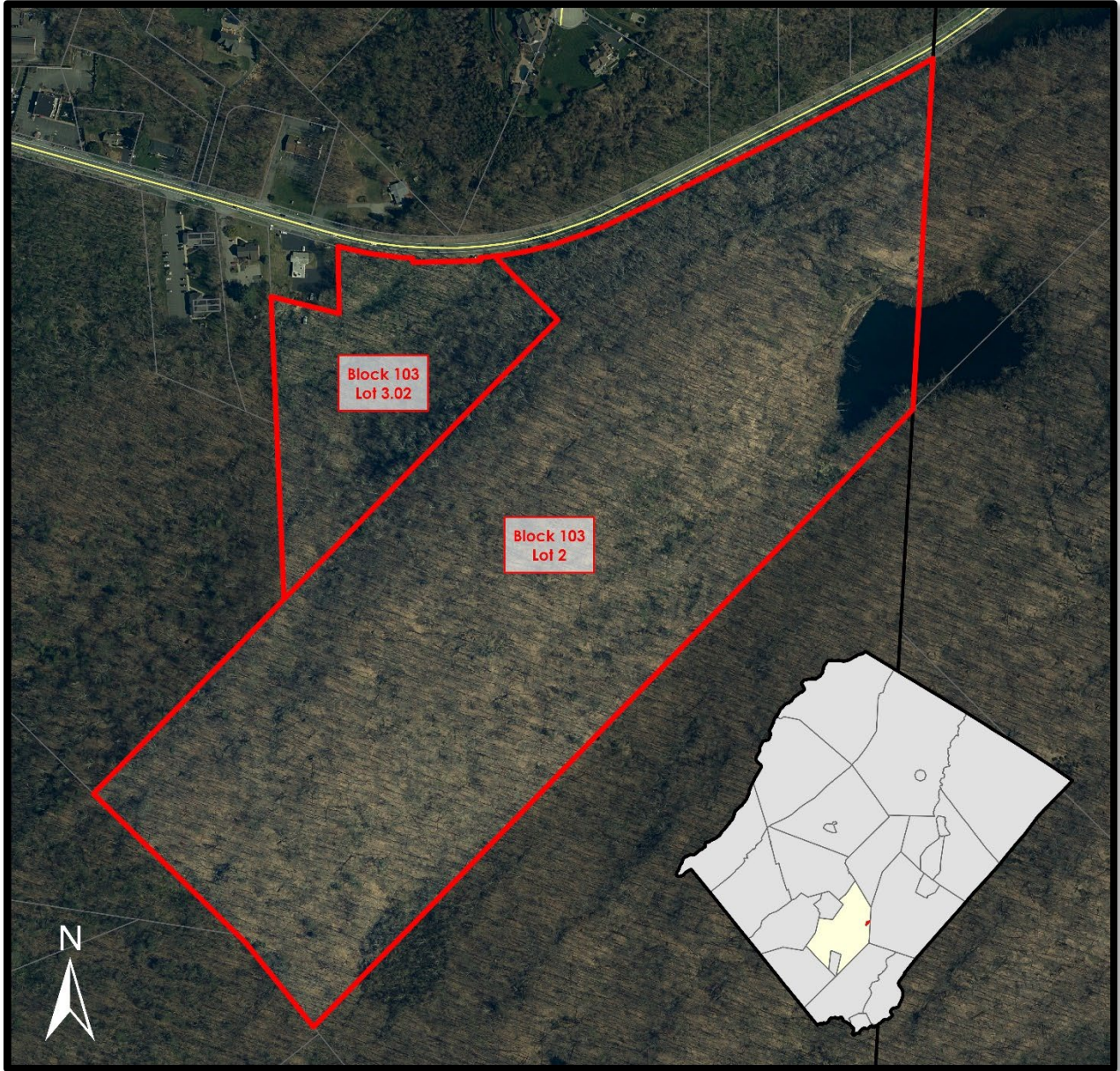


# Area in Need of Redevelopment Study

**Block 103, Lots 2 and 3.02**  
**Newton Sparta Road, Andover Township**  
**Sussex County, New Jersey**



**J Caldwell**  
**& Associates, LLC**  
Community Planning Consultants

**February 14, 2024**

## **ACKNOWLEDGMENTS**

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Eric Olsen, Class II, Environmental Commission Representative  
Eric Karr, Class III, Committee Member  
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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.



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# 1. Local Redevelopment and Housing Law (N.J.S.A. 40A:12A)

The Local Redevelopment and Housing Law ("LRHL") was designed by the New Jersey State Legislature to provide a process for addressing underutilized, untenable, vacant, and abandoned properties:

*"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."*

The Legislature has, by various enactments, empowered and assisted local governments in their effort to revitalize communities through programs of redevelopment, rehabilitation, and incentives to provide for the expansion and improvement of commercial, industrial, residential, and civic facilities.

## 1.1 Background

The Township Committee of Andover Township adopted Resolution #2023-106 requesting that the Land Use Board undertake a preliminary investigation study (the "Study") of the area identified as Block 103, Lots 2 and 3.02 on the official tax maps of Andover Township ("the Study Area") and make a determination as to whether the Study Area qualifies as a Non-Condemnation Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40:12A-6. On August 1, 2023, The Township Land Use Board voted in the affirmative to begin this Study pursuant to all requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. ("Redevelopment Law").

The purpose of this Study is to determine whether the Township Committee should designate all, or a portion, of the Study Area as a "Non-Condemnation" Area in Need of Redevelopment under Redevelopment Law. This means that if the Study Area is determined to be an Area in Need of Redevelopment under Redevelopment Law, it shall be given a redevelopment designation; however, due to the "Non-Condemnation" designation, the municipality will not have the statutory authority to exercise the power of eminent domain to acquire property in the designated area. The following Study will assess whether the Study Area meets the criteria to qualify and therefore, be designated, as an Area in Need of Redevelopment pursuant to the requirements set forth by the Redevelopment Law. The analysis presented in this Study is based upon an examination of existing conditions, site inspections, review of tax data, a history of the site pertaining to land use, zoning ordinances, master plan goals and objectives, and an evaluation of the statutory Area in Need of Redevelopment criteria.



## 1.2 Process

The following process must be followed in order to designate an “Area in Need of Redevelopment” (N.J.S.A. 40A:12A-6):

- A.** The Governing Body adopts a resolution authorizing the Planning Board to undertake a preliminary investigation of a proposed area to determine if the area is in need of redevelopment. The resolution must designate whether the area being considered is proposed as a “Condemnation Redevelopment Area” or a “Non-Condemnation Redevelopment Area.” The Condemnation Redevelopment Area permits the Governing Body to use the power of eminent domain in a designated redevelopment area. The Governing Body forwards a map of the proposed study area to the Planning Board.
- B.** The Planning Board “prepares” a map and appends a statement setting forth the basis for the investigation. This must be on file with the Municipal Clerk.
- C.** A study of the proposed area in need of redevelopment is prepared for review by the Planning Board's planner.
- D.** The Planning Board sets a date for a public hearing on the study and provides notice and opportunity for the public and those that would be affected by the determination to provide input on the study. The hearing notice must identify the general boundaries of the area and a map is on file with the municipal clerk. The hearing notice must also identify whether the area is being considered as a condemnation or non-condemnation area. The notice must be published for two weeks prior to the hearing in the newspaper of record. The notice must also be mailed to all property owners in the study area and anyone who has expressed interest in the designation.
- E.** After completing the hearing, the Planning Board makes a recommendation to the Governing Body whether the area, in whole or in part, should be designated as an area in need of redevelopment.
- F.** The Governing Body, after receiving a recommendation from the Planning Board, may adopt a resolution determining that the delineated area, in whole or in part, is designated as an area in need of redevelopment.
- G.** The Clerk must transmit a copy of the resolution to the Commissioner of the State Department of Community Affairs (NJDCA) for review and approval. NJDCA has 30 days to approve or disapprove of the area. If NJDCA does not respond in 30 days, the area is approved.

- H.** Notice of the determination must be provided to all property owners within the delineated area within 10 days of the determination. If the area was determined to be a condemnation area the following language must be in the notice:
  - i.** The determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the redevelopment area, and
  - ii.** Legal action to challenge the determination must be commenced within 45 days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.
- I.** Following the 45-day appeal period and approval or no comment from NJDCA, then the area is designated as a redevelopment area and the municipality may exercise all of the powers set forth in the Redevelopment Law.
- J.** In order to carry out a redevelopment of the site, a redevelopment plan must be adopted by the Governing Body. The plan may be prepared by the Governing Body and adopted pursuant to an ordinance with a referral to the Planning Board. Alternatively, the Governing Body may ask the Planning Board to prepare the plan, after which the Governing Body may adopt the plan pursuant to an ordinance.
- K.** The Redevelopment Plan, once adopted, acts as the zoning on the site.

### 1.3 Benefits of Redevelopment

The Redevelopment Law provides for planning and financial benefits for development within an area deemed to be in need of redevelopment to incentivize development as follows:

- A.** Adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use;
- B.** Clear an area, install, construct or reconstruct streets, facilities, utilities, and site improvements;
- C.** Negotiate and enter into contracts with private redevelopers or public agencies for the undertaking of any project or redevelopment work;
- D.** Issue bonds for the purpose of redevelopment;
- E.** Acquire property (only for condemnation areas in need of redevelopment);
- F.** Lease or convey property without having to go through the public bidding process; and
- G.** Grant long term tax exemptions and abatements (PILOTS).

## 1.4 Criterion for an Area in Need of Redevelopment

Before an area can be deemed an area in need of redevelopment, each parcel must be reviewed against the statutory criteria to determine if at least one criterion is met pursuant to N.J.S.A 40A:12A-5 listed below:

- A.** The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- B.** The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- C.** Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to be developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- D.** Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors are detrimental to the safety, health, morals or welfare of the community.
- E.** A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals or welfare of the surrounding area or the community in general.
- F.** Areas, in excess of five (5) 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 another 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, c303 (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, c441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment power within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in the 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 principals adopted pursuant to law or regulation.

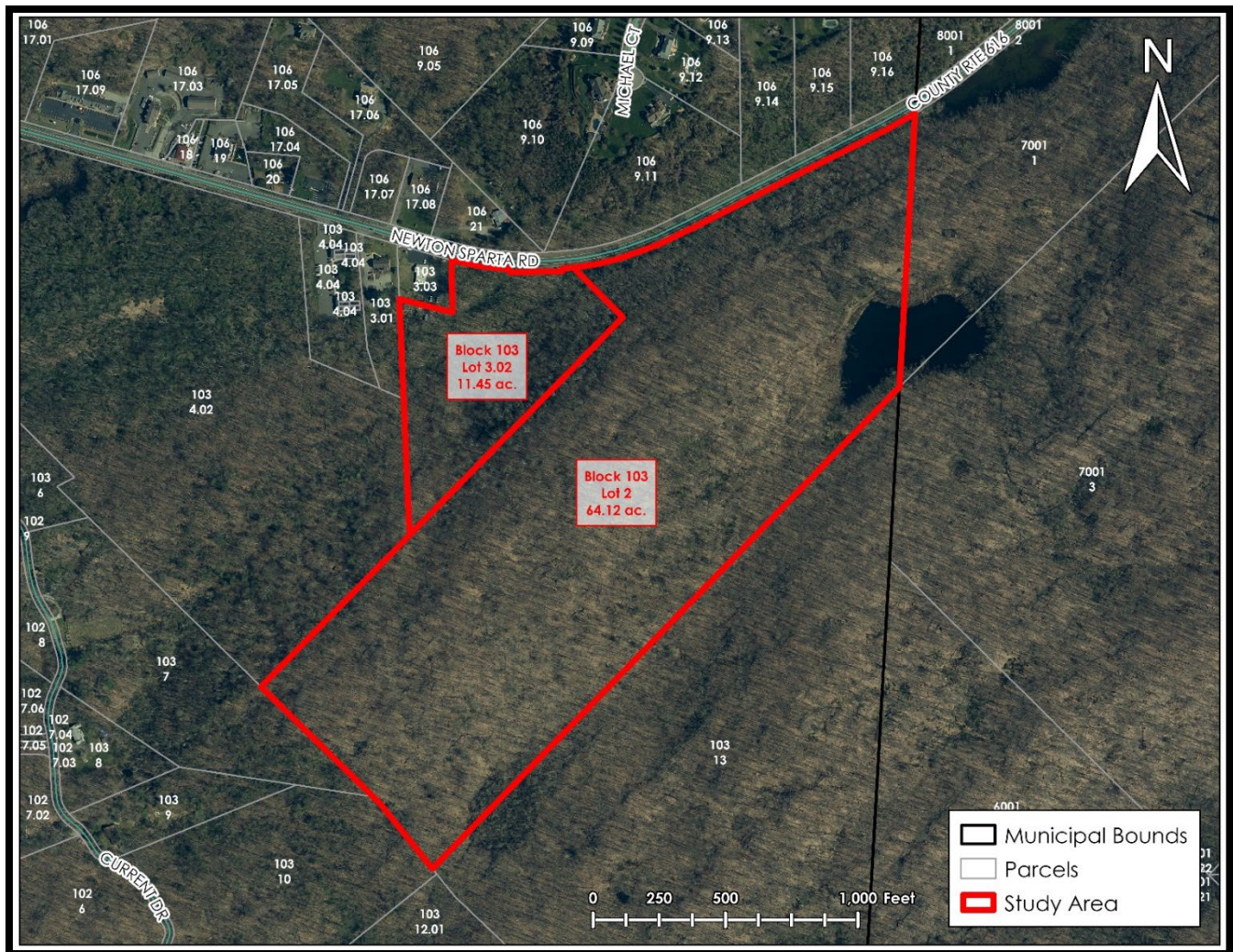
In addition to the above criteria, Section 3 of the Redevelopment Law allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating "a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or 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."

## 2. Review of the Study Area

### 2.1 Description of Site

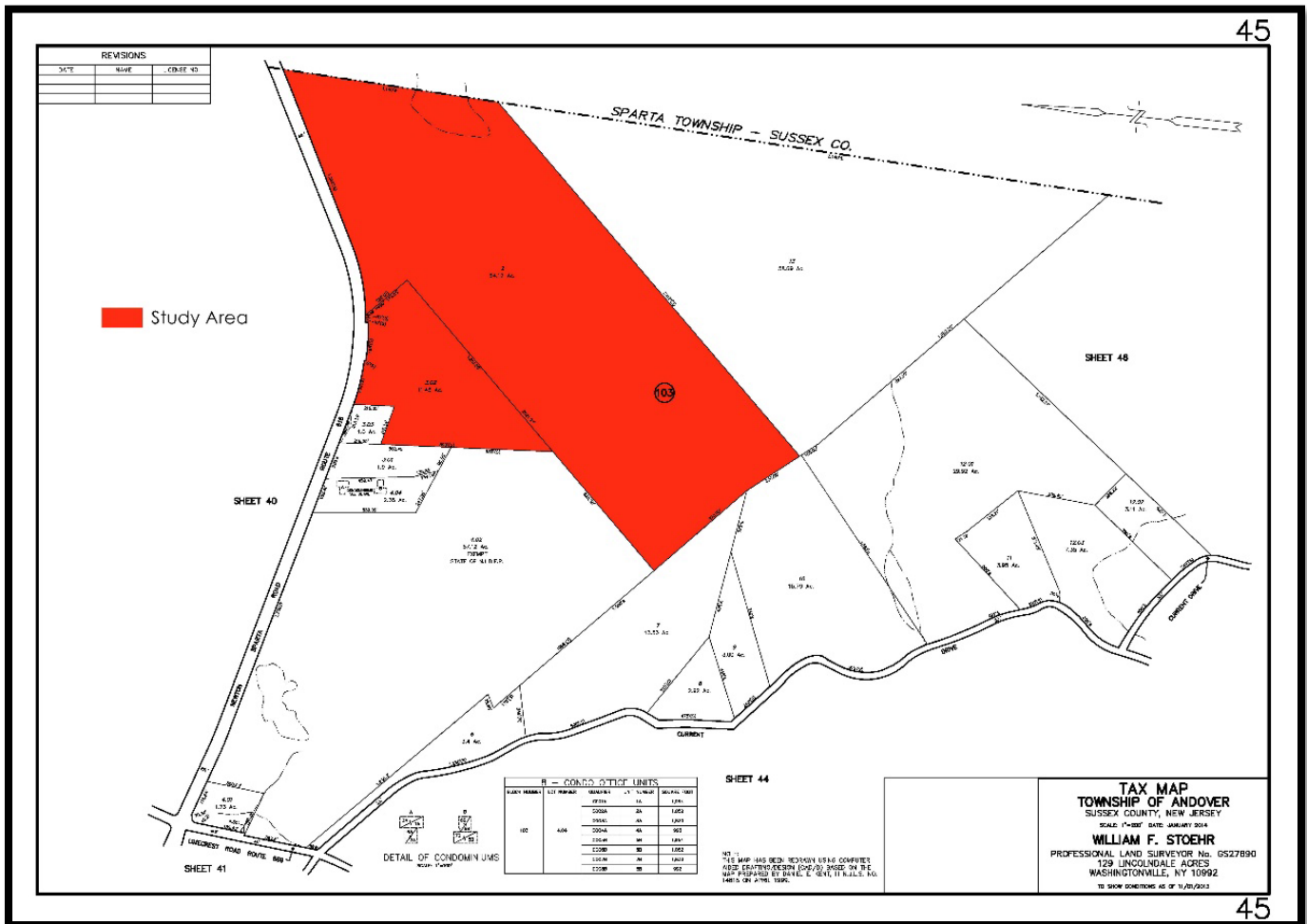
The Study Area is comprised of two (2) parcel(s), Block 103, Lots 2 and 3.02, which occupy 75.57 acres with approximately 1,837 feet of combined frontage along Newton Sparta Road (Sussex County Route 616) in Andover Township on the eastern border with Sparta Township. Lot 2 is comprised of 64.12 acres and Lot 3.02 is 11.45 acres, for a total of 75.57 acres. Both lots are irregular in shape (**Figure 1**) with the remains of structures present on Lot 2. Lot 2 is bordered by Sparta Township to the east, various undeveloped parcels to the south, and Lots 3.02 and 4.02 to the east. Lot 3.02 is bordered by small commercial lots and a large undeveloped lot to the west. Both lots have frontage along Newton Sparta Road to the north.

Figure 1. Aerial Map



The Study Area is the location of a former Girl Scout Camp and is developed with deteriorating structures which were associated with Camp Clipawaga during its time of operation. These camp-related structures were constructed in the late 1960s and early 1970s. Remaining on the site and in varying states of disrepair, are accessory camp structures and associated infrastructure. On the lake that is partially within the Study Area, were remnants of a dock visible on aerial photos until the early 2000s. Several camp buildings (the dining hall and cabins) are also located on Block 7001, Lot 1 in Sparta Township.

Figure 2. Andover Township Tax Map Sheet 45 with Study Area Highlighted.





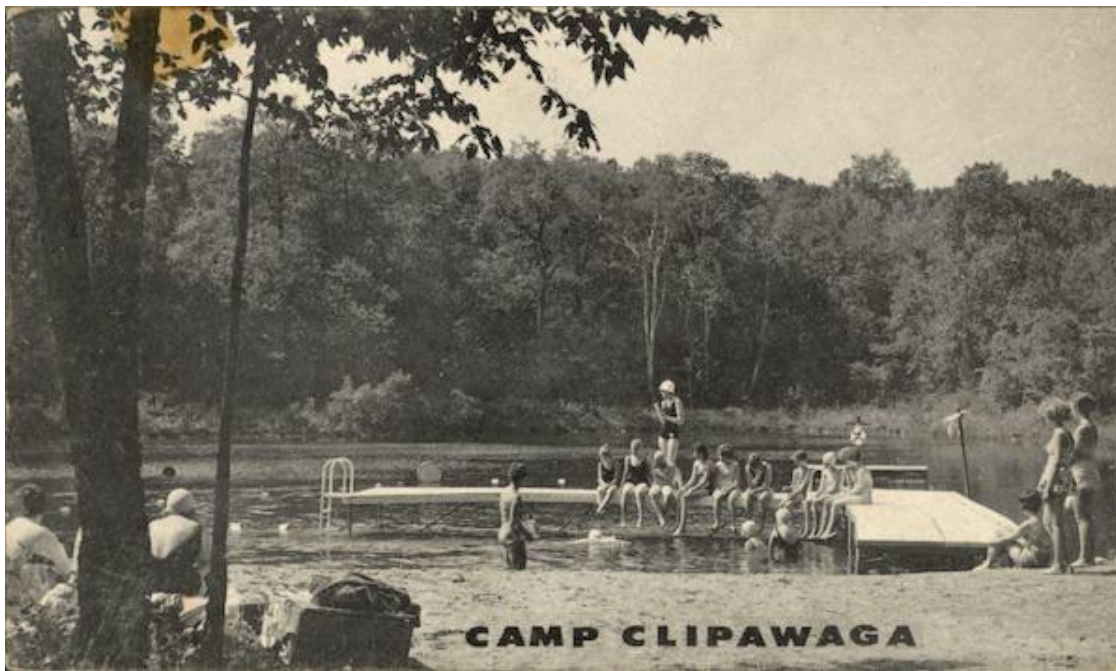


Figure 3: Postcard photo of Former Dock Structure from July 1970. Source: Cardcow.com

## 2.2 Improvement to Land Value Ratio

In order to determine the economic productivity of property within the Study Area, tax assessment data was analyzed to determine the ratio of the improvement value to land value. This ratio can help identify if a property is underutilized based on tax values of the land versus improvements on the land. The table below contains the information taken from the Township's tax records which include land values, property improvement cost, and the values of the properties. The improvement value to land value ratio is an indication of potential underutilization of the property. An improvement value to land value ratio of 2:1 or less suggests that the "land is not currently supporting a reasonable value of improvements," and, as such, is underutilized.<sup>1</sup> An improvement value of less than 2:1 can also identify parcels that are underbuilt for the area. Properties with improvement values that are equal to or less than the land value show a lack of economic productivity. In this case, the improvement value is \$0.00 for the structures on site and the land value is \$7,000.00. The ratio of improvement value to land value is 0:1 for each parcel, showing that the Study Area is displaying a lack of economic productivity. It should be noted that there are two (2) billboard structures on Lot 3.02, but these do not contribute to the improvement value to land value ratio.

Table 1. Improvement Value to Land Value Ratio

Study Area*	Qual	Land value	Improvement Value	Total Value	Improvement to Land Ratio
Block 103, Lot 2	QFARM	\$7,000.00	\$0.00	\$7,000.00	0:1
Block 103, Lot 3.02	QFARM	\$1,200.00	\$0.00	\$1,200.00	0:1

\* There are two (2) billboard structures on the site, each of which utilize advertising space on both sides. Each one of these advertisements is appraised separately from the rest of the lot and each were most recently appraised at \$3,700.00.

<sup>1</sup> Slatechka, Stan; Roberts, David G., The Redevelopment Handbook, NJDCA/NJAPA, 2011 2nd Edition.

## 2.3 History of Land Uses

### 2.3.1 Site Development History

The Study Area was once utilized as part of the Camp Clipawaga Girl Scout Camp, which was established in 1968 and operated until the late 1970s. **Figure 4** illustrates the structures that once existed, or currently exist in a dilapidated state, within the Study Area. Currently, there are two billboard structures on Lot 3.02, which utilize both the east- and west-facing sides to advertise commercial uses (**Appendix A-1**). 2023 tax records confirm four (4) different advertisements on these billboards. Illustrated in **Figures 5** through **7**, there are remnants of Camp Clipawaga remaining on the site shown in a state of disrepair (**Appendix A-3**). The deed for the property indicates that the Passaic Area Girl Scout Council, Inc., and the Clifton Girl Scout Council, Inc., jointly conveyed the land to a private entity in April of 1985, followed by additional conveyances of the land occurring in 1997 and most recently in 2023. Despite the change of ownership, no additional structures or uses have been added to the property since Camp Clipawaga. The primary means of ingress and egress is an unpaved access drive, illustrated on **Figure 4**, below, and in **Appendix A-5**. Access from Andover Township is lacking on Newton Sparta Road.

**Figure 4.** Approximate Location of Existing and Former Structures Within Study Area

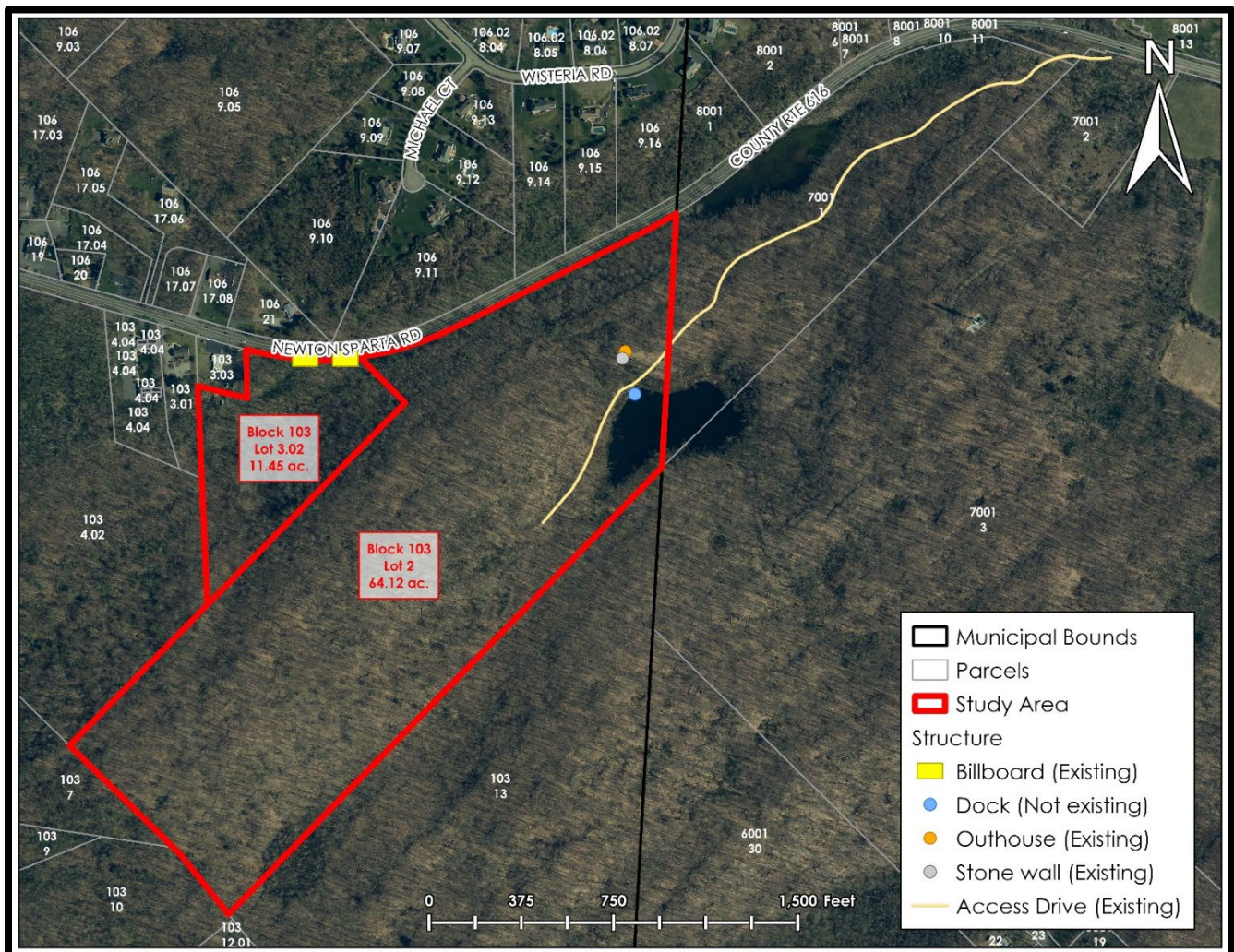
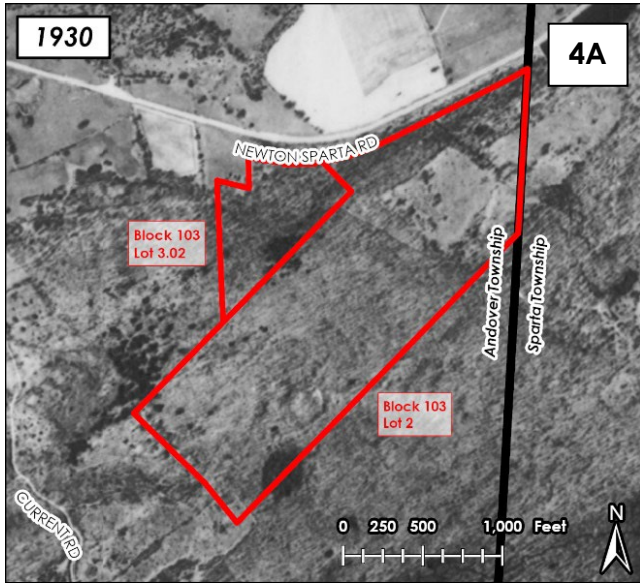
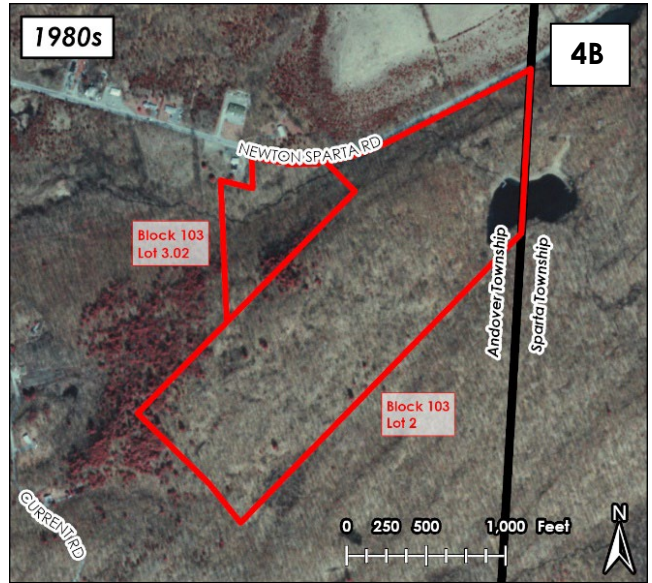




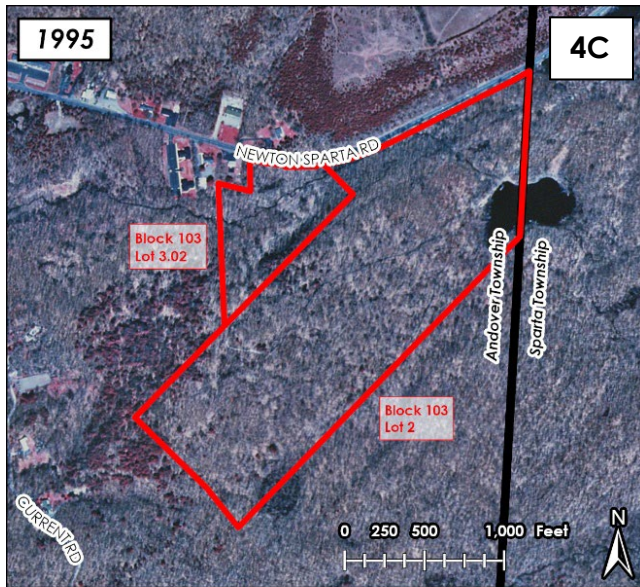
Figure 5. 1930 through 2002



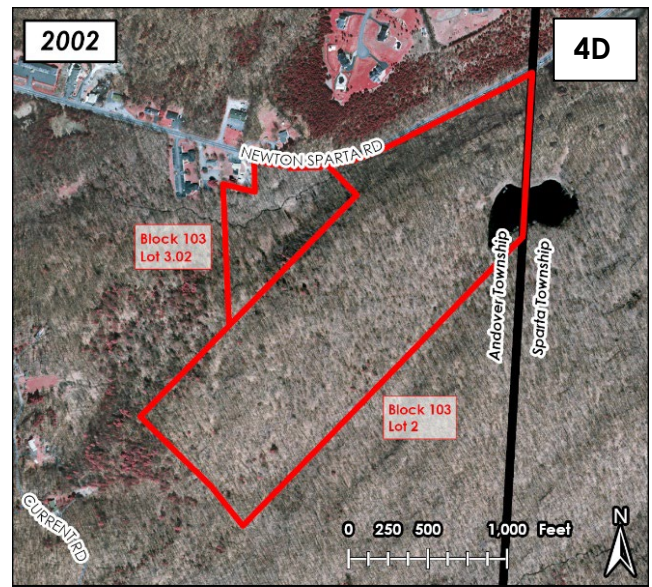
Source: NJDEP, Bureau of GIS, "NJ 1930 Black & White Imagery"  
 This map was developed using NJDEP Bureau of GIS digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.



Source: USDA-Farm Production and Conservation Business Center; NJOIT, OGIS, "NJ 1980s Infrared Imagery"  
 This map was developed using NJDEP Bureau of GIS digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.



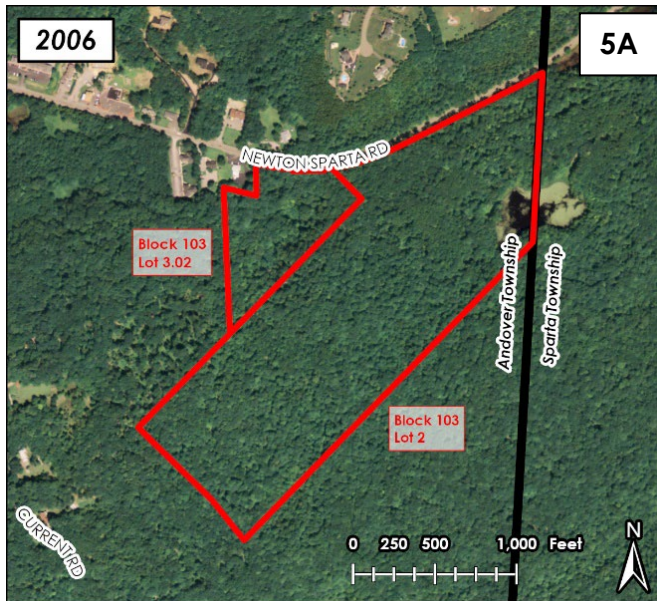
Source: NJOIT, U.S. Geological Survey; NJDEP, "NJ 1995 Infrared Imagery"



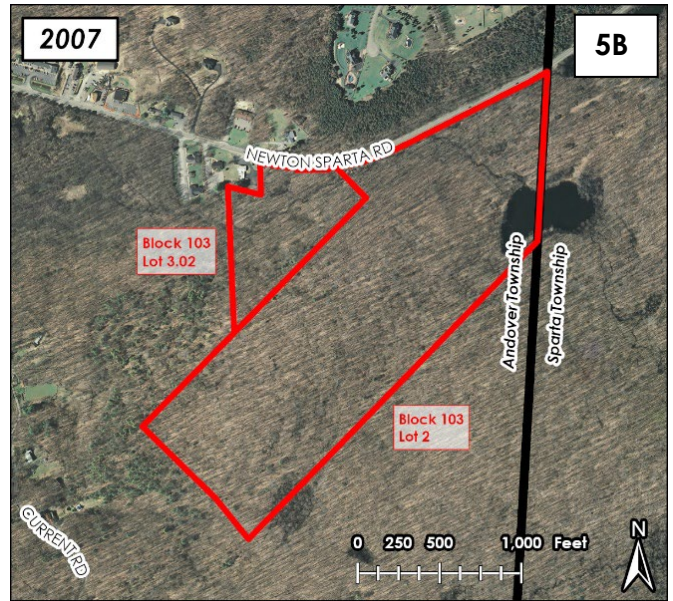
Source: NJOIT, OGIS, "NJ 2002 Infrared Imagery"



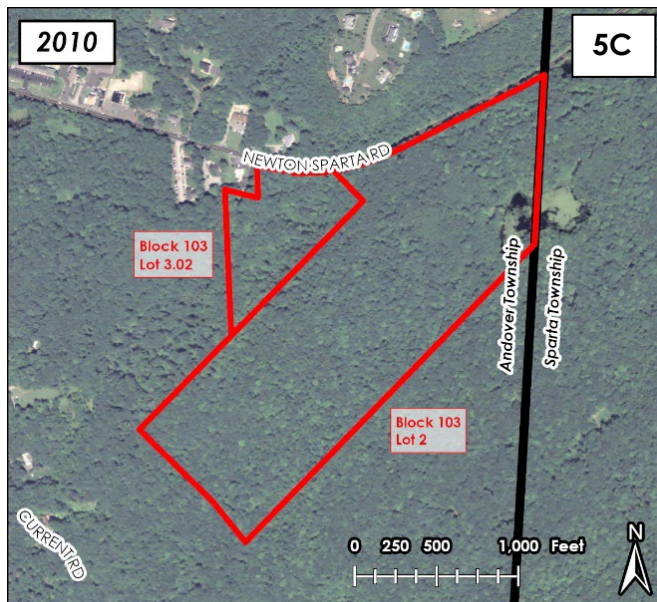
Figure 6.. 2006 through 2012.



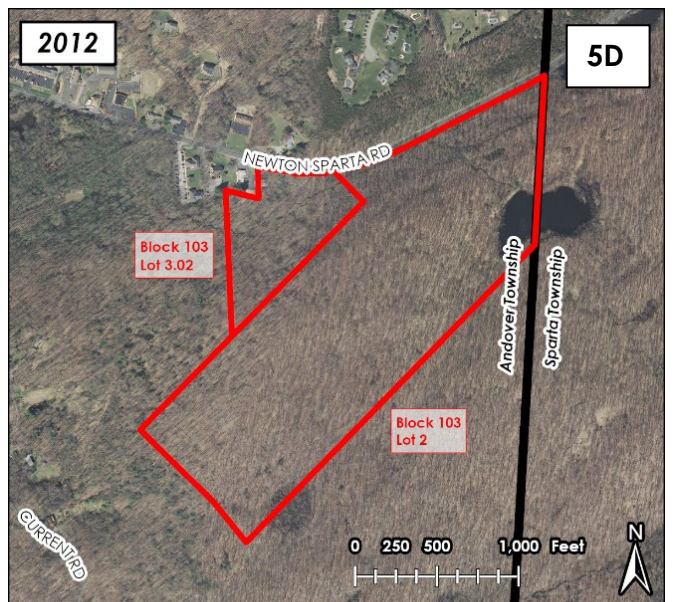
Source: NJOIT, OGIS, "NJ 2006 Natural Color Imagery"



Source: NJOIT, OGIS, "NJ 2007 Natural Color Imagery"



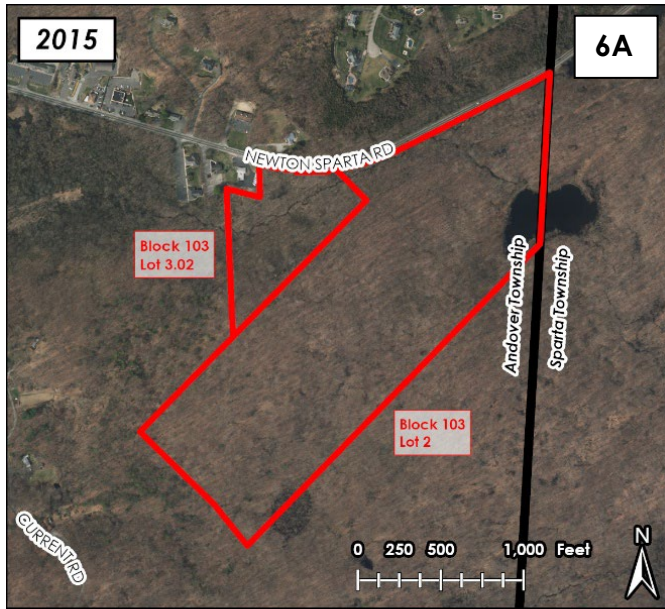
Source: NJOIT, OGIS, "NJ 2010 Natural Color Imagery"



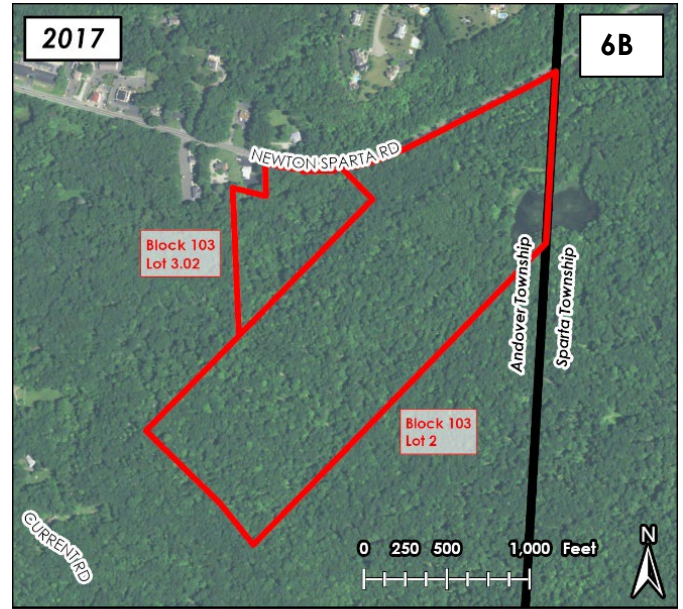
Source: NJOIT, OGIS, "NJ 2012 Natural Color Imagery"



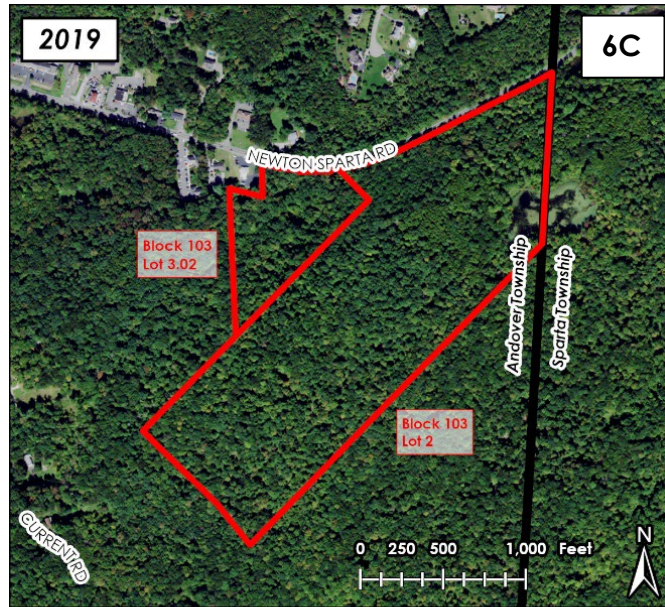
Figure 7. 2015 through 2020.



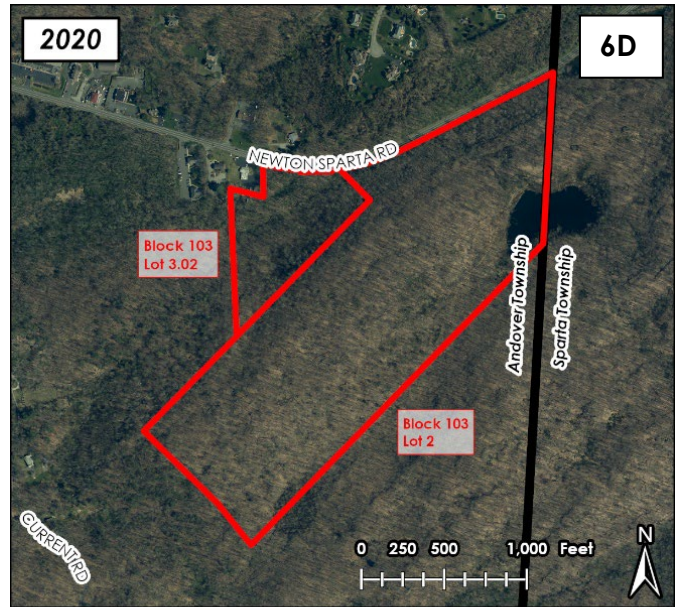
Source: NJOIT, OGIS, "NJ 2015 Natural Color Imagery"



Source: NJOIT, OGIS; U.S. Department of Agriculture (USDA), Farm Service Agency (FSA), "NJ 2017 Natural Color Imagery"



Source: NJOIT, OGIS; USDA-FPAC-BC Aerial Photography Field Office, "NJ 2019 Natural Color Imagery"



Source: NJOIT, OGIS, "NJ 2020 Natural Color Imagery"

### 2.3.2 Environmental History

The Study Area is comprised of hilly terrain, with the lowest elevation identified as around 720 feet above sea level and the maximum elevation reaching 800 feet (**Figure 8**). The highest point on the property is in the middle of Lot 2 and the land slopes lower as it nears Newton Sparta Road. There are points of particularly steep slopes, but, generally, the slopes are gentle rolling hills traversing the Study Area.

**Figure 9** identifies the location of the Category 1 (C-1) waterway, Kymer Brook, that runs through the Study Area along Newton Sparta Road. This stream connects to Straders Pond, which is just beyond the Study Area bounds to the northeast, and cuts through the approximate center of Lot 3.02. Also shown on **Figure 9** are C-1 waterway development buffers. Pursuant to N.J.A.C. 7:13 Flood Hazard Area Control Act Rules, there are 300-foot development buffers, known as riparian zones, located along C-1 waterways. Disturbance of these areas is generally limited to linear crossings; however, those are also often restricted. Given this limitation, access to the site from Andover Township is restricted.



Figure 8. Topography.

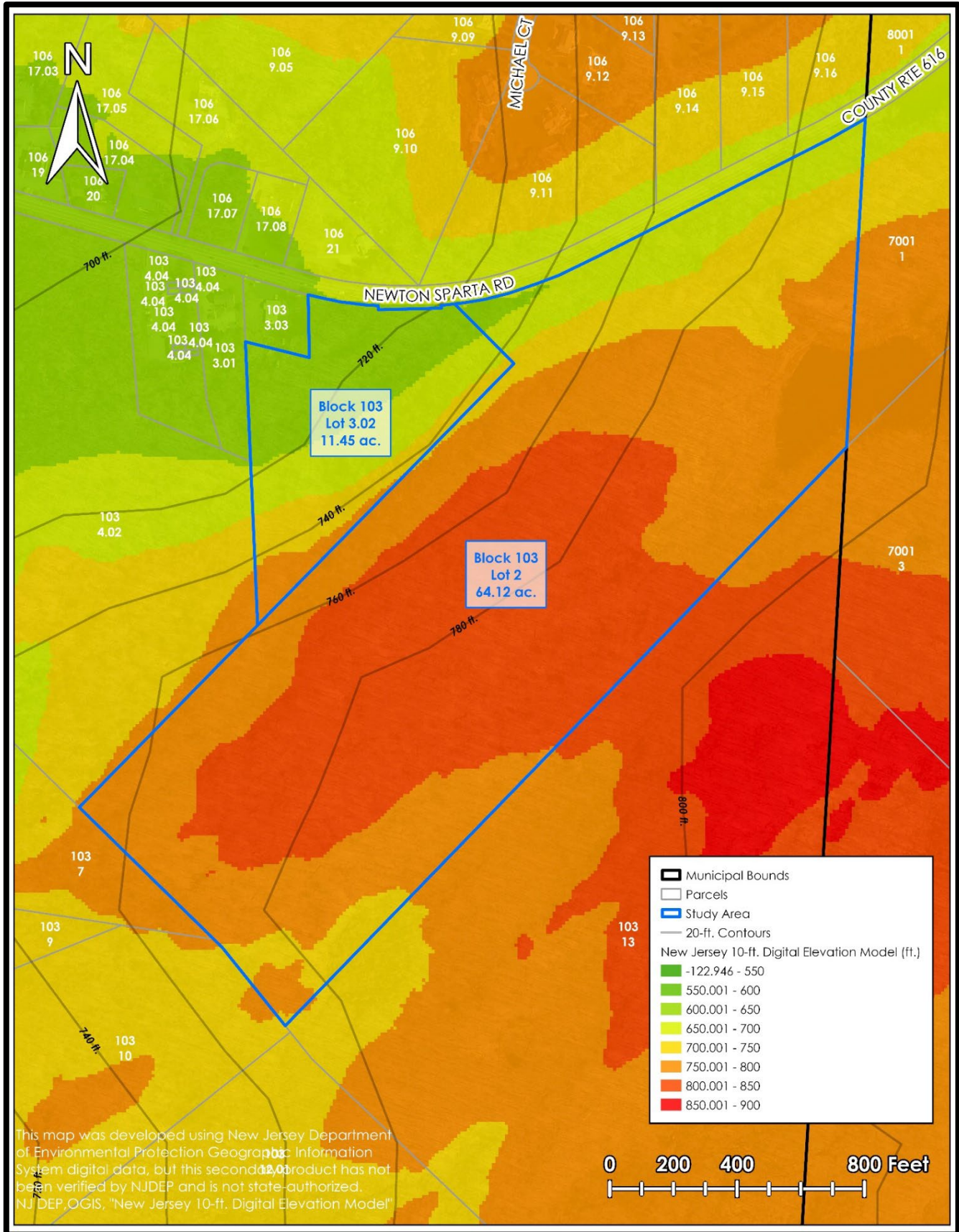
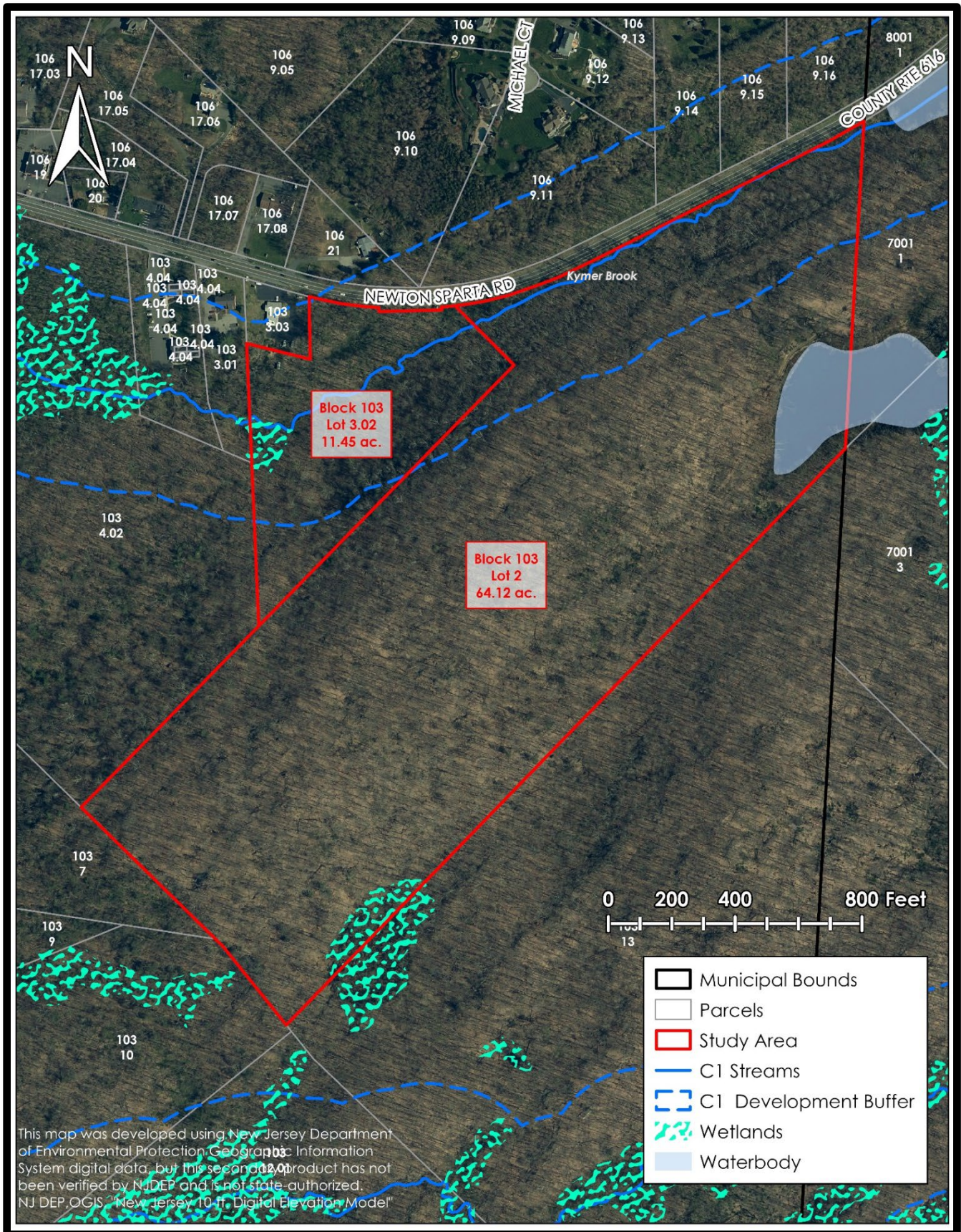




Figure 9. Environmental constraints.





## 2.4 Relationship to Surrounding Neighborhood

The Study Area is in the eastern section of Andover Township along Newton Sparta Road. Adjacent to the Study Area, to the east, is Sparta Township. These properties are similar in topography and land cover, in that they were also used as part of Camp Clipawaga's operations and contain remnants of that use.

Across Newton Sparta Road, to the north, are forested lands as well as low-density residential uses along Wisteria Road and Michael Court. West of the Study Area, there are some scattered commercial and service uses including a florist, an accounting service, salon, and a yoga and Pilates studio.

### 2.4.1 Existing Land Use

The two (2) tax lots which comprise the Study Area are comprised of the following New Jersey Department of Environmental Protection (NJDEP) Land Use Land Cover designations, including: forested land (95.7% of the total land area), lakes (2.2%), and commercial/services (0.3%). The commercial/service designation is identified on Lot 3.02 and appears to be a portion of the parking area for the adjacent Block 103, Lot 3.03, which is not a part of the Study Area.

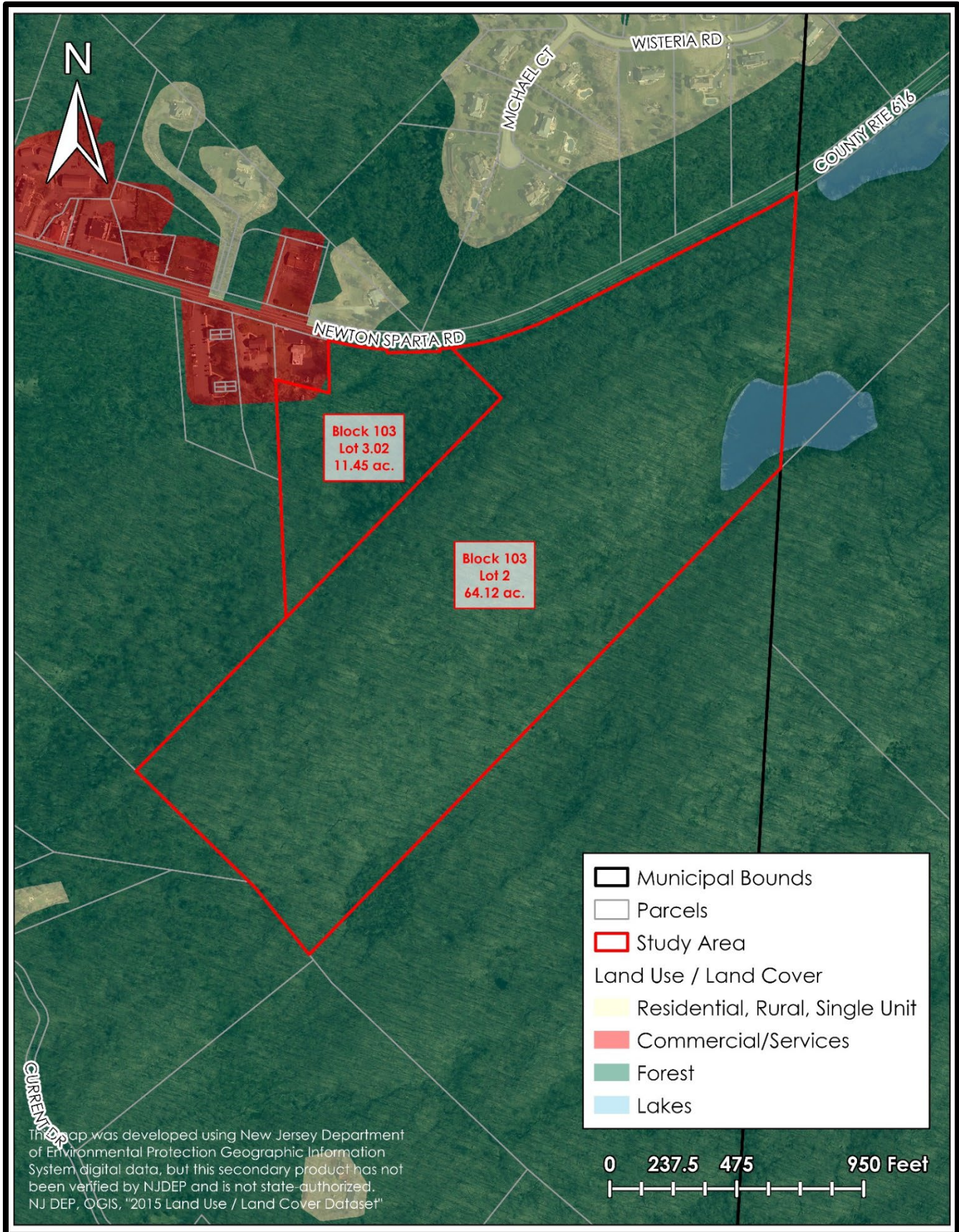
**Table 2.** NJDEP Land Use / Land Cover.

Land Use	Acreage	%
Forest	72.24	95.7%
Lakes	1.60	2.2%
Commercial/Services	0.22	0.3%

The Study Area is developed with the remnants of the Girl Scout Camp structures and infrastructure. Remnants of a dock on the lake within the Study Area was used in conjunction with Camp Clipawaga.



Figure 10. 2015 Land Use / Land Cover



### 2.4.2 Zoning Analysis

The Andover Township Zoning Ordinance incorporates the purposes of the Municipal Land Use Law at N.J.S.A. 40:55D-2.

The Study Area is split-zoned (**Figure 10**); both parcels within the area are zoned CB Community Business in the area along Newton Sparta Road, and R-2 Single Family Residential in the remaining lands (**Table 3**).

*Table 3. Zoning of Study Area.*

<b>Parcel</b>	<b>Zone</b>	<b>Acreage</b>
Block 103, Lot 2	CB Community Business	5.76 ac.
Block 103, Lot 2	R-2 Single Family Residential	58.36 ac.
Block 103, Lot 3.02	CB Community Business	5.62 ac.
Block 103, Lot 3.02	R-2 Single Family Residential	5.83 ac.

According to the Andover Township Zoning Ordinance (§ 190), the following are permitted uses within the CB and R-2 Zones:

#### **Principal Permitted Uses:**

##### A. Community Business Zone:

- (1) Agriculture, farm, and horticulture (§ 190-42);
- (2) Banks and fiduciary institutions;
- (3) Business offices;
- (4) Medical offices;
- (5) Child-care centers;
- (6) Public and private schools (§ 190-47);
- (7) Greenhouses and nurseries;
- (8) Golf courses (§ 190-43);
- (9) Places of worship and religious institutions (§ 190-48);
- (10) Professional offices;
- (11) Restaurants and banquet facilities, excluding drive-through facilities;
- (12) Retail sales;
- (13) Service activities; and
- (14) Single-family detached housing in accordance with the R-1 requirements.

##### B. R-2 Single Family Residential:

- (1) Agriculture, farm, and horticulture (§ 190-42);
- (2) Community shelters for victims of domestic violence;
- (3) Family day-care centers;
- (4) Golf courses (§ 190-43);
- (5) Lot averaged development option (§ 190-35);
- (6) Public parks, playgrounds, conservation areas and municipal facilities; and
- (7) Single-family detached dwellings.



**Accessory Uses Permitted:**

- A. Community Business Zone:
  - (1) Drive-up windows for bank or financial institutions;
  - (2) Fences (Art. XII) and walls;
  - (3) Off-street parking;
  - (4) Private garages;
  - (5) Signs (Art. XI); and
  - (6) Uses customarily incidental to principal use.
- B. R-2 Single Family Residential:
  - (1) Fences;
  - (2) Home occupations (§ 190-45);
  - (3) Private garages and carports;
  - (4) Private housing of equine animals (§ 190-36);
  - (5) Private residential swimming pools;
  - (6) Professional home offices;
  - (7) Roadside stands;
  - (8) Signs (Art. XI); and
  - (9) Uses customarily incidental to principal use.

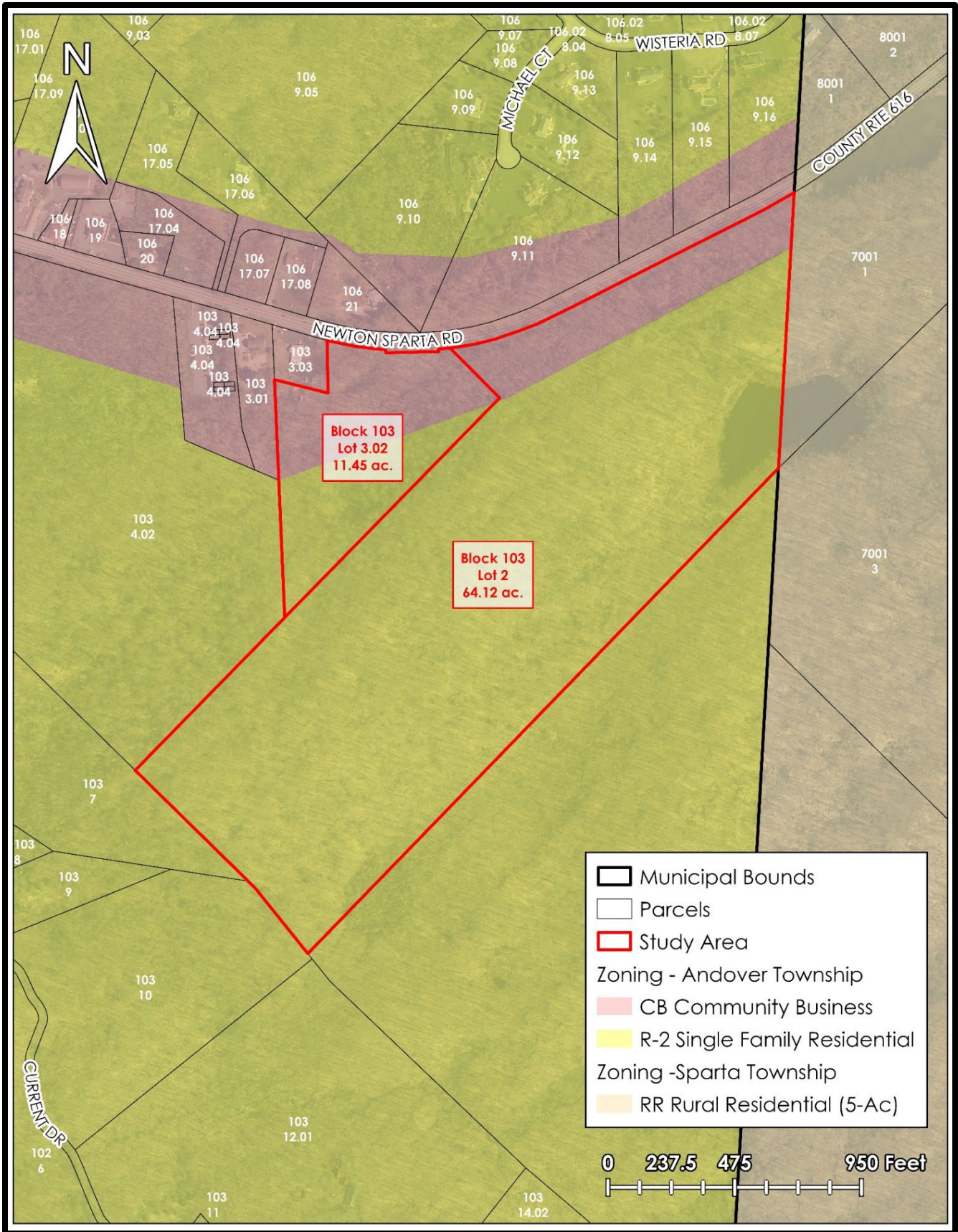
**Conditional Uses Permitted:**

- A. Community Business Zone:
  - (1) Automobile repair services (§ 190-55);
  - (2) Essential services (§ 190-46); and
  - (3) Gasoline service stations (§ 190-52).
- B. R-2 Single Family Residential:
  - (1) Animal hospitals and kennels (§ 190-49);
  - (2) Country clubs, swim clubs and outdoor recreational facilities (§ 190-50);
  - (3) Essential services (§ 190-53);
  - (4) Places of worship and religious institutions (§ 190-48);
  - (5) Riding academies and stables (§ 190-53); and
  - (6) Public and private schools (§ 190-47).

**Table 4.** Area and Bulk Standards for the CB and R-2 Zones.

Zone	Area (sq. ft.)	Width (ft.)	Principal Building			Accessory Building		Gross Density (units per acre)	Max. Structure Lot Cov.	Max. Imp. Surf. Cov.	Min. Floor Area (ft.)	Max. Height	
			Front (ft.)	Rear (ft.)	Each side (ft.)	Rear (ft.)	Side (ft.)					Stories	Feet
CB	20,000	100	40 – 100	50	20	20	20	N/A	20%	60%	N/A	2 ½	35
R-2 (Conv.)	87,000	200	50 – 70	40	30	20	20	N/A	15%	N/A	1,500	2 ½	35
R-2 (Avgd.)	43,560	200	50 – 70	30	25	20	15	2	20%	N/A	1,500	2 ½	35

Figure 11. Zoning Map.



### **2.4.3 Relationship to Master Plan**

The Township's most recent Master Plan was reexamined in April of 2023, with the most recent comprehensive update prepared in 1989 and amended in 1998, 2000, 2005, and 2010. Additional elements have also been adopted over the years, including the Housing Element and Fair Share Plan (2016), Natural Resource Inventory (2007), Stormwater Management Plan (2005), and a Wastewater Management Plan (1997). The 2023 Master Plan Reexamination Report validated the goals and objectives of the Township Master Plan. Master Plan goals and objectives which are particularly relevant to this Study include:

- A. Nonresidential Development
  - 1. In recognition of the fact that centralized infrastructure is not available to most of the nonresidential zone districts, the development of small scale industrial and commercial developments should be encouraged. This development could take the form of small planned Industrial parks and small neighborhood commercial centers.
- B. General Goals (Purposes of Municipal Land Use Law)
  - 1. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
  - 2. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
  - 3. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and
  - 4. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land.
- C. Goals and Objectives from 2002 Master Plan:
  - 1. Promote new businesses and industries in appropriate areas of the Township.
  - 2. Encourage a dialogue with adjacent municipalities regarding zoning and development issues.

The general lack of new development and investment within the Study Area points to the need for utilization of the opportunities afforded by and pursuant to the Redevelopment Law. Designation as an Area in Need of Redevelopment provides for several benefits and incentives to promote development and redevelopment in a coordinated and planned manner to implement the Andover Township Master Plan. Implementation of the Master Plan contributes to the general welfare of both the Township and the greater Sussex County region.



## 2.6 Redevelopment Criteria Analysis

An analysis of the Study Area's existing land use, site layout, and physical characteristics was conducted in addition to using tax records, history of the Study Area, a physical inspection of the Study Area, a review of aerial photographs and maps, and other government records and reports. The following summarizes those findings that the Study Area meets the following criteria from N.J.S.A. 40A:12A-5 to be deemed as an Area in Need of Redevelopment:

***Criterion "a": Substandard Buildings/Deterioration (N.J.S.A. 40A:12A-5.a)*** *The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*

Upon inspection of the Study Area on September 5, 2023, the property displayed instances of substandard, unsafe, unsanitary and dilapidated conditions. The Study Area was once used in conjunction with Camp Clipawaga and remnants of that use have been left to deteriorate. **(Appendix A.3 and A.4)**

The structures, use, and grounds also meet the conditions of obsolescence, including spaces which are so lacking in light, air, or space, as to be conducive to unwholesome living or working environments. These conditions can be divided into the following categories:

- Deterioration from a lack of maintenance; and
- Obsolescence of the site and facilities including physical, functional and economic.

"Unwholesome" is defined by Merriam-Webster's Dictionary as something that is detrimental to physical, mental, or moral-well-being; a generally unhealthy condition. The generality of the building in the Study Area present substandard, unsafe, unsanitary, and obsolescent characteristics, which prevent the site from being utilized as a wholesome living or working condition.

In order to determine if the Study Area displays evidence of obsolescence, this Study reviews the three types of commercial real estate obsolescence according to industry standards generally accepted by real estate professionals: **functional obsolescence, economic obsolescence, and physical obsolescence**<sup>2</sup>.

**Functional obsolescence** occurs when the form (either design or layout of the building and site) or function (the ability to use the building or site) no longer meets the needs or expectations of modern tenants. Examples of functional obsolescence include: out of date plumbing, heating and electrical fixtures; inadequate insulation; unsuitable architectural style; construction materials that require excessive maintenance; and undesirable location. As the structures were used in conjunction with a Girl Scout camp, the campground use is functionally obsolescent because it has deteriorated beyond the ability for adaptive reuse.

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<sup>2</sup>Graham, P. (2021, May 28). "Three Types of Commercial Real Estate Obsolescence." Property Metrics. <https://propertymetrics.com/blog/physical-economic-functional-obsolescence/>



**Economic obsolescence**, also known as external obsolescence, is an impact to the value or usefulness of a property due to external factors such as traffic pattern changes, zoning changes, a major construction project nearby, high crime rates in the area, etc. The Study Area has historically been used in conjunction with Camp Clipawaga. The Girl Scouts discontinued the use of the site and other providers of camp facilities did not choose to locate their camp in this area. The lack of demand for a campground in this area has caused economic obsolescence of the site. The discontinuance of the camp use has resulted in economic obsolescence of the Study Area.

**Physical obsolescence** occurs when a property is in decline because of the physical deterioration of the buildings and/or site. Uncurable physical obsolescence occurs when the costs to cure the maintenance issues are higher than can be sustained by the profit produced on the property and/or when the cost to cure the deterioration is in excess of the cost to replace the structures on the property. The structures on the site have deteriorated beyond repair and thus are physically obsolescent.

As described above, the generality of the structures in the Study Area are substandard, dilapidated and obsolescent so as to be conducive to unwholesome living and working conditions, meeting Criterion "a."

**Criterion "b": Substandard Buildings/Discontinuance of Use/Significant Vacancies (N.J.S.A. 40A:12A-5.b)** *The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.*

Discontinuance of use – The Study Area was used for a commercial Girl Scout Camp, which operated from the early 1960's until 1978. Despite changes in ownership, the camp uses and associated structures in the Study Area have been discontinued since that time and the structures in it are dilapidated beyond the ability to use the structures due to the abandonment of the use.

Significant vacancies for at least 45 consecutive years – According to the current property owner and Sussex County Clerk's Office property records, Camp Clipawaga and its associated structures have been vacant since 1978, or 45 years. There have been no Zoning or Building Department permits on file for either lot within the Study Area.

Abandonment of such buildings so as to be untenable – The camp structures have been abandoned since Camp Clipawaga ceased operations in 1978. A site inspection of the Study Area in September confirmed that the site was abandoned. Based on site inspection and research conducted as part of this study, the structures within the Study Area are substandard and have fallen into a state of disrepair. There are no power, water, or sewer services which actively service the Study Area. There are no paved roads or designated parking areas. Therefore, the structures in the Study Area are untenable.

The use of the Study Area has been discontinued for at least 45 years, the land and structures have been vacant and abandoned, and left in such a state of disrepair so as to be untenable, meeting Criterion "b."

**Criterion "c": Publicly owned land or unimproved vacant land (N.J.S.A. 40A:12A-5.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.

The campground use of the Study Area has been abandoned for more than 45 years. The remainder of the Study Area is unimproved vacant land. The Study Area does not have direct access onto Newton Sparta Road and the access to the Study is via other parcels in the Township of Sparta. The long-term vacancy of the land in connection with the lack of access to the commercial corridor along Newton Sparta Road, which is one of two main commercial corridors in the Township, the property is unlikely to develop through the instrumentality of private capital, meeting Criterion "c."

**Criterion "h": Smart Growth Consistency (N.J.S.A. 40A:12A-5.h)** The designation of the delineated area is consistent with smart growth planning principals adopted pursuant to law or regulation. Smart growth is defined as a planning principle that directs new growth to locations where infrastructure and services are available, limits sprawl development, protects the environment, and enhances and rebuilds existing communities. The New Jersey Office for Planning Advocacy identifies the following as smart growth principles:

- Mixed Land Uses;
- Compact, Clustered Community Design;
- Walkable Neighborhoods;
- Distinctive, Attractive Communities Offering a "Sense of Place";
- Open Space, Farmland, and Scenic Resource Preservation;
- Future Development Strengthened and Directed to Existing Communities Using Existing Infrastructure;
- A Variety of Transportation Options;
- Community and Stakeholder Collaboration in Development Decision Making;
- Predictable, Fair, and Cost-Effective Development Decisions; and
- A Range of Housing Choices.

Designating the Study Area as an Area in Need of Redevelopment will encourage the development of an area in a manner that can better serve the needs of the greater Andover Township community and the region. Designating the Study Area as a redevelopment area provides for the opportunity to allow for a variety of redevelopment options which will provide the avenue to promote Smart Growth principals, while giving the Township the opportunity to protect the resources that exist in the Study Area by creating the ability to work directly with a

redeveloper on a planned development for the Study Area. Therefore, the Study Area meets criterion "h."

## 2.7 Conclusion

The Study Area meets at least four (4) of the eight (8) development criteria where Redevelopment Law requires a finding that the Study Area meet at least one (1) of the required redevelopment criteria. Below is a summary of these findings.

Criterion "a" is met due to the generality of building in the Study Area being substandard, unsafe, unsanitary, dilapidated, and obsolescent so as to be conducive to unwholesome living and working conditions.

Criterion "b" is met considering that the use of the Study Area has been discontinued for at least 45 years, the land and structures have been abandoned and have been left in such a state of disrepair so as to be untenable.

Criterion "c" is met because a large portion of the Study Area is vacant and has been so for more than 45 years. Likewise because of environmental constraints, access to the property is limited to the adjacent property in Sparta Township. This provides for a vacancy greater than 10 years and lack of means of access to the property. This limits the likelihood of development from private capital alone.

Criterion "h" is met because designating the Study Area as a redevelopment area will allow for a variety of redevelopment options and opportunities to promote Smart Growth principals.

Therefore, the investigation finds that the Study Area as delineated herein meets the statutory criteria to qualify as an Area in Need of Redevelopment and recommends that the Study Area be designated by the Township Committee as a "Non-condemnation" Area in Need of Redevelopment pursuant to N.J.S.A. 40: A-12A-1 et seq.

## Appendix A: Site Photos

A site visit was completed for the preparation of this study on September 5<sup>th</sup>, 2023 and included a hike through the Study Area and investigation of the structures on site.

**A - 1** View of existing billboards on Block 103, Lot 3.02. View facing east.



**A - 2** View of existing billboards on Block 103, Lot 3.02. View facing west.





*A - 3 Outhouse structure (foreground) and portion of stone wall (background).*



*A - 4 Rear view of outhouse structure.*





*A - 5 Unpaved access drive within Study Area.*

