

# Redevelopment Study and Preliminary Investigation Report

Block 795, Lot 5.01

**Prepared:**  
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**Prepared for:**  
Planning Board of the Township of Middletown

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*The original of this document has been signed and sealed in accordance with Law.*

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## Introduction

The purpose of this Redevelopment Study and Preliminary Investigation Report (hereinafter referred to as “Redevelopment Study”) is to determine whether Block 795, Lot 5.01 in the Township of Middletown qualifies as an area in need of redevelopment as defined in the Local Redevelopment and Housing Law (P.L. 1992, Chapter 79; commonly and hereinafter referred to as the “LRHL”). The preparation of this Redevelopment Study was authorized on September 3, 2024 with the adoption of Resolution No. 24-232 of the Township of Middletown Township Committee, a copy of which is provided in Appendix A.

As provided in Resolution No. 24-232, the Study Area is comprised of Block 795, Lot 5.01. No other properties are included in the Study Area. The Study Area is shown on the accompanying regional location map (Map 1) and aerial location map (Map 2).

This Redevelopment Study is written pursuant to Section 6 of the LRHL (N.J.S.A. 40A:12A-6a), which states the following:

*No area of a municipality shall be determined to be a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L. 1992. C.79 (C.40A:12A-5). ... The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of a municipality.*

This Redevelopment Study serves as the “statement setting forth the basis for the investigation,” which is required by the LRHL [N.J.S.A. 40A:12A-6b(1)]. In accordance with N.J.S.A. 40A:12A-6b(5):

*After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is in need of redevelopment.*

It is noted that in directing the Planning Board to prepare this Redevelopment Study, Resolution No. 24-232 specified that all the Study Area properties shall be



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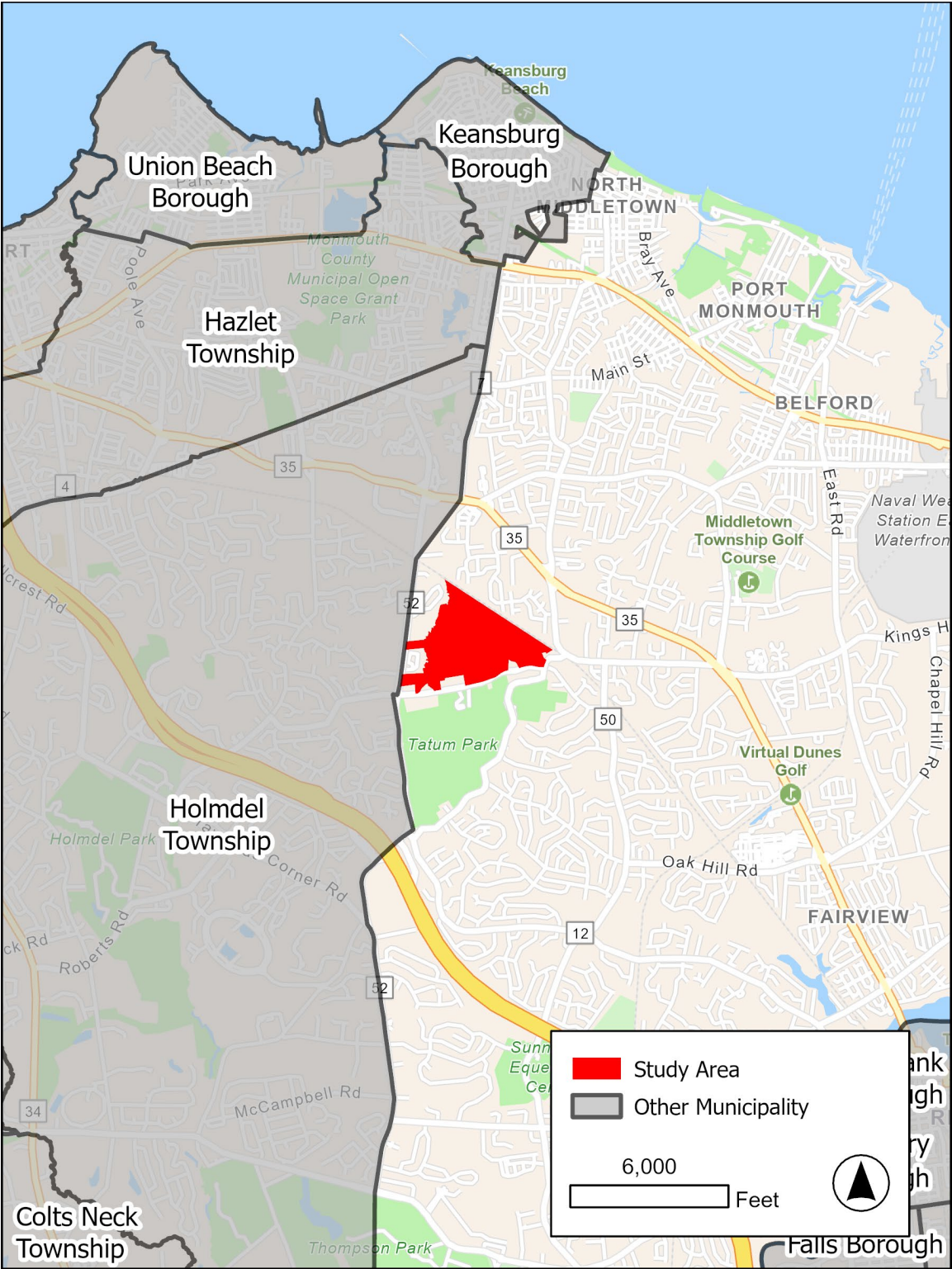
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investigated to determine if they qualify for redevelopment for non-condemnation purposes.

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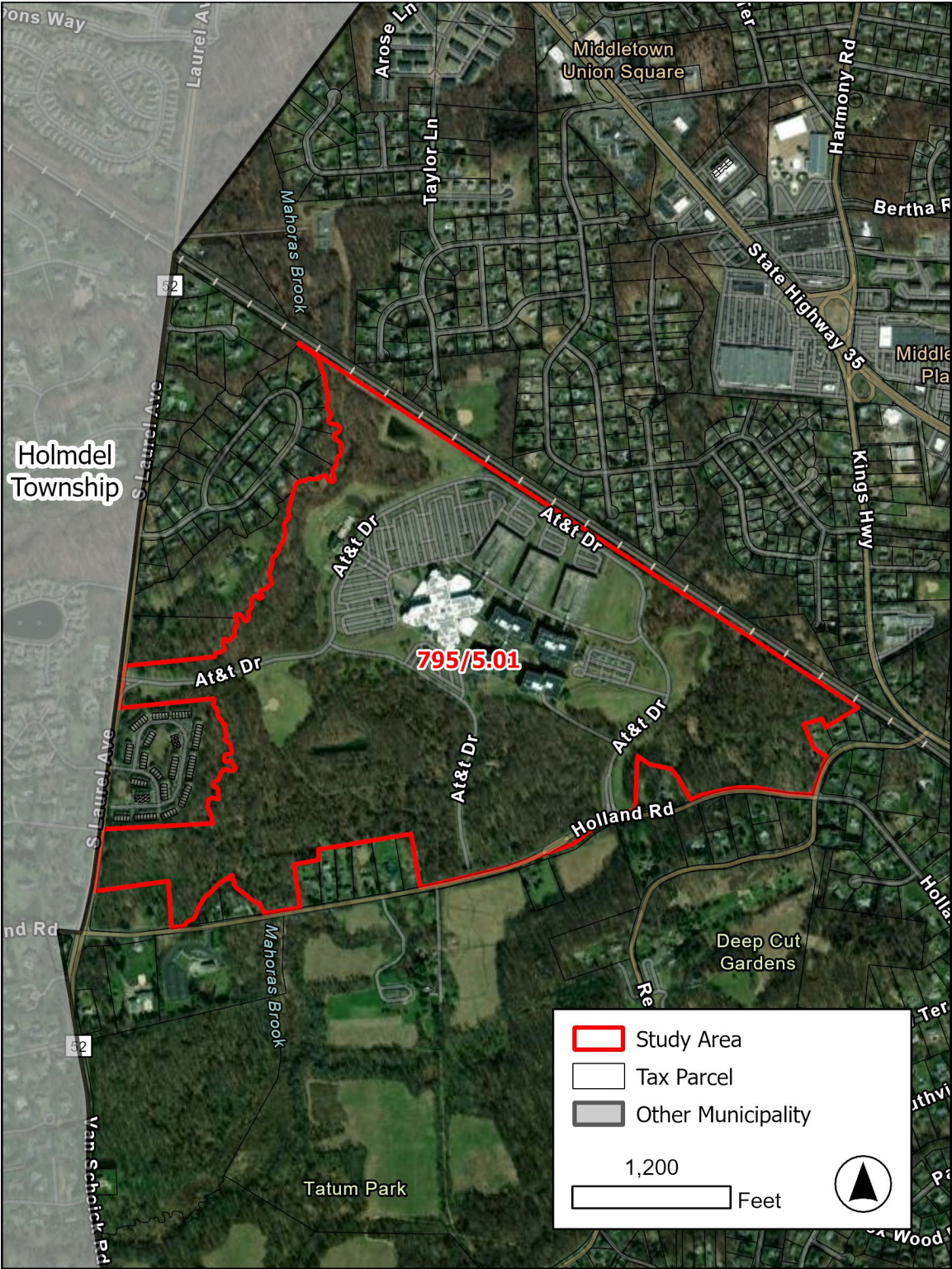
**Map 1: Regional Location Map**





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Map 2: Aerial Location Map (2020 Imagery)



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### Study Area Description

The Study Area is comprised of one (1) property, namely Block 795, Lot 5.01. As recorded in property tax assessment information, the Study Area property has a total area of approximately 253.08 acres and is located to the east of South Laurel Avenue, north of Holland Road, west of Red Hill Road, and south of the right-of-way of New Jersey Transit's North Jersey Coast Line in the western section of the Township.

### Property Ownership

As provided in the current property tax assessment information, there is one (1) owner of record in the Study Area, namely "AT&T Middletown, NJ Landlord, LLC."

Please note, however, that there are two (2) records in the property tax assessment information for Block 795, Lot 5.01 and a different address for the owner of record is provided for each record. The records and owner addresses are as follows:

- Block 795, Lot 5.01 (253.00 Acres; No Qualifier): AT&T Middletown, NJ Landlord, LLC with an address of 1 AT&T Way, Room 1B201 in Bedminster, NJ; and
- Block 795, Lot 5.01 (0.08 Acres; Qualifier Code "T01"): AT&T Middletown, NJ Landlord, LLC with an address of 754 Peachtree Street, Northeast, 16<sup>th</sup> Floor in Atlanta, GA. Qualifier Code "T01" refers to the environs of a cell tower that is located on the property.

Although there are different addresses of records for both records, the name of the owner of record is the same. It is, therefore, concluded that, based on current property tax assessment information, all portions of the Study Area are under common ownership.

### Property Description

Map 3 identifies individual buildings and areas within the Study Area.

The Study Area contains the following improvements:

- A total of five (5) commercial/office buildings, each of which has five (5) stories;
- Three (3) parking decks, each of which has five (5) stories;
- A site-specific electrical generation facility and associated maintenance buildings;
- Surface parking areas; and,
- Related site improvements.

The Study Area is occupied by AT&T Labs, which is the research & development division of AT&T. As is discussed later in this Redevelopment Study, a significant portion of the Study Area buildings is vacant.

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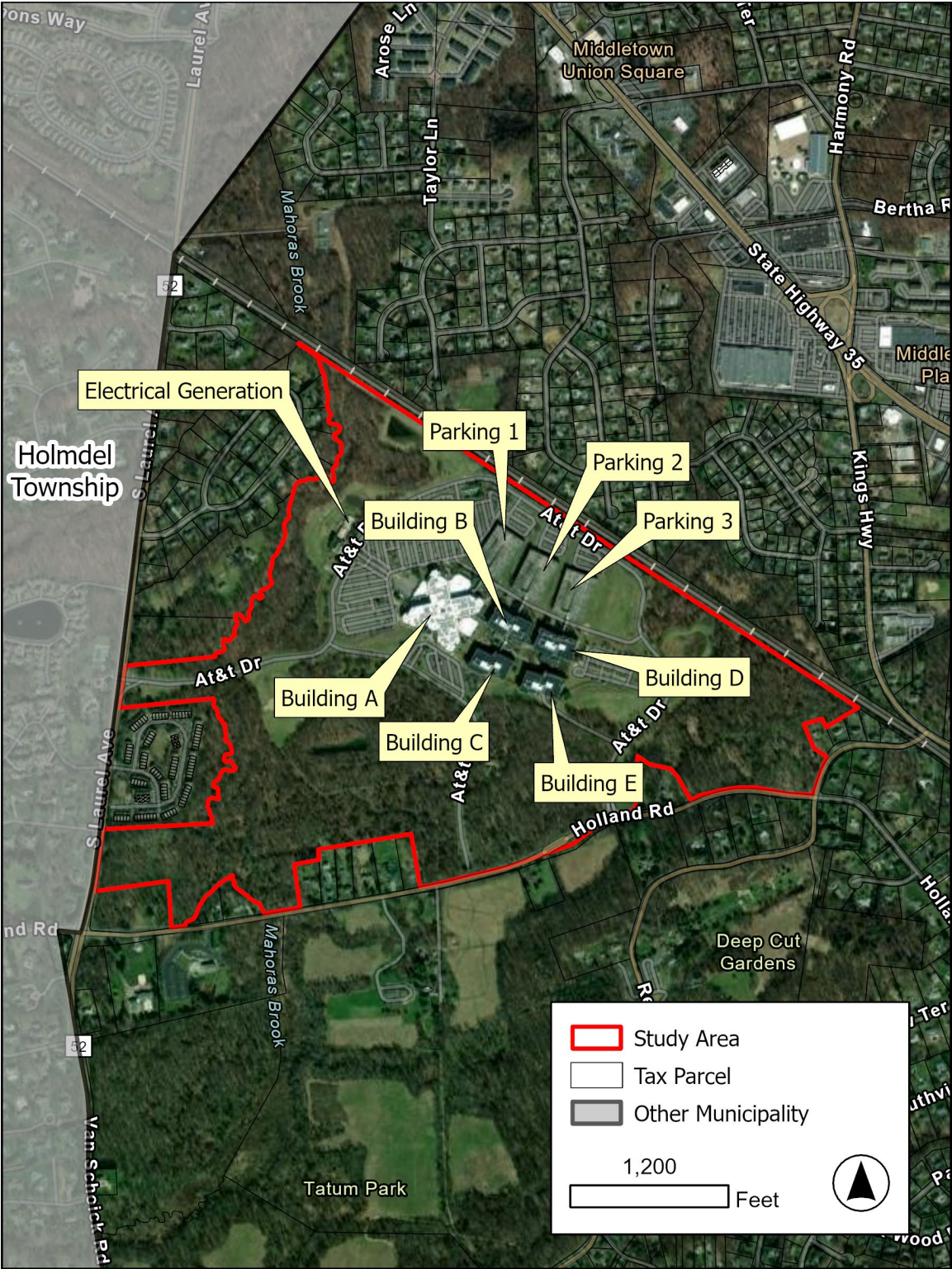
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Existing conditions as observed during a site visit conducted on October 29, 2024 are discussed later in this Redevelopment Study and illustrated by the photographs of Appendix B.



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Map 3: Building Location Map



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### **Land Use Analysis (Land Use/Land Cover and MOD-IV)**

Land use/land cover and MOD-IV property tax assessment land use classification are described in the following subsections.

#### **Land Use/Land Cover**

The New Jersey Department of Environmental Protection (NJDEP) has mapped land use/land cover based on 2020 aerial imagery. The land use/land cover of the Study Area and environs is shown in Map 4.

As shown in Map 4, the Study Area contains a mix of land uses/land covers as mapped by the NJDEP, including:

- Artificial lakes;
- Commercial/services;
- Deciduous brush/shrubland;
- Deciduous forest (greater than 50 percent crown closure);
- Deciduous forest (10 to 50 percent crown closure);
- Deciduous scrub/shrub wetlands;
- Deciduous wooded wetlands;
- Managed wetland in maintained lawn greenspace;
- Other urban or built-up land;
- Recreational land;
- Residential, high density or multiple dwelling;
- Residential, rural, single unit;
- Residential, single unit, low density;
- Stormwater basin;
- Transportation/communication/utilities; and
- Upland rights-of-way undeveloped.

#### **MOD-IV Land Use Classification**

MOD-IV is the mechanism to maintain and update all property tax assessment records in the State of New Jersey (n.b., “MOD-IV” refers to the mechanism’s programming language). As provided in current MOD-IV property tax assessment records, the land use classification of the Study Area is Class 4A (Commercial).

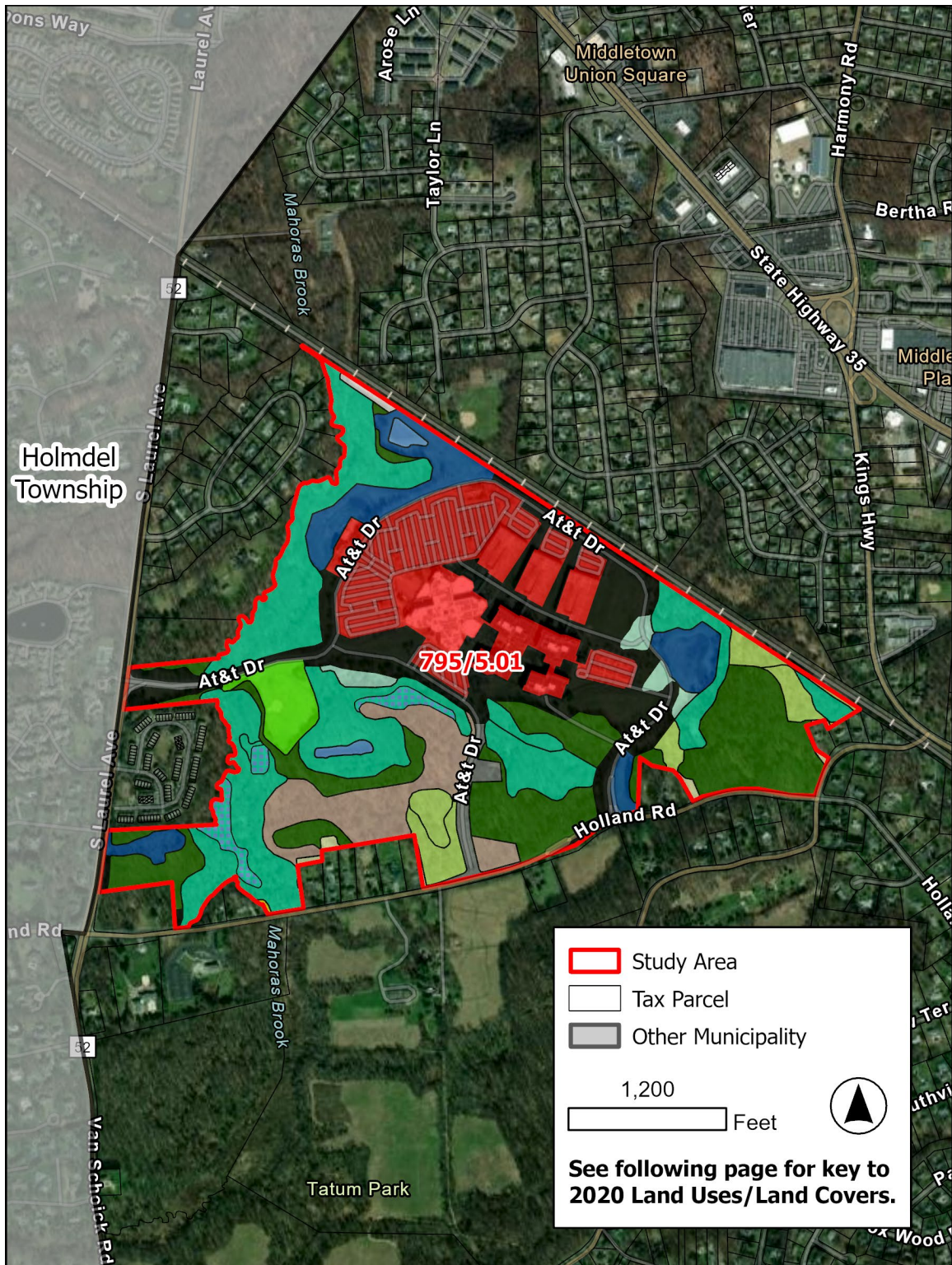


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Map 4: 2020 Land Use/Land Cover of the Study Area





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### Map 4 (Continued): Key to 2020 Land Use/Land Cover

	Artificial Lakes
	Commercial/Services
	Deciduous Brush/Shrubland
	Deciduous Forest (10-50% Crown Closure)
	Deciduous Forest (>50% Crown Closure)
	Deciduous Scrub/Shrub Wetlands
	Deciduous Wooded Wetlands
	Managed Wetland in Maintained Lawn Greenspace
	Other Urban or Built-Up Land
	Recreational Land
	Residential, High Density or Multiple Dwelling
	Residential, Rural, Single Unit
	Residential, Single Unit, Low Density
	Stormwater Basin
	Transporation/Communication/Utilities
	Upland Rights-of-Way Undeveloped

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### **Environmental Constraints**

A review of mapping from the New Jersey Department of Environmental Protection (NJDEP) and Federal Emergency Management Agency (FEMA) indicates that the Study Area contains:

- Approximately 64.6 acres of mapped wetlands spread across the Study Area;
- Approximately 28.2 acres of Special Flood Hazard Areas located in the western portion of the Study Area; and
- Non-Category One Stream Corridors of Mahoras Brook and Waackaack Creek.

No additional environmental constraints, including but not limited to sites identified on the NJDEP's Known Contaminated Sites List, were identified in mapping from the NJDEP or FEMA.

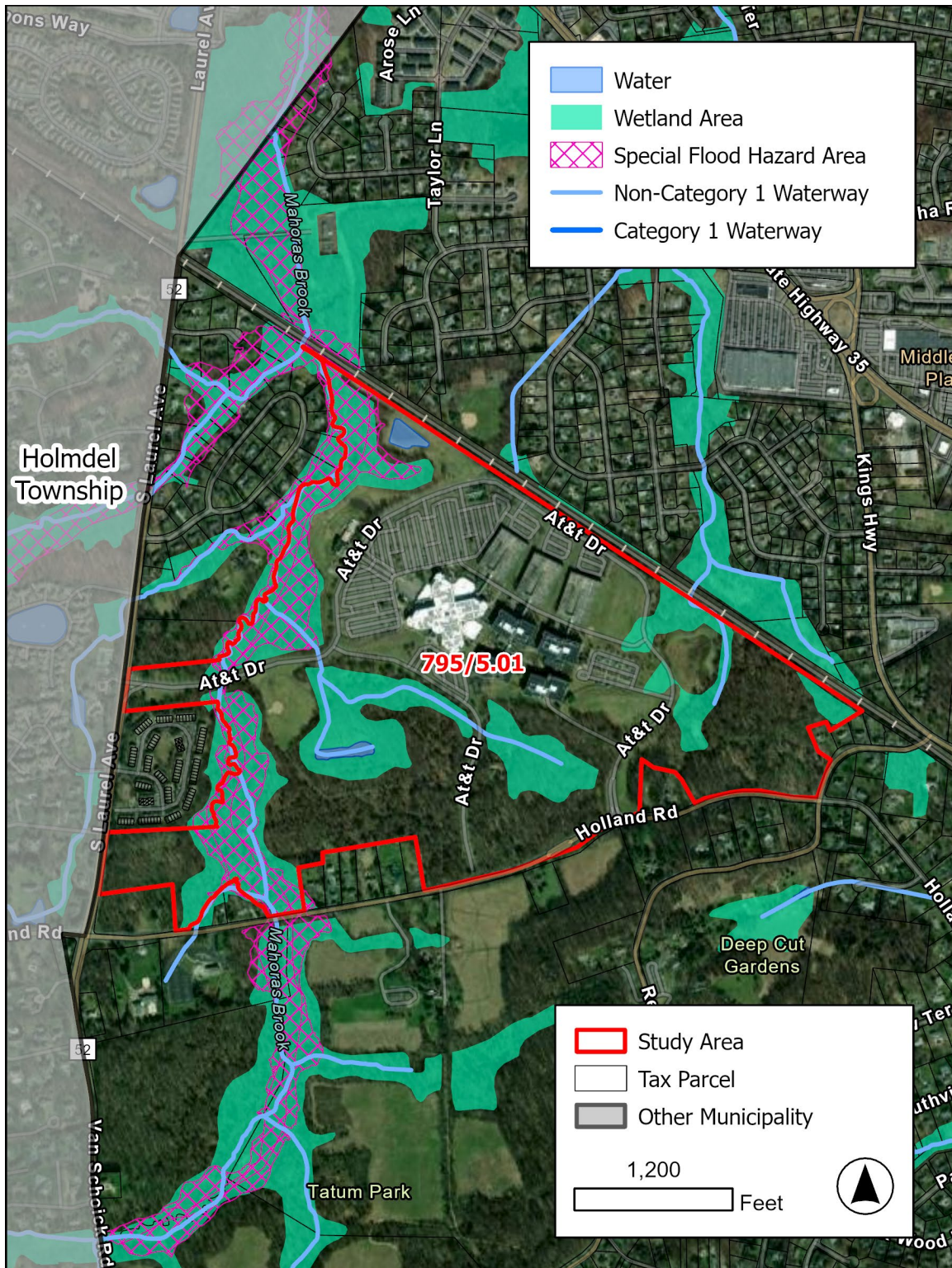
Map 5 depicts the location of environmental constraints within the Study Area.

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Map 5: Environmental Constraints of the Study Area



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### **Current Zoning**

As shown on the January 2025 Middletown Township Zoning Map, the Study Area is located within the OR-3 (Office Research) Zone, which encompasses the majority of the Study Area; and the RMF-5 (Residential Multifamily) Zone, which encompasses a small portion of the southwest corner of the Study Area. Map 6 provides an overview of the zoning of the Study Area.

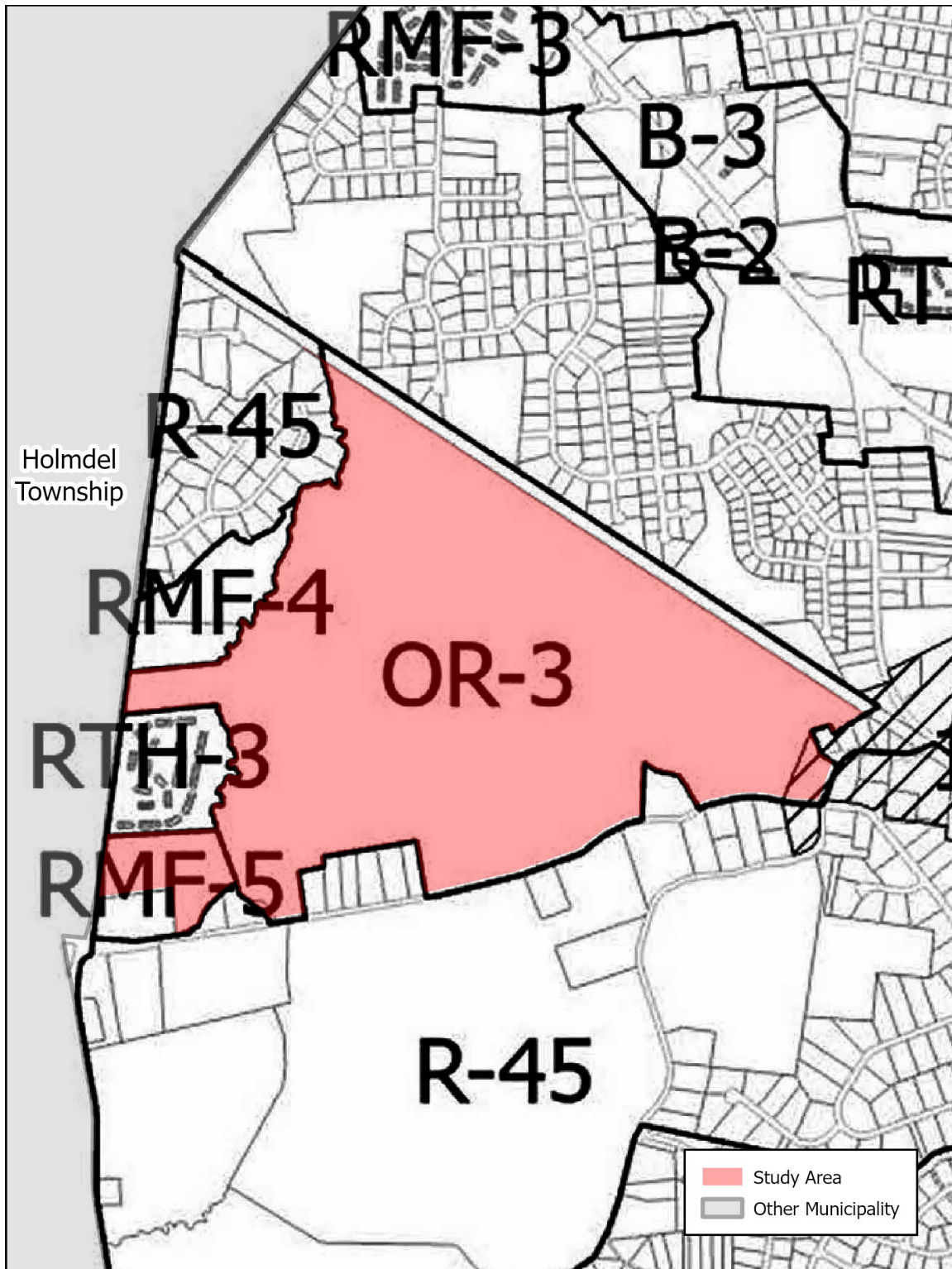
While a complete list of the existing permitted, conditional, and accessory uses of each zone is outlined in Appendix C, it is noted that the OR-3 (Office Research) Zone generally permits a variety of non-residential uses, most notably various business offices and scientific research laboratories; and the RMF-5 (Residential Multifamily) Zone generally permits multifamily residential and senior citizen housing among a variety of other uses.

Please refer to Section 540-940 of the Code of the Township of Middletown for a complete overview of the area, yard and building requirements of the OR-3 (Office Research) Zone, and Section 540-960 for the area, yard and building requirements of the RMF-5 (Residential Multifamily) Zone.



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Map 6: Existing Zoning of the Study Area



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### **Planning Context**

The following subsections provide an overview of how the Redevelopment Study relates to local and regional planning documents.

#### **2004 Middletown Township Master Plan**

The 2004 Middletown Township Master Plan establishes master plan objectives, principles, and policies for the Township. Redevelopment of the Study Area could potentially be used as an opportunity to support several of these objectives, principles, and policies, including, but not limited to, those listed below:

- Objectives:
  - To encourage municipal actions which will guide the long-range appropriate use, development and preservation of lands within Middletown Township in a manner designed and intended to promote the public health, safety, morals, and general welfare of present and future residents.
  - To secure safety of the community, to the extent possible from fire, flood, panic, and other natural and man-made disasters.
  - To provide adequate light, air, and open space.
  - To ensure that development with the Township does not conflict with the development and general welfare of neighboring municipalities, the County, the Region, and the State as a whole.
  - To encourage the appropriate and efficient expenditure of public funds by coordinating public and private investment and development within a framework of land use and development principles and policies.
  - To provide sufficient space in appropriate locations within the Township for agricultural, residential, business, office, industrial, mixed use, and public and quasi-public uses in a manner that will provide for balanced Township growth and development.
  - To enhance the various neighborhoods throughout the Township by providing for appropriate redevelopment, reinvestment, revitalization and capital improvements, designed to strengthen and improve the fabric of each area.
  - To encourage and promote a cooperative approach to economic development and revitalization through new investment, maintenance and reinvestment in existing commercial and industrial activities within the Township in areas suitable for such development.
- Principles:
  - Locating public, commercial, industrial, professional office and agricultural uses at sites and in locations which are suitable for their use environmentally, economically, and geographically, and are compatible with existing uses, public facilities, roadways, and natural features.
  - Encouraging a development pattern which will protect and enhance the long-term economic, social, and welfare interests of present and future residents of the Township.

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- Policies:
  - Land use planning will provide for a variety of residential and nonresidential uses and will encourage the continuation of and enhancement of Middletown Township as a quality suburban/rural residential community. This includes a continued strong commitment to providing housing opportunities for families and individuals of all income levels.
  - The Township will encourage office, research and light industrial development in appropriate locations within the Township that will provide employment for present and future residents and contribute to a balanced and stable economic base for the Township.

### 2009 Middletown Township Master Plan Reexamination Report

The 2009 Middletown Township Master Plan Reexamination Report specifically recommends the rezoning of multiple properties throughout the Township, including a portion of the Study Area. Specifically, the 2009 Middletown Township Master Plan Reexamination Report recommends that the Township consider rezoning the southwestern corner of Block 795, Lot 5.01 extending approximately 1,000 feet to the east from Laurel Avenue to Mahoras Creek to multifamily use.

The Township Zoning Map, which was last updated on January 27, 2025, reflects the rezoning recommendation that has been described above. The Southwest corner of Block 795, Lot 5.01 has been rezoned to the RMF-5 (Residential Multifamily) Zone per Township Ordinance No. 2009-2992, which was adopted on November 16, 2009. Refer to Map 6 for a depiction of the current zoning of the Study Area.

### 2011 Middletown Township Master Plan Reexamination Report

As outlined on Page 11 of the 2011 Middletown Township Master Plan Reexamination Report, the following locations are recommended for investigation to determine if conditions are present for designating an area in need of redevelopment:

*The property containing a massive vacant office building adjacent to Garden State Parkway Exit 114 located at Block 1045, Lot 1 should be investigated. **Other sites throughout the Township containing large, outmoded, and/or vacant commercial buildings may also be considered for investigation.***

*(Emphasis added).*

While the Study Area does not include Block 1045, Lot 1, it can be considered a large commercial site with significant vacancy as referenced in the 2011 Middletown Township Master Plan Reexamination Report. Given its size, the Study Area aligns with the recommendation for investigation as an area in need of redevelopment that

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has been provided on Page 11 of the 2011 Middletown Township Master Plan Reexamination Report.

### 2014 Middletown Township Master Plan Reexamination Report

Page 13 of the 2014 Middletown Township Master Plan Reexamination Report recommends the following examination pertaining to Office Professional zones throughout the Township:

*Further examination of permitted uses in the Business Professional, Office Research and other commercial Zones to foster increased occupancy at numerous vacant office buildings.*

The majority of the Study Area is located within the OR-3 (Office Research) Zone. As confirmed during the T&M Project Team's October 29, 2024 visit to the site, many office buildings within the Study Area are at less than half of their maximum occupancy.

Additionally, the 2014 Middletown Township Master Plan Reexamination Report indicates that the entirety of the Township was designated as an area in need of rehabilitation during the late 1970s. However, due to changes to the Local Redevelopment and Housing Law (P.L. 1992, Chapter 79), the 2014 Middletown Township Master Plan Reexamination Report recommended that the Township assesses the viability of the prior designation and initiate specific rehabilitation area investigations for certain areas of the Township.

### 2023 Middletown Township Master Plan Reexamination Report

The 2023 Master Plan Reexamination Report does not make any specific references or recommendations related to the Study Area. However, it recommends that the Township continue to investigate redevelopment opportunities and potential amendments to development regulations.

### 2016 Monmouth County Comprehensive Master Plan

The 2016 Monmouth County Comprehensive Master Plan outlines a balanced growth concept that is guided by broad policy recommendations. Provided below is a selection of policy recommendations that could potentially be supported through redevelopment of the Study Area:

- Master Plan Goal No. 3: Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay.

**Goal Statement:** The purpose of this goal is to assist municipalities in determining the best use of increasingly scarce undeveloped land resources and to help identify opportunities for the redevelopment of other areas in ways that will best meet the demands of the evolving marketplace and needs



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of the community. The purpose is also to assist those municipalities that desire to maintain and/or enhance their community's current character as their highest local priority.

- **Principle 3.1: Vibrant and Sustainable Communities:** Encourage the creation of vibrant communities through a variety of housing choices, energy and transportation options, recreational and cultural offerings, health and safety initiatives, and business opportunities that result in a more sustainable and higher quality-of-life for all residents.

### **Principle 3.1 Objectives:**

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

- **Principle 3.4: Economic Development and Redevelopment:** The public will benefit socially and economically from the retention, attraction, and advancement of entrepreneurial and business enterprises that result in quality jobs and a stronger, more resilient tax base.

### **Principle 3.4 Objectives:**

- Encourage development of a high quality, diversified tax base to provide superior economic resiliency when confronted with unanticipated changes in the overall economy.
- Encourage public investments that enhance local and regional competitiveness in the marketplace.
- Promote the retention, improvement, maintenance, upgrading, and/or adaptive reuse of existing governmental and institutional facilities.

## **2001 New Jersey State Development and Redevelopment Plan**

The 2001 New Jersey State Development and Redevelopment Plan contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

As provided in the mapping of the 2001 New Jersey State Development and Redevelopment Plan, approximately 251.5 acres, or about 99.4 percent, of the Study Area is situated in either the Metropolitan Planning Area (Planning Area 1) or Suburban Planning Area (Planning Area 2) of the 2001 New Jersey State Development and Redevelopment Plan.

The intents of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) are as follows:

- Metropolitan Planning Area (Planning Area 1):
  - Provide for much of the State's future redevelopment;
  - Revitalize cities and towns;
  - Promote growth in compact forms;
  - Stabilize older suburbs;

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- Redesign areas of sprawl; and
- Protect the character of existing stable communities.
- Suburban Planning Area (Planning Area 2):
  - Provide for much of the State's future development;
  - Promote growth in centers and other compact forms;
  - Protect the character of existing stable communities;
  - Protect natural resources;
  - Redesign areas of sprawl;
  - Reverse the current trend toward further sprawl; and,
  - Revitalize cities and towns.

In addition to the above, approximately 1.6 acres, or about 0.6 percent, of the periphery of the Study Area is in the Environmentally Sensitive Planning Area (Planning Area 5).

The intent of the Environmentally Sensitive Planning Area (Planning Area 5) is as follows:

- Protect environmental resources through the protection of large contiguous areas of land;
- Accommodate growth in Centers;
- Protect the character of existing stable communities;
- Confine programmed sewers and public water services to Centers; and,
- Revitalize cities and towns.

Redevelopment of the Study Area could be implemented in a manner that supports the intents of the Metropolitan Planning Area (Planning Area 1), the Suburban Planning Area (Planning Area 2), and the Environmentally Sensitive Planning Area (Planning Area 5).

### **Preliminary Draft of the 2024 New Jersey State Development and Redevelopment Plan**

On December 4, 2024, the New Jersey Office of Planning Advocacy released a preliminary draft of an updated New Jersey State Development and Redevelopment Plan. As of the preparation of this Redevelopment Study, the 2024 Preliminary Draft New Jersey State Development and Redevelopment Plan was unfinalized and unadopted. The 2001 New Jersey State Development and Redevelopment Plan was the current State Plan as of the preparation of this Redevelopment Plan.

Notwithstanding the above, it is noted that the 2024 Preliminary Draft New Jersey State Development and Redevelopment Plan references the planning areas of the current State Plan (note: as of the preparation of this Redevelopment Study, mapping to accompany the 2024 Preliminary Draft State Plan had not yet been released). In addition, it outlines statewide planning goals and accompanying strategies and priorities, many of which are relevant to the Study Area. Among these is the statewide planning goal for economic development:

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Economic Development Goal: Promote economic growth that benefits all residents of New Jersey.

- Economic Development Strategies:
  - Actively promote economic development policies that benefit all residents, including those who have historically been ignored or under-represented.
  - Adopt economic development policies and strategies that foster growth while restoring environmentally degraded sites and protecting natural resources.
  - Capitalize on the state’s strengths – its entrepreneurship, skilled labor, cultural diversity, world-class educational facilities, diversified economy, agriculture, strategic location, and logistical excellence – and make the state more competitive by investing in strategic infrastructure and public services and streamlining costly and redundant regulations.
  - Seek to retain and expand businesses of all sizes and encourage new, innovative, and environmentally sustainable businesses.
  - Promote innovative and high-growth industries and professional services that capitalize on the State’s strengths and its assets, location, and diversity.
- Priorities for Business Retention and Expansion:
  - Continue to promote the retention and expansion of existing businesses, the relocation of businesses from other states or abroad, and the creation of new businesses in Centers by providing financial incentives, technical assistance, appropriate regulatory reform, and information services, and by addressing such issues as, but not limited to, adequate public transportation, affordable housing, employee training, and childcare.
  - Identify and target for appropriate public policy support those economic sectors with the greatest growth potential and public benefit that can capitalize on the State’s strengths, with special attention to those areas of the State where unemployment is high.
  - Provide adequate capital facilities, whether publicly or privately owned or maintained, in line with Capital Plans to meet desired economic development objectives. Locate public facilities and services and cultural facilities in existing Centers to support redevelopment and in new Centers to support development.
- Priorities for Regional Planning:
  - Provide financial and technical assistance for the redevelopment and adaptive reuse of obsolete or underutilized public and private facilities for appropriate economic development purposes, which can include housing.
- Priorities for Sustainable and Inclusive Development:

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- Encourage the Clustering of compatible industries in ways that reduce natural resource consumption and transportation and minimize industrial waste and pollution.

Redevelopment of the Study Area could be implemented in a manner that advances the attainment of the foregoing.

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### **Redevelopment Designation Statutory Requirements**

Pursuant to Section 5 of the LRHL (N.J.S.A. 40A:12A-5), an area may be determined to be in need of redevelopment if it meets one (1) or more of the following statutory criteria:

- A. The generality of buildings is 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. (N.J.S.A. 40A:12A-5[a]).
- 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 buildings 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. (N.J.S.A. 40A:12A-5[b]).
- 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. (N.J.S.A. 40A:12A-5[c]).
- 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. (N.J.S.A. 40A:12A-5[d]).
- 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. (N.J.S.A. 40A:12A-5[e]).
- 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

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that the aggregate assessed value of the area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).

- 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. (N.J.S.A. 40A:12A-5[g]).
- H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).

Furthermore, the LRHL permits the inclusion of parcels that do not meet the statutory criteria if they are necessary for effective redevelopment of the proposed redevelopment area:

*A redevelopment area may include land, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary with or without change in their condition, for the effective redevelopment of the area of which they are a part (N.J.S.A. 40A:12A-3.).*

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### Redevelopment Analysis

In preparing this Redevelopment Study, the project team analyzed and considered the applicability of the aforementioned statutory criteria for designation of a redevelopment area.

An analysis of the statutory criteria is provided in the following subsections. The analysis presented herein is supplemented by the photographs of Appendix B.

#### “a” Criterion

A property may be found in need of redevelopment under the “a” Criterion when:

- A. *The generality of buildings is 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. (N.J.S.A. 40A:12A-5[a]).*

Thus, based on the above, the focus of the “a” Criterion is on the condition of buildings. The “a” Criterion is not to be confused with the “d” Criterion, which, as discussed later, focuses on areas with buildings or improvements.

The Study Area has been determined to satisfy the “a” Criterion on the basis of the current condition of the commercial/office buildings it contains. Indeed, several conditions that are conducive to unwholesome working conditions were observed in Building A through Building D, as well as in associated parking decks, during a site visit conducted on October 29, 2024 (note: the T&M Project Team was unable to access Building E due to the sensitive nature of a research project that is conducted within it).

The observed conditions that are conducive to unwholesome working conditions include:

- Extensive water damage and mold on walls, ceilings, floors, insulated piping, and other surfaces;
- Exposed and disconnected wiring in disused spaces;
- Miscellaneous construction and related debris in disused spaces;
- Areas with peeling or bubbled paint;
- Instances of missing or damaged ceiling tiles;
- Spaces with no floor finishing, which results in areas with rough, potentially uneven surfaces;
- Damaged concrete floor surfaces within buildings and in covered, elevated walkways between commercial/office buildings and associated parking decks;
- Corroded electrical conduits and conduit boxes in parking decks;
- Buckled expansion joints between floor surfaces in parking decks;
- Corrosion in stairwells of parking decks;

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- Leaks and corrosion in piping connected to HVAC systems;
- Leaks from HVAC systems;
- Damaged wall surfaces and exposed subsurface, including on tiled walls and untiled walls (note: this damage appears to be separate from and in addition to water and mold damage of wall surfaces);
- Apparent leakage and condensation along window sashes; and,
- Disused bathroom facilities with no access to building occupants.

The foregoing conditions are documented in the photographs of Appendix B.

Of the foregoing conditions, it is noted that extensive water and resulting mold damage on walls, ceilings, floors, insulated piping, and other surfaces is the most pervasive. It is, perhaps, also the most significant because mold is well-known to have the potential to cause serious health problems. Indeed, as noted by the United States Environmental Protection Agency:<sup>1</sup>

*Molds produce allergens (substances that can cause allergic reactions), irritants, and in some cases, potentially toxic substances (mycotoxins). Inhaling or touching mold or mold spores may cause allergic reactions in sensitive individuals. Allergic responses include hay fever-type symptoms, such as sneezing, runny nose, red eyes, and skin rash (dermatitis). Allergic reactions to mold are common. They can be immediate or delayed. Molds can also cause asthma attacks in people with asthma who are allergic to mold. In addition, mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people.*

As can be seen above, the issue of mold and water damage, which contributes to the formation of mold within buildings, is a significant issue that can result in unwholesome working conditions. As described to the T&M Project Team upon visiting the site on October 29, 2024, the current, substandard condition of the HVAC systems of the commercial/office buildings, which were stated by a representative of AT&T to be the original HVAC systems and have numerous leaks, is a key cause of mold and water damage within the buildings.

Given the widespread presence of mold and water damage in the commercial/office buildings and associated parking decks, as well as other conditions as listed above and documented in the photographs of Appendix B, it is determined that the “a” Criterion is satisfied.

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<sup>1</sup> See: “Can mold cause health problems?” available for download at: <https://www.epa.gov/mold/can-mold-cause-health-problems#:~:text=Allergic%20reactions%20to%20mold%20are,allergic%20and%20non%20Dallergic%20people>.



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### **“b” Criterion**

A property may be found in need of redevelopment under the “b” Criterion when:

- 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 buildings 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. (N.J.S.A. 40A:12A-5[b]).*

The Study Area has been determined to satisfy the “b” Criterion on account of significant, long-term vacancy of all commercial/office buildings on the property. As observed during a site visit conducted on October 29, 2024 and demonstrated in information provided by a representative of AT&T, two (2) of the five (5) commercial/office buildings onsite are entirely vacant and the remaining three (3) buildings have significant vacancy. The vacancy of the commercial/office buildings is provided below:

- **Building A:** Per emailed information provided on October 31, 2024 to the T&M Project Team by a representative of AT&T, this building has a capacity of 1,700 employees, but an attendance of only 1,100 employees on average on a peak day after the end of the COVID-19 pandemic and return to work requirements were implemented. This represents a minimum average vacancy of approximately 35.3 percent.
- **Building B:** Entirely vacant as observed by the T&M Project Team and verbally indicated by a representative of AT&T upon visiting the site on October 29, 2024;
- **Building C:** Entirely vacant as observed by the T&M Project Team and verbally indicated by a representative of AT&T upon visiting the site on October 29, 2024;
- **Building D:** This building contains significant vacancy as observed by the T&M Project Team upon visiting the site on October 29, 2024. Per emailed information provided on October 31, 2024 to the T&M Project Team by a representative of AT&T, only about 90,321 square feet were occupied as of December 13, 2023 (note: a more recent figure was unavailable as of the preparation of this Redevelopment Study). This represents approximately 34.6 percent of the estimated total of 261,000 square feet of gross floor area contained in the building, which results in a vacancy rate of about 65.4 percent.
- **Building E:** The T&M project team was unable to access this building due to the sensitive nature of a research project that is conducted within it. However, upon visiting the site on October 29, 2024, a representative of AT&T verbally indicated that only about 25,000 square feet were occupied. This represents approximately 10.3 percent of the estimated total of 242,500 square feet of gross floor area contained in the building, which results in a vacancy rate of about 89.7 percent.

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With further regard to Building D and Building E, it is noted that per emailed information provided on October 31, 2024 to the T&M Project Team by a representative of AT&T, there are currently only about 65 employees located in said buildings. Considering that the total estimated gross square footage of the buildings is approximately 503,500 square feet, it is clear that the buildings are underutilized. Indeed, this equates to approximately 7,746 gross square feet per employee. For comparison, the American Institute of Architecture notes that, as of 2017, the average square footage per employee in an office setting was approximately 194 square feet.<sup>2</sup>

It is further noted that the associated parking decks are significantly underutilized. Upon visiting the site in October 2024, it was observed that all parking decks were not utilized at capacity, with Parking Deck 2 and Parking Deck 3 being almost entirely unused. Though still not used to capacity, greater use of Parking Deck 1 was observed upon visiting the site. During the site visit conducted on October 29, 2024, a representative from AT&T suggested that use of Parking Deck 1 was greater than Parking Deck 2 and Parking Deck 3 because it is connected directly to Building A.

In addition to the above, it is noted that the issue of vacancy has persisted onsite for several years. Indeed, according to emailed information provided to the T&M Project Team on October 31, 2024, approximately 29.5 percent of the occupiable space in Building B through Building E had been vacated by the Fourth Quarter of 2021. By the end of the Fourth Quarter of 2022, the percentage of occupiable space that had been vacated increased to slightly less than 44.2 percent. The trend continued in 2023, when the percentage of occupiable space that had been vacated increased to about 54.1 percent by the end of the Second Quarter and to about 70.2 percent by the end of the Fourth Quarter. Based on this information, it is very clear that the issue of vacancy in the Study Area has not only persisted for several years but has also increased substantially.

It is further noted that the Township has had concerns about the issue of vacancy and long-term viability of the Study Area for several years. This is demonstrated by a 2017 article in *The Two River Times*, wherein a Township official estimated the occupancy of the entire site, including Building A, as well as Building B through Building E, to be between 50 and 60 percent; and cited concerns that AT&T would relocate to Texas.<sup>3</sup>

It is found that the Study Area satisfies the “b” Criterion based on the facts that two (2) of the five (5) commercial/office buildings onsite are entirely vacant, the

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<sup>2</sup> See: “Reopening America: Strategies for Safer Offices” available for download at: <https://content.aia.org/sites/default/files/2020-06/BuildingTypeReport-Office.pdf>.

<sup>3</sup> See: “Middletown Growth – Officials Talk About Town’s Future” in *The Two River Times* available for download at: <https://tworivertimes.com/middletown-growth-officials-talk-about-towns-future/>.

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remaining three (3) commercial/office buildings have significant vacancy, and the problem of vacancy onsite has persisted for well in excess of two (2) years.

### **“c” Criterion**

A property may be found in need of redevelopment under the “c” Criterion when:

- 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. (N.J.S.A. 40A:12A-5[c]).*

The “c” Criterion is not applicable to the Study Area. Block 795, Lot 5.01 is a developed property.

### **“d” Criterion**

A property may be found in need of redevelopment under the “d” Criterion when:

- 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. (N.J.S.A. 40A:12A-5[d]).*

Thus, based on the above, the focus of the “d” Criterion is areas with buildings or improvements, and not the buildings contained therein (n.b., the “a” Criterion focuses on buildings).

The site conditions of the study area are generally good. While there is a need for general maintenance and repair of paved surfaces and curbing, same present no issues that would pose a credible and significant threat to the safety, health, morals, or welfare of the community.

Nonetheless, it is noted that there are issues related to security onsite. Indeed, upon visiting the Study Area on October 29, 2024, extensive evidence of vandalism and criminal mischief was observed in the parking decks. This is documented in Appendix B, which includes pictures of graffiti, damaged fire extinguisher holders/mounting devices, and circular tire marks resulting from driving hazardously within the empty parking decks. While evidence of vandalism and criminal mischief was observed in all three (3) parking decks, they were most significant in Parking Deck 3.

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In addition to the evidence of vandalism and criminal mischief that has been described above, emailed information provided on October 31, 2024 to the T&M Project Team by a representative of AT&T indicates that an incident of vandalism that occurred shortly before visiting the Study Area on October 29, 2024 resulted in several thousands of dollars in damages. This, however, was noted by the representative to be just one (1) incident. Other incidents have resulted in additional damages resulting from the need to replace signage in parking lots as a result of individuals driving through such signage while performing “donuts” with their vehicles empty parking decks; removing spray paint “tagging”; replacing illuminated exit signs and emergency lighting that had been smashed.

To further corroborate the problem of vandalism and criminal mischief within the Study Area, it is noted that an article<sup>4</sup> posted on *Patch*, a local news Internet site, in November 2020 indicates that the issue of vandalism and criminal mischief “started in the summer [of 2020] and continued ....” The article continues and indicates that “... slurs have been spray-painted, lights and exist signs have been broken and torn down, and glass windows have been broken in the parking structures and [associated] stairwells.” Given the date of the articles’ posting in November 2020 and the fact that evidence of vandalism and criminal mischief was observed upon visiting the Study Area on October 29, 2024, it is clear that this has been a persistent issue within the Study Area.

The significant vacancy of the commercial/office buildings that are located in the Study Area results in less traffic and activity than would normally be anticipated for sites with the same intensity of development. Additionally, the site is large and the area of the commercial/office buildings and associated parking decks is a significant distance and not visible from public roadways. Access to the site is also unrestricted and, while the commercial/office buildings are secure, the parking decks are easily accessible without the need to pass through a gate or boom. These conditions create an environment that fosters vandalism and criminal mischief. Indeed, it may be argued that the configuration of the Study Area and its resulting isolation, combined with the facts that it is unsecured, and that the parking decks it contains are easily accessible, create an attractive nuisance that results in significant detriment to the safety, health, morals, or welfare of the community.

Based on the above, the Study Area has been determined to satisfy the “d” Criterion.

### “e” Criterion

A property may be found in need of redevelopment under the “e” Criterion when:

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<sup>4</sup> See: “Ongoing Vandalism Happening At Middletown's AT&T Labs Complex” on *Patch* at: <https://patch.com/new-jersey/middletown-nj/ongoing-vandalism-happening-middletowns-t-labs-complex>.

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- 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. (N.J.S.A. 40A:12A-5[e]).*

The “e” Criterion is not applicable to the Study Area. Block 795, Lot 5.01 is a developed property.

### “f” Criterion

A property may be found in need of redevelopment under the “f” Criterion when:

- F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).*

The “f” Criterion is not applicable to the Study Area. There is no evidence that buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty.

### “g” Criterion

A property may be found in need of redevelopment under the “g” Criterion when:

- 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 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*

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*redevelopment plan ordinance including the area of the enterprise zone.  
(N.J.S.A. 40A:12A-5[g]).*

The “g” Criterion is not applicable to the Study Area. The Township of Middletown does not contain areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act (N.J.S.A. 52:27H-60 et seq.).

### “h” Criterion

A property may be found in need of redevelopment under the “h” Criterion when:

*H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).*

“Smart Growth” is an approach to planning that seeks to limit sprawl by directing development toward areas with existing infrastructure; encouraging compact design with a mix of land uses; creating a range of housing opportunities and choices; promoting pedestrianism, non-motorized transportation, and transit; and preserving open space, farmland, and scenic and natural resources. Smart growth principles are described and promoted in the 2001 New Jersey State Development and Redevelopment Plan, which was adopted pursuant to the State Planning Act (N.J.S.A. 52:18A-196 et seq.).

To facilitate the development and redevelopment of the State in a manner that is consistent with smart growth principles, the 2001 New Jersey State Development and Redevelopment Plan, which is the current State Plan, allocates the State into a series of planning areas. Approximately 251.5 acres, or about 99.4 percent, of the Study Area is situated in either the Metropolitan Planning Area (Planning Area 1) or Suburban Planning Area (Planning Area 2) of the 2001 New Jersey State Development and Redevelopment Plan (note: the remaining 1.6 acres, or about 0.6 percent, of the Study Area is in the Environmentally Sensitive Planning Area [Planning Area 5]).<sup>5</sup>

As provided in the 2001 New Jersey State Development and Redevelopment Plan, the intents of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) are as follows:

- Metropolitan Planning Area (Planning Area 1):
  - Provide for much of the State’s future redevelopment;

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<sup>5</sup> While the 2001 New Jersey State Development and Redevelopment Plan is the current State Plan, it is acknowledged that the New Jersey Office of Planning Advocacy released a new State Plan in draft format on December 4, 2024. The draft State Plan references the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) as in the 2001 New Jersey State Development and Redevelopment Plan. However, proposed mapping for the draft State Plan has not been released as of the preparation of this Redevelopment Study.



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- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.
- Suburban Planning Area (Planning Area 2):
  - Provide for much of the State’s future development;
  - Promote growth in centers and other compact forms;
  - Protect the character of existing stable communities;
  - Protect natural resources;
  - Redesign areas of sprawl;
  - Reverse the current trend toward further sprawl; and,
  - Revitalize cities and towns.

As can be seen above, the intents of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) are consistent with smart growth principles in that they seek to stabilize and revitalize cities and towns, promote growth in compact forms, redesign areas of sprawl, and stabilize and revitalize cities and towns. Moreover, given that they are the location of most existing development within the State, the intents of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) are to provide for much of the State’s future development and redevelopment and to help to protect natural resources by limiting sprawl and reversing the current trend toward further sprawl.

Given the fact that 99.4 percent of the Study Area is located within the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) and that said planning areas are intended to provide for much of the State’s future development and redevelopment, it is concluded that its redevelopment would be consistent with smart growth principles.

In addition to the above and based on mapping provided in the 2001 New Jersey State Development and Redevelopment Plan, the State of New Jersey has mapped “Smart Growth Areas.” These Smart Growth Areas include, among other areas, the area of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2). This mapping, which was prepared in 2021 and depicts the Study Area as a Smart Growth Area, is provided in Appendix D.

To further clarify the location of Smart Growth Areas within the State of New Jersey, the State of New Jersey’s Office of Planning Advocacy, in coordination with the Geospatial Research Lab of Rowan University, has developed the “Smart Growth Explorer” online mapping portal in 2024. This portal, which is located online at <https://www.nj.gov/state/bac/planning/mapping/nj-smart-growth/>, identifies the majority of the Study Area as being located within an area with medium to high suitability for smart growth. A depiction of the Study Area in the Smart Growth Explorer is provided in Appendix E. While not technically part of the 2001 New

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Jersey State Development and Redevelopment Plan, the tool was developed with inputs from the mapping of the 2001 New Jersey State Development and Redevelopment Plan.<sup>6</sup> Thus, the Study Area's location within the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2) contributed to its identification in the Smart Growth Explorer as being located within an area with medium to high suitability for smart growth.

Although the mapping of Smart Growth Areas that has been described above is not part of the 2001 New Jersey State Development and Redevelopment Plan, it is noted that the concept of Smart Growth Areas, and their inclusion of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2), are recognized in New Jersey Law. For example, N.J.S.A. 13:1D-144, which relates to the New Jersey Department of Environmental Protection's recognition of smart growth and eligibility for expedited permit processing, provides that:

***"Smart growth area" means an area designated pursuant to P.L.1985, c.398 (C.52:18A-196 et seq.) as Planning Area 1 (Metropolitan), Planning Area 2 (Suburban), a designated center, or a designated growth center in an endorsed plan; a smart growth area and planning area designated in a master plan adopted by the New Jersey Meadowlands Commission pursuant to subsection (i) of section 6 of P.L.1968, c.404 (C.13:17-6); a growth area designated in the comprehensive management plan prepared and adopted by the Pinelands Commission pursuant to section 7 of the "Pinelands Protection Act," P.L.1979, c.111 (C.13:18A-8); an urban enterprise zone designated pursuant to P.L.1983, c.303 (C.52:27H-60 et seq.) or P.L.2001, c.347 (C.52:27H-66.2 et al.); an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) and as approved by the Department of Community Affairs; or similar areas designated by the Department of Environmental Protection.***

*(Emphasis Added)*

Thus, under the terms of N.J.S.A. 13:1D-144, the Study Area, 99.4 percent of which is located within the Metropolitan Planning Area (Planning Area 1) or Suburban Planning Area (Planning Area 2), is located within a Smart Growth Area. Moreover, designation of the Study Area as an area in need of redevelopment would further enhance its status as a Smart Growth Area under the terms of N.J.S.A. 13:1D-144, which stipulates that areas in need of redevelopment are also Smart Growth Areas.

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<sup>6</sup> The draft State Plan that was released on December 4, 2024 identifies the Smart Growth Explorer and recommends its use in determining areas where growth and conservation are recommended.



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In addition to the above, it is noted that although the example of N.J.S.A. 13:1D-144 that has been provided above relates to the New Jersey Department of Environmental Protection's recognition of Smart Growth Areas and eligibility for expedited permit processing, there are several other examples of the recognition of Smart Growth Areas, as well as their inclusion of the Metropolitan Planning Area (Planning Area 1) and Suburban Planning Area (Planning Area 2), in New Jersey Law. Among these are N.J.S.A. 27:1E-1, which relates to the New Jersey Department of Transportation's recognition of Smart Growth Areas and eligibility for expedited permit processing; N.J.S.A. 52:27D-10.5, which relates to the New Jersey Department of Community Affairs' recognition of Smart Growth Areas and eligibility for expedited permit processing; and N.J.S.A. 34:1B-242 et seq., which is known as the "Grow New Jersey Act" and intended to strengthen the State's competitive edge against tax incentive programs in surrounding states.

Based on the foregoing analysis, it is concluded that the Study Area meets the "h" Criterion as its designation as an area in need of redevelopment is consistent with smart growth planning principles adopted pursuant to law or regulation. Notwithstanding the above, it is acknowledged that satisfaction of the "h" Criterion alone is generally considered insufficient to designate an area in need of redevelopment. However, the "h" Criterion provides additional support and justification for the designation of an area in need of redevelopment when other criteria for designation are satisfied. As has been demonstrated in the preceding subsections, the Study Area has been shown to also satisfy the "a," "b," and "d" criteria.

### **Needed for the Effective Redevelopment**

As the Study Area consists of only one (1) property, the provisions of N.J.S.A. 40A:12A-3 are not applicable.

### **Summary of Redevelopment Analysis**

As shown in the foregoing analysis, the Study Area meets the "a," "b," "d," and "h" criteria for designation as an area in need of redevelopment as provided in N.J.S.A. 40A:12A-5.

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### **Conclusion**

Based on the assessment that is provided in this Redevelopment Study, it is concluded that the entire Study Area meets statutory criteria for being designated as an area in need of redevelopment.

In accordance with the above, the Planning Board may recommend that the Township Committee adopt a resolution declaring that the Study Area is in need of redevelopment.

It is noted that in directing the Planning Board to prepare this Redevelopment Study, Resolution No. 24-232 specified that the Study Area shall be subject to a non-condemnation redevelopment area designation.

## **Appendix A: Authorizing Resolution**

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**RESOLUTION NO. 24- 232**

**TOWNSHIP OF MIDDLETOWN**  
**COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING AND DIRECTING THE  
PLANNING BOARD TO UNDERTAKE A PRELIMINARY  
REDEVELOPMENT INVESTIGATION FOR NON-  
CONDEMNATION PURPOSES FOR BLOCK 795, LOT 5.01 (200  
SOUTH LAUREL AVENUE)**

**WHEREAS, N.J.S.A. 40A:12A-1, et seq.,** the Local Redevelopment and Housing Law ("**LRHL**"), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

**WHEREAS, N.J.S.A. 40A:12A-6** authorizes the Township of Middletown (the "**Township**") to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment ("**Redevelopment Area**") according to the criteria set forth under N.J.S.A. 40A:12A-5; and

**WHEREAS,** the Township desires to authorize one of its pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of the proposed study area consisting of Block 795, Lot 5.01 commonly known as 200 South Laurel Avenue (the "**Area of Investigation**") to determine if the delineated area qualifies as an area in need of redevelopment for non-condemnation purposes pursuant to the criteria set forth under N.J.S.A. 40A:12A-5.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that:

1. The Planning Board is hereby authorized and directed to undertake a preliminary redevelopment investigation of the proposed Area of Investigation consisting of Block 795, Lot 5.01 on the Township's Official Tax Map to determine whether the delineated Area of Investigation constitutes being designated as an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5 for non-condemnation purposes.
2. The Township Administrator and Township Planner are hereby authorized and directed to solicit one of the Township's pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of the delineated Area of Investigation, and to begin preparation of a Redevelopment Plan in the event the Planning Board

**Redevelopment Study and Preliminary Investigation Report**  
**Township of Middletown**  
**Block 795, Lot 5.01**

recommends that all or some of the delineated area of investigation constitutes an "area in need of redevelopment."

3. The Township Administrator, Township Planner and Township Attorney are each hereby authorized and directed to take any necessary and appropriate actions in connection with the preliminary investigation of the delineated area of investigation, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents, such as the entry of a Funding Agreement, necessary to undertake the investigation as being hereby ratified and confirmed.
4. This Resolution shall become effective immediately upon adoption.

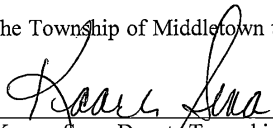
**MIDDLETOWN TOWNSHIP COMMITTEE**

Committee Member	Approved	Opposed	Recuse	Absent
R. Clarke	X			
R. Hibell	X			
K. Kratz	X			
K. Settembrino	X			
Mayor Perry	X			

**CERTIFICATION**

I, Kaaren Sena, Deputy Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held September 3, 2024.

WITNESS, my hand and the seal of the Township of Middletown this 3<sup>rd</sup> day of September 2024.

  
\_\_\_\_\_  
Kaaren Sena, Deputy Township Clerk

## **Appendix B: Study Area Photographs**

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**Part A: Building Exteriors**





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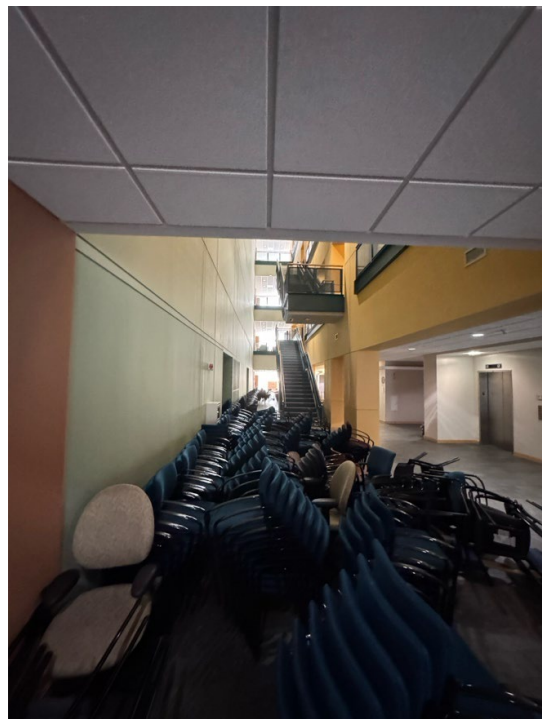
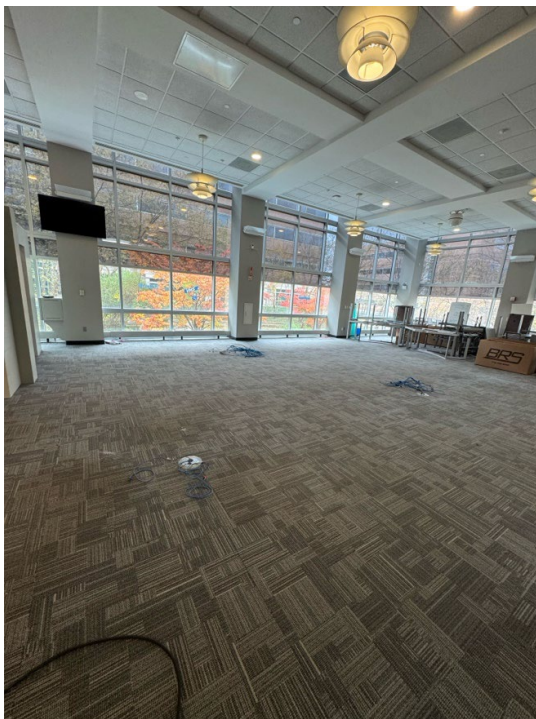




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**Part B: Building Interiors**



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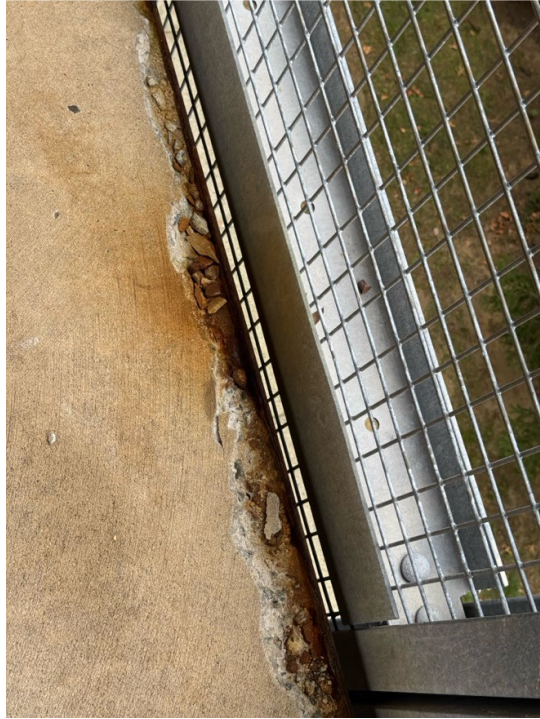
**Redevelopment Study and Preliminary Investigation Report**  
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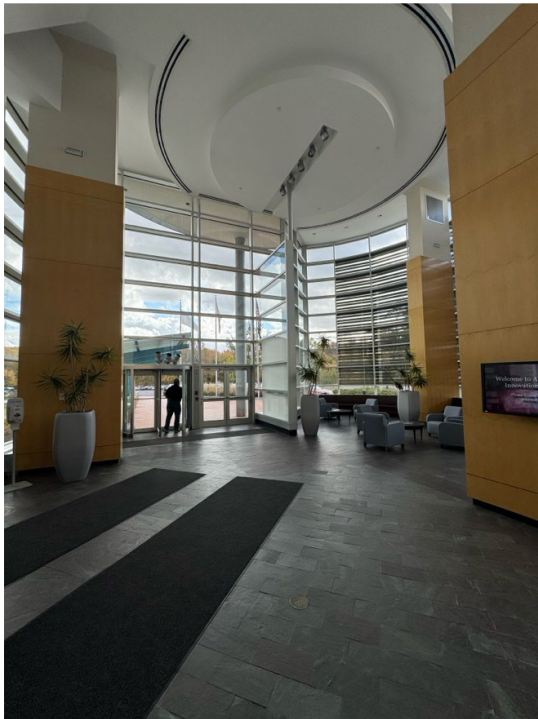
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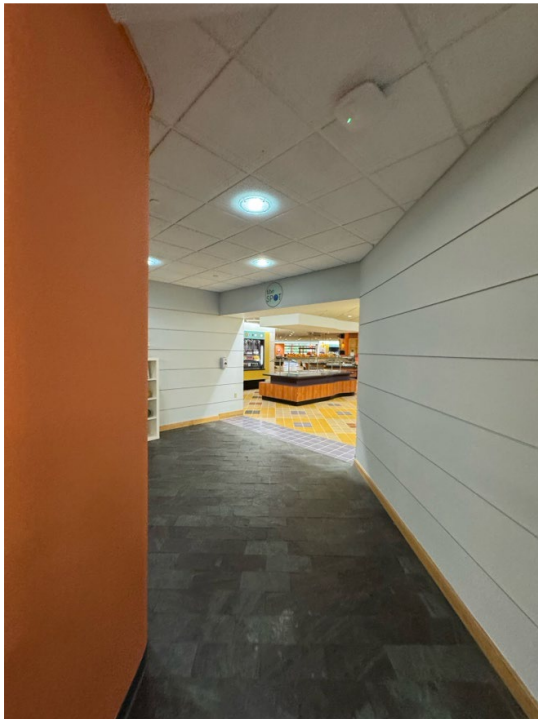
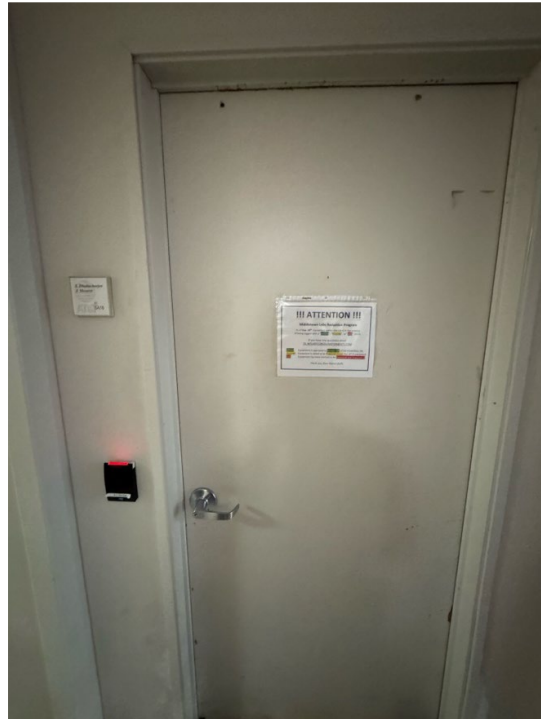
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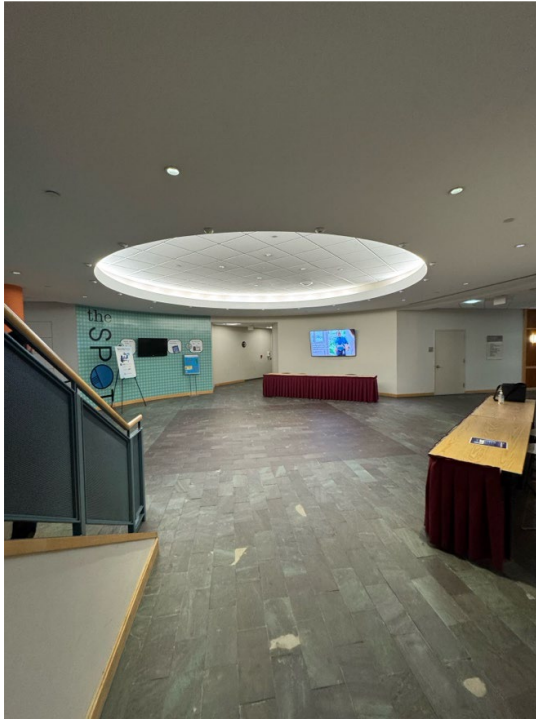
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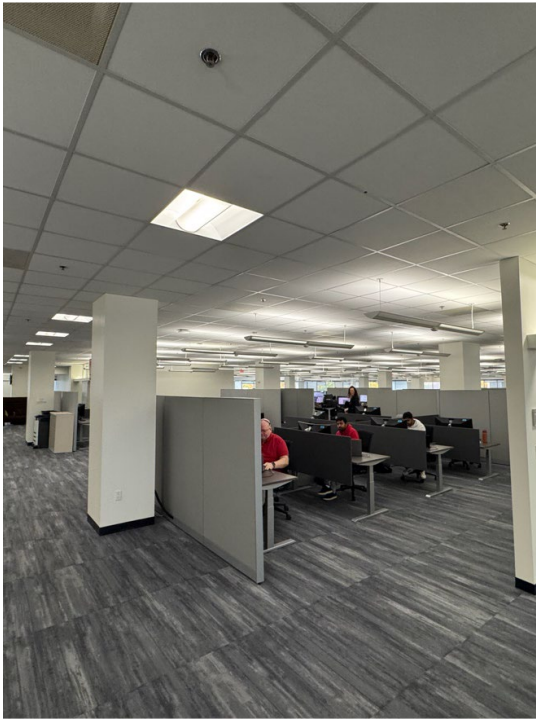
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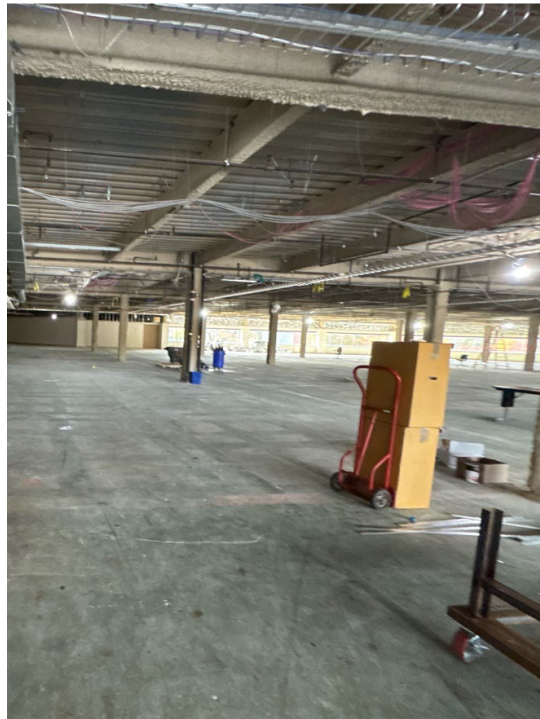
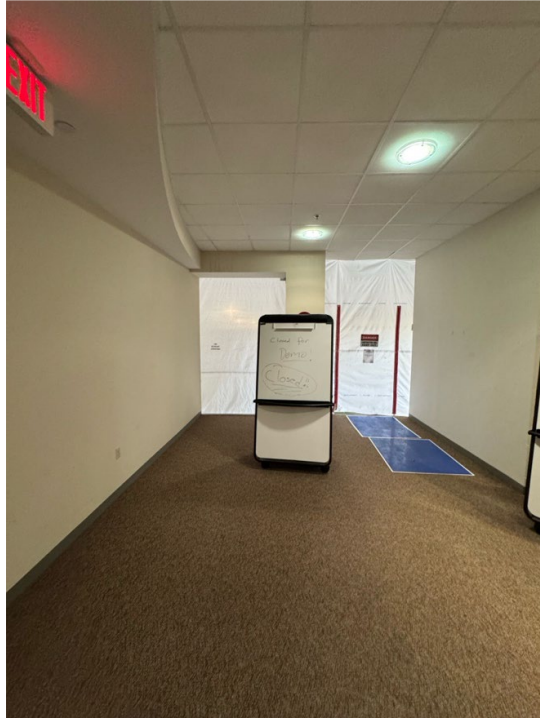
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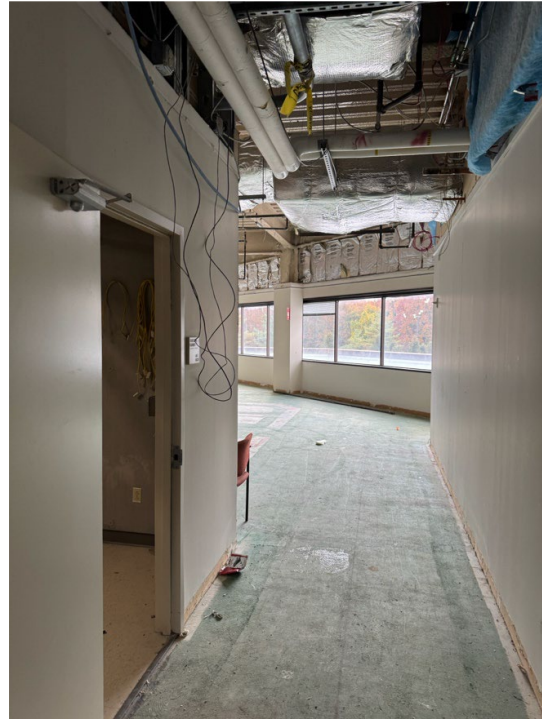
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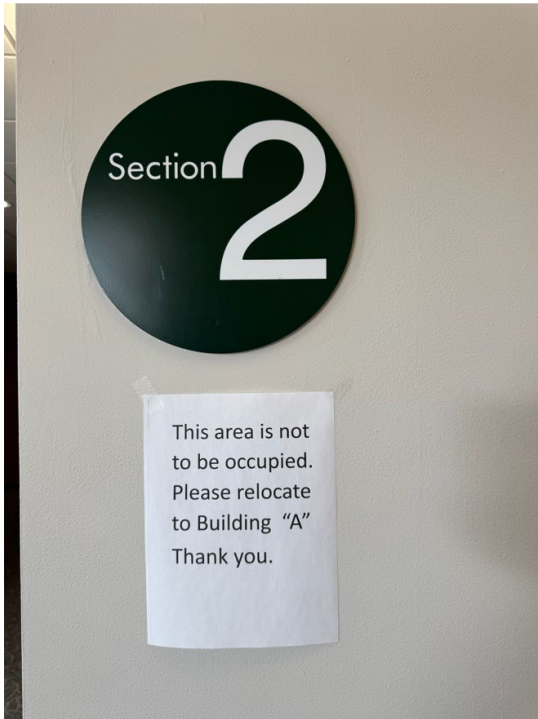
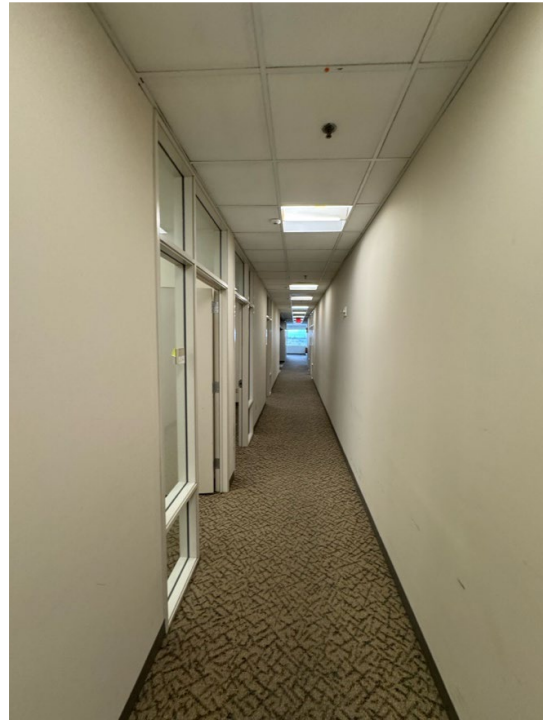
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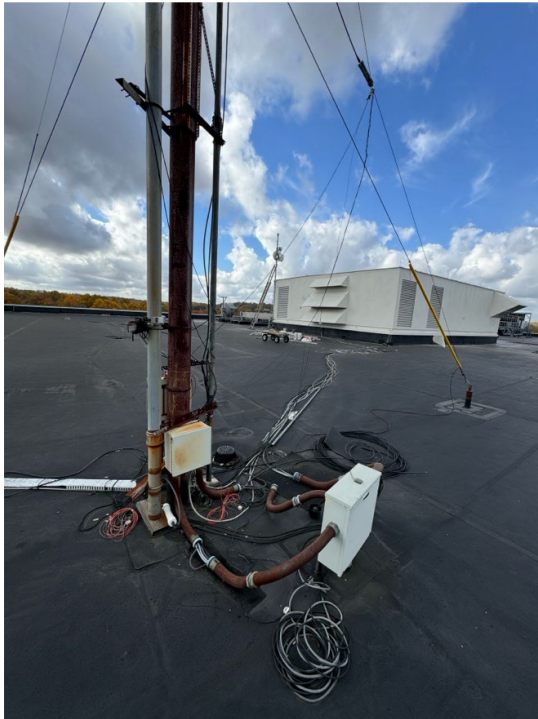
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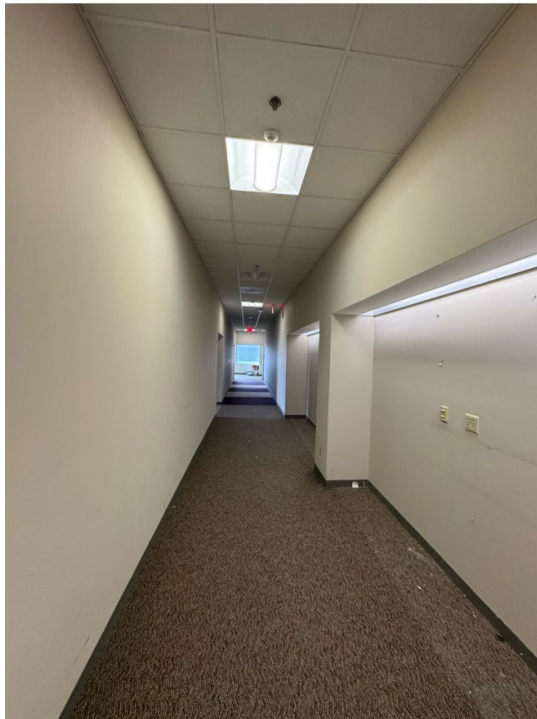
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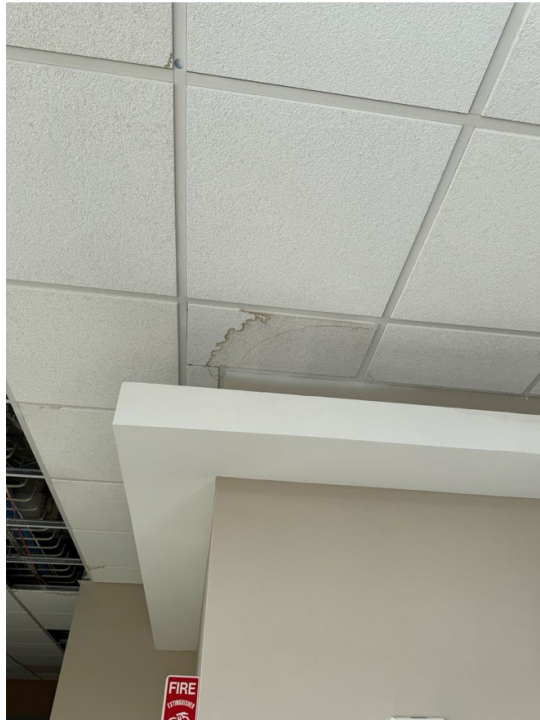
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**Part C: Building Interiors (Water and/or Mold Damage)**



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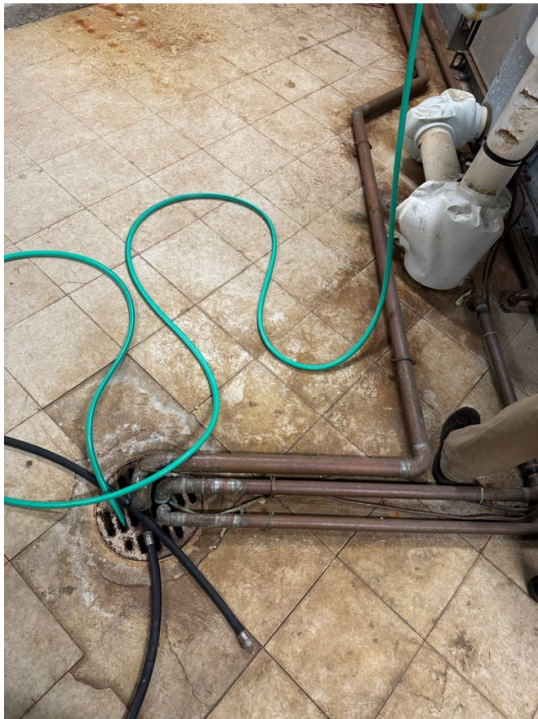
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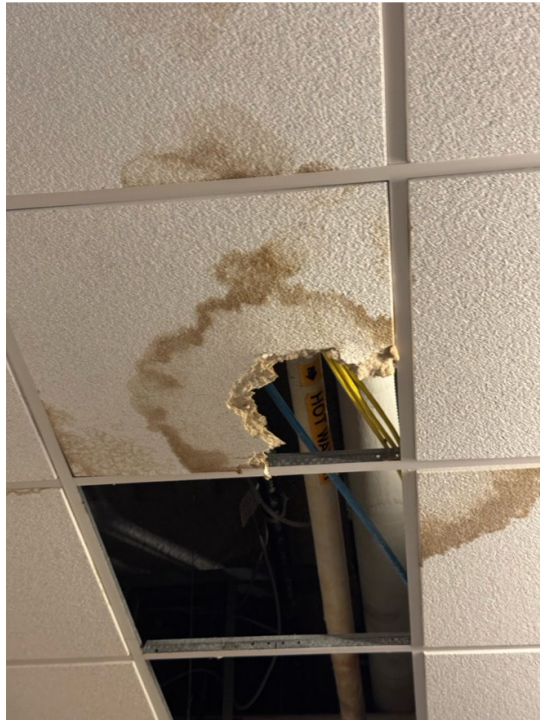
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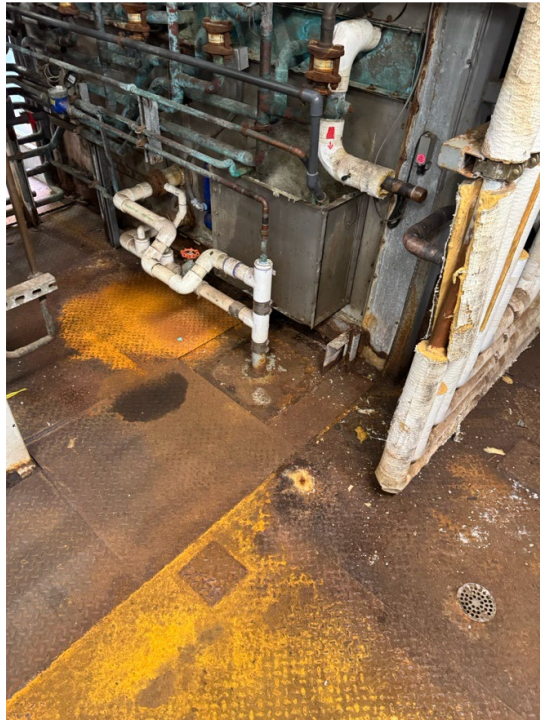
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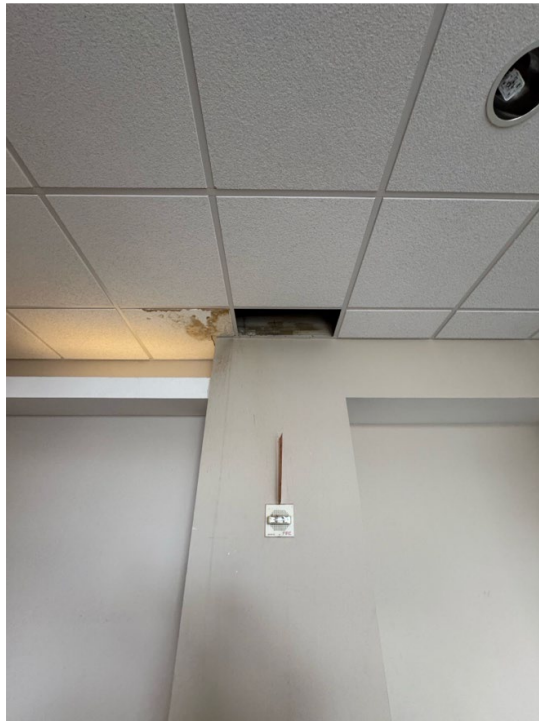
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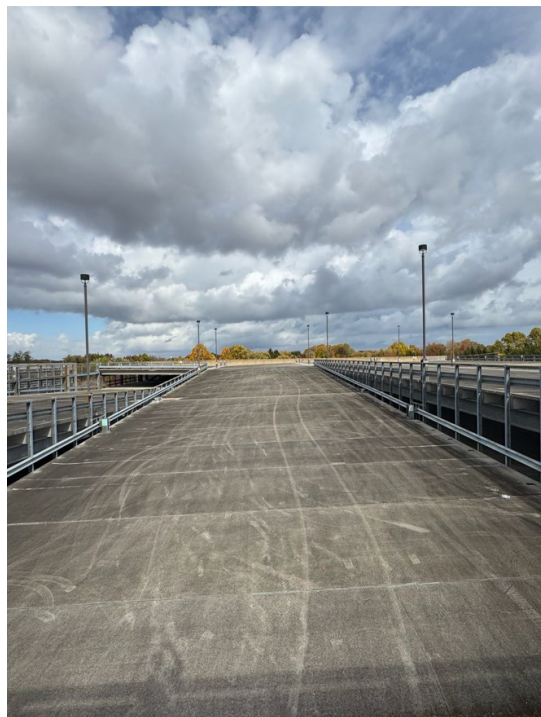
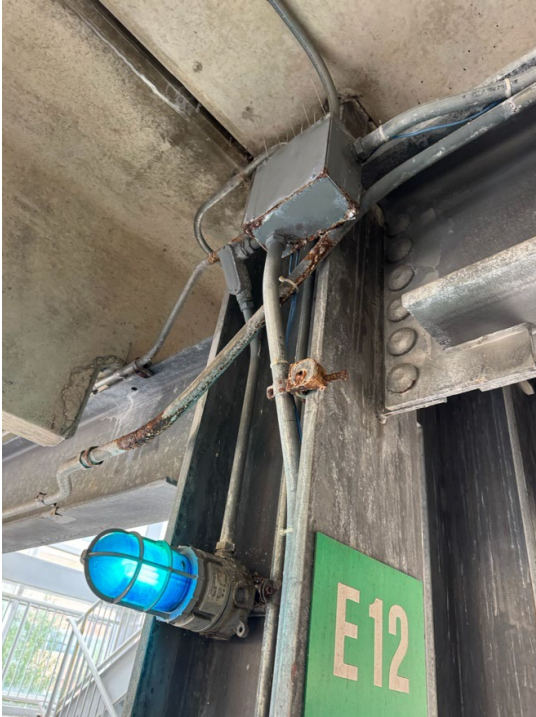
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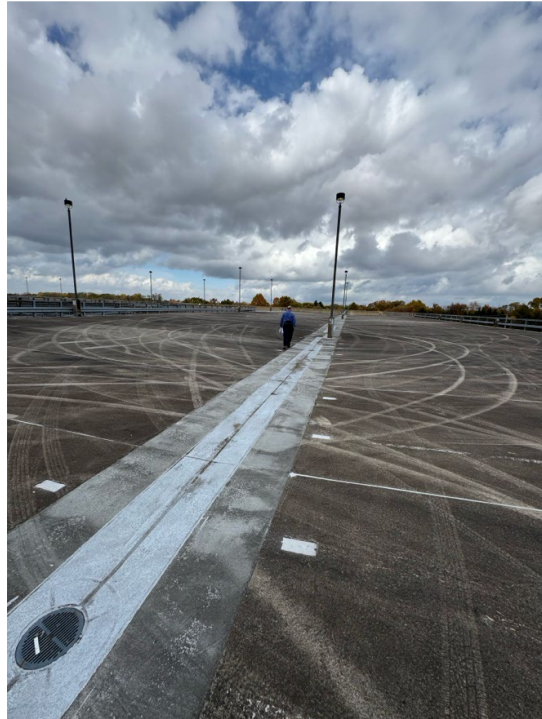
**Part D: Parking Decks**





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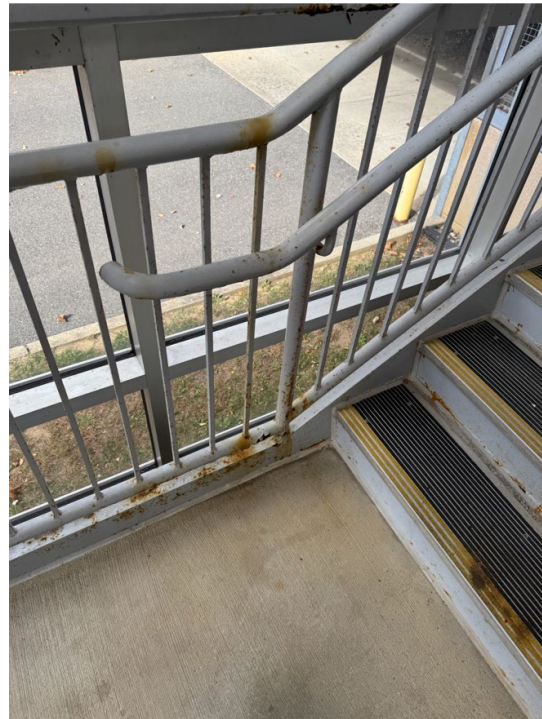
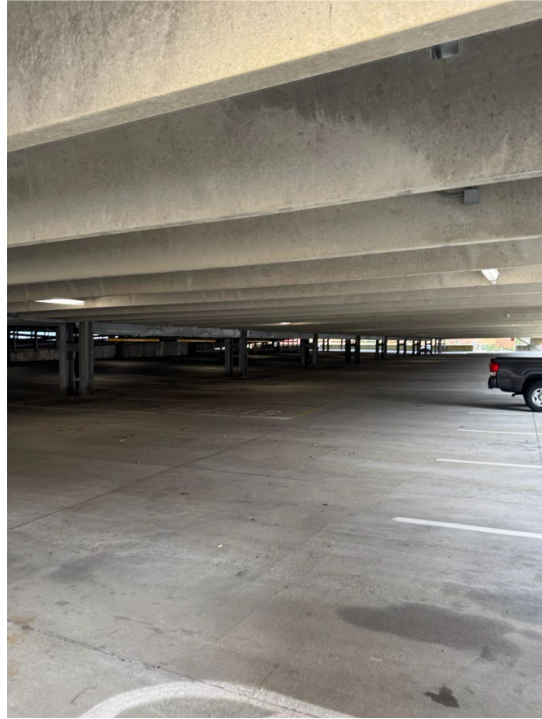
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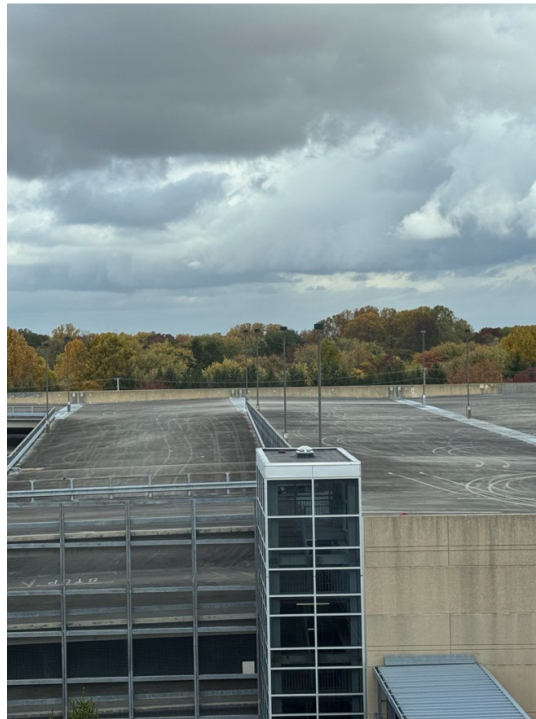
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**Part E: Grounds**





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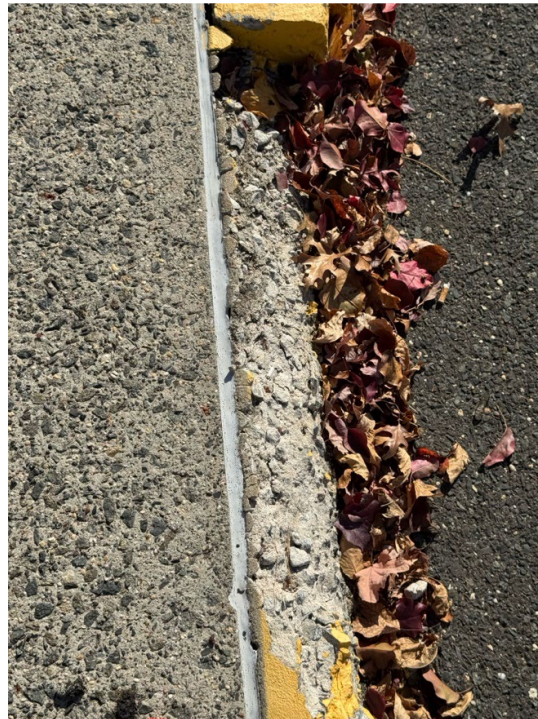
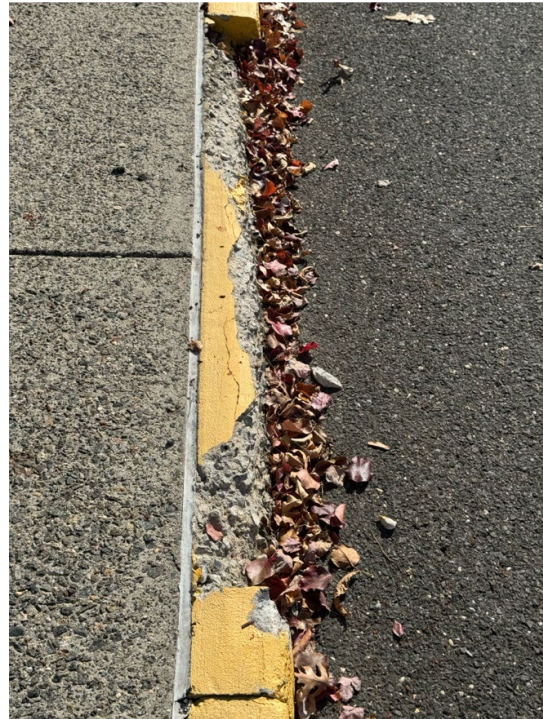
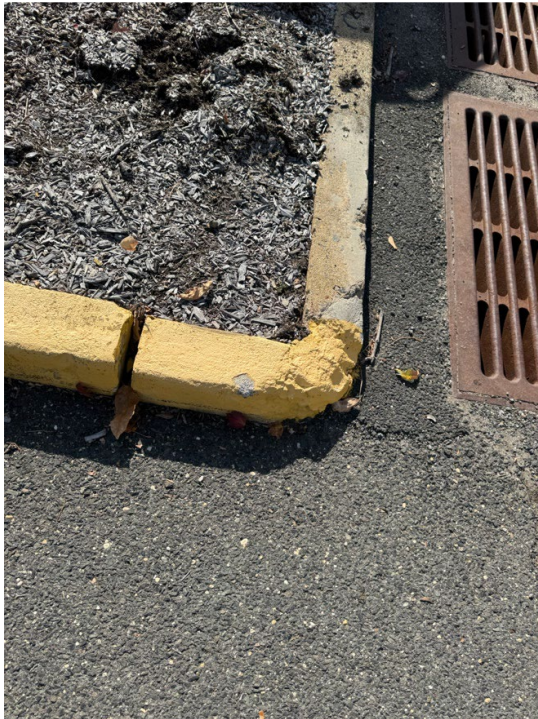
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**Part F: Electric Generation and Related**





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## **Appendix C: Existing Zoning Permitted Uses**



## Redevelopment Study and Preliminary Investigation Report

Township of Middletown

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### Appendix C, Part 1: Schedule of Permitted Uses in OR-3 Zone

KEY: P = Permitted C = Conditional A = Accessory	OR-3
<b>ACCESSORY</b>	
Commercial accessory storage building	A
Fences and hedges, subject to § 540-616	A
Garage, commercial	A
Home occupation	A
Indoor storage/display of goods sold on site	A
Off-street parking, subject to § 540-627R	A
Outdoor storage/display of goods sold on-site	A
Signs, subject to § 540-635	A
<b>FARM</b>	
Barn and other farm buildings	A
Commercial woodland	P
Cropland	P
Fisheries	P
Livestock, pasture and rangeland	P
Nursery	P
Orchard and vineyard	P
Roadside farm stand	A
<b>BUSINESS OFFICE</b>	
Accounting	P
Architectural service	P
Business management	P
Computer programming and consulting	P
Engineering service	P
Financial service	P
Government office and facility	P
Legal service	P
Performance commercial development	C
Planning service	P
Professional consultant	P
<b>EDUCATIONAL</b>	
Daycare	P
<b>LIGHT INDUSTRIAL</b>	
Scientific research laboratory	P
<b>RECREATIONAL</b>	
Athletic fields	P
Basketball court (public)	P
Fair ground (temporary)	A
Golf course	C
Golf driving range	P
Gym, health spa, and athletic club	P
Nature Area/reservation	P
Park	P
Playground	P
Swimming pool (commercial)	P
Tennis court (commercial)	P

## Redevelopment Study and Preliminary Investigation Report

Township of Middletown

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<b>KEY: P = Permitted C = Conditional A = Accessory</b>	<b>OR-3</b>
<b>SERVICE ORGANIZATION</b>	
Library	P
Non-profit organization	P
<b>TRANSPORTATION</b>	
Commercial parking lot	P
Commuter parking lot	P
Highway and street right-of-way	P
Railroad right-of-way	P
<b>UTILITY</b>	
Commercial communication antenna or tower	C
Electric, gas, water and sewer line	P
Public utility office or substation	C
Radio communication center	C
Telephone communication center	C
Television communication center	C
Utility equipment building (under 100 sq. ft.)	P
<b>WHOLESALE AND RETAIL TRADE</b>	
Bar	A
Book and stationary store	A
Cafeteria	A
Comic book and card store	P
Delicatessen	A
Newsstand	A
Restaurant	A

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**Appendix C, Part 2: Schedule of Permitted Uses in RMF-5 Zone**

<b>KEY: P = Permitted C = Conditional A = Accessory</b>	<b>RMF-5</b>
<b>ACCESSORY</b>	
Basketball courts (private)	A
Billboards, subject to § 540-825 in RTH-9 and PD zones	C
Family day care	A
Fences and hedges, subject to § 540-616	A
Garage, detached (residential)	A
Home occupation	A
Off-street parking, subject to § 540-627R	A
Residential satellite dish	A
Sheds and other customary accessory structures	A
Signs, subject to § 540-635	A
Swimming pools (public)	A
Tennis courts (private)	A
<b>FARM</b>	
Barn and other farm buildings	A
Commercial Woodland	P
Cropland	P
Fisheries	P
Livestock, pasture and rangeland	P
Nursery	P
Orchard and vineyard	P
Roadside farm stand	P
Wildlife refuge	P
<b>BUSINESS OFFICE</b>	
Government office and facility	P
<b>RECREATIONAL</b>	
Athletic fields	P
Basketball court (public)	P
Fair ground	A
Golf course	C
Nature area/reservation	P
Park	P
Playground	P
Swimming pool (commercial)	P
Tennis court (commercial)	P
<b>RESIDENTIAL</b>	
Multifamily development	P
Senior citizen housing	P
<b>SERVICE ORGANIZATION</b>	
Community residence for the developmentally disabled	C
Shelters for victims of domestic violence	C
<b>TRANSPORTATION</b>	
Commuter parking lot	P
Highway and street right-of-way	P
Railroad right-of-way	P

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## Redevelopment Study and Preliminary Investigation Report

Township of Middletown

Block 795, Lot 5.01

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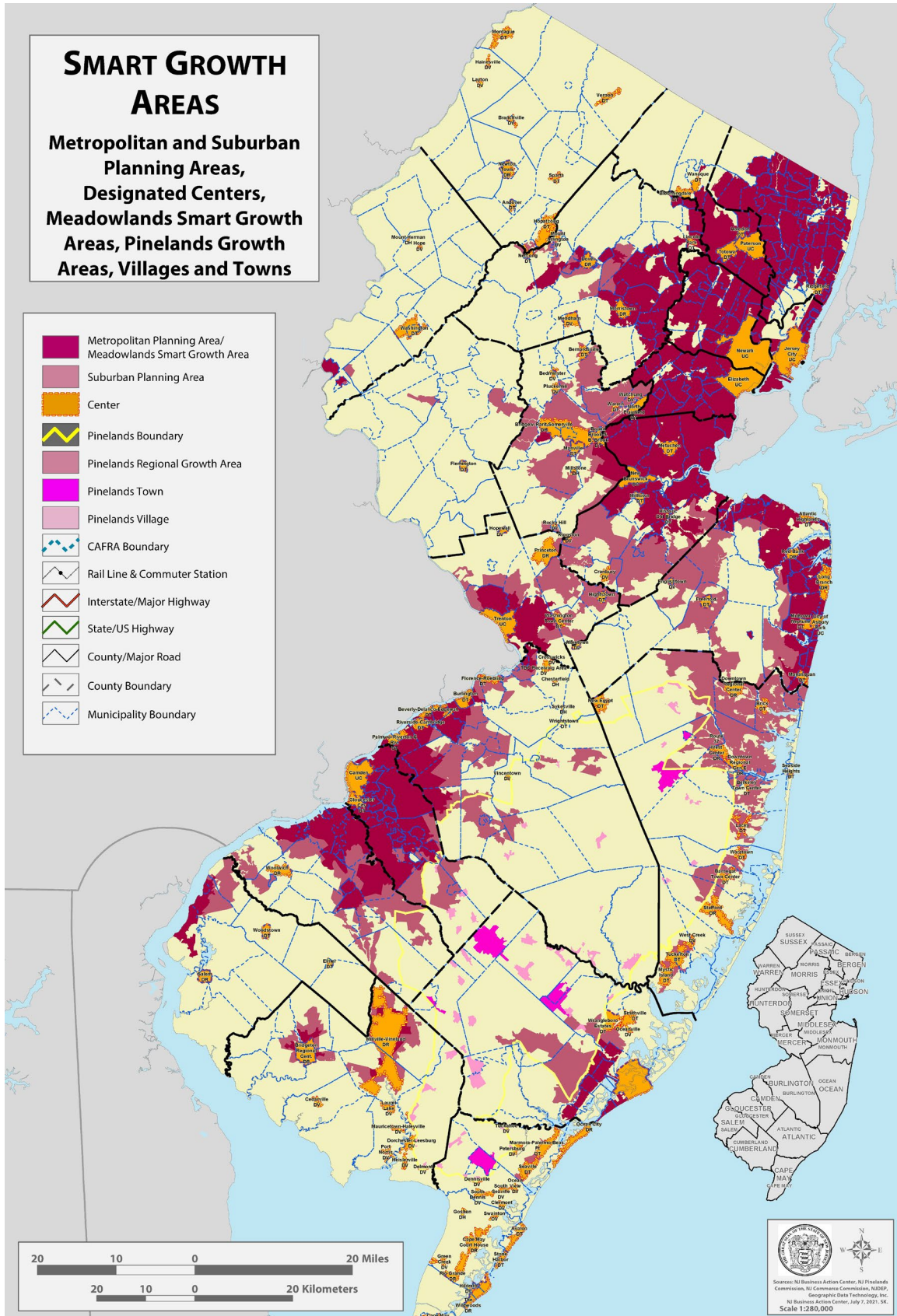
KEY: P = Permitted C = Conditional A = Accessory	RMF-5
UTILITY	
Electric, gas, water and sewer line	P
Public utility office or substation	C
Utility equipment building (under 100 sf)	P

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## **Appendix D: Smart Growth Mapping**



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**Appendix E: Smart Growth Explorer  
(Screenshot)**

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