoning District:	CBD

Year Built:	1904
Stories:	One story, one story, and two stories (above garage)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 50 feet of frontage on Bay Avenue and consists of a two-story, two-family dwelling above a ground level parking garage on the right side of the property, and two one-story dwelling in the left side of the property, with one in the front yard and one in the rear yard. The one-story dwellings are located at the ground level, whereas the two-story dwellings are elevated above the garage. There is a concrete walkway between the one-story and two-story buildings, patios between the one-story buildings, a front and rear porch to the two-story dwellings, and a front porch to the front one-story dwelling. The remainder of the rear yard behind the two-story dwelling consists of lawn area. The dwellings and site improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition. Although the garages support the two-story dwellings, there is no off-street parking to support the one-story dwellings. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. Although the two-story dwellings are elevated, the location of the one-story residential uses on the ground floor in a high-risk flood zone, together with the excessive land coverage and the age of the structures, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3). Based on the above, Block 63, Lot 9.01 meets criterion “d” of the LRHL.

Block 63, Lot 10

Address:	211 BAY AVENUE
Owner:	ADAMS, MICHAEL & KIMBERLY
Use:	Residential
Zoning District:	CBD
Year Built:	1904
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling above a ground level cement garage and lawn area in the rear yard. There is a staircase in the left side yard leading to an elevated porch in the rear yard. The dwelling and improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

Although the building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district, the dwelling is elevated to account for the flood elevation and the remaining unbuilt areas consist primarily of lawn. These mitigating factors outweigh the potential for harm due to the location of residential uses within a high-risk flood zone. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is located in the middle of two properties (Block 63, Lots 9.01 and 11) that can be designated using the redevelopment criteria of the LRHL. The subject property is a narrow lot, creating a sliver gap between adjacent Lots 9.01 and 11, which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario involving the adjacent Lots 9.01 and 11 would require accommodation of Lot 10 to avoid small redevelopment gaps along the corridor and to promote the effective redevelopment of the area. As such, Lot 10 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Block 63, Lot 10 does not meet the criteria of the LRHL.

Block 63, Lot 11

Address:	213 BAY AVENUE
Owner:	CARAMANICIA, ANTHONY
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling and lawn area in the rear yard. The front entrance is elevated a couple feet from the ground elevation. The front yard is filled with decorative gravel. The building appears to be in good condition. The paver sidewalk on Bay Avenue is in good condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. The location of the one-story residential uses on the ground floor in a high-risk flood zone,

together with the excessive land coverage and the age of the structures, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 63, Lot 11 meets criterion “d” of the LRHL.

Block 63, Lot 13.01

Address:	215 BAY AVENUE
Owner:	WENRICH, GLEN & DENRICO, AIMEE
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 50 feet of frontage on Bay Avenue and consists of a 2½-story dwelling elevated on concrete columns located on the left side of the property, a gravel driveway on the right side of the property, a one-story one-car garage at the right rear corner of the property, lawn area behind the dwelling, and a gravel area underneath the elevated dwelling. Two staircases and a front porch provide access to the dwelling from the driveway. The property is surrounded by a wooden fence on the left side, right side, and rear yards and by a white picket fence on the front lot line. The building and improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. On-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

The dwelling has been elevated to account for the base flood elevation, the property has compliant building and lot coverage, and it is maintained in good condition. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is in the middle of several properties (Block 63, Lot 11 on the left and Lots 14/15 on the right) that can be designated using the redevelopment criteria of the LRHL. The subject property is a narrow lot, creating a sliver gap between the adjacent properties, which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Therefore, a redevelopment scenario involving the adjacent Lots 11 and 14/15 would require accommodation of Lot 13.01 to avoid small redevelopment gaps along the corridor and to promote the effective redevelopment of the area. As such, Lot 13.01 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Block 63, Lot 13.01 does not meet the criteria of the LRHL.

Block 63, Lot 14

Address:	219-221 BAY AVENUE
Owner:	MCAULIFFE, JOHN
Use:	Vacant
Zoning District:	CBD
Year Built:	2000
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a dirt driveway, lawn area and a shed in the rear yard, a block wall at the front left corner of the property, wooden fencing at the end of the driveway, and chain link fencing on the rear lot line. The property has been otherwise vacant without taxable improvements since at least 1989, the earliest date for which tax records are available. The driveway and shed appear to support the dwelling on adjacent Lot 15. The driveway is in poor condition, with overgrown vegetation, according to Google Maps street view imagery. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been used as a parking lot for at least the past 30 years. The property is in poor condition. The historical lack of development through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 63, Lot 14 meets criterion “c” of the LRHL.

Block 63, Lot 15

Address:	219-221 BAY AVENUE
Owner:	MCAULIFFE, JOHN
Use:	Residential
Zoning District:	CBD
Year Built:	1930
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling, a porch at the rear of the dwelling, and lawn area in the rear yard. The entrance to the dwelling is located a couple feet above the ground elevation. The dwelling and improvements appear to be in good condition, according to Google Maps street view imagery. The property is surrounding by chain link fencing on

the front, right side, and rear lot lines. It appears that the adjacent driveway and shed on Lot 14 support the dwelling on the subject property. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. The location of residential uses on the ground floor in a high-risk flood zone, together with the excessive land coverage and the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 63, Lot 15 meets criterion “d” of the LRHL.

Block 63, Lot 16

Address:	225 BAY AVENUE
Owner:	KNOX, ROBERT M
Use:	Residential
Zoning District:	CBD
Year Built:	1935
Stories:	3½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 62.5 feet of frontage on Bay Avenue and consists of a 3½-story dwelling, a shed at the rear right corner of the property, a gravel driveway in the right side yard, a gravel parking area in the front yard, and lawn area on the remainder of the property in the left side and rear yards. The dwelling is elevated above a concrete ground floor, to which there is an entrance and windows. A wooden fence and shrubs divide the front parking area and the lawn area in the left side yard. The dwelling and improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although a parking area is provided in the front yard, which is typically inadvisable in downtown commercial corridors, the property is compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 63, Lot 16 does not meet the criteria of the LRHL.

Block 63, Lot 17

Address:	227 BAY AVENUE
Owner:	DEVANEY, JOHN & DOROTHEA & KEVIN, M
Use:	Residential
Zoning District:	CBD
Year Built:	1904
Stories:	Three stories (above garage)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 37.5 feet of frontage on Bay Avenue and consists of a three-story dwelling above a concrete one-car garage, a concrete driveway, and a shed at the left rear corner of the property. The front and side yards consist of gravel and the rear yard consists of lawn area. Staircases at the front and rear porches lead to the upper level residential floors. The dwelling and site improvements appear to be in good condition. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 63, Lot 17 does not meet the criteria of the LRHL.

Block 63, Lot 19.01

Address:	231 BAY AVENUE
Owner:	231 BAY AVENUE ASSOCIATES, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Three stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a corner and through lot with 50 feet of frontage on Bay Avenue, 200 feet of frontage on Cedar Street, and 50 feet on frontage on South Second Street. The property consists of a three-story dwelling on the Bay Avenue half of the property and an asphalt parking lot on the South Second Street half. A one-story building extension is located on the left side of the dwelling. There are some signs of wear to the façade of the building, including a patch of missing siding and a crack in the façade. The Bay Avenue front yard is surrounded by a low railroad tie fence and consists of lawn area and wood-framed garden beds that appear are in poor condition. Enclosed trash areas and various miscellaneous items were observed at the rear of the dwelling during a March 2021 site inspection.

The asphalt parking lot is in poor condition with broken pavement, areas of gravel, and no delineation of parking spaces. Overall, the dwelling and improvements appear to be in poor condition. The entrances to the dwelling are at the ground elevation. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Cedar Street or South Second Street sides of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building and site improvements are in poor condition, including a poorly maintained parking lot and yard areas, and the outdoor storage of miscellaneous materials at the rear of the building. These conditions are detrimental to a vibrant downtown commercial corridor.

In addition, the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 63, Lot 19.01 meets criterion “d” of the LRHL.

Block 64, Lot 1

Address:	196 BAY AVENUE
Owner:	HIGHLANDS COWORK LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	Delinquent \$2.98 for Q3 2020.
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (8/25/15), CRIMINAL MISCHIEF (5/22/16 (broken window)), THEFT - PROPERTY (4/30/20).
Property violations/hazardous conditions:	Sidewalks and driveway, Weeds (IPMC), Receptacle requirements (8/1/17); Plumbing fixtures, Plumbing system hazards (2/4/16); Dangerous structure, Windows skylights and doors (3/13/18); Exterior walls (3/13/18, 7/23/19); Weeds, brush, trash debris removal (5/9/18, 5/21/18, 4/29/18, 7/23/19, 7/23/20); Outdoor storage, Tire storage (4/29/18, 7/23/19); Separation and collection (4/29/18, 7/23/20); Unsafe structure (7/23/19); Open/overflowing bins (7/23/19, 7/23/20); Safety and sanitary maintenance of structural elements, Construction site accumulation (7/23/20).

Property description:

This property is a corner lot with 50 feet of frontage on Bay Avenue and 75 feet of frontage on Valley Avenue. The property consists of a two-story commercial building, a dirt driveway wide enough for one

vehicle at the rear of the building from Valley Street, and a block shed and small lawn area on the side yard adjacent to Block 64, Lot 2. The ground floor is occupied by the Highlands Cowork office and event space. Building entrances to the ground floor are located at the ground floor elevation. The building appears to occupy at least half of the lot area.

The building was undergoing façade renovations during a January 2021 site inspection. The ground floor façade appears substantially complete, and the second floor façade renovations are in-progress. The remaining second floor façade is in poor condition, with patches of peeling or missing siding. There have been several persistent and recent property violations on the site over the past five years, including for building elements (plumbing, windows, exterior walls), an “unsafe” and “dangerous” structure, weeds, trash, outdoor storage, and construction site accumulation.

There is on-street parallel parking on Bay Avenue but not on Valley Street in front of the property. The paver sidewalk on Bay Avenue and the cement sidewalk on Miller Street are in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, including but not limited to property theft and a broken window.

This parcel meets the following criterion: a, d

The building appears to occupy at least half of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Further, the property does not provide sufficient off-street parking to support an office use. The office use requires one space per 250 square feet of floor area, whereas the dirt driveway provides parking for one vehicle and is in poor condition.

Although the building is under renovation and may soon be improved, the property has been cited with persistent, recent, and serious property violations for the poor condition of the building and maintenance issues of yard areas and property-related police activity. These conditions represent a hazard to working conditions and are detrimental to a vibrant commercial corridor.

Based on the above, Block 64, Lot 1 meets criterion “d” of the LRHL.

Block 64, Lots 2 and 28.01

Address:	208 BAY AVENUE
Owner:	RKGG REALTY, LLC / SAINI, BHUPINDER S.
Use:	Vacant
Zoning District:	CBD
Year Built:	2000
Stories:	One story
Current tax delinquencies/arrearages:	Delinquent \$4,469.33 for Q1, Q2, & Q3 2020 (Lot 28.01).

Police reports (property-related incidents, last five years):	FIRE CALL (5/17/15 (gas leak), 10/12/15 (fryer fire)), ALARM ACTIVATION (1/12/15, 10/31/15 (twice), 1/13/16 (twice), 2/2/16, 3/13/16, 3/17/16 (all prior known to be commercial burglar alarm), 6/13/16, 6/24/16, 12/8/16, 12/17/16, 12/27/16, 2/18/17, 6/19/17, 1/18/18, 1/28/18, 3/15/18, 6/22/18, 7/8/18, 9/2/18, 9/9/18, 10/6/18, 1/11/19, 5/25/19, 5/31/19), OPEN DOOR/ WINDOW (6/12/16), BOROUGH ORDINANCE VIOLATION (3/20/17), THEFT (1/18/19), FRAUD (5/5/19 (counterfeiting)), VANDALISM (6/6/2020).
Property violations/hazardous conditions:	Lot 2: Weeds (IPMC) (5/5/16), Sign permit (5/24/17). Lot 28.01: Accessory structure maintenance (4/26/16, 9/9/16), Weeds, brush, trash debris removal (5/23/16, 6/30/17).

Property description:

Lots 2 and 28.01 are evaluated together because a single parking lot is developed on both properties. Lot has 50 feet of frontage on Bay Avenue and Lot 28.01 has 75 feet of frontage on Bay Avenue. The property consists of a one-story block and brick commercial building on the left side of the property, a surface parking lot at the center, and a lawn area on the right side. The business is a convenience store known as “Katz’s Deli.” The building is in fair/good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The entrance to the building is at the ground elevation. The parking lot is in good condition and provides two-way vehicular access via Bay Avenue. There is one ADA-accessible parking space in the parking lot.

A trash area is located at the rear of the parking lot and is enclosed by a wooden fence. A white picket fence and a wooden fence are located on the rear lot line. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost and on-street parallel parking in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to significant property-related activity on the site over the past five years, including but not limited to instances of burglary alarm activations, a property violation, vandalism, a gas leak, and fraud.

These parcels meet the following criteria: d

The property suffers from a faulty arrangement and an obsolete layout. The two tax lots are developed with a single parking lot that serves the business on Lot 28.01. The lawn area on Lot 2, which is located to the right of the parking lot, is not delineated from the yard area on Lot 1. The lack of efficient arrangement of these properties, and the large gap in storefront area on a downtown commercial corridor, is detrimental to the vitality and potential for reinvestment in the community.

The impervious improvements appear to occupy more than the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with an observed lack of drainage inlets, suggests that the site does not meet modern stormwater management standards to manage either minor stormwater runoff or major flooding hazards on-site and off-site.

Although the building is in good condition, graffiti was observed on the left façade of the building. The property has experienced ongoing property-related police incidents, and which suggest that the property is detrimental to the health, safety, morals, and welfare of the community.

Based on the above, Block 64, Lots 2 and 28.01 meet criterion “d” of the LRHL.

Block 64, Lot 17

Address:	230 BAY AVENUE
Owner:	CARD, RUSSELL
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	No data

Property description:

The property is a corner lot with 50 feet of frontage on Bay Avenue and 100 feet of frontage on Cedar Street. The property consists of a two-story dwelling on the right side of the property, a dirt driveway from Cedar Street in the rear yard, a shed in the rear yard, and lawn area on the left side of the property. The dwelling and site improvements appear to be in good condition. The entrances to the dwelling are located a couple feet above the ground elevation. Chain link fencing is located on the property's frontages. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. There are no streetscape improvements on the Cedar Street side of the property, although the property owner has planted a row of hedges in front of the fence on the Cedar Street frontage.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 64, Lot 17 meets criterion “d” of the LRHL.

Block 64, Lot 18

Address:	228 BAY AVENUE
Owner:	ROSE, JENNIFER
Use:	Residential
Zoning District:	CBD
Year Built:	2019
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	None

Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	No data
Permits issued:	DEMOLITION (11/2/17)

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling elevated above a concrete one-car garage and a concrete driveway in the front yard. A staircase provides access to an elevated front porch and the upper residential floors. The dwelling and improvements appear to be in good condition. The 2017 demolition permit was issued for the former, unelevated dwelling. White picket fencing is provided on the side lot lines in the front yard. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 64, Lot 18 does not meet the criteria of the LRHL.

Block 64, Lot 19

Address:	226 BAY AVENUE
Owner:	DEPALMA, DAVID J & DANIELLE RAIMONDO
Use:	Residential
Zoning District:	CBD
Year Built:	1918
Stories:	Two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	No data
Permits issued:	DEMO SFD (1/19/17)

Property description:

The property has 37.5 feet of frontage on Bay Avenue and consists of a two-story dwelling above a concrete two-car garage, a concrete driveway in the front yard, and lawn area in the rear yard. Staircases provide access to elevated front and rear porches and the upper residential floors. The dwelling and improvements appear to be in good condition. The 2017 demolition permit was issued for the former, unelevated dwelling. The HVAC unit is elevated on a platform above the ground floor garage. There is white PVC fencing on the side and rear lot lines. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 64, Lot 19 does not meet the criteria of the LRHL.

Block 64, Lot 20

Address:	222 BAY AVENUE
Owner:	MAXSON, RICHARD MATTHEWS
Use:	Residential
Zoning District:	CBD
Year Built:	1904
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 37.5 feet of frontage on Bay Avenue and consists of a two-story dwelling, a concrete driveway on the left side of the dwelling leading to a detached one-car garage at the left rear corner of the property, a shed at the rear of the dwelling, and lawn area on the remainder of the property. The entrance to the dwelling is elevated a couple feet above the ground elevation. A block wall is located on the front lot line. A thick row of trees and shrubs is located along the length of the right side lot line. Overall, the structures and improvements appear to be poor condition, with old and worn siding on the building and garage, loose bricks on the front porch, and various items and debris in the driveway. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. In addition, the property appears to be in poor condition, which results in a sense of general neglect on the site. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 64, Lot 20 meets criterion “d” of the LRHL.

Block 64, Lot 21

Address:	218 BAY AVENUE
Owner:	SHANNON ENTERPRISES LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data

Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of an undefined dirt driveway in poor condition and lawn area. The driveway was observed to be used as parking for a boat and a personal vehicle during a March 2021 site inspection. Tax records show that the property has been vacant without taxable improvements since at least 1989, the earliest date for which tax records are available online. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant and unimproved for at least the past 30 years. The property is in poor condition. The historical lack of development through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 64, Lot 21 meets criterion “c” of the LRHL.

Block 64, Lot 22

Address:	218 BAY AVENUE
Owner:	PEERS, RANDOLPH A & ROMAN, DEBORAH
Use:	Residential
Zoning District:	CBD
Year Built:	1929
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling above a concrete one-car garage, a gravel driveway to the garage, and lawn area in the rear yard. Staircases provide access to elevated front and rear porches and the upper residential floors. The dwelling appears to be in good condition. The gravel driveway is in fair condition. There is outdoor storage of household items surrounding the dwelling. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property is in fair condition overall, it appears to be compliant with building and lot coverage standards and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 64, Lot 22 does not meet the criteria of the LRHL.

Block 64, Lot 23

Address:	216 BAY AVENUE
Owner:	VOLKERT, HERBERT C & CECELIA
Use:	Residential
Zoning District:	CBD
Year Built:	2007
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a two-story dwelling above a concrete one-car garage, a concrete driveway in the front yard, and lawn area in the rear yard. Although the residential spaces appear to be above the ground floor, the entrance to the dwelling is at the ground elevation. The dwelling and improvements appear to be in good condition. There is white picket fencing on the front lot line and flanking the driveway. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 64, Lot 23 does not meet the criteria of the LRHL.

Block 64, Lot 24

Address:	214 BAY AVENUE
Owner:	YHH REALTY LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Three stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	THEFT (2/17/16, 7/10/16), LANDLORD/TENANT DISPUTE (5/20/16 (bed bugs), 8/6/16, 10/8/16), HAZARDOUS CONDITION (6/30/16), LOCKOUTS (9/24/17).
Property violations/hazardous conditions:	Grease traps (10/24/16).

Property description:

This property has 50 feet of frontage on Bay Avenue. It consists of a three-story commercial building, a parking area at the rear of the building, and a gravel driveway on the right side of the building. The building is occupied by a food establishment use known as "China Sea." The building appears to be old but is in good condition with minor condition issues. There has been only one property violation on the site over the past five years. The front entrance is located at the ground elevation. HVAC systems are located at the top of the ground floor elevation on the right side of the building. A wooden fence is located on the rear lot line. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to ongoing property-related activity on the site over the past five years, including but not limited to instances of theft, hazardous conditions, bed bugs, and lockouts.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

The property has experienced ongoing problematic situations that warrant police involvement, and which suggests that the property is detrimental to the health, safety, morals, and welfare of the community.

Based on the above, Block 64, Lot 24 meets criterion “d” of the LRHL.

Block 64, Lot 25

Address:	210 BAY AVENUE
Owner:	210 BAU AVENUE LLC
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (4/7/16).
Property violations/hazardous conditions:	Sidewalks and driveways (7/20/17); Weeds (IPMC), Receptacle requirements (7/20/17); Weeds, brush, trash debris removal (5/23/16, 6/30/17).
Permits issued:	DEMO SFD (6/28/18)

Property description:

This property has 25 feet of frontage on Bay Avenue. The property has been vacant without taxable improvements since at least 2019, according to tax records. It consists of an unkempt gravel parking area that is in poor condition and a wooden fence on the rear lot line. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The property was formerly developed with a two-story, single-family dwelling. Vehicular access is via the curb cut and gravel driveway on adjacent Block 64, Lot 24. There is on-street parallel parking in front of the property on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: Section 3

Although the property is vacant and in poor condition, it has only been vacant for a few years after its prior residential use, and it is possible that the property could be redeveloped through the instrumentality of private capital. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is located between two properties (Block 64, Lots 24 and 28.01) that can be designated using the redevelopment criteria of the LRHL. The subject property is a narrow lot, creating a sliver gap between the adjacent properties, which would impede the overall continuity of redevelopment on that block. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Therefore, a redevelopment scenario involving the adjacent Lots 24 and 28.01 would require accommodation of Lot 25 to avoid small redevelopment gaps along the corridor and to promote the effective redevelopment of the area. As such, Lot 25 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 64, Lot 25.

Block 69, Lot 1

Address:	234 BAY AVENUE
Owner:	LIB. PROPERTY MAN.C/O L.LUTTRELL PC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	Delinquent \$1,288.77 for Q1, Q2, & Q3 2020.
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (2/15/15, 2/23/15, 4/19/15, 4/27/15, 5/2/15, 8/2/16).
Property violations/hazardous conditions:	Upkeep of vacant property (1/7/16, 5/12/16), Vacant property registration (5/12/16), Weeds, brush, trash debris removal (5/10/17, 6/9/17, 5/16/19, 7/9/19), Weeds (IPMC) (6/9/17), Roofs and drains (3/20/18).
Permits issued:	Demo 4 unit building (10/25/18)

Property description:

This property is a trapezoidal shaped corner lot and through lot with 50 feet of frontage on Bay Avenue, 158 feet of frontage on Cedar Lane, and 56.87 feet of frontage on Holly Street. The property has been vacant with no taxable improvements since at least 2020, according to tax records. It was formerly occupied by a two-story, four-unit residential building. There have been several persistent property maintenance violations on the site over the past five years, including for weeds and overall upkeep of the property. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Cedar Lane or Holly Street sides of the property. There are no curb cuts to provide vehicular access to the property.

Tax records indicate that the property is delinquent on taxes by \$1,288.77 for Quarters 1, 2, and 3 of 2020.

Police have responded to occasional property-related incidents on the site over the past five years for open doors or windows. However, following removal of the property's structures, the property no longer appears to experience these problems.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: none

Although the property is delinquent on property taxes for at least the first three quarters of 2020, and although it is vacant and in poor condition, the property has only been vacant for a few years. The lack of improvements and relatively recent vacancy precludes it from meeting any of the redevelopment criteria of the LRHL. The property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 69, Lot 1 does not meet the criteria of the LRHL.

Block 69, Lot 2

Address:	238 BAY AVENUE
Owner:	NILL, KAREN L.
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1931
Stories:	2½ stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	BURGLARY (3/21/19), HAZARDOUS CONDITION (3/26/19 (no water)).
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

This property is a trapezoidal shaped through lot with 25 feet of frontage on Bay Avenue and 29 feet of frontage on Holly Street. The property consists of an elevated 2½-story single-family dwelling centrally located on the property, a gravel two-car driveway in the front yard, and a lawn area partially used for parking in the yard behind the building. The entrances to the building are elevated several feet above the ground elevation. An ADA-accessible ramp is located at the front of the building. The building appears to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. There is a white picket fence at the end of the driveway, a white metal fence on the side lot line adjacent to Block 69, Lot 4.01, and there are hedges on the side lot line adjacent to Block 69, Lot 1. The paver sidewalk on Bay Avenue is in good condition. The portion of Holly Street adjacent to the property is not improved as a roadway and appears to consist of unkempt lawn area.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, including for burglary and a hazardous condition for “no water,” but none of which appear to be a persistent problem.

This parcel meets the following criterion: d

Although the building is elevated, the building is currently elevated less than 11-foot flood elevation. The location of a residential use within an at-risk elevation in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or

floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 69, Lot 2 meets criterion “d” of the LRHL.

Block 69, Lot 4.01

Address:	242 BAY AVENUE
Owner:	242 BAY AVENUE, LLC
Use:	Commercial – Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	OPEN DOOR/WINDOW (7/9/15, 5/16/16).
Property violations/hazardous conditions:	Vacant property registration (1/8/16, 4/11/16); Weeds, brush, trash debris removal (4/11/16); Outdoor storage (6/17/16); Unsafe structure, Unfit structure (4/24/17); Prohibited use (6/4/20).
Permits issued:	DEMO FOOTINGS (6/16/20).

Property description:

The property is an irregular shaped through lot with 57.63 feet of frontage on Bay Avenue and 42 feet of frontage on Holly Street. The property consists of a vacant lot with overgrown vegetation and construction vehicles parked on the property. The property was vacated of its taxable improvements in 2019, according to tax records. The property was formerly occupied by a one-story commercial building, according to Google Maps historical imagery. Construction equipment was observed during a site inspection in January 2021. A chain link fence is located on the rear lot line, a white PVC fence is located in the adjacent property on the left side lot line, and a white metal fence is located in the adjacent property on the right side lot line. There have been several property violations on the site over the past five years, including for vacant property registration, weeds, trash, outdoor storage, and an unsafe and unfit structure with a prohibited use. However, all the structures on the property have since been removed.

There is a wide curb cut from Bay Avenue on the right side of the property. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. The portion of Holly Street that is adjacent to the property is not improved as a roadway and appears to consist of unkempt lawn area.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

Police have responded to occasional incidents on the site over the past five years, but none of which appear to be a persistent problem.

This parcel meets the following criteria: Section 3

Although the property is vacant and in poor condition, it has only been vacant for a few years, and it is possible that it could be developed through the instrumentality of private capital. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is located in the middle of two properties (Block 69, Lot 2 to the right and Lot 5 to the left) that can be designated using the redevelopment criteria of the LRHL. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 to the subject property, adjacent Lot 2 (a narrow lot) would stand alone on the block, and it is unlikely that this narrow property would be redeveloped on its own. Therefore, a redevelopment scenario involving the adjacent Lots 2 and 5 would require accommodation of Lot 4.01 to promote the effective design and redevelopment of the area. As such, Lot 4.01 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 69, Lot 4.01.

Block 69, Lots 5 and 6

Address:	29 ATLANTIC STREET
Owner:	MARESCA, PHILIP & HELEN
Use:	Residential (1-4 Family)
Zoning District:	CBD
Year Built:	1928
Stories:	One story and two stories
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	None

Property description:

Lots 5 and 6 are also known as Lot 6.01 on the tax assessor’s records. In addition, these properties are developed together and are therefore evaluated together. Lot 5 has 30.13 feet of frontage on Bay Avenue. Lot 6 is a corner lot with 30.13 feet of frontage on Bay Avenue and 91.53 feet of frontage on Atlantic Street. The property consists of an elevated one-story single-family dwelling at the outside corner of the property, an elevated two-story single-family dwelling at the rear of the corner building, and a gravel three-car driveway located to the right of the elevated one-story dwelling. The dwellings appear to be in good condition. The two dwellings are located on Lot 6 and the driveway and yard area are located on Lot 5. The yard area between the two dwellings consists of gravel and patios. A white picket fence is located on the front lot line on Atlantic Street. A white PVC fence is located at the end of the driveway and on the side lot line adjacent to Block 69, Lot 4.01.

There is on-street parallel parking on Bay Avenue and on a portion of Atlantic Avenue in front of the property. The paver sidewalk on Bay Avenue and the cement sidewalk on Atlantic Avenue are in good condition, though the sidewalk on Atlantic Avenue is particularly narrow. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

These parcels meet the following criterion: d

Although both dwellings are in good condition and are elevated, they do not appear to be elevated above the base flood elevation of 11 feet, which presents a flood hazard risk to the health, safety, and welfare of residents. Further, the property suffers from a faulty site arrangement. The two separate dwellings are inappropriately provided on the same property. There is only one parking area, which is not directly accessible to the rear dwelling, and which does not provide sufficient parking spaces to support multiple dwellings. As such, the faulty arrangement is detrimental to the health and welfare of the community.

Based on the above, Block 69, Lots 5 and 6 meet criterion “d” of the LRHL.

Block 70, Lot 1

Address:	233 BAY AVENUE
Owner:	KEEGAN, AMANDA
Use:	Residential
Zoning District:	CBD
Year Built:	1904
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveway, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

The property is a corner lot with 30 feet of frontage on Bay Avenue and 100 feet of frontage on Cedar Street. The property consists of a 2½-story dwelling and a gravel two-car driveway from Cedar Street in the rear yard. The dwelling is elevated a few feet above the ground elevation. The HVAC unit is also elevated on a platform a few feet from the ground. There is a deck at the rear of the dwelling. Wooden fencing surrounds the property on all sides, and which appears to be falling over adjacent to the rear porch. There is peeling paint on the front steps to the dwelling. Overall, the dwelling and site improvements appear to be in good condition with some minor condition issues. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Cedar Street side of the property. On-street parallel parking is not permitted in front of the property on Bay Avenue or Cedar Street.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3). Based on the above, Block 70, Lot 1 meets criterion “d” of the LRHL.

Block 70, Lot 2

Address:	235 BAY AVENUE
Owner:	U.S. BANK TRUST, NA, TRUSTEE
Use:	Residential
Zoning District:	CBD
Year Built:	1904
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Upkeep of vacant property (4/15/16, 5/17/16, 2/7/18), Vacant property registration (4/15/16, 5/17/16, 1/24/18, 12/7/18), Weeds, brush, trash debris removal (5/18/18, 8/1/18).

Property description:

The property has 36 feet of frontage on Bay Avenue and consists of a two-story dwelling, a gravel driveway in the right side yard, and lawn area on the remainder of the property in the front and rear yard. The entrance to the dwelling is elevated a couple feet above the ground elevation. The dwelling appears to be in good condition with some minor condition issues such as buckled siding. There have been several property violations on the site over the past five years, including for vacant property registration and upkeep. However, the property no longer appears vacant. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 70, Lot 2 meets criterion “d” of the LRHL.

Block 70, Lot 3

Address:	237 BAY AVENUE
Owner:	PITTENGER, WILLIAM & BELL, MAXINE
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC); Receptacle requirements (8/1/17), Separation and collection (2/9/16), Weeds, brush, trash debris removal (6/1/17, 8/31/18, 10/17/18,

	8/1/19), Upkeep of vacant property (10/17/18), Maintenance of vacant property (8/1/19).
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Property description:

The property has 30 feet of frontage on Bay Avenue and consists of a two-story dwelling and lawn area on the remainder of the property. The entrance to the dwelling is elevated a couple feet above the ground elevation. The front yard is surrounded by decorative metal fencing. An HVAC unit is elevated several feet above the ground level in the right side yard. The dwelling and site improvements appear to be in good condition. There have been several property violations on the site over the past five years, including for weeds, trash receptacles and collections, and maintenance of a vacant property. However, the property no longer appears to be vacant. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 70, Lot 3 meets criterion “d” of the LRHL.

Block 70, Lot 15

Address:	239 BAY AVENUE
Owner:	YOUNG, CALVIN A
Use:	Residential
Zoning District:	CBD
Year Built:	1908
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle Requirements (8/1/17); Separation and collections (2/9/16).

Property description:

The property has 30.12 feet of frontage on Bay Avenue and consists of a 2½-story, two-family dwelling, a deck in the front yard, and lawn area and landscaping in the rear yard. The entrances to the dwellings are elevated slightly above the ground elevation. The dwelling appears to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. Furniture and other items such as a grill and trash/recycling containers are located on the front porch and yard area. The front yard is surrounded by a rusting chain link fence in poor condition. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 70, Lot 15 meets criterion “d” of the LRHL.

Block 70, Lot 16

Address:	241 BAY AVENUE
Owner:	ROBERTSON, LIAM
Use:	Residential
Zoning District:	CBD
Year Built:	1950
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds (IPMC) (8/1/17, 11/27/17), Separation and collection (3/1/16).

Property description:

The property has 30.12 feet of frontage on Bay Avenue and consists of an elevated one-story dwelling, a gravel driveway in the right side yard, a small garden in the front yard, and lawn area in the rear yard. The dwelling is elevated on a concrete base approximately one floor above the ground elevation. Two staircases provide access from the driveway to two side porches and the upper residential floor. The dwelling and site improvements appear to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. There is wooden fencing surrounding the rear yard and to the right of the driveway on the side lot line. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it provides off-street parking to support the residential use, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 70, Lot 16 does not meet the criteria of the LRHL.

Block 70, Lot 17

Address:	245 BAY AVENUE
Owner:	FLYNN, MICHAEL

Use:	Residential
Zoning District:	CBD
Year Built:	1938
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/2/17).

Property description:

The property is a corner lot with 30.12 feet of frontage on Bay Avenue and 88.71 feet of frontage on Atlantic Street. The property consists of a two-story dwelling above a concrete one-car garage, a paver driveway from Atlantic Street, and gravel in the front yard. A staircase provides access from the driveway to the upper residential floors and a porch wrapping around the front, right side, and rear of the dwelling. A row of shrubs is located on the Atlantic Avenue frontage. There is wooden fencing on the side lot line adjacent to Lot 16 and on a portion of the Atlantic Avenue front lot line. There is chain link fencing on the side lot line adjacent to Lot 14. The building and site improvements appear to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Atlantic Avenue is in fair condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property appears to be compliant with building and lot coverage standards, it is in good condition, and the main residential floors have been elevated to account for the base flood elevation. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 70, Lot 17 does not meet the criteria of the LRHL.

Block 71, Lots 4 and 5

Address:	247-249 BAY AVE-ATLANTIC ST
Owner:	DOMINGS, BARBARA K
Use:	Residential
Zoning District:	CBD
Year Built:	1918
Stories:	One story (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC) Receptacle requirements (8/1/17); Registration of POD (12/8/15).

Property description:

Block 71, Lots 4 and 5 are considered together because they are developed together and have common ownership. Lot 4 is a corner lot with 30.1 feet of frontage on Bay Avenue and 91.53 feet of frontage on Atlantic Street. Lot 5 has 30.12 feet of frontage on Bay Avenue. The property consists of two one-story dwellings above concrete one-car garages, with one dwelling facing Bay Avenue and the other facing Atlantic Avenue. In addition, the property is improved with a paver driveway to the right of

the Bay Avenue dwelling, a dirt driveway on Atlantic Street between the two dwellings, a gravel driveway leading to the Atlantic Avenue garage, a shed at the end of the gravel driveway, and lawn area on the remainder of the property. There is no curb cut on Atlantic Street providing access to the gravel driveway. The dirt driveway is in poor condition as it is overgrown with vegetation. A moveable storage pod was observed on the dirt driveway during a March 2021 site inspection. The front yard areas are in fair condition. The yard area behind the Atlantic Street dwelling consists of two additional sheds, according to Google aerial imagery. Staircases provide access to the upper residential floor of the dwellings. The dwellings generally appear to be in good condition, although there is some peeling paint on the porches of the Bay Avenue dwelling. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue and the concrete sidewalk on Atlantic Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

These parcels meet the following criterion: d

Although the structures appear to exceed the maximum permitted building coverage of 35 percent for the CBD district, the dwellings are elevated to account for the base flood elevation.

However, the property suffers from a faulty site arrangement. The two separate dwellings are inappropriately provided on the same property (Lot 4), with portions of the Bay Avenue building extending onto Lot 5. In addition, the gravel driveway and one-car garage on Atlantic Avenue are technically inaccessible considering there is no curb cut. As such, there is insufficient parking on the site to support the residential uses. The inappropriate, faulty arrangement of the dwellings on two lots and the inaccessible driveway and garage are detrimental to the safety and welfare of the community and to a well-functioning commercial corridor.

Based on the above, Block 71, Lots 4 and 5 meets criterion “d” of the LRHL.

Block 71, Lot 6

Address:	251 BAY AVENUE
Owner:	DOHERTY, JARLATH & WILKINSON, PAUL
Use:	Residential
Zoning District:	CBD
Year Built:	1913
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Vacant property maintenance (1/15/16, 7/31/17), Vacant property registration (1/15/16, 7/31/17).

Property description:

The property has 30.12 feet of frontage on Bay Avenue and consists of a 2½-story dwelling, a gravel driveway in the left side yard, and lawn area on the remainder of the property. The dwelling is elevated a few feet above the ground elevation. The dwelling is set back approximately 35 feet from the Bay Avenue right-of-way. A new picket fence is located on the front lot line. The dwelling generally appears to be in good condition, although there is some peeling paint at the concrete base on the building and

some wear to the porch steps. The gravel driveway and yard areas are maintained in fair condition. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 71, Lot 6 meets criterion “d” of the LRHL.

Block 72, Lot 1

Address:	28 ATLANTIC STREET
Owner:	NAVISTA ENTERPRISES, LLC
Use:	Residential
Zoning District:	CBD
Year Built:	1928
Stories:	One story, one story, one story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 60.23 feet of frontage on Bay Avenue and 88.7 feet of frontage on Atlantic Street. The property consists of three one-story dwellings, a wide concrete driveway from Atlantic Street, and two small sheds in the rear yard. Two of the dwellings face toward Bay Avenue and one dwelling faces Atlantic Street. The dwellings are elevated a couple feet above the ground elevation. The dwellings generally appear to be in fair condition, with the openings to the concrete base of the dwellings boarded up and some paint peeling from the front steps and railing of the Atlantic Avenue dwelling. There is wooden fencing on the side lot lines and within the interior lot area to delineate the three “rear yards” of each dwelling. The concrete driveway has capacity for three to four vehicles. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Atlantic Avenue is in fair condition, with some broken concrete. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There is on-street parallel parking in front of the property on Bay Avenue and Atlantic Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The structures appear to exceed the maximum permitted building coverage of 35 percent and appear to exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a

high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

In addition, the property suffers from a faulty site arrangement and overcrowding. The three separate dwellings are inappropriately provided on the same property and share a parking area with insufficient capacity to support the required two parking spaces per dwelling. In addition, there is no direct access from the driveway to the westernmost dwelling. As such, the faulty arrangement is detrimental to the welfare of the community.

Based on the above, Block 72, Lot 1 meets criterion “d” of the LRHL.

Block 72, Lot 2

Address:	BAY AVENUE
Owner:	BURTON, ROBERT
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property has 30.13 feet of frontage on Bay Avenue and consists of a vacant lot. Tax records show this property has been vacant and without taxable improvements since at least 1989, the earliest date for which tax records are provided online. The property is surrounded by wooden fencing. There is a curb cut from Bay Avenue and a gate in the fencing to allow for vehicular access. The sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been used as a parking lot for at least the past 30 years. The property is in poor condition. The historical lack of development through the instrumentality of private capital suggests that it is likely to remain vacant for the foreseeable future.

Based on the above, Block 72, Lot 2 meets criterion “c” of the LRHL.

Block 72, Lot 11.01

Address:	270 BAY AVENUE
Owner:	270 BAY AVENUE LLC C/O KEFALONITIS
Use:	Commercial
Zoning District:	CBD
Year Built:	1913
Stories:	Two stories
Current tax delinquencies/arrearages:	No data

Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Separation and collection (2/9/16).

Property description:

The property has 47 feet of frontage on Bay Avenue and consists of a two-story commercial office building occupied by “Action Realty,” a gravel driveway to the right of the building, and a gravel and dirt parking lot in the rear yard. The entrance to the building is at the ground elevation. There is a monument sign for the business on the front yard lawn area. The building appears to be in good condition with signs of minor wear, and the driveway and parking area appear to be in fair condition, with some overgrown vegetation and poor delineation of the parking lot. However, there have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the driveway and parking lot are in fair condition, the building is maintained in good condition and the property has compliant building and lot coverage. The pervious driveway and parking lot further mitigate concerns over the adequacy of stormwater management on the site. Therefore, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 72, Lot 11.01 does not meet the criteria of the LRHL.

Block 72, Lot 12

Address:	272 BAY AVENUE
Owner:	CERBANTES, LEONEL
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Grease trap (10/24/16); Protective treatment (5/22/18); Disposal of garbage, Container requirements (7/15/19).

Property description:

The property is a corner lot with 23 feet of frontage on Bay Avenue and 100 feet of frontage on Sea Drift Avenue. The property consists of a two-story restaurant building occupied by “Chilangos Authentic Mexican Restaurant.” The building occupies a majority of the lot area. There is a cold storage room and a small shed at the rear of the building. The entrances to the building are elevated slightly above ground elevation. The building appears to be in good condition and has recently been painted with murals. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent problem. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Sea Drift Avenue is in fair condition. Although there is no off-street parking on the property and parking is not permitted in front of the building on Bay Avenue, Block 73, Lot 2 is used as a parking lot to support the restaurant and parking is permitted in front of the building on Sea Drift Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 72, Lot 12 meets criterion “d” of the LRHL.

Block 73, Lot 2

Address:	SEADRIFT AVENUE
Owner:	CERVANTES, LEONEL
Use:	Commercial
Zoning District:	CBD
Year Built:	1989
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 70 feet of frontage on Bay Avenue and 100 feet of frontage on Sea Drift Avenue. The property consists of a gravel parking lot, a shed, and a fenced trash enclosure. Two catering trailers were observed parked on the lot during a March 2021 site inspection. The entrance to the parking lot is from Sea Drift Avenue. The property is owned in common with the Chilangos restaurant property across Bay Avenue, on Block 72, Lot 12. There is a monument sign reading, “Chilangos Parking” near the driveway entrance. The parking lot is in good/fair condition, with some overgrown vegetation at the edges. Bumper stops indicate the location of parking spaces on the outer edges of the parking lot, but there is no delineation of parking spaces on the interior of the parking lot. Tax records show this property has likely been improved with the existing shed (<\$2,500 of taxable improvements) since at least 1989, the earliest date for which tax records are provided online.

The front yard between parking lot and the sidewalk is buffered by four planter boxes and a seating area with picnic tables. A freestanding wooden sign is located in one of the planter boxes, which features a “Historic Highlands” emblem and placards with the names of several businesses in the area. There is chain link fencing and a row of trees on the side lot line adjacent to Block 71.73, Lot 7 to the southeast, and there is wooden fencing on the side lot line adjacent to Block 73, Lot 3 to the southwest. The paver sidewalk on Bay Avenue and the concrete sidewalk on Sea Drift Avenue are in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the parking lot is not paved, its remaining site improvements are maintained in good condition, including planting areas on the Bay Avenue frontage. The property is currently utilized as a parking area for the customers, employees, and two food trucks of a food establishment on the opposite side of Bay Avenue which is deficient in parking. On balance, the property is not detrimental to the health, safety, morals, or general welfare of the community.

Based on the above, Block 73, Lot 2 does not meet the criteria of the LRHL.

Block 74, Lot 1

Address:	273 BAY AVENUE
Owner:	CHESBRO, JAMES B.
Use:	Residential
Zoning District:	CBD
Year Built:	1918
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

The property is a corner lot with 48 feet of frontage on Bay Avenue and 100 feet of frontage on Sea Drift Avenue. The property consists of a 2½-story dwelling, an asphalt driveway from Sea Drift Avenue leading to a detached two-car garage at the rear of the dwelling, and a second asphalt driveway from Sea Drive Avenue at the rear lot line. There is extensive landscaping in the front yard on Bay Avenue and in the right side yard. The entrance to the dwelling is elevated a few feet above the ground elevation. The dwelling and site improvements appear to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. There is on-street parallel parking in front of the property on Bay Avenue and Sea Drift Avenue. The paver sidewalk on Bay Avenue and the concrete sidewalk on Sea Drift Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Although the property has compliant coverages and parking, and although the dwelling and other improvements are maintained in good condition, the age of the structure and its location in a high-risk flood zone suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 74, Lot 1 meets criterion “d” of the LRHL.

Block 74, Lot 8.01

Address:	83 BARBERIE AVENUE
Owner:	RIPRAPS, LLC
Use:	Residential/Commercial
Zoning District:	CBD
Year Built:	1940
Stories:	One story, one story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

Although Lot 8.01 of Block 74 is owned in common with adjacent Lot 9, the buildings, parking areas, and other improvements are confined within the bounds of each property. As such, there is no need to evaluate these properties together.

The property is a corner lot with 34 feet of frontage on Bay Avenue and 50 feet of frontage on Barberie Avenue. The property consists of a one-story tented commercial structure occupied by “Francesco’s Terrace” facing Bay Avenue, a one-story dwelling facing Barberie Avenue, and a dirt yard and landscaping on the remainder of the property. The tented commercial structure appears to serve Francesco’s Pizzeria & Italian Restaurant on adjacent Lot 9, which has the same property owner. The structure consists of a domed canopy tent with plastic windows affixed to a permanent block base at the ground elevation.

The entrance to the one-story dwelling is elevated a couple feet above the ground elevation. The dwelling appears to be in good condition. The site improvements are in fair condition, with rusting chain link fencing surrounding the property and a broken concrete walkway in front of the dwelling. The paver sidewalk on Bay Avenue and the concrete sidewalk on Barberie Avenue are in good condition. A planter pot was observed on an empty decorative tree well in front of the property on Bay Avenue. No off-street parking is provided on the property, although on-street parking is provided on Bay Avenue and Barberie Avenue in front of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The arrangement and structures on this property are unusual. The tent structure, which is erected over a permanent block base, provides indoor/outdoor seating for the adjacent restaurant that has a limited indoor seating in the primary restaurant building. Although unusual, the structure appears to be in good condition and able to withstand flooding considering its block base and tent that can be disassembled.

However, the single-family dwelling is inappropriately located on the same property. The two uses share the front yard area. There is little or no buffering between the dwelling, the tent structure, and the restaurant on adjacent Lot 9. There is no off-street parking on the site to support either the restaurant seating use or the residential use. The dwelling is particularly small for a single-family detached dwelling, although it appears to be maintained in good condition. However, the rusting chain link fencing on the lot lines detracts from the overall appearance and condition of the property.

The location of the dwelling on the ground floor in a high-risk flood zone suggests that it is not properly floodproofed to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 74, Lot 8.01 meets criterion “d” of the LRHL.

Block 74, Lot 9

Address:	277 BAY AVENUE
Owner:	RIPRAPs, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story, one story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17); Grease trap (9/24/16).

Property description:

The property has 48 feet of frontage on Bay Avenue and consists of a one-story commercial building at the front right corner of the property, a one-story, one-family dwelling at the left rear corner of the property, a gravel driveway in the left side yard leading to the dwelling, a shed at the rear of the commercial building, and lawn on the remainder of the rear yard. The dwelling appears to be in good condition. The commercial building is occupied by Francesco’s Pizzeria & Italian Restaurant and appears to be in good condition. The entrance to the restaurant is at the ground elevation and the entrance to the dwelling is slightly above the ground elevation. There is a mechanical/trash area located in the front yard between the restaurant and the driveway and which is enclosed by wrapped chain link fencing. The property is surrounded by chain link fencing. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The single-family dwelling and restaurant building are inappropriately located on the same property. The two uses share yard areas, and there is little buffering between the dwelling and the restaurant. The front yard of the dwelling is occupied by a mechanical equipment area enclosed by ±6-foot-high wrapped chain link fencing. This shared arrangement of yard areas is particularly unusual for a property with a single-family detached dwelling. In addition, although a long driveway provides parking for the residential use, there is no off-street parking on the site to support the restaurant use. However, the rusting chain link fencing on the lot lines detracts from the overall appearance and condition of the property.

Further, the location of the dwelling on the ground floor in a high-risk flood zone suggests that it is not properly floodproofed to prevent real threats to structural integrity and personal property, and risks of

physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 74, Lot 9 meets criterion “d” of the LRHL.

Block 75, Lot 1

Address:	274-276 BAY AVENUE
Owner:	GRAM RIVER DRIVE, LLC
Use:	Apartment
Zoning District:	CBD
Year Built:	1923
Stories:	One story, one story, one story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17); Separation and collection (2/8/16).

Property description:

The property is a corner lot with 72 feet of frontage on Bay Avenue and 100 feet of frontage on Sea Drift Avenue. The property consists of three one-story dwellings, in which one dwelling fronts on Bay Avenue and two dwellings front on Sea Drift Avenue, and lawn area on the remainder of the property. There is chain link fencing on the front lot lines surrounding the Bay Avenue dwelling, wooden fencing on the side lot line adjacent to Lot 18, and white PVC fencing on the side lot line adjacent to Lot 2. The dwellings generally appear to be in good condition, with some wear and paint peeling on the front steps and dormers of the dwellings. Various household items were observed in the yard areas. However, there have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The dwellings are elevated slightly above the ground elevation. There is no off-street parking, but there is on-street parallel parking in front of the property on Bay Avenue and Sea Drift Avenue. The paver sidewalk on Bay Avenue and the concrete sidewalk on Sea Drift Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structures and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

In addition, the property suffers from a faulty site arrangement. The three separate dwellings are inappropriately provided on the same property and share a rear yard area. In addition, there is no off-street parking to support the residences. As such, the faulty arrangement is detrimental to the public welfare.

Based on the above, Block 75, Lot 1 meets criterion “d” of the LRHL.

Block 75, Lots 17 and 18

Address:	282/284 BAY AVENUE
Owner:	CLARK, EVELYN ROSE
Use:	Residential
Zoning District:	CBD
Year Built:	1928/1923
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

Lots 17 and 18 are evaluated together considering they have common ownership and are developed together. The dwelling appears to be located on both lots. Lot 17 is a corner lot with 25 feet of frontage on Bay Avenue and 100 feet of frontage on Barberie Avenue, and Lot 18 has 48 feet of frontage on Bay Avenue.

Lot 17 consists of a one-story dwelling above a concrete two-car garage, and front and rear yard areas that consist of lawn and landscaping. The concrete garage is oriented toward the driveways on adjacent Lot 18. A staircase in the front yard provides access to the dwelling on the second level. The dwelling appears to be in good condition. The front yard is surrounded by chain link fencing and the rear yard is surrounding by wrapped chain link fencing. There is on-street parallel parking in front of the property on Bay Avenue.

Lot 18 property consists of an asphalt driveway on the right side of the property, a one-car garage at the right rear corner, a two-car paver driveway/patio located perpendicular to the asphalt driveway, and lawn area and landscaping on the remainder of the property. The property is owned in common with adjacent Lot 17. The site improvements support the dwelling on Lot 17. The driveways and lawn areas are generally in good condition. Chain link fencing is located on the front lot line and to the left of the asphalt driveway, where it appears to be rusting. The paver sidewalk on Bay Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

These parcels meet the following criterion: none

The dwelling has been elevated to account for the flood elevation and the remaining unbuilt areas consist primarily of lawn area. These mitigating factors outweigh the potential for harm to residential uses within a high-risk flood zone.

The property has an unusual arrangement. The dwelling appears to be located on both Lots 17 and 18, although a majority of the dwelling is on Lot 17. In addition, access to the garage is realistically provided from the driveway on Lot 18. However, this unusual arrangement is mitigated by the common ownership of the two properties. On balance, the property is not detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 75, Lots 17 and 18 does not meet the criteria of the LRHL.

Block 80, Lot 1

Address:	286 BAY AVENUE
Owner:	CONRAD, DONNA MARIE
Use:	Residential
Zoning District:	CBD
Year Built:	1923
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 50 feet of frontage on Bay Avenue and 56.67 feet of frontage on Barberie Avenue. The property consists of a one-story dwelling oriented toward Barberie Avenue, a gravel and dirt driveway from Barberie Avenue wide enough for at least two cars, and a concrete front patio and lawn area on the remainder of the property. The dwelling appears to be in good condition with signs of minor wear, but the gravel driveway is poorly delineated and has an uneven surface. The property is surrounded by chain link fencing. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Barberie Avenue is in fair condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 80, Lot 1 meets criterion “d” of the LRHL.

Block 80, Lot 2

Address:	288 BAY AVENUE
Owner:	HUVANE, MARTIN & GENEVIEVE
Use:	Residential
Zoning District:	CBD
Year Built:	1913
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a 2½-story dwelling, a concrete patio in the shallow front yard, and a deck on the second level in the rear yard. The dwelling, which

was formerly a 1½-story dwelling, since at least 2017 has been elevated above a concrete ground floor, according to Google historical imagery. The entrance to the dwelling is from the ground elevation. The front yard is surrounded by a white picket fence. The dwelling and site improvements appear to be in good condition. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

The dwelling appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. However, the dwelling has been recently elevated to account for the design flood elevation and it is maintained in good condition. These factors mitigate the possibility of negative impacts resulting from excessive lot coverage. While the property does not provide off-street parking to support the residential use, on balance, the property is not detrimental to the health, safety, morals, or welfare of the community and does not meet any of the redevelopment criterion of the LRHL.

However, the property is located along a row of properties on Bay Avenue, for which all other on Block 80 can be designated using the redevelopment criteria of the LRHL (Block 80, Lot 1 is to the right and Lot 22 to the left). Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 to the subject property, adjacent Lot 1 would stand alone on the block (it is a corner lot), and it is unlikely that property would be redeveloped on its own. Therefore, a redevelopment scenario involving the adjacent Lots 1 and 22 would require accommodation of Lot 2 to avoid a “gap tooth” effect and to promote the effective redevelopment of the area. As such, Lot 2 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 80, Lot 2.

Block 80, Lot 20

Address:	294 BAY AVENUE
Owner:	TROCCOLI, MICHELLE E
Use:	Residential
Zoning District:	CBD
Year Built:	1908
Stories:	One story (elevated)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/8/16), Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

The property is a corner lot with 30 feet of frontage on Bay Avenue and 100 feet of frontage on Barberie Avenue. The property consists of a one-story dwelling elevated above an approximately seven-foot-high

concrete ground floor, a shed at the right rear corner of the property, and a dirt driveway from Washington Avenue in the rear yard. Sets of stairs at the front and rear of the dwelling provide access up to the second level (the first occupied floor). The dwelling and site improvements are generally in good condition, although the driveway is poorly delineated. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue and the concrete sidewalk on Washington Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The dwelling appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. In addition, although the dwelling is maintained in good condition and has been elevated, it has not been elevated to account for the flood hazard area design flood. The excessive land coverage, together with the age of the structure and the location of residential uses below the design flood elevation in a high-risk flood hazard area, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Lastly, the property does not provide off-street parking to support the residential use. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 80, Lot 20 meets criterion “d” of the LRHL.

Block 80, Lot 21

Address:	292 BAY AVENUE
Owner:	MAIN %LINDA GRAYBILL
Use:	Residential
Zoning District:	CBD
Year Built:	1918
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17); Separation and collection (2/9/16).

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a 2½-story dwelling, a shed at the left rear corner of the property, and lawn area on the remainder of the property. The two upper floors are elevated approximately five feet above the ground elevation on a block base which does not appear to be occupied. The entrance to the dwelling is from a staircase in the front yard leading to the first living floor. There is a deck from the second level at the rear of the dwelling. The dwelling and site improvements appear to be in good condition. A concrete walkway is located in the right side yard. The rear yard is surrounded by chain link fencing. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The dwelling appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent for the CBD district. In addition, although the dwelling is maintained in good condition and has been elevated, it has not been elevated to fully account for the flood hazard area design flood. The excessive land coverage, together with the age of the structure and the location of residential uses below the design flood elevation in a high-risk flood hazard area, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Lastly, the property does not provide off-street parking to support the residential use. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 80, Lot 21 meets criterion “d” of the LRHL.

Block 80, Lot 22

Address:	290 BAY AVENUE
Owner:	SERVIDIO, FRANK PETER JR
Use:	Residential - Vacant
Zoning District:	CBD
Year Built:	1915
Stories:	One story
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17); Separation and collection (2/9/16); Weeds, brush, trash debris removal (6/23/17); Weeds (IPMC) (8/23/17).

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of a vacant one-story dwelling, which appears to be in fair condition with mismatched paint on the exterior siding. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Lastly, the dwelling is vacant and in fair condition, and the property does not provide off-street parking to support the residential use.

Based on the above, Block 80, Lot 22 meets criterion “d” of the LRHL.

Block 81, Lot 1

Address:	285 BAY AVENUE
Owner:	KENNY, PAUL
Use:	Residential
Zoning District:	CBD
Year Built:	1933
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 25 feet of frontage on Bay Avenue and 100 feet of frontage on Barberie Avenue. The property consists of a two-story, two-family dwelling, a large one-car garage in the rear yard facing Barberie Avenue, and lawn area on the remainder of the rear yard. The entrances to the dwellings are elevated slightly above the ground elevation. There is chain link fencing on the Barberie Avenue lot line. The paver sidewalk on Bay Avenue and the concrete sidewalk on Barberie Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The structures appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and the location of residential uses on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. In addition, there is insufficient off-street parking to support the two dwellings. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 81, Lot 1 meets criterion “d” of the LRHL.

Block 81, Lot 2

Address:	287 BAY AVENUE
Owner:	HORNIACEK, JAMES & DAWN
Use:	Residential
Zoning District:	CBD
Year Built:	1925
Stories:	Two stories (above parking)
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property has 25 feet of frontage on Bay Avenue and consists of an elevated two-story dwelling, a gravel driveway to the concrete one-car garage underneath the dwelling, a deck from the second level at the rear of the dwelling, a shed at the left rear corner of the property, and lawn area on the remainder of the rear yard. The dwelling is elevated on a concrete base approximately one floor above the ground elevation. Sets of stairs provide access from the driveway to the front porch/entrance and rear deck at the second level (the first occupied residential floor). The dwelling appears to be in good condition, although the gravel driveway has overgrown vegetation. There is white picket fencing on the right side lot line and wooden fencing on the left side lot line surrounding the rear yard. The paver sidewalk on Bay Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: Section 3

Although the building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district, the dwelling is elevated to account for the flood elevation and the remaining unbuilt areas consist primarily of lawn. Therefore, the property does not meet any of the redevelopment criterion of the LRHL. However, the property is located in a block bookended by properties that can be designated using the redevelopment criteria (Block 81, Lots 1 and 10.01) of the LRHL and is adjacent to a vacant parcel. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 on the subject property, adjacent Lot 1 (a narrow corner lot) would stand along on the east end of the block, and it is unlikely that property would be redeveloped on its own. Therefore, a redevelopment scenario involving the other properties on this block, particularly adjacent Lot 1, would require inclusion of Lot 2 to promote the effective design and redevelopment of the area. As such, Lot 2 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 81, Lot 2.

Block 81, Lot 10.01

Address:	295 BAY AVENUE
Owner:	VALINOTI, JR., JOSEPH
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Sidewalks and driveways, Weeds (IPMC), Receptacle requirements (8/1/17).

Property description:

The property is a corner lot with 55 feet of frontage on Bay Avenue and 100 feet of frontage on Barberie Avenue. The property consists of a long, one-story auto service and repair shop located at the corner of the property. In addition, there is a two-car grass parking area to the left of the building from Bay Avenue, a shed to the left of the building behind the parking area, a cement driveway at the rear of the building from Washington Avenue, and additional vehicle parking on the lawn area to the left of the building and accessible from the Washington Avenue driveway. The curb cut on Bay Avenue spans

almost the entire width of the lot to allow access to a garage door that opens on the Bay Avenue sidewalk and the parking area. There is wooden fencing on the side lot line adjacent to Lot 12 and at the end of the grass parking area in the Bay Avenue front yard. The building and site improvements appear to be in fair condition overall. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. Although used for an auto repair and service use, there is no known contamination on the site. The paver sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Washington Avenue side of the property; rather, the Washington Avenue side of the property consists of a strip of lawn area and a low curb in poor condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The auto service and repair use is not permitted in the CBD zone. From a planning standpoint, it is typically inappropriate to locate an auto repair use in the middle of a walkable downtown commercial corridor, given the intensity of operations and the need for vehicle storage and movement. The garage door opening onto the Bay Avenue sidewalk is inconsistent with the intention of the CBD zone to be pedestrian-oriented. There is also a potential issue with the use of hazardous fuels, oils, and solvents. In the case of a flood, these hazardous substances could contaminate the floodwaters and be detrimental to surrounding properties. In addition, the type of repair activities occurring on the site detract from a pleasant, walkable downtown environment. Rather, auto repair shops are generally more appropriate in other commercial settings. In addition, the building appears to exceed the maximum permitted building coverage of 35 percent for the CBD district. As such, the property is detrimental to the health, safety, and general welfare of the community.

Based on the above, Block 81, Lot 10.01 meets criterion “d” of the LRHL.

Block 81, Lot 12

Address:	289 BAY AVENUE
Owner:	ARJIKA PROPERTY INC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	None
Police reports (property-related incidents, last five years):	None
Property violations/hazardous conditions:	Weeds (IPMC) (7/13/16); Weeds, brush, trash debris removal (8/12/16, 10/24/17, 5/16/19); Unfit building (10/7/16, 1/24/18, 5/16/19); Vacant property registration (1/24/18, 5/16/19); Upkeep of vacant property (1/24/18); Exterior walls, Fence maintenance (5/16/19).
Permits issued:	DEMO SINGLE FAMILY DWELLING (10/23/19)

Property description:

The property has 50 feet of frontage on Bay Avenue and consists of a vacant, cleared lot. There is a curb cut on the right side of the property. The property has been vacant with no taxable improvements since at least 2019, according to tax records. The property was formerly occupied by a two-story, single-

family dwelling. There have been several persistent property violations on the site over the past five years, including for weeds, an unfit building, maintenance of the site, and vacant property registration. However, these violations occurred prior to the demolition of the former dwelling and are no longer relevant.

The paver sidewalk on Bay Avenue is in good condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: Section 3

The property is vacant and in poor condition, but has only been vacant for a couple of years. Therefore, the property does not meet any of the redevelopment criterion of the LRHL. However, the property is located in a block bookended by properties that can be designated using the redevelopment criteria (Block 81, Lots 1 and 10.01) of the LRHL. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” A redevelopment scenario involving the other properties on this block would require inclusion of Lot 12 to promote the effective design and redevelopment of the area, particularly as this lot is already vacant and is adjacent to a property that qualifies under criterion d. As such, Lot 12 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 81, Lot 12.

Block 82, Lot 1.01

Address:	297-299 BAY AVENUE
Owner:	ICE HOLDINGS, LLC
Use:	Residential
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Grease trap (10/24/16); Sign permit, Outdoor storage (10/19/17); Exterior walls (10/19/17, 5/1/18); Motor vehicles (12/12/17); Accessory structure maintenance (10/19/17, 5/1/18); Weeds, brush, trash debris removal (5/1/18).

Property description:

The property is a corner lot with 55 feet of frontage on Bay Avenue and 100 feet of frontage on Washington Avenue. The property consists of a vacant lot that was formerly the site of a commercial food and drink establishment. The property has been vacant with no taxable improvements since at least 2019, according to tax records and Google historical imagery. There is an abandoned shipping container and a metal storage tank at the rear of the lot. Wooden fencing that is located on the rear lot line is falling over and missing boards in some places. The lawn area contains various debris from the demolished building. Overall, the property is in poor condition. There have been several property

maintenance violations on the site over the past five years, but none of which have occurred since the former building was demolished. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Washington Avenue is in poor condition. There is a street tree in a decorative tree well in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property is vacant and in poor condition, it has only been vacant for a couple years, and it is possible that it could be developed through the instrumentality of private capital.

Based on the above, Block 82, Lot 1.01 does not meet the criteria of the LRHL.

Block 82, Lot 6.01

Address:	BAY & HUDDY AVE
Owner:	BAY AVENUE DEVELOPERS, LLC
Use:	Residential
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/12/16, 5/2/17, 5/9/18); Weeds (IPMC) (7/21/16).

Property description:

The property is a corner lot with 106.3 feet of frontage on Bay Avenue and 60.97 feet of frontage on Huddy Avenue. The property consists of a surface parking lot used by the former commercial property on adjacent Lot 1.01. The southeast side of the property consists of a wide paver patio that was formerly used as a seating area for the business. A grass buffer and split rail fence are located on the front lot lines. A two-way entrance to the parking lot is from Huddy Avenue. The parking lot is in fair condition. The pavement markings have faded and there are cracks with vegetation growing in them. There is wooden fencing on the side lot line shared with Lot 5.01. There have been infrequent property maintenance violations on the site over the past five years, of which none appear to have been a persistent or recent problem. The paver sidewalk on Bay Avenue is in good condition and the narrow concrete sidewalk on Huddy Avenue is in fair condition. There are two street trees in decorative tree wells and a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The parking lot is underutilized and no longer serves its purpose to provide parking for the adjacent commercial property which has been demolished. However, there are no built improvements on the site which could be detrimental to the health, safety, morals, or welfare of the community.

Based on the above, Block 82, Lot 6.01 does not meet the criteria of the LRHL.

Block 83, Lots 1 and 14

Address:	300 BAY AVENUE
Owner:	SHANNON ENTERPRISES LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Grease trap (Welsh Farms) Café, Grease Trap (Driftwood), Grease Trap (Girls Café) (10/24/16).

Property description:

Lots 1 and 14 of Block 83 appear to be consolidated into one tax lot, Lot 1, on the Borough's official tax maps and according to the tax assessor's records. The property is a corner lot with 100 feet of frontage on Huddy Street, 160 feet of frontage on Bay Avenue, and 100 feet of frontage on Washington Avenue. The property consists of a one-story shopping center building, surface parking lots in the front yards on Bay Avenue and Washington Avenue, and a freestanding sign near the corner of Bay Avenue and Huddy Avenue. The building is occupied by four separate businesses: Vera & Cathy's Girl's Café, Driftwood Liquors Bar, Welsh Farms Food Store, and Blimpie Sub Shop. The building is in fair condition with signs of wear, including unfinished and broken wood siding at the rear and peeling paint at the roofline.

Access to the parking lot is from a one-way ingress on Bay Avenue and one-way egresses on Bay Avenue and Washington Avenue. The parking lot appears to be in good condition; it appears to be recently paved, has clear pavement markings, and provides ADA-accessible parking. Landscaping is limited to planting areas at the southeast and southwest corners of the parking lot. There is an enclosed trash area on the parking lot located adjacent to Lot 2. The impervious improvements occupy greater than the maximum permitted lot coverage of 80 percent. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent or recent problem.

The paver sidewalk on Bay Avenue is in good condition but is directly adjacent to the circulation aisle of the parking lot with no physical separation. The concrete sidewalks on Washington Avenue and Huddy Avenue are in fair condition. A concrete walkway in front of the building connects the parking lot and Huddy Avenue sidewalk to the building entrance. There are two street trees in decorative tree wells and a decorative lamppost on the sidewalk in front of the property on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building has an outdated design and has signs of wear. While it is occupied by four active commercial uses, the site and building layout is inconsistent with the intent of the CBD zone to provide a walkable downtown environment. Notably, the open parking area has circulation aisles that are not physically separated from Bay Avenue sidewalk, representing an unsafe condition, as well as active driveways traversing the sidewalks on Bay Avenue and Washington Avenue. The parking spaces along the Washington Avenue frontage are not screened and are only separated from the sidewalk by a low curb and a narrow grass strip. The property also has excessive lot coverage. The trash enclosure is

located in the Washington Avenue front yard abutting a residential use. These conditions are detrimental to the safety of the community, as well as the general welfare. The faulty arrangement of this property in a downtown commercial corridor precludes the appropriate redevelopment of this property consistent with the Borough's planning and zoning objectives.

Based on the above, Block 83, Lot 1 meets criterion "d" of the LRHL.

Block 88, Lot 1.01

Address:	311 BAY AVENUE
Owner:	RESCH, ALLEN & GERALDINE
Use:	Commercial
Zoning District:	CBD
Year Built:	2000
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash debris removal (5/10/17, 10/10/17, 5/22/18, 8/2/18, 5/16/19).

Property description:

The property is a corner lot with 71.75 feet of frontage on Bay Avenue and 71.5 feet of frontage on Huddy Avenue. The property consists of a two-story commercial office building and gravel parking area that is accessible from Huddy Avenue. The building appears to be in fair condition with signs of wear, including warped exterior siding, missing exterior siding, missing roof shingles, peeling paint on the eaves, and rusting gutters. The exterior of the ground floor appears to have been recently painted. There are no windows on the ground floor facing Bay Avenue.

The parking area is in fair condition, consisting of a mix of dirt and gravel with overgrown vegetation, and lacking parking space delineation. There have been several persistent property maintenance violations on the site over the past five years for weeds and trash removal. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Huddy Avenue is in fair condition. There are two street trees in decorative tree wells in front of the property on Bay Avenue.

A terminated underground storage tank (UST) is associated with the property. The UST was terminated on November 16, 2000.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building and site improvements are in generally fair condition with various signs of wear. There have been persistent problems related to weeds and trash removal on the site, as documented by property violations. Lastly, the building is outdated for modern office uses in a downtown commercial corridor. There are no windows on the ground floor facing Bay Avenue, resulting in a deactivated streetscape environment. Together, these factors are detrimental to the welfare of the community and the downtown commercial corridor.

Based on the above, Block 88, Lot 1.01 meets criterion "d" of the LRHL.

Block 88, Lot 2

Address:	71 WATERWITCH AVENUE
Owner:	REED, THOMAS J.
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property has 25 feet of frontage on Huddy Avenue and consists of unmarked asphalt pavement and an enclosed trash area near the sidewalk on Huddy Avenue. The property is owned in common with the adjacent restaurant property on Block 88, Lot 3. A curb cut from Huddy Avenue provides access to the property and the parking lot on Lot 3. The concrete sidewalk in front of the property on Huddy Avenue is in good condition. Tax records indicate that the property has vacant without taxable improvements since at least 1989, the earliest date for which tax records are available.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant for more than 10 years prior to this area in need of redevelopment investigation. The property has not been developed by the instrumentality of private capital and there are no known plans to develop it in the future. Considering that the property is used as an entry point to the parking lot of the adjacent restaurant, it is unlikely to be developed in the foreseeable future.

Based on the above, Block 88, Lot 2 meets criterion “c” of the LRHL.

Block 88, Lot 3

Address:	71 WATERWITCH AVENUE
Owner:	REED, THOMAS J.
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is an irregular shaped corner and through lot with 40.46 feet of frontage on Huddy Avenue, 161.62 feet on shore Drive, and 42.64 feet of frontage on Waterwitch Avenue. The property is owned in common with the adjacent restaurant property on Block 88, Lot 2. The property consists of a 2½-story restaurant building facing Waterwitch Avenue, a parking lot on the remainder of the property, and an outdoor seating area on the sidewalk and parking lot at the corner of Waterwitch Avenue and Shore Drive. The building is occupied by *et al fine food*. The building and site improvements are maintained in generally good condition with some minor signs of wear. Although there are no

pavement markings on the parking lot, it appears to be recently paved and in good condition. There is outdoor storage of trash containers and grills at the rear of the building. Access to the parking lot is provided from a curb cut along the entirety of the Shore Drive frontage and a curb cut on Huddy Avenue on adjacent Lot 2. The paver sidewalks on Waterwitch Avenue and Shore Drive are in good condition, and the concrete sidewalk on Huddy Avenue is in fair condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

The parking lot is likely oversized considering the size of the restaurant and the parking spaces are unmarked. However, the property appears to be maintained in good condition and its active commercial use promotes the vitality of the downtown commercial corridor. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

However, the property is located on a block for which the redevelopment criteria of the LRHL can be applied to all other lots. In addition, Lot 3 forms an irregular L-shape around adjacent Lot 2. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Application of Section 3 to the subject property would avoid a notch in the redevelopment area and allow for a more comprehensive redevelopment on Block 88. . As such, Lot 6 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 88, Lot 3.

Block 88, Lot 4.01

Address:	67-69 WATERWITCH AVENUE
Owner:	HARBER, KENNETH
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story, 2½ stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

The property is a through lot with 28.5 feet of frontage on Huddy Avenue and 50 feet of frontage on Waterwitch Avenue. The property consists of a one-story restaurant and a 2½-story flower shop facing Waterwitch Avenue, an outdoor growing and display area at the rear of the buildings, and a gravel and dirt parking area with capacity for a few cars off Huddy Avenue. The one-story building is occupied by Water Witch Coffee & Tea Company, and the 2½-story building is occupied by In the Garden Flowers & Plants. The front of the Garden Flowers & Plants building is in good condition with some minor signs of wear, including stripped paint on the eaves. The Water Witch Coffee & Tea Company building is in fair condition with extensively peeling paint on the façade.

There are two loading bays at the rear of the buildings. Due to the outdoor growing and display area, only one of the bays is accessible to trucks. The rear garden garage is in poor condition, with peeling

paint on the façade, the rear door, and on at least one garage door; house wrap surrounding the left garage doorway; and a large metal container on the roof of the garage. The rear growing and display area is in generally good condition. The parking area and driveway are in fair condition considering that the driveway to the accessible loading bay consists of dirt and overgrown lawn area. Approximately three off-street parking spaces are provided on the parking area. The concrete sidewalk on Huddy Avenue is in fair condition. The paver sidewalk on Waterwitch Avenue is in good condition and hosts outdoor seating.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The two commercial businesses are beneficial to an active downtown commercial corridor, particularly on the Waterwitch Avenue frontage. However, the buildings appear to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. There is insufficient off-street parking to support the two commercial uses. The buildings have various condition issues. The rear of the buildings, which face Huddy Avenue, is outdated and inappropriate for a downtown commercial corridor, considering that it has two loading bays, is in poor condition, and has an unusual and large metal-and-tarp structure on the second floor. Although the commercial uses are beneficial to the downtown, the deficient off-street parking and the excessive coverage, condition issues, and inappropriate design of the buildings are detrimental to the health, safety, and welfare of the community and to a vibrant downtown commercial corridor.

Based on the above, Block 88, Lot 4.01 meets criterion “d” of the LRHL.

Block 88, Lot 5

Address:	321 BAY AVENUE
Owner:	PEAK CONSTRUCTION & DESIGN LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	One story, two stories, two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 88.25 feet of frontage on Bay Avenue and 50 feet of frontage on Waterwitch Avenue. The property consists of a one-story bicycle shop fronting on Waterwitch Avenue, a vacant two-story retail/office building fronting on Bay Avenue, and a vacant two-story retail/office building fronting on Bay Avenue and Waterwitch Avenue. The one-story building is occupied by Kranky Cycles. The two-story buildings are in poor condition with peeling and faded paint, torn exterior siding, boarded up doors and windows, damage and staining at the base of the façade, and minor graffiti. The buildings have been vacant since at least 2017, according to Google Maps historical imagery. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue and on Waterwitch Avenue. The paver sidewalks on Bay Avenue and Waterwitch Avenue are in good condition. A bicycle rack and various bicycles are located on the sidewalk on Waterwitch Avenue. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criteria: b, d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

The two-story commercial buildings have been vacant since at least 2017. In addition, they are in poor condition, which reduces the possibility that these buildings could secure new tenants in the future.

Lastly, the poor condition and vacancy of the two-story buildings result in a general sense of neglect on the site. This condition has a detrimental effect on the vitality of the downtown commercial corridor overall and on the adjacent commercial properties on Waterwitch Avenue.

Based on the above, Block 88, Lot 5 meets criteria “b” and “d” of the LRHL.

Block 89, Lot 1

Address:	310 BAY AVENUE
Owner:	SHANNON ENTERPRISE, LLC
Use:	Commercial
Zoning District:	CBD
Year Built:	No data
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Plumbing system hazard (3/7/18), Weeds, brush, trash debris removal (10/15/18, 4/25/19, 5/9/19, 7/28/20), Separation and placing for removal (7/28/20).

Property description:

The property is a corner lot with 50 feet of frontage on Bay Avenue and 100 feet of frontage on Huddy Avenue. The property consists of a one-story laundromat and dry-cleaning business, a concrete loading pad at the side of the building, and lawn area on the remainder of the property at the side and rear of the building. The lawn area is surrounded by wooden fencing. The building is occupied by Tiny Corner Laundromat. The building is in generally good condition. The yard areas are maintained in fair/poor condition, with overgrown vegetation on the concrete pad, wooden stakes with extensively peeling paint at the end of the concrete pad, and debris in the Huddy Avenue front yard. In addition, a large pile of indiscernible objects wrapped in tarping was located on several wooden pallets on the concrete pad during a site inspection in March 2021. There have been several property violations on the site over the past five years, including for a plumbing system hazard; weeds, trash, and debris; and separation and placement of trash.

There is a concrete sidewalk in the front yard, which slopes upward approximately one foot to the building entrance. A curb cut and gate in the fence from Huddy Avenue provide access to the lawn area at the rear of the building. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Huddy Avenue is in good condition. There is a street tree in a decorative tree well and a decorative lamppost on the sidewalk in front of the property on Bay Avenue. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue and Huddy Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: Section 3

Although the property has some yard area condition and maintenance issues, these are generally shielded by solid fencing, and the building is maintained in good condition. And although there is no accessible off-street parking on the site, there is on-street parallel parking to mitigate the parking deficiency. As such the property is not detrimental to the health, safety, morals, or welfare of the community.

However, the property is located within the “elbow” of an L-shaped lot (Block 89, Lot 2), which can be designated using the redevelopment criteria of the LRHL. The adjacent L-shaped lot has frontage on both Bay Avenue and Washington Avenue. Section 3 of the LRHL allows for inclusion of properties within an area in need of redevelopment when those properties “are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary... for the effective redevelopment of the area of which they are a part.” Absent the application of Section 3 to the subject property, Lot 2 would stand alone on the Washington Street frontage, and the overall continuity of redevelopment on that end of the block would be impeded by the gap Lot 1 creates in the elbow of adjacent Lot 2. A redevelopment scenario involving the adjacent Lot 2 would require accommodation of Lot 1 to promote the effective design and redevelopment of the area. As such, Lot 1 may be included in the redevelopment area in accordance with Section 3 of N.J.S.A. 40A:12A.

Based on the above, Section 3 of the LRHL applies to Block 89, Lot 1.

Block 89, Lot 2

Address:	58-60 HUDDY AVENUE
Owner:	PENTA, VINCENT & ELIZABETH
Use:	Residential
Zoning District:	CBD
Year Built:	1933
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Weeds, brush, trash debris removal, Outdoor storage (3/7/16).

Property description:

The property is an L-shaped lot with 30 feet of frontage on Bay Avenue and 50 feet of frontage on Huddy Avenue. The property consists of a one-story single-family dwelling facing Huddy Avenue, a shed at the rear of the building, and lawn area on the remainder of the property. The dwelling is elevated a couple feet above the ground elevation. The dwelling is in good condition overall with some minor signs of wear. There were various large items observed at the rear of the building during a March 2021 site

inspection, including a trailer, mowing vehicles, grills, furniture, construction materials, and propane tanks. In addition, a vehicle was parking at the rear of the dwelling on the lawn. There have been infrequent property violations on the site over the past five years, including for weeds, trash, and outdoor storage, of which none appear to have been a persistent or recent problem. There is no curb cut or driveway providing access to off-street parking on the site. On-street parallel parking is provided on Bay Avenue and Huddy Avenue. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Huddy Avenue is in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The property suffers from faulty site arrangement. The large vacant lawn portion of the property is underutilized and creates a gap in the commercial corridor on Bay Avenue. In addition, there is no accessible, designated off-street parking to support the residential uses on the site. Lastly, the outdoor storage of various large items at the rear of the dwelling suggests a lack of storage or garage space to keep these items.

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 89, Lot 2 meets criterion “d” of the LRHL.

Block 89, Lot 13.01

Address:	65 WATERWITCH AVENUE
Owner:	PENTA, VINCENT & ELIZABETH
Use:	Residential
Zoning District:	CBD
Year Built:	1933 (demolished building); no data
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Vacant property registration (1/21/16); Unsafe structure, Unfit building (9/21/16); Right of entry, Structure unit for human occupancy (9/26/16); Weeds, brush, trash debris removal (2/5/18, 7/28/20), Storage of household waste, Open/overflowing bins (7/28/20).

Property description:

The property is a corner lot with 80 feet of frontage on Bay Avenue and 150 feet of frontage on Waterwitch Avenue. The property consists of a one-story single-family dwelling facing Waterwitch Avenue and lawn area and several large trees on the remainder of the property. In addition to the existing one-story dwelling, the property formerly consisted of a vacant, dilapidated one-story residential building. This former building was demolished by August 2018, according to Google Maps historical imagery. The dwelling is elevated a couple feet above the ground elevation. The dwelling and

site improvements appear to be in good condition with some signs of minor wear. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue and Huddy Avenue. The paver sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Waterwitch Avenue is in fair condition. There are two street trees in decorative tree wells in front of the property on Bay Avenue.

There have been several property violations on the site over the past five years, including for vacant property registration and an unsafe/unfit building related to the former residential building, and weeds, storage of household items, and overflowing bins.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The location of residential uses on the ground floor in a high-risk flood zone, together with the age of the structure, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Lastly, the property does not provide off-street parking to support the residential use. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 89, Lot 13.01 meets criterion “d” of the LRHL.

Block 94, Lot 1

Address:	BAY & WATERWITCH AVENUES
Owner:	326 BAY LLC
Use:	Vacant
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 50 feet of frontage on Bay Avenue and 100 feet of frontage on Waterwitch Avenue. The property is a vacant lot consisting of lawn area and a freestanding sign at the street corner with placards identifying the businesses in the downtown commercial corridor. Tax records show that the property has been vacant without taxable improvements since at least 1989, the earliest date for which tax records are available online. The property is maintained in good condition. The concrete sidewalk on Bay Avenue is in good condition and the concrete sidewalk on Waterwitch Avenue is in good condition. There is a decorative lamppost on the sidewalk in front of the property on Bay Avenue. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue and Waterwitch Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant without taxable improvements for at least the past 30 years. The property is in fair condition. The historical lack of development through the instrumentality of private capital suggests that the property is likely to remain vacant for the foreseeable future.

Based on the above, Block 94, Lot 1 meets criterion “c” of the LRHL.

Block 94, Lot 15

Address:	69-71 SNUG HARBOR AVE
Owner:	ELLITHY, BELAL & NANCY/DUBINSKIY, VICTOR & ELLEN
Use:	Residential
Zoning District:	CBD
Year Built:	2002
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot with 60 feet of frontage on Bay Avenue and 100 feet of frontage on Waterwitch Avenue. The property consists of a two-story, two-family dwelling facing Snug Harbor Avenue, a gravel four-car driveway from Snug Harbor Avenue, and lawn area on the remainder of the property. The dwellings are elevated approximately five feet above the ground elevation. The dwellings and site improvements are maintained in good condition. There is a low keystone retaining wall surrounding the property on its lot lines. A planting area and flagpole are located in the front yard. The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

It should be noted that this property is inclusive of Block 94, Lots 15.02 and 15.03, which accounts for the two-family ownership. These tax lots are evaluated together considering that the lots are developed as a single property. Lot 15.02 (69 Snug Harbor Avenue) is under the ownership of ELLITHY, BELAL & NANCY and Lot 15.03 (71 Snug Harbor Avenue) is under the ownership of DUBINSKIY, VICTOR & ELLEN.

This parcel meets the following criterion: none

Although the structure’s first floor elevation is not above the flood hazard area design flood, the buildings and improvements are in good condition and were constructed less than 20 years ago. Further, the property does not exceed the maximum permitted lot coverage of 80 percent in the CBD district. Therefore, the property does not meet any of the redevelopment criterion of the LRHL.

Based on the above, Block 94, Lot 15 does not meet the criteria of the LRHL.

Block 94, Lot 16

Address:	326 BAY AVENUE
Owner:	TAKIAN, RANDY & KRIKORIAN, MARGOT
Use:	Residential - Vacant
Zoning District:	CBD
Year Built:	N/A

Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Vacant structure licensing (1/11/16), Outdoor storage (4/6/18).

Property description:

The property has 50 feet of frontage on Bay Avenue and is a vacant lot consisting of lawn area. Tax records show that the property has been vacant without taxable improvements since at least 2017. The property was formerly developed with a two-story dwelling, according to Google historical imagery. The property is maintained in generally good condition. The concrete sidewalk on Bay Avenue is in good condition and there is a curb cut to the property from Bay Avenue. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property is vacant, it has only been vacant for approximately four years, and it is possible that it could be developed through the instrumentality of private capital.

Based on the above, Block 94, Lot 16 does not meet the criteria of the LRHL.

Block 95, Lot 1

Address:	WATERWITCH & BAY AVENUE
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property
Zoning District:	CBD
Year Built:	2000
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot and a through lot with 180 feet of frontage on Bay Avenue, 136.95 feet of frontage on Waterwitch Avenue, and 182 feet of frontage on Shore Drive. The property is Huddy Park, which consists of a gazebo at the center and radial walkways to the four corners of the property, a playground at the western end, benches and picnic tables, two commemorative monuments at the eastern and southern ends, a freestanding sign at the corner of Waterwitch Avenue and Shore Drive identifying some local destinations and travel routes, a flagpole, several large trees, and lawn area on the remainder of the property. The property is surrounded by split rail fencing, and the playground is surrounded by chain link fencing. The site improvements are maintained in good condition. There are two decorative lampposts on the sidewalk in front of the property on Waterwitch Avenue and one in front of the property on Bay Avenue. The paver sidewalk on Waterwitch Avenue and the concrete sidewalk on Bay Avenue are in good condition. There are no streetscape improvements on the Shore Drive side of the property. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue, Waterwitch Avenue, and Shore Drive.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

The property is a public park that provides sitting and eating areas, play areas, walking paths, open lawn area, and greenery. These park elements provide substantial benefit and public good to a downtown commercial corridor that has limited public park space.

Based on the above, Block 95, Lot 1 does not meet the criteria of the LRHL.

Block 96, Lot 1

Address:	331 BAY AVENUE
Owner:	VETERANS OF FOREIGN WARS
Use:	Other Exempt
Zoning District:	CBD
Year Built:	2007
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	Solid waste disposal (2/1/16), Grease trap (10/24/16).

Property description:

The property is a through lot with 142 feet of frontage on Bay Avenue and 144 feet of frontage on Shore Drive. The property consists of a one-story community space on the western side of the property and a surface parking lot on the eastern side. The building is occupied by the Veterans of Foreign Wars (VFW) organization. The entrances to the building are located slightly above the ground elevation. A flagpole and a monument sign identifying the organization are located in the front yard on Bay Avenue. There is an unenclosed dumpster and trash area at the south side of the building on Shore Drive. The property and parking lot are surrounded by chain link fencing on its street frontages. Two-way vehicular access is provided from Bay Avenue. The vehicular entrance from Shore Drive was inaccessible during a site inspection in March 2021, with cones and "caution" tape blocking the driveway. There is a loading bay at the front of the building, facing toward the parking lot. The building is in good condition, but the parking lot is in fair condition, with cracked pavement throughout. There have been infrequent property violations on the site over the past five years, of which none appear to have been a persistent or recent problem.

There is on-street parallel parking in front of the property on Bay Avenue and Shore Drive. The concrete sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Shore Drive side of the property.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

Impervious improvements on the property appear to occupy greater than the maximum permitted lot coverage of 80 percent for the CBD zone. This excessive land coverage, together with its location within

a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. In addition, the parking lot is in fair condition. Therefore, the site conditions are detrimental to the health and safety of the community (see footnote 3).

Based on the above, Block 96, Lot 1 meets criterion “d” of the LRHL.

Block 96, Lot 2.01

Address:	171 BAY AVENUE
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot and a through lot with 79 feet of frontage on Bay Avenue, 79 feet on Central Avenue, and 80 feet of frontage on Shore Drive. The property consists of a moveable shed on a concrete pad at the corner of Central Avenue and Shore Drive, several large trees, and lawn area. Tax records show that the property has been vacant without taxable improvements since at least 1989, the earliest date for which tax records are available online. A portion of the lawn area adjacent to the VFW building appears to be used as outdoor seating for VFW patrons. The property is surrounded by chain link fencing on its street frontages. The concrete sidewalk on Bay Avenue is in good condition. There are no streetscape improvements on the Shore Drive or Central Avenue sides of the property. There is no off-street parking or curb cuts on the site, but on-street parallel parking is provided on Bay Avenue and Shore Drive.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: c

The property has been vacant without taxable improvements for at least the past 30 years. The property is in fair condition. The historical lack of development through the instrumentality of private capital suggests that the property is likely to remain vacant for the foreseeable future.

Based on the above, Block 96, Lot 2.01 meets criterion “c” of the LRHL.

Block 96.01, Lot 2.01

Address:	BAY AVENUE
Owner:	BOROUGH OF HIGHLANDS
Use:	Public Property
Zoning District:	CBD
Year Built:	N/A
Stories:	N/A
Current tax delinquencies/arrearages:	No data

Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is a corner lot and a through lot with 185 feet of frontage on Bay Avenue, 73 feet on Central Avenue, and 187 feet of frontage on Shore Drive. The property is owned by the Borough of Highlands and consists of an asphalt parking lot. Tax records show that the property has been vacant without taxable improvements since at least 1989, the earliest date for which tax records are available online. The parking lot is in good condition and appears to have been recently paved and marked. Two-way access to the parking lot is from Bay Avenue. There is a curb cut on Shore Drive, which appears to be only occasionally used considering that there are two parking spaces in front of this curb cut. The asphalt sidewalks on Bay Avenue, Central Avenue, and Shore Drive are in good condition. There is a river stone buffer between the asphalt sidewalk and roadway, on which is located a rope and wooden bollard fence. There is a small planting area at the corner of Central Avenue and Bay Avenue. Eight small trees are located in the buffer strip and one small tree and landscaping are located in the planting area. There is on-street parallel parking provided on Bay Avenue and Shore Drive.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: none

Although the property has been vacant without taxable improvements for more than 10 years, it is currently well-utilized as a municipal parking lot. And although the property consists almost entirely of impervious surfaces, the parking lot has been newly upgraded and is in good condition, which provides a public benefit to alleviate parking shortages in the CBD zone and near the ferry.

Based on the above, Block 96.01, Lot 2.01 does not meet the criteria of the LRHL.

Block 96.01, Lot 3 (Block 96, Lot 3)

Address:	409 BAY AVENUE
Owner:	OAK PARK GROUP, LLC ATTN: T. CALABRESE
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	Two stories
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	None

Property description:

The property is identified as Block 96.01, Lot 3 on the Borough tax maps and in Resolution 21-62, which authorized this study. However, the block number is in error. The correct identifying information is Block 96, Lot 3, as indicated in tax records and the most recent deed for the property (see Appendix E: Deeds).

The property is a through lot with 148 feet of frontage on Bay Avenue and 150 feet of frontage on Shore Drive. The property consists of a two-story restaurant, a covered outdoor eating area to the west of the building, an enclosed trash area on Bay Avenue, and several trees and landscaping between the outdoor seating area and the adjacent parking lot. The building is occupied by the Scuba and the

Beast restaurant. The building and site improvements are in fair condition. The pedestrian entrance to the restaurant is from Shore Drive and is at the ground elevation. The outdoor seating area and eastern yard area are surrounded by black decorative and white PVC fencing. There is no off-street parking on the site, but on-street parallel parking is provided on Bay Avenue and Shore Drive. Bay Avenue converts into Gravelly Point Road north of the northernmost extent of the property. The concrete sidewalk on Shore Drive is in good condition, but the concrete sidewalk on Bay Avenue is in poor condition, with pervasive cracks.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

This parcel meets the following criterion: d

The building appears to occupy a majority of the lot area, which exceeds the maximum permitted building coverage of 35 percent and may exceed the maximum lot coverage of 80 percent for the CBD district. This excessive land coverage, together with the age of the structure and its location on the ground floor in a high-risk flood zone, suggests that the site does not provide proper stormwater management or floodproofing to prevent real threats to structural integrity and personal property, and risks of physical harm or entrapment due to flooding. Therefore, the site conditions are detrimental to the health, safety, and welfare of the community (see footnote 3).

Based on the above, Block 96.01, Lot 3 (also known as Block 96, Lot 3) meets criterion “d” of the LRHL.

Block 114, Lot 1.01, 1.02, and 3.02

Address:	SHORE DRIVE
Owner:	VALLEY NATIONAL BANK/BOROUGH OF HIGHLANDS
Use:	Commercial
Zoning District:	CBD
Year Built:	2007
Stories:	One story
Current tax delinquencies/arrearages:	No data
Police reports (property-related incidents, last five years):	No data
Property violations/hazardous conditions:	No data

Property description:

Lots 1.01, 1.02, and 3.02 are all owned in common and used in common, according to the Deed recorded on June 7, 2006. The deed recorded some discrepancy in the lot numbers of the properties. As such, these properties are evaluated together. In addition, it appears that the Borough of Highlands has rights to Lot 3.02 according to deed records.¹⁰ The Borough tax assessor records Lot 3.02 as owned by the Borough of Highlands.

¹⁰ The 2006 Deed defines the property as, “Lots 1.01 and 3.02 in Block 114 on the current, Official Tax Map of the Borough of Highlands... being also known as Lots 1.01 and 1.02 in Block 114 in the Tax Records of the Borough of Highlands.” The deed is given to Valley National Bank, but it permits the following exception on the property, “The Rights of the Borough of Highlands in the area known as Lot known as Lot 3.02 [sic], Block 114 as shown on the Tax Map of the Borough of Highlands.” In other words, Valley National Bank holds the deed to Lots 1.01, 1.02, and 3.02 of Block 114, but the Borough of Highlands has rights to Lot 3.02.

The property is an irregular shaped corner lot with 444.04 feet of frontage on Shore Drive and ±132.69 feet of frontage on Waterwitch Avenue.¹¹ The property consists of a one-story bank building near the street intersection, a drive-thru window on the southwest side of the building, a surface parking lot to the west of the building, and vacant lawn area on the remaining western portion of the property. There is a planting area at the east corner of the property, an enclosed trash area on a parking space adjacent to Block 115, Lot 2.01, and several large cement cylinders stored on the lawn area. There is an egress driveway on Waterwitch Avenue for drive-thru vehicles and separate ingress and egress driveways to the parking lot from Shore Drive. The building and site improvements are in good condition, despite some patching of cracks on the pavement of the parking lot. The lawn area appears underutilized and is in fair condition. The concrete sidewalks on Shore Drive and Waterwitch Avenue are in good condition.

The property is located within the AE flood zone with a one percent chance base flood elevation of 11 feet.

These parcels meet the following criterion: none

Although the western portion of the property is underutilized as vacant lawn area, the property appears to be maintained in good condition, has good circulation, compliant provision of parking, and compliant building coverage.

Based on the above, Block 114, Lot 1.01, 1.02, and 3.02 do not meet the criteria of the LRHL.

C. Analysis of the Study Area as a Whole

The results of the redevelopment area investigation reveal that 100 of the 155 parcels, comprising 15.65 acres (or 76 percent of the land in the Study Area), qualify for redevelopment designation under criteria “a,” “b,” “c,” and/or “d” of the LRHL. Twenty parcels qualify for inclusion in the redevelopment area under Section 3. Thirty-five parcels do not meet any criteria for inclusion in the redevelopment area. Figure 6 illustrates which criteria are met, if any, on each parcel.

As a result of the conditions and circumstances described above, there is a legitimate basis to declare 120 of the 155 parcels in the Study Area, comprising 15.12 acres, as a non-condemnation “area in need of redevelopment” in accordance with criteria “a,” “b,” “c,” “d,” and Section 3 as set forth in the Local Redevelopment and Housing Law.

¹¹ Per the 2006 Deed.

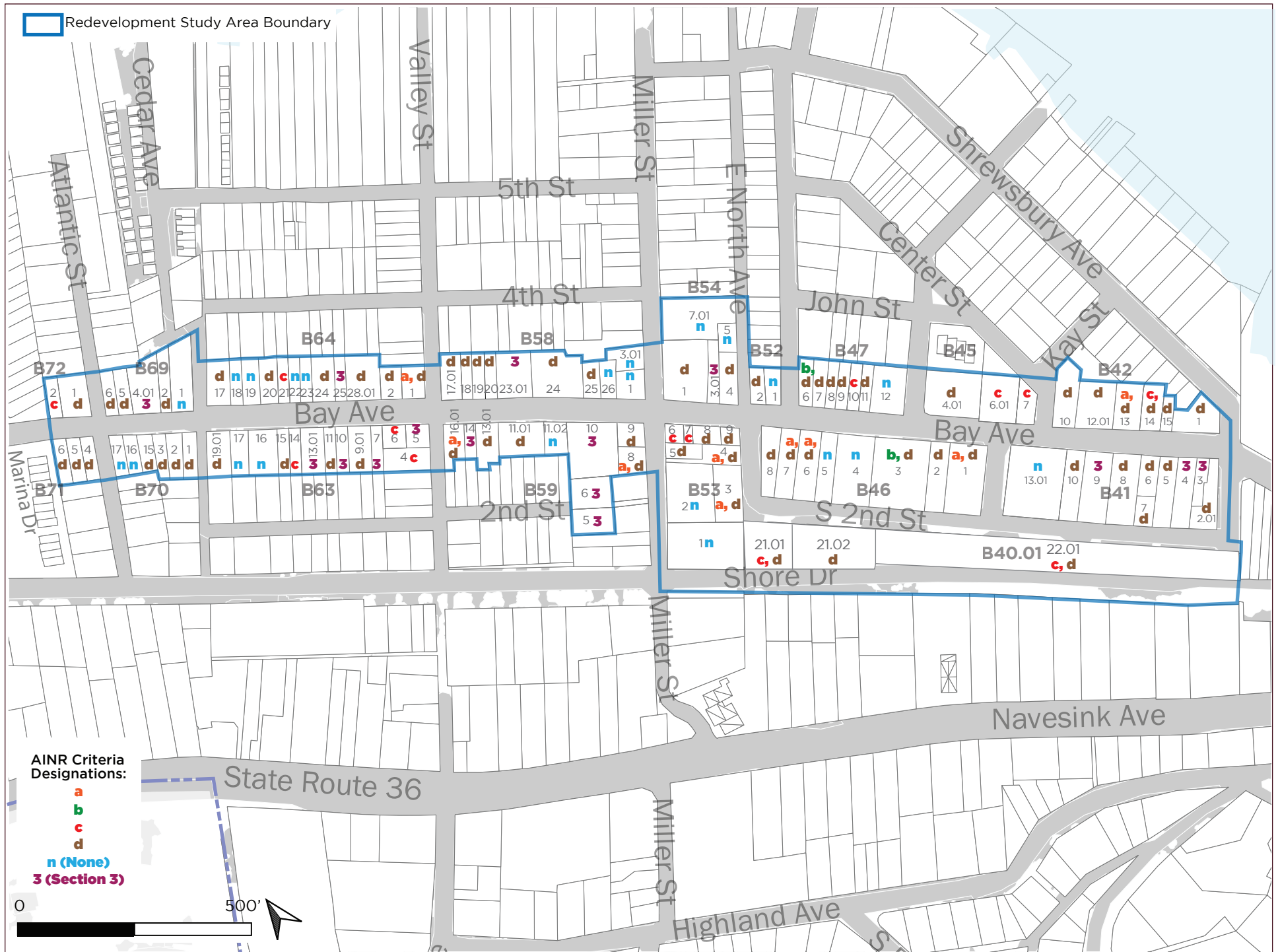


FIGURE 6A: AREA IN NEED OF REDEVELOPMENT CRITERIA: EASTERN SECTION | BOROUGH OF HIGHLANDS, NJ

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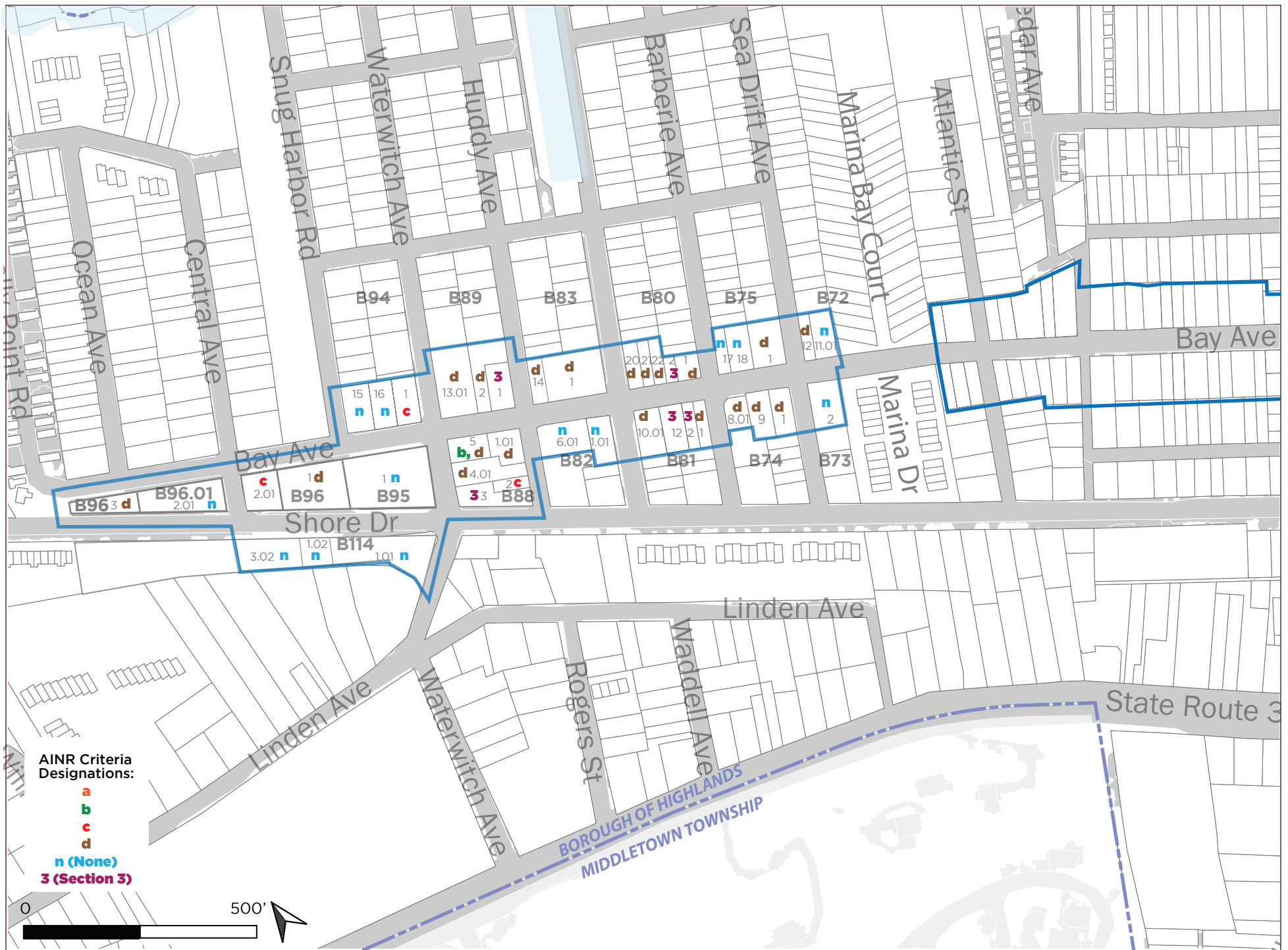


FIGURE 6B: AREA IN NEED OF REDEVELOPMENT CRITERIA: WESTERN SECTION | BOROUGH OF HIGHLANDS, NJ

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V. CONCLUSION

The foregoing study was prepared on behalf of the Borough of Highlands to determine whether a portion of the parcels on Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114 qualifies as an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-1, et seq.

It is the finding of this investigation that 120 of the 155 properties in the Study Area meet the statutory requirements for designation as a Non-Condensation Redevelopment Area.

APPENDICES

Appendix A: Property Photographs

Appendix B: Resolutions Authorizing the Land Use Board to Conduct an Area in Need of Redevelopment Investigation

Appendix C: Municipal Information Request Letters

Appendix D1: Municipal Responses, Code Enforcement

Appendix D2: Municipal Responses, Tax Cards and Delinquencies

Appendix D3: Municipal Responses and Articles, Applications to the Board

Appendix D4: Municipal Responses, Police Reports

Appendix E: Property Deeds