

# Redevelopment Study Area Determination of Need

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Block 5 Lots 1-4 & 6



**Borough of South Toms River**  
Ocean County, New Jersey

Prepared by:

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The original of this report was signed in accordance with NJSA 45:14A-12.

MC Project No. STB034

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## INTRODUCTION

The purpose of this report is to determine whether Block 5, Lots 1-4 & 6, (hereinafter “Study Area”) located on Atlantic Borough Boulevard (NJ Rt 166) and Crabbe Road, qualifies as an Area in Need of Redevelopment as defined by the Local Redevelopment and Housing Law (NJSA 40:12A-1 et seq., “LRHL”). This analysis has been conducted pursuant to the LRHL, which specifies the conditions that must be met within the delineated areas and the process to be undertaken by the Planning Board during the investigation.

The report is written pursuant to Section 6 of the LRHL (NJSA 40-12A-6) that requires the following:

- a) No area of a municipality shall be determined 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.40A:12A-5). Such determination shall be made after public notice and public hearing as provided in subsection b. of this section. The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality.
- b) (1) Before proceeding to a public hearing on the matter, the planning board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis for the investigation.  
  
(2) The planning board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area.

The Municipal Council, in a Resolution #2014-222, dated July 21 2014 (see Appendix), requested that the Planning Board undertake a preliminary investigation as to whether the Study Area identified in the resolution is in need of redevelopment pursuant to the LRHL.

Section 6b(4) of the LRHL also requires the Planning Board to hold a hearing on this matter prior to recommending that the delineated area, or any part thereof, be determined or not determined a redevelopment area by the governing body. After obtaining the Planning Board’s recommendation, the Municipal Council may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area (Section 6b(5) of the LRHL).

Before presenting the Study Area investigation and parcel level analysis, it is important to note that the determination of need presented in this analysis is only the first step of the redevelopment process and does not provide guidance with respect to planning, development or redevelopment of the Study Area.

Section 40A:12A-7 of the LRHL describes the tool (the redevelopment plan) which specifies how the redevelopment should be planned, in addition to the process through which such a plan is prepared.

A redevelopment plan, which may supersede the zoning of an area or serve as an overlay thereto, specifies the following:

- Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.
- An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. (Note: not every property in a redevelopment area must be acquired and, in fact, none may be acquired; the redevelopment plan can specify buildings or uses to remain in the redevelopment area and to be incorporated into the future design and development of the area.)
- Any significant relationship of the redevelopment plan to the master plan of contiguous municipalities, the master plan of the county, and the State Development and Redevelopment Plan.

This report and investigation are aimed only at determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Redevelopment and therefore does not contain any of the specific planning guidance contained in a redevelopment plan.

## CRITERIA FOR REDEVELOPMENT AREA DETERMINATION

Section 5 of the LRHL outlines the criteria that can be considered in evaluating a Study Area. An area may be determined to be in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality concludes by resolution that any one of the following relevant conditions is found:

- a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b) The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or entity, or unimproved vacant land that has remained so for a period of ten years prior



to the 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. (new language from P.L. 2013, Chapter 159 underlined)
- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c. 79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c. 431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c. 441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c. 79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

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

## DESCRIPTION OF STUDY AREA

### SITE DESCRIPTION

The Study Area consists of five tax lots that wrap the corner of Atlantic Borough Boulevard (State Highway 166) and Crabbe Road. The entire area is 3.57 acres). Two of the five lots on Block 5 (Lots 4 and 6) are vacant, Borough-owned parcels and three of the lots (1, 2 and 3) are privately owned.

The three lots on Block 5 that are improved with buildings consist of a marina on Lot 1 (known as Cedar Cove Marina), Lot 2 (former gas station and now a repair shop on a 7,000 square foot (100'x70') lot at the corner of Atlantic Borough Boulevard and Crabbe Road, and Lot 3 (former machine and engine repair shop building on a 50'x55' lot).



Figure 1: Upper left to right: Lot 1 main building along Atlantic Borough Boulevard, repair garage showing crowding of Atlantic Borough Boulevard (Lot 2), rear access drive to rear of Lot 1; Lower left to right: close-up of building on Lot 3 on 55'x50' lot, view of Borough-owned Lots 4 and 6 from Crabbe Road, view of Study Area from Crabbe Road.

The Study Area is included in an Area In Need of Rehabilitation that includes all of Blocks 3, 4, 5 and 6 (see Map 2). The Rehabilitation Area is focused on revitalizing the Route 166 (Atlantic Borough Boulevard) corridor that runs through the Borough between the Borough of Beachwood and the Township of Toms River, where it connects to Downtown Toms River and continues to its juncture with Route 9. The corridor in South Toms River is characterized by older strip highway businesses, some of which are vacant, but the majority of which are occupied by a variety of retail uses such as a liquor store, adult video-bookstore, hair salons, ice cream store, bait and tackle, auto electronics, wicker furniture, etc.



Figure 2: Adjacent uses to the west include auto electronics (left) and the corridor to the south has several strip highway retail uses (liquor, adult video, hair salons, etc. (right)

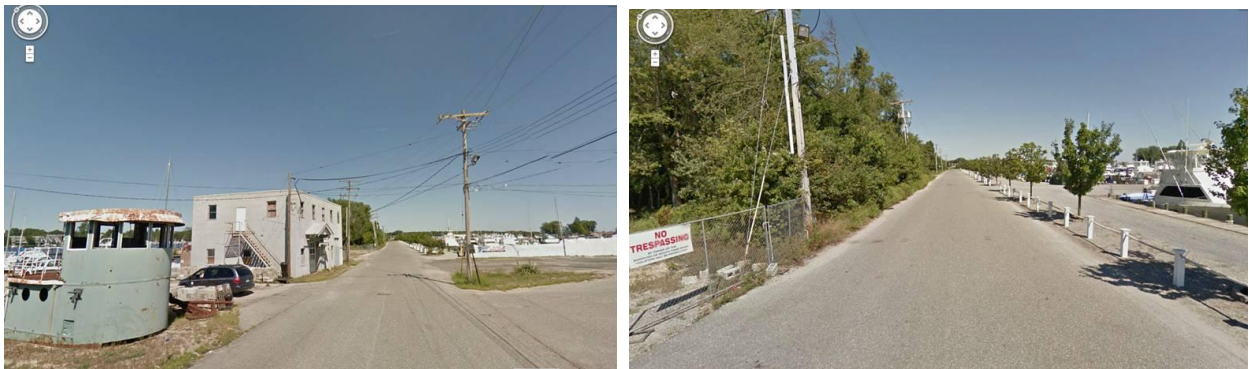


Figure 3: Left: The blockfront directly along Crabbe Road viewed from Route 166; Right: Crabbe Road east of the Study Area showing Lighthouse Marina on the right.

Map 1 below provides an overhead view of the Study Area bounded by the yellow dashed lines and the municipal boundary line in white dashed lines. Mathis Plaza (Block 3) is shown to the north and Cedar Point (Block 5, Lot 5) is shown as the large (10 acre) Borough-owned parcel adjacent to the Study Area. Lot 5 is listed on the Borough's Green Acres Recreation and Open Space Inventory (ROSI).

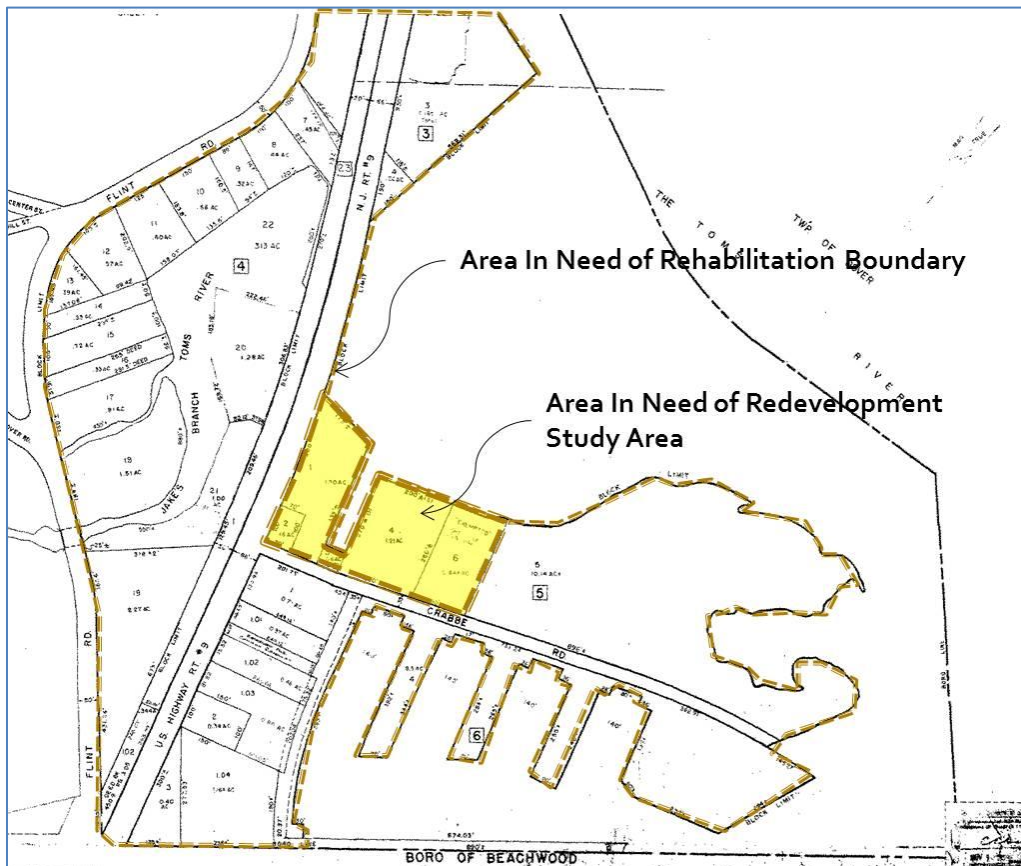




The summary of tax data for the Study Area is shown in Table 1 below. The tax parcels that are part of the Study Area are highlighted in yellow (all lots in Block 5 except Lot 5). The improvement value of the buildings on the three privately owned parcels (Lots 1-3) are significantly less than the land value for those three lots. Generally a property that is generating a normal economic productivity will be developed with improvements that are valued at least as much as the land itself. Properties where the land is worth more than the improvements often indicates that the improvements are old and or either obsolete and/or deteriorated so that they depreciate rather than appreciate in value as would be the case with economically productive properties. In the case of Lots 2 and 3, Table 1 shows that the total assessed value is considerably less than what was paid for each of them in 2007 and 2008 respectively, which is evidence of depreciation of improvements rather than the normal appreciation of real estate.

TABLE 1 - PROPERTY INFORMATION - BLOCK 5

| Block | Lot | STREET ADDRESS               | BLDING<br>DESC | LAND<br>DESC | ADDT<br>LOTS | ZONE | LAND<br>VALUE | IMPROVE<br>VALUE | TOTAL<br>VALUE | SALES<br>PRICE | DATE<br>OF<br>SALE |
|-------|-----|------------------------------|----------------|--------------|--------------|------|---------------|------------------|----------------|----------------|--------------------|
| 5     | 1   | 200 ATLANTIC<br>BOROUGH BLVD | 1SCB           | 1.3ac        |              | MR   | 730000        | 640500           | 1370500        | 102000         | 8/27/<br>1977      |
| 5     | 2   | 210 ATLANTIC<br>BOROUGH BLVD | 1SCB           | 100X70       |              | MR   | 216000        | 65900            | 281900         | 400000         | 2/1/<br>2007       |
| 5     | 3   | 4-A CRABBE RD                | 2SCB           | 55X50        |              | MR   | 154800        | 88700            | 243500         | 300000         | 8/21/<br>2008      |
| 5     | 4   | 6 CRABBE RD                  |                | 2.05ac       | L 6          | ML   | 521000        | 0                | 521000         | 0              |                    |
| 5     | 5   | 10 CRABBE RD                 |                | 10.14ac      |              | ML   | 445500        | 0                | 445500         | 0              |                    |



MAP 2 - STUDY AREA

## SITE HISTORY

Historic information pertaining to the site was obtained from online aerial photography and shows the Study Area as undeveloped in 1931, but having two small buildings on Lot 1 by 1940 with boats evident along a narrower lagoon (Map 3). The gas station seems to be at the corner by 1940. There is no other development evident around the project area and much of it appears to be marshland, although the Barnegat Branch of the Central Railroad of New Jersey is evident running parallel to Rout 166 and the rail bridge over Jakes Creek is visible.

MAP 3 – 1940 AERIAL



In the 1956 aerial photograph (Map 4), the lagoon has been expanded into Lot 4 and boats are visible on both sides of the lagoon, as well as along Route 166 roadway and beyond the property line into the Toms River. The river itself also appears to have been dredged into the same configuration that exists today.

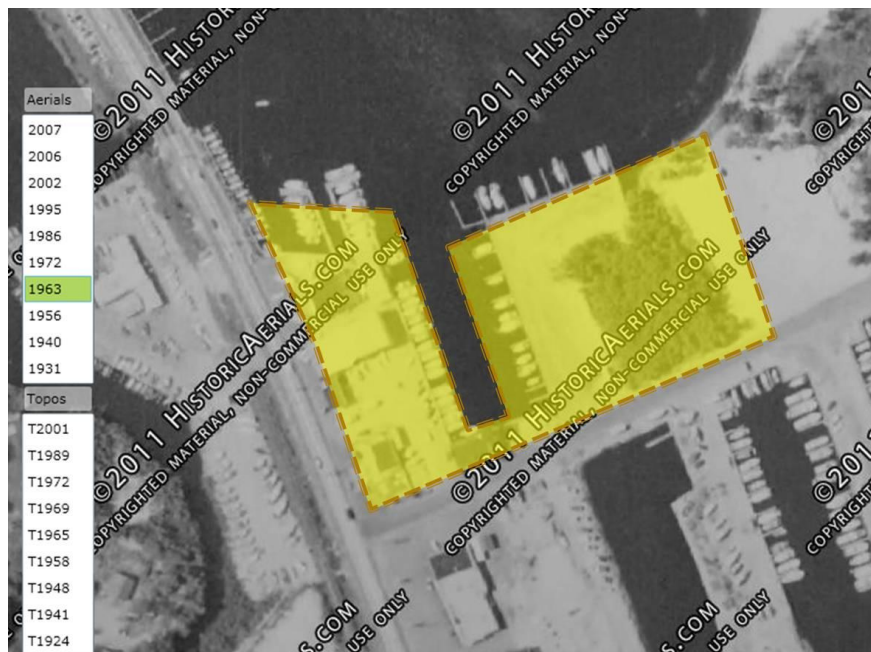
By 1963, the main building on Lot 1 has been expanded. The lagoons for what is now Lighthouse Point Marina across Crabbe Road are evident and the marina there is active. There is also development on the west side of Route 166 behind and along the Barnegat Branch rail line. The rail bridge is still evident, but it is not clear if the rail line is active. Based on internet research, passenger service was terminated on the Barnegat Branch of the Central Railroad of New Jersey in the mid-1950s, though freight service continued through the early 1970s before the line was taken out of service and eventually absorbed by Conrail. Analysis from the historic aerials below shows that the rails appear to be present in 1972, but gone by 1986.



MAP 4 - 1956 AERIAL



MAP 5 - 1963 AERIAL



By 1986, the boat storage had spread to Lot 4 and a portion of Lot 5 (Map 6) and the buildings that now exist on the west side of Route 166 are evident, indicating that they were constructed between 1972 and 1986. The use of the Borough lots for boat storage appears to have continued on the 1995 aerial, but were removed from Lot 5 by 2002 (Map 7), and then re-appear on Lot 5 by 2007.

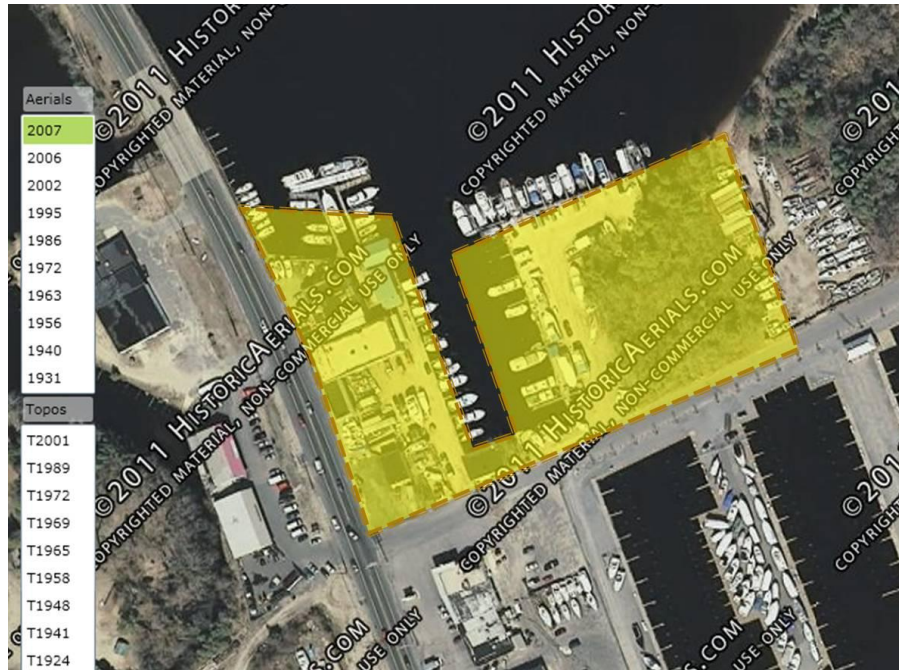
MAP 6: 1972 and 1986 AERIAL





MAP 7: 1995, 2002 and 2007 AERIAL





A review of documents provided by the Borough regarding a long history of enforcement and legal action with the owner of Lot 1 (Cedar Cove Marina), compared with the historical aerials and property data in Table 1, above yields the following observations:

1. Block 5, Lots 4, 5 and 6 were originally leased by the Borough to Osborn Nassau Citgo Marine, Inc. between 1974 and 1978. Donald Miller purchased the Osborn business in the late 1970s.<sup>1</sup>
2. According to property records, Lot 1 was purchased by in 1977 for \$102,000, presumably by Donald Miller when he bought the Osborn business during the same period.
3. Lots 4 and 6 were leased to Cedar Cove Marina after auction on July 14, 1986 and the lease was signed by Donald Miller.
4. Lighthouse Point Marina was owned by Donald Miller until 2003<sup>2</sup> and the operation included lease of Lots 4,5, and 6 from the Borough based on a lease agreement from August of 1992<sup>3</sup>. In 2003 Lighthouse Point Marina was sold to Donato Donofrio and Donald Miller continued to operate Cedar Cove Marina on Lot 1.<sup>4</sup>
5. The Borough-owned lots, as well as Cedar Cove Marina on Lot 1 were involved in several enforcement actions by the Borough and other agencies in 1992, 2001 and 2012, with a chronic

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<sup>1</sup> Letter of Robert L. Tarver, Esq., Special Counsel, to Mayor Joseph Champagne, dated March 9, 2012.

<sup>2</sup> "The Riverside Signal", Late Winter 2012 Edition, "Cedar Cove Marina Probed By DEP", Erik Weber, page 1.

<sup>3</sup> Verified Complaint: Borough of South Toms River vs Donald Miller, Lighthouse Point Marina and Yacht Club, Count One.

<sup>4</sup> Riverside Signal, Late Winter 2012 Edition, page 1.

practice of accumulating old, deteriorated or dilapidated vessels, including a 1922 84-foot steel-hulled New York Harbor-based ferry named the “Fordham” that leaked oil into the Toms River in 1992 and again in 2001, a U.S. Navy tugboat from the early half of the 20<sup>th</sup> Century and a large wooden schooner.

6. The Ocean County Superior Court issued a Judgement of Conviction, dated December 11, 2001, in the matter of State of New Jersey vs Donald Miller for three counts of “unlawful discharge of pollutants” and ordered to pay a fine of \$10,000 and serve five years probation, remove the tug boat from the premises, remove the remainder of the debris and garbage from the site, remove the rest of the “derelict” boats from the site, and remove the tanker/trailer from the site by May of 2002. The inspection by NJDEP officials in February of 2012 that was reported in the Riverside Signal article cited earlier, included a photograph of the tug boat still tied up to a bulkhead near Crabbe Point, ten years after it was ordered removed in the Judgement of Conviction.
7. In September of 2004, the Borough entered into another lease agreement with Miller through a corporation called Tradewinds Marina, Inc. with a term to end in 2006, after which time the Borough determined to put the lease up for bid.<sup>5</sup>
8. On December 19, 2007, Miller’s attorney was notified by the Borough’s Special Counsel Gregory McGuckin, Esq. that Miller was “improperly occupying” Block 5, Lot 5 (see 2007 Aerial in Map 7).
9. According to the Tarver letter of March 9, 2012, “currently Miller continues occupy Block 5, Lots 4 & 6 as a holdover tenant. That is to say that the last lease expired in 2006 and there has been no subsequent lease. The Borough apparently continued to collect rent from Miller up until the end of 2008. No rent has been collected since that time.”
10. By letter, dated March 1, 2012, the NJDOT ordered removal of the boat slips “encroaching upon the riparian waters adjoining the State’s highway, remove all associated structures from the highway embankment caused by the installation of pilings or other structures”.
11. According to Monica Miller, Donald Miller’s surviving spouse, the roof of the main building and equipment storage building were damaged by Superstorm Sandy, which struck the area on October 29, 2012.

## ZONING IN THE STUDY AREA

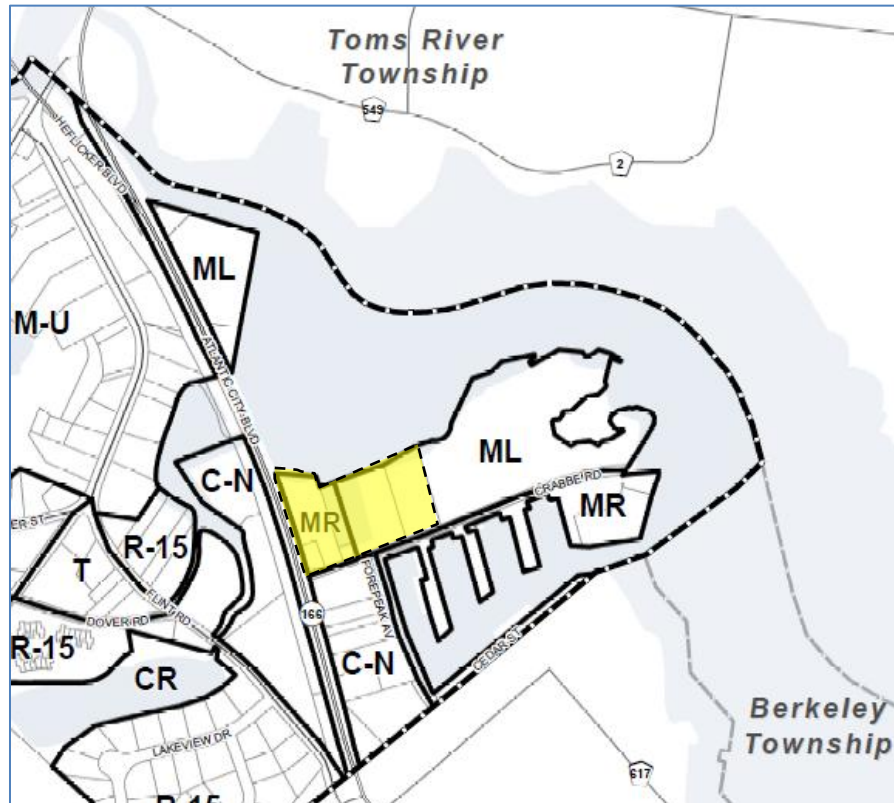
The Study Area lies in two Zoning Districts. Lots 1-3 are zoned Marine Recreational (MR) and Lots 4, 5 and 6 are zoned Municipal Lands (ML). Lots 4 and 6 have been actively leased by the Borough periodically since the 1970s for marine recreational use, while Lot 5 is on the Green Acres Recreation and Open Space Inventory (ROSI) and includes a fishing pier accessed at the end of Crabbe Road.

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<sup>5</sup> Tarver letter to Champagne, March 9, 2012, page 2.



MAP 8: ZONING MAP w. STUDY AREA HIGHLIGHTED IN YELLOW



## MASTER PLAN STUDIES

The Borough of South Toms River Master Plan was last updated and adopted in 2012 and describes the Marine Recreational Zone as follows:

*The purpose of the Marine Recreational land use classification is to encourage water-related and water-dependent uses and the business and commercial uses that serve and support them, including, but not limited to fishing, marine transportation, recreation and tourism. It is recognized that unique natural features of the marine environment contribute significantly to the economic and social environments, therefore performance standards are required to minimize the impact of development of the natural features on which they depend. One area of the Borough located along Route 166 and the Toms River is included within this land use designation.<sup>6</sup>*

The goals and objectives of the Master Plan emphasize revitalization along the Route 166 corridor as follows:

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<sup>6</sup> South Toms River Master Plan, April 2012, John Leoncavallo, CLA, PP, page L-11

## GOALS

### **Economic and Non Residential**

3. Broaden the tax base through the attraction of commercial uses compatible with a residential community in order to provide for government services needed by residents and taxpayers of the Borough.
7. Encourage the development of a diversified economic base that generates employment growth, increases property values and income levels, and promotes the reuse of underutilized properties

### **Community Identity**

2. Create attractive “gateways” into the Borough and improve the appearance of intermediate and major thoroughfares.
4. Preserve, restore, maintain and enhance the appearance of all Borough properties.
5. Promote the adoption of design standards to enhance the aesthetic appearance of all new development and redevelopment projects.



Images of Lot 1 (top left and right), Lot 2 (lower left) and Lot 3 (lower right) in contrast to the goals of the South Toms River Master Plan to create attractive gateways to the Borough, encourage water-related economic development and promote economic revitalization of the Route 166 corridor.

## AREA EVALUATION FOR CONFORMITY WITH REQUIRED REDEVELOPMENT CRITERIA

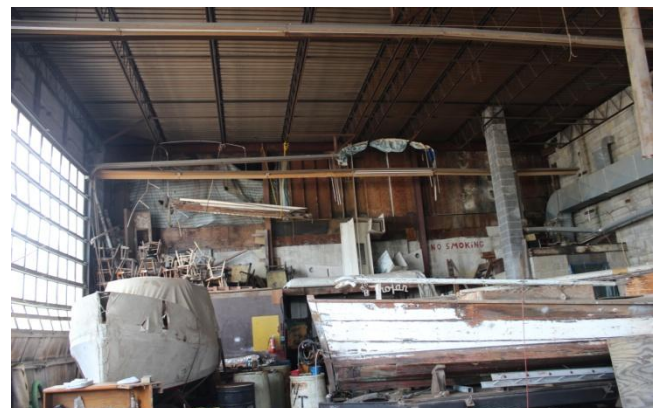
### STUDY APPROACH

An analysis of the Study Area's existing physical characteristics, current developed uses and structures was conducted via a site inspection with the Borough's Code Enforcement Officer on August 7 and August 11, 2014, inclusive of interviews of the property owners of Lots 1 and 3 of Block 5. We also examined Borough records and analyzed historic aerial photographs. Furthermore, tax records, the Borough's Master Plan and Zoning Ordinance and various Borough documents from past litigation were reviewed. It should be noted that all photos were taken on August 7 and 11, 2014 unless otherwise noted.

### PROPERTY EVALUATION: BLOCK 5, LOT 1

This property consists of 1.3 acres, with 300 feet of frontage along Route 166/ Atlantic City Boulevard and 72.5 feet of frontage on Crabbe Road. Based on an examination of historic aerial photos, the main building and the original lagoon were constructed between 1931 and 1940 and both are shown in the 1940 aerial. The main building is situated between the lagoon and the Route 166 right of way, but the main body of the building is only about five or six feet from the shoulder of the highway. A small portion of the original main building with the front entrance is set back far enough from the Route 166 ROW to enable vehicles to park, but maneuvering often requires the use of the shoulder.

While the main impact on the community caused by the property was related to the accumulation of derelict boats and vehicles stored in the water or dry-docked, including several large vessels that caused illegal discharges of pollutants into the Toms River, other impacts include encroachments of piers and docks onto State highway property along Route 166 dating back to sometime prior to the 1956 aerial photo. There was also encroachment of boat storage onto Borough property in 2007, as described above.



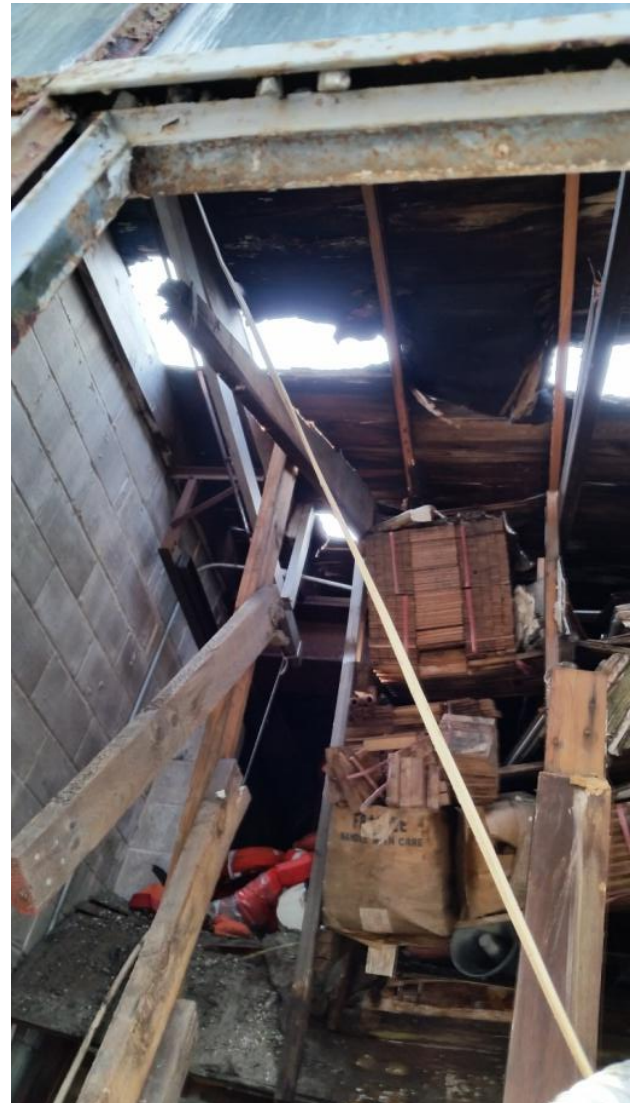
Main building office showing water damage to ceiling tile (middle) and boat repair garage with storage of old boats and parts being sold by owner on eBay (lower)



While there has been a gradual removal of derelict boats and debris since Superstorm Sandy due to code enforcement efforts by the Borough, the overall neglect of the buildings and improvements was evident during our inspection, including the in-water boat shed, which Maser structural engineer's report (Appendix) indicates is in danger of collapse, the equipment shed, which is full of debris and is still missing a portion of its roof believed to have been damaged by Sandy, and the roof and mansard of the main building, which the structural engineer's report also cites as a public safety hazard. The dilapidated or collapsed condition of the bulkheads, finger docks and pilings on the property are also a public safety hazard, as the property is not fenced to secure the area from access by the public. Property surveillance is via camera, and the marina business on the property ceased after Sandy in 2012.



Above image shows piers and finger docks encroaching on Route 166 right of way. Lower image shows collapsed finger dock and remaining houseboat in the water.



Boat shed (above) is in danger of collapse, while the adjacent equipment shed to the right remains full of junk and debris and has a partially collapsed roof (below) assumed to have been damaged by Superstorm Sandy.

Based on the above, we believe that Lot 1 meets the following statutory criteria:

**Criterion “a”.** *The generality of buildings are substandard, unsafe, unsanitary, dilapidate, 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.*

Additionally, the condition of the buildings and improvements (bulkhead, docks and piers) have been allowed to deteriorate to the point that the property is no longer tenantable as a marina and has not operated as such for two years. As a result, we believe the condition of the property also fits Criterion “b” as follows:

**Criterion “b”.** *The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.*

Finally, the hazardous physical condition of the buildings and improvements present a threat to the public safety and therefore meet Criterion “d”:

**Criterion “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.*

## PROPERTY EVALUATION: BLOCK 5, LOT 2

Block 5, Lot 2 is a former gas station site that is currently used for boat maintenance services. The property has 100 feet of frontage along Route 166 and 70 feet of frontage along Crabbe Road. The building on the property faces Route 166 and the shallowness of the lot (70 feet) forces the boats and related items to crowd the shoulder of the highway because there is no rear yard on the property.

There was no visible sign of deterioration based on our observation of the exterior of the building on Lot 2 and we did not attempt to view the interior. It is assumed that Criteria “a” and “b” do not apply. However, the

Top image at right is a Google street view of Lot 2 that shows how the shallowness of the lot forces the boats being stored or serviced on the property to crowd or encroach on the Route 166 shoulder. The maneuvering of vehicles and boat trailers therefore requires the use of the shoulder or the impediment of traffic. Lower image is the rear of the building on Lot 2, but the vehicles and boats are on Lot 1.





shallowness of the property and the crowding of the highway fit Criterion “d” as the property is severely undersized for the current highway commercial use and therefore represents an “obsolete layout” causing “overcrowding” as follows:

**Criterion “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.*

In addition, given the key corner location of Lot 2 and its peculiar adjacency with Lot 1 and Lot 1’s peculiar adjacency to the tiny 50’x 55’ Lot 3, we believe that the three lots fit **Criterion “e”**, which was amended in 2013 to provide more guidance on the relationship between stagnant economic conditions and property assemblage as follows: *“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.” (new language underlined).*

While the business use on Lot 2 is not economically stagnant or unproductive, the building on Lot 3 has been vacant and unproductive for at least 5 years and the division of the Crabbe Road frontage between three separate private property owners (70 feet for Lot 2, 72.5 feet for Lot 1 and 55 feet for Lot 3) precludes the corner from being fully utilized by any single use that would promote the purpose of the Marine Recreational Zone, as described earlier in the 2012 Master Plan.

## PROPERTY EVALUATION: BLOCK 5, LOT 3

Block 5, Lot 3 has 55 feet of frontage on Crabbe Road and is 50 feet in depth backing up to the lagoon. Although the bulkhead immediately behind the building was reportedly part of Lot 1, this is unclear based on the lot configurations shown on the tax map). Lot 3 is improved with a two story masonry building with an overhead door facing Crabbe Road and an engine pulley lift mounted over the door. Borough officials and the current owner report that it was a separate business operation from the Cedar Cove Marina and was a marine engine shop.

The building on Lot 3 appears on the 1956 aerial, so its age can be traced to sometime between 1940 and 1956. The building essentially covers the entire lot and any use of the garage would entail maneuvering in Crabbe Road. The physical condition of the building, based on exterior observation is considered to be poor, with masonry cracks, evidence of roof water leakage, broken glass, etc. The owner of the building for the past five years is also the current owner of the Lighthouse Point Marina on the opposite side of Crabbe Road and he confirmed in an interview that the building is not tenantable in its current condition.



**View of former engine shop on Lot 3. The building essentially sits on the property lines with no maneuvering space on site for accessing the garage bay.**

We could not document code violations sufficient to qualify Lot 3 under Criterion “a” but, as the building has been vacant for at least the past five years and has been allowed to deteriorate so as to be untenable, we believe that it meets Criterion “b”:

**Criterion “b”.** *The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.*

## PROPERTY EVALUATION: BLOCK 5, LOTS 4 & 6

The property located on Lots 4 and 6 are part of a property that has been owned by the Borough of South Toms River dating back at least as far as the original lease of Lots 4 and 6 to Osborn Nassau Citgo Marine in 1974. Accounts by representatives of the Borough and property owners indicate that the original gas stations at Lot 2 and the parcel now part of Mathis Plaza offered fuel to both motorists on Atlantic City Boulevard and boaters, so it is possible that Osborn originally owned Lots 1, 2 and 3 and sold them off separately around the time Lot 1 was acquired by Donald Miller (1977).

Based on the 1940 and 1956 aerials, the lagoon portion of Lot 4 was dredged and the bulkhead and pilings constructed sometime between 1940 and 1956. (Map 2 and Map 3). Based on our review of legal documents and correspondence related to the leases and disputes between the Borough and Donald Miller since he acquired both the Cedar Cove Marina (Lot 1) and Lighthouse Point Marina (Crabbe Road) and then after he sold Lighthouse to the current owner (Donofrio) in 2003, Lots 4 and 6 were operated in conjunction with the marina on Lot 1. We observed that the traveler boat lift from Lot 1 was still parked over the steel supported track used for launching and pulling boats from the water located on Lot 4. Given that this is the only facility for launching or retrieving boats on either Lot 1 or Lot 4, we believe that the marina on Lot 1 cannot function without the use of Lot 4, given the current condition of both parcels.



Images above show the dilapidated condition of the bulkheading, piers and finger docks on Lot 4 & 6.





View from interior of Lot 4 looking back toward Crabbe Road, showing traveler boat lift owned by the marina on Lot 1 parked on the steel track over piers on Lot 4 with Lighthouse Point Marina visible in the background and dilapidated bulkhead and pilings in the foreground. This appears to be the only facility for launching or retrieving boats on either Lot 1 or Lot 4.

Based on the above, we believe the property meets the following statutory criterion:

**Criterion “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.*

It is clear that the bulkheading, finger docks and pilings that may date back to the 1940s or 1950s have been allowed to become dilapidated, making them vulnerable to further damage by Superstorm Sandy. In their current condition they constitute an unstable water’s edge and the Borough has had to fence off the lot and post “no trespassing” signs on the fence because of the threat to public safety.

Finally, as was described for the discussion of Block 5, Lots 1,2 and 3, the configuration of Lots within the Study Area with three private owners, the undersized nature of Lots 2 and 3 and the dependence of the privately owned marina on Lot 1 on Lots 4 and 6 for boat storage and launching cause an impediment to land assemblage. Therefore, we believe that Criterion “e” can be applied to the Study Area as follows:

**Criterion “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. (new language from P.L. 2013, Chapter 159 underlined)

The presumption that the condition is negatively impacting the social and economic welfare of the community is borne out by the emphasis in the Master Plan on the need to revitalize the Route 166 corridor and the prior action of the governing body in designating the larger area of Blocks 3, 4, 5 and 6 as being In Need of Rehabilitation.

## STUDY CONCLUSION AND RECOMMENDATIONS

The Study Area consists of a total of five tax lots. Of the five tax lots, evidence for one or more of the statutory criteria of Section 5 of the Local Redevelopment and Housing Law were found to exist on all of them, specifically Lots 1, 2, 3, 4, and 6 of Block 5. The buildings and improvements on Lot 1 date back at least sixty to seventy years and have been allowed to deteriorate to the point that they meet the conditions of Criteria “a”, “b” and “d”. The building on Lot 2 is occupied and an active boat repair, storage and service business, but is on a lot that is only 70 feet deep along its 100 feet of frontage on Route 166, causing the crowding of the highway, constituting an obsolete layout that is a threat to public safety and welfare, thereby meeting Criterion “d”. The building on Lot 3 has been vacant with a discontinued engine repair shop use for at least five years and also has an obsolete layout that forces the use of the public street (Crabbe Road) for access to its service bay, thereby meeting the conditions under Criteria “b” and “d”. The marina related improvements on Lots 4 and 6, which have been associated with the operation of the marina on Lot 1 dating back at least to 1974, have been allowed to deteriorate to a point where they were further damaged by Sandy so that they now are dilapidated and are a threat to public safety and welfare under Criterion “d”.

Finally, as was described for the discussion of Block 5, Lots 1,2 and 3, the configuration of Lots within the Study Area with three private owners, the undersized nature of Lots 2 and 3 and the dependence of the privately owned marina on Lot 1 on Lots 4 and 6 for boat storage and launching cause an impediment to land assemblage. Therefore, we believe that Criterion “e” can be applied to the Study Area.

We also find that the location of the Study Area within the larger Route 166 Rehabilitation Area and the emphasis of the Master Plan on the revitalization of the Route 166 corridor and the redevelopment of vacant and underutilized properties to be consistent with the designation of the entire Study Area under Criterion “h”, as follows:

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

The New Jersey Business Action Center (NJBAC) defines smart growth as “well-planned, well-managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources. Smart Growth supports livable neighborhoods with a variety of housing types,

price ranges and multi-modal forms of transportation”.<sup>7</sup> NJBAC lists ten principles of smart growth on their website, of these; the Study Area has the potential to achieve seven of these principles:

- Mixed land uses
- Compact, clustered community design
- Range of housing choice and opportunity
- Walkable neighborhoods
- Distinctive, attractive communities offering a sense of place
- Future development strengthened and directed to existing communities using existing infrastructure
- Transportation option variety

The following facts have been found to support the designation of Criteria “h” in the Study Area:

1. **Mixed land uses.** By designating the Study Area as an Area in Need of Redevelopment, it will allow for a Redevelopment Plan to be crafted, which could permit a mixture of land uses consistent with the Marine Recreational District.
2. **Compact, connected and complete community design.** By designating the Study Area as an Area in Need of Redevelopment, it will allow for a Redevelopment Plan to be crafted, which could permit compact, connected and complete design standards, such as those in the 2009 LEED-ND Rating System for Neighborhood Development, thereby advancing the goals of the Master Plan stated in this Report.
3. **Walkable Neighborhoods.** The redevelopment of the Study Area could eliminate the crowding of the Route 166 and be coordinated with the pending Route 166 streetscape project that was just funded by the Economic Development Authority through HUD Sandy disaster relief assistance.
4. **Distinctive, attractive communities.** By allowing redevelopment to occur within the Study Area it will have the potential to create an attractive place and enhance this otherwise deteriorated block of the Borough, which is a prominent gateway along Route 166 and a key to future waterfront recreational uses of the Green Acres designated adjacent Lot 5.
5. **Use of existing infrastructure.** By redeveloping the Study Area it will use the existing infrastructure – water, sewer, electric, roads, etc. that is already in place.

Based on the above, we recommend that the entire Study Area qualify for designation as an Area In Need of Redevelopment and that a redevelopment plan be prepared that would advance the Borough’s ability to foster the assemblage of the block for redevelopment consistent with its Master Plan.

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<sup>7</sup> <http://nj.gov/state/planning/smart.html>



## RESOLUTION 2014-222

**RESOLUTION OF THE BOROUGH OF SOUTH TOMS RIVER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTIES COMMONLY KNOWN AS BLOCK 5, LOTS 1, 2, 3, 4 AND 6 ON THE TAX MAP OF THE BOROUGH OF SOUTH TOMS RIVER, SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.**

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

**WHEREAS**, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Redevelopment Law the municipal Council of the Borough of South Toms River (the “**Municipal Council**”) must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS**, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 5, Lots 1, 2, 3, 4, and 6 on the tax maps of the Borough of South Toms River (the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

**WHEREAS**, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment, the Municipal Council further authorizes the Borough to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (a “**Condemnation Redevelopment Area**” as defined in the Redevelopment Law) pursuant to *N.J.S.A. 40A:12A-8(c)*; and

**WHEREAS**, the Municipal Council has determined that it is in the best interests of the Borough to direct the Planning Board to undertake a preliminary investigation of the Study Area pursuant to the procedures of the Redevelopment Law and provide its recommendations to the Municipal Council;

**NOW THEREFORE BE IT RESOLVED**, by the Municipal Council of the Borough of South Toms River, in the County of Ocean, New Jersey, as follows:

**Section 1.** The foregoing recitals are incorporated herein as if set forth in full.

**Section 2.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment, which designation would permit the Borough to utilize all of the redevelopment powers, including eminent domain (as defined in the Redevelopment Law, a Condemnation Redevelopment Area).

**Section 3.** As part of its investigation, the Planning Board shall prepare maps showing the boundaries of the Study Areas and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

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**Section 4.** The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundary of the Study Area, the date of the hearing and the municipal option to exercise the power of eminent domain to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination would authorize the Borough to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Condemnation Redevelopment Area.

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

**Section 6.** After conducting its investigation, preparing a map of the Study Areas, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make recommendations to the Municipal Council as to whether the Municipal Council should designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

**Section 7.** This resolution shall be effective in accordance with applicable law.

#### **CERTIFICATION**

I, Joseph Kostecki, Borough Clerk of the Borough of South Toms River, Ocean County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the resolution which was adopted by the Municipal Council at a meeting held on the 21st day of July, 2014.

  
Joseph Kostecki, MPA, RMC, CMR  
Municipal Clerk



535060



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## **MEMORANDUM**

**To:** Dave Roberts, A.I.C.P./P.P.

**From:** Robert DiBartolo, P.E.

**Date:** August 25, 2014

**Re:** Visual Building Inspections  
Borough of South Toms River  
Determination of Area in Need of Redevelopment  
Block 5, Lots 1, 2, 3, 4 & 6  
MC Project No. STB-034

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Maser Consulting P.A. is under contract by the Borough of South Toms River to perform a *Determination of Area in Need of Redevelopment* study. This study includes an overview of the existing buildings located within the study area. The building inspections performed for this study are based on limited visual observations for the various buildings located within Block 5, Lots 1, 2 and 3, South Toms River, New Jersey. Access was not provided for the building located in Block 5, Lot 2. Also included in the study area are Block 5, Lots 4 and 6; however these lots contain no building structures.

The site visit included a walkthrough of the outside areas and access into some of the building interiors. Under prior arrangement with the property owners, our site visit was limited to only visual review. Photographs were taken of the buildings to identify salient features for the various components inspected and are included in the report. Only accessible portions of the buildings were reviewed.

The inspection performed conforms to generally recognized standards for building inspections consistent with the approved scope of services and time duration. The inspection was limited to only accessible areas and no material testing was done. Numeric calculations were not performed to determine structural capacity for neither structural supporting systems nor current building code load compliance. Detailed in-depth inspections would require removal of various coverings and possible destructive testing. Structural systems load carrying capacity analysis would require in-depth inspections, including member measurements and condition assessment, beyond the current approved scope of services. While reasonable care was exercised during the inspection, this report makes no warranty, expressed or implied that all defects were identified during the course of this inspection. The purpose of the inspections was to determine the current general overall condition of various buildings and the building components.





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From: Robert DiBartolo, P.E.  
Building Inspections  
Borough of South Toms River  
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August 25, 2014  
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Inspection Dates: August 7 & 11, 2014

Building Locations: Block 5, Lots 1, 2 & 3

Temperature: 83° F (8/7/14) & 86° F (8/11/14)

Weather Condition: Sunny with few clouds (8/7/14 & 8/11/14)

Engineer/Inspector: Robert DiBartolo, P.E., Structural Engineer, Maser Consulting P.A.

The following building and building components rating system has been employed for the walk-through inspection and is used in this report:

Good – The building structure and various components are free of visible deterioration and/or defects, building and components have been maintained and may require minor maintenance or repair work.

Fair – The building structure and various components exhibit visible deterioration or defects to some degree, building and components have not been fully maintained and require maintenance or repair work.

Poor – The building structure and various components exhibit visible deterioration and numerous defects, building and components have not been maintained and have been allowed to deteriorate without intervention, major repair work is required to bring the building and components to a state of reasonable repair.

### **Executive Summary:**

The study area consists of Block 5, Lots 1, 2, 3, 4 & 6 located in the Borough of South Toms River, New Jersey. Block 5, Lot 1 contains four (4) buildings; Block 5, Lot 2 contains one (1) building and Block 5, Lot 3 contains one (1) building. The remaining Block 5, Lots 4 (Borough's Lot) and Lot 6 do not contain buildings. In general, Block 5, Lots 1, 2 and 3 are bounded on the west side by State Route-166 (Atlantic City Blvd.) and Toms River on the north and east sides, and are adjacent to Crabbe Road on the south side, see Aerial Map- Block 5, Lots 1, 2 and 3. The property identified as Block 5, Lot 1 contains four (4) buildings, two (2) buildings are somewhat attached. All buildings were impacted by hurricane Sandy that occurred in 2012, as stated by the current property owner. ***A note of caution*** relates to two (2) buildings located within Block 5, Lot 1 the Water Boat Shed that was damaged from the hurricane and is missing the exterior wall sheeting on the west face, see Photographs-1, 2 and 3. Without this wall sheeting or additional structural strengthening, the lateral load resistance for this building is



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considerably reduced and is of concern. This building is susceptible to movement under high wind and heavy snow load conditions. The public should not be permitted access within the building or adjacent to this building until the structure has been properly strengthened. The other building of concern is the Main Office/Sales Building. This building has a mansard type exterior cornice. This cornice exhibits signs of movement and is currently being shored-up by timber columns; the cornice also shows missing roofing panel materials, see Photographs- 4, 5, 6, and 7. In discussion with the owner's building manager, the cornice will be removed. However until this occurs, the public should be restricted because of the possibility of flying debris from the cornice during periods of moderate to high winds. Interior access to the office building was provided on August 11, 2014. The remaining buildings located in Block 5, Lot 1 vary from fair to poor condition, as stated below. The vacant machine shop located in Block 5, Lot 3 is in overall poor condition with cracks in the masonry walls/covering, evidence of roof water leakage, rusted window frames and broken window glass panes throughout. At the time of inspection, this building was boarded-up with plywood and locked. Generally, the buildings in Block 5, Lots 1 and 3 exhibit minimal to no maintenance during past years. Typically broken glass window panes, leaking/missing roof materials, unsealed cracks in exterior walls, deteriorated garage doors, deteriorated timber piles/planks/ bulkheads are all signs of no, or minimal and deferred maintenance during the last five (5) years or longer. The building located on Block 5, Lot 2 was not inspected as access was not provided.

**Main Office/Sales Building (Block 5, Lot 1):**

Historic Names: Miller Yacht Sales Inc.  
Marine Trading International  
Med Yachts International  
Cedar Cove Marina Inc.  
Lighthouse Point Marina

Location: Adjacent to State Route-166 (Atlantic City Blvd.)

Current Use: Office and showroom area with main public entrance along State Route- 166

Address: 200 Atlantic City Blvd, South Toms River, NJ

Approximate Year Built: Circa ±1940s-1950s (assumed)

Approximate Current Age: ±74-64 Years



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Type Building: One/Two-story masonry building with timber framed construction, typical construction during this time period. Building exterior shows various modifications throughout the years.

Current Overall Condition- Exterior: The building is in fair to poor condition throughout. The top of the building at the roof level contains an add-on mansard type roof cornice. This cornice consists of wood frame and asphalt type roofing material coverings. The cornice is in poor condition with numerous missing pieces of the asphalt covering material and is missing timber support pieces. At the time of inspection temporary wooden columns were used to support the cornice, see Photographs- 5, 7 and 8. The roof cornice exhibits movement in various directions, see Photographs- 9 and 10. Above the front door entrance is a steel member, possibly a channel beam section, see Photograph- 6 and 11. The steel member is in fair condition with moderate to heavy rusting. The use of the steel member indicates possible use of masonry concrete units for construction. Additionally, localized section of masonry exhibiting settlement cracks in the rear of the building; see Photographs- 12 and 13. The exterior of the building walls exhibits numerous fine to wide cracks throughout, typically at joint locations. Paint peeling and paint failure are noticed throughout the building. The exterior sidewall closest to the water (north side), exhibits ground settlement. The settlement is estimated to be approximately 12 to 18-inches see Photographs- 12 and 14. The settlement could have been caused from heavy equipment or tanks that were stored there. Adjacent to the ground settlement is a wide crack located in the exterior wall by the window, see Photograph- 13. The wide crack under the window, see Photograph- 13 appears to have been caused by this settlement. The wide crack below the window indicates the use of masonry concrete units. The rear of the main office sales building (east side) exterior inspection revealed a missing downspout, wall cracks located between panels. The timber staircases are poor condition with rotted timbers throughout. The window this closest to the waterside contains broken glass, see Photograph- 15.

Current Overall Condition- Interior: Access to the interior section of this building was provided on August 11, 2014. The interior sections of the office that were inspected were in overall good to fair condition. There was evidence of water leakage at several locations within the office area.

### **Water Boat Shed (Block 5, Lot 1):**

Location: East side, north end adjacent to the river

Current Use: None at the current time, not in use, water access into this building allowed for the use of boat repairs/storage within the shed

Approximate Year Built: Circa ±1950s-1960s (assumed)



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Approximate Current Age: ±64-54 Years

Type Building: One-story timber framed construction with a timber framed roof structure with asphaltic type roofing panels.

Current Overall Condition- Exterior/Interior: The water boat shed is in poor condition. The boat shed is exposed, without wall sheeting (siding), on the west end rear wall, opposite the boat entrance side, see Photographs- 1 and 2. A timber frame was constructed to support the building, but the lack of wall sheeting will allow the structure to deflect during high winds. The boat shed is somewhat braced against the adjacent storage shed building, see Photograph- 3. In discussion with the owner, it was learned that the sheeting was removed as a result of the hurricane Sandy that occurred in 2012. The shed exhibits misalignment and various timber framing members. The roof is missing some roofing material and the shed exhibits some racking/leaning. Without the use of the wall sheeting and strengthening there exists the possibility of further lateral movements during high winds and snow loads. Public access to the water boat shed should be restricted, as stated above.

**Storage Shed (Block 5, Lot 1):**

Location: East side, south and adjacent to the water boat shed, also adjacent to the river

Current Use: Not in use at the time of inspection, used for storage

Approximate Year Built: Circa ±1950s-1960s

Approximate Current Age: ±64-54 Years

Type Building: Two-story masonry/corrugated material building with interior timber framed construction (assumed).

Current Overall Condition-Exterior: The storage shed building is in fair to poor condition. Portions of the building roof are collapsed and water infiltration was noted during the inspection. Roofing material was shown spilling out by the window located on the east (waterside) of the building; see Photographs- 16, 17, 18 and 19. There are medium to wide cracks in the wall exterior and broken window glass panes, see Photographs- 19 and 20. The interior of this the building was not inspected because of the amount of stored materials.

**Garage (Block 5, Lot 1):**

Location: Adjoins the main sale office building (south side)



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Current Use: Garage, storage, working area

Approximate Year Built: Circa ±1960s-1970s

Approximate Current Age: ±54-44 Years

Type Building: Two-story masonry building with interior steel framed construction using open-web steel joists, metal roof pans and steel beam/column framing, typical construction during this time period. The masonry walls are constructed of 12-inch concrete masonry units. Access to the garage is provided by three (3) large garage doors and a regular entrance door.

Current Overall Condition- Exterior: The garage exterior is in good to fair condition with fine to wide cracks in the masonry block mortar joints and evidence of water staining at various locations; see Photographs- 21, 22 and 23. The three (3) garage doors are in poor condition with deformed timber/steel framing and broken window pane glass throughout, see Photographs- 23, 24 and 25. Between the garage doors the concrete masonry units show wide horizontal bed mortar cracks at various locations.

Current Overall Condition- Interior: The garage interior is in good to fair condition, with evidence of water leakage, see Photograph- 26. The structural steel support system is in good condition, see Photograph- 27. Various lighting fixtures are hanging from the roof support structure and some exhibit broken and loose attachments, see Photograph- 28.

**Timber Piers, Pilings and Bulkheads (Block 5, Lot 1):**

Location: At the north end and east side of the property

Current Use: Boat storage

Approximate Year Built: Circa ±1940s-1950s (assumed)

Approximate Current Age: ±74-64 Years

Current Overall Condition: The timber piers and piles are in overall fair to poor condition throughout. Various timber members exhibit moderate to advanced decay and deterioration, some timber piles are broken and few are missing, see Photographs- 29, 30 and 31. A timber pier walkway along the eastside of the property has failed and collapsed, see Photograph- 32. Timber pile section loss is estimated to be between 50%-75% typically throughout. The timber planking is in poor condition and is weathered, provides for an uneven walking surface and movement is visible. The concrete walkway adjacent to the retaining wall and the bulkhead is in



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poor condition with uneven and broken surfaces. The timber bulkhead in this area adjacent to the retaining wall is in fair condition with deteriorated timbers.

**Vacant Machine Shop (Block 5, Lot 3):**

Location: The landside building entrance is located along Crabbe Road, see Photograph- 33.

Current Use: Not in use, boarded-up

Approximate Year Built: Circa ±1940s-1950s (assumed)

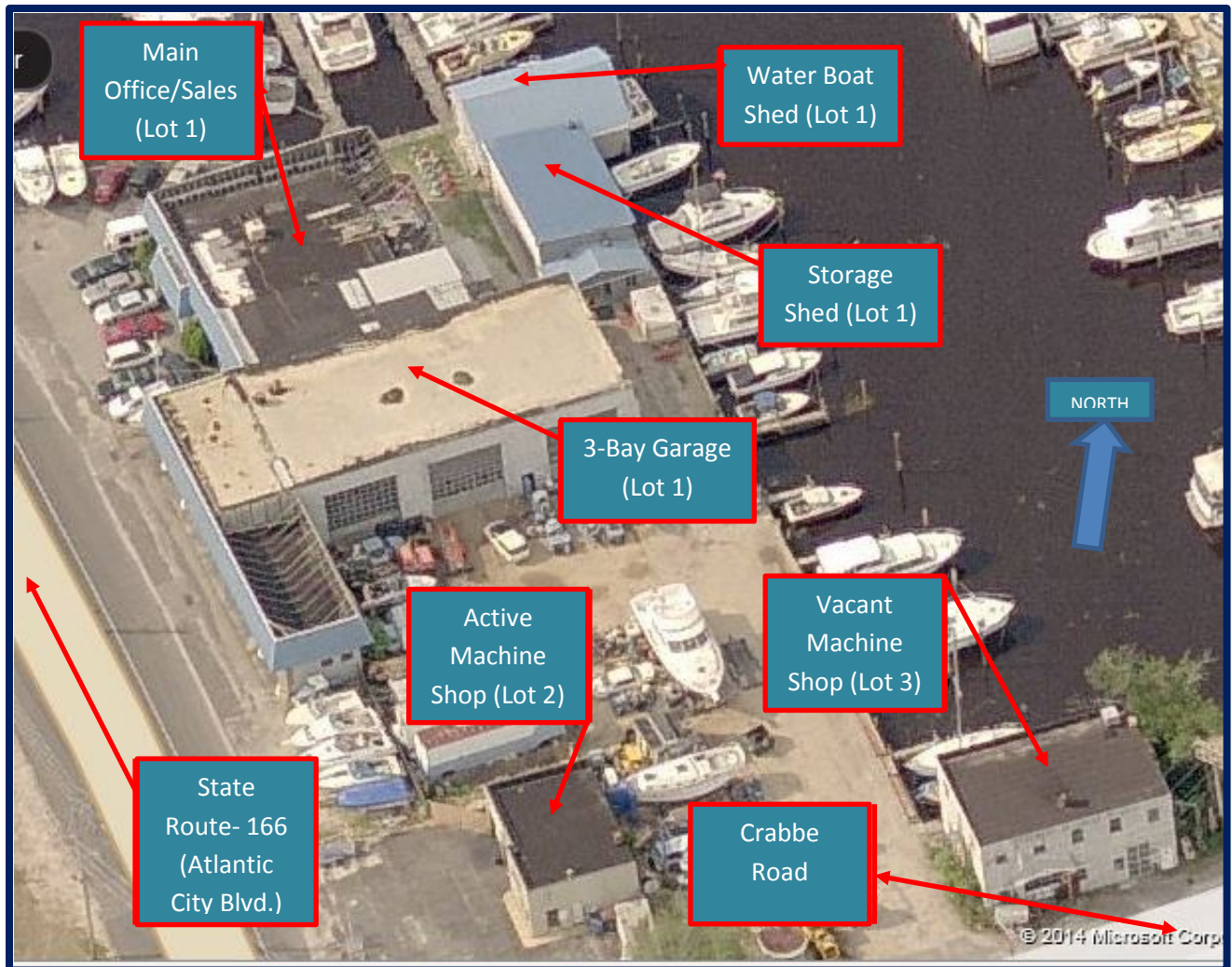
Approximate Current Age: ±74-64 Years

Current Overall Condition-Exterior: The vacant machine shop is in overall poor condition with cracks in the masonry walls/coverings and evidence of roof water leakage, see Photographs- 34, 35 and 36. Rusted window frames and broken window glass panes are typical and throughout the building, see Photograph- 33. At the time of inspection, this building was boarded-up with plywood and secured from public interior access.

**Machine Shop (Block 5, Lot 2):**

The Machine Shop building located in Block 5, Lot 2 was not inspected, as access was not provided at the time of inspection.





**Aerial Map- Block 5, Lots 1, 2 & 3**  
Borough of South Toms River, New Jersey  
(Aerial Photograph Taken 2011)



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

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**Visual Building Inspections for Borough of South Toms River, NJ**  
**Determination of Area in Need of Redevelopment**  
**Block 5, Lots, 1, 2, 3, 4, & 6**

**SITE PHOTOGRAPHS TAKEN ON AUGUST 7 & 11, 2014**



Photograph 1: The Water Boat Shed, note missing lateral wall sheeting/siding



Photograph 2: Water Boat Shed missing lateral wall sheeting/siding





Photograph 3: Water Boat Shed timber bracing against the adjacent Storage Shed Building



Photograph 4: Front view of Office building showing section of missing roof cornice



Photograph 5: Office building view looking south, showing cornice timber support columns



Photograph 6: Close-up view of Office building main entrance, missing decorative mansard cornice



Photograph 7: Corner of Office building, note timber support columns for cornice



Photograph 8: Front view of Office, showing timber support columns for roof cornice





Photograph 9: Front view of Office building, missing cornice roof materials



Photograph 10: Front view of Office building, missing timber underside eave and roofing materials





Photograph 11: Steel support beam above the main Office entrance door



Photograph 12: Office building north sidewall, ground settlement



Photograph 13: Wide crack in the Office building north sidewall, above ground settlement



Photograph 14: Office building north sidewall, by ground settlement



Photograph 15: Rear of Office building, west sidewall, broken window glass pane,  
note timber staircase to left



Photograph 16: Storage Shed waterside exterior view looking north





Photograph 17: Storage Shed waterside exterior view showing roof material that spilled out from the nearby window



Photograph 18: Storage Shed waterside window showing portions of roof material failure/collapse





Photograph 19: Storage Shed waterside exterior view looking north, broken window glass



Photograph 20: Storage Shed waterside exterior view looking east, note cracks



Photograph 21: Garage concrete masonry blocks exhibiting typical joint cracks



Photograph 22: Garage showing water staining from roof leakage



Photograph 23: Garage, timber/glass garage doors, note deformation



Photograph 24: Close-up view of garage door showing deformation





Photograph 25: Close-up view of garage door, broken glass panes



Photograph 26: Interior of Garage, note concrete masonry block wall water staining from roof leakage





Photograph 27: Interior of Garage, showing structural steel support system



Photograph 28: Close-up of interior of Garage, showing structural steel support system, some light fixtures are missing attachments and are hanging



Photograph 29: Timber pier/dock, timber pile showing loss of material



Photograph 30: Timber pier/dock, view showing cracked pile





Photograph 31: Timber pier/dock, timber pile showing loss of material and missing piles



Photograph 32: Timber pier/dock, timber pile showing failed section, east waterside location



Photograph 33: The Vacant Machine Shop, showing typical exterior wall cracks



Photograph 34: The Vacant Machine Shop, showing typical exterior wall cracks, rusted steel cantilever beams





Photograph 35: The Vacant Machine Shop, showing typical exterior wall cracks



Photograph 36: The Vacant Machine Shop, showing typical exterior wall cracks and broken window glass panes