

Label Street Area in Need of Redevelopment Study

March 4, 2022



Prepared for:

Montclair Township Planning Board
205 Claremont Avenue
Montclair, NJ 07042

Prepared by the Township of Montclair Department of Planning and Community Development

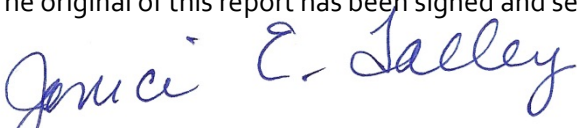
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Photographs contained in this report were taken by Planning staff on 1/10/2022, 1/19/2022, 2/10/2022, and 2/15/2022.

Maps courtesy of the Planning Department.

Aerial imagery courtesy of Google.

The original of this report has been signed and sealed in accordance with N.J.S.A. 13:41-1.2.

A handwritten signature in blue ink that reads "Janice E. Talley". The signature is written in a cursive style with a horizontal line underneath the name.

Janice E. Talley, P.P., AICP

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Introduction

Township Resolution **R-21-178** adopted by the Montclair Township Council on August 24, 2021, authorizes the Montclair Township Planning Board to conduct an investigation to determine whether Block 3307 Lot 7, and Block 3304 Lot 1 (hereafter referred to as the “Study Area”) qualify as an area in need of redevelopment. The location of the subject properties is shown below in Figure 1. Resolution R-21-178 is included in Appendix 1 to this report.

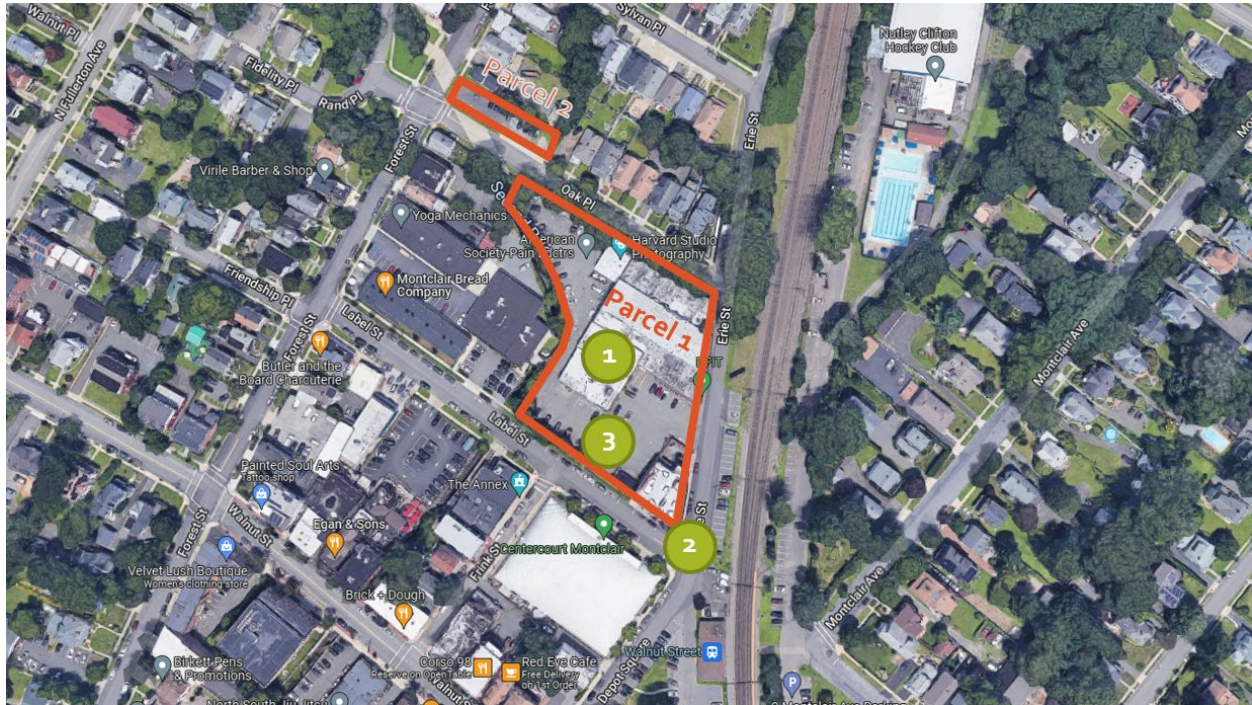


Figure 1: Location of subject properties.

Criteria for Redevelopment

The New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A) empowers municipal governments to exercise redevelopment and rehabilitation initiatives and establishes procedures for the process. The law establishes eight criteria to be considered when evaluating property for designation as an area in need of redevelopment and specifies that only one criterion must be present (N.J.S.A. 40A:12A-5). In addition, the law allows that redevelopment areas may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part (N.J.S.A. 40A:12-3).

The criteria are as follows:

- 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 so as to be untenable.
- c. Land that is **owned by the municipality**, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its **location, remoteness, lack of means of access** to developed sections or portions of the municipality, or **topography, or nature of the soil**, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of **dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout**, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total **lack of proper utilization** of areas caused by the condition of the title, **diverse ownership** of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a **stagnant and unproductive condition** of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by 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.

Study Area Overview

As outlined in Resolution **R-21-178**, the two parcels for consideration under this study are shown in Figure 2 and include the following:

Parcel 1

Block 3307, Lot 7

- Building 1: 4, 6, 8, and 10 Erie Street, 7 Oak Place
- Building 2: 2 Erie Street
- Building 3: Detached storage structure associated with Building 2

Parcel 2

Block 3304, Lot 1

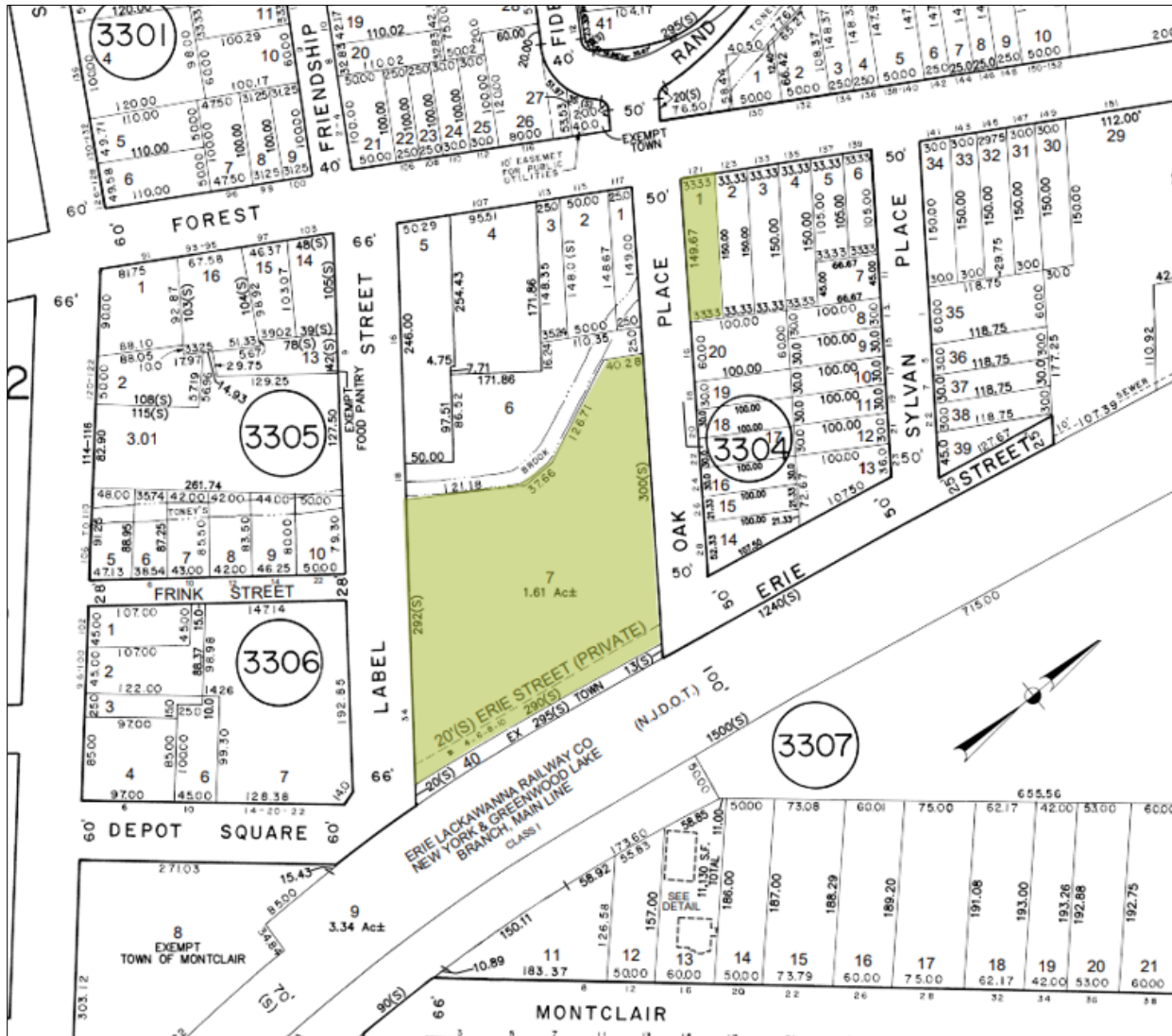


Figure 2: Township tax map with Study Area parcels highlighted

The study area is a transition area, bordering residential, historic industrial and commercial uses, and the Walnut Street train station. Figure 3 shows both parcels included in the Study Area in context with the surrounding neighborhood. As indicated in Figures 4-7, this includes the commercial business district along Walnut Street, detached two-family houses on Oak Place, and assorted freestanding commercial and residential buildings along Label Street, Forest Street, and Frink Street. The Study Area is *adjacent* to the Walnut Street train station on the NJ Transit Montclair-Boonton line. This train line provides local commuters direct access to New York City.

Parcel 1 contains several buildings that have historically been used for industrial purposes. Over the years, a variety of commercial uses have operated on the property and the building functions as a business incubator for local small businesses. Parcel 2 originally contained a multi-story mixed-use building built in 1910. The building was demolished in 1994 and is currently vacant and used for parking by tenants of the building on Parcel 1.



Figure 3: Aerial of Study Area, with existing structures numbered.

Walnut Street Train Station



Figure 4: Detached 2 1/2 story 2-family dwellings on the north side of Oak Place



Figures 5 and 6: Neighborhood residential and commercial uses along Forest Street



Figure 7: Walnut Street commercial business district

New Jersey State Plan

The [New Jersey State Development and Redevelopment Plan](#) identifies Essex County as a PA1 Metropolitan Planning Area, as shown in Figure 8 below. The State Plan’s intention for this area is to:

- provide for much of the state’s future redevelopment;
- revitalize cities and towns;
- promote growth in compact forms;
- stabilize older suburbs;
- redesign areas of sprawl; and
- protect the character of existing stable communities.

(New Jersey State Plan, Section 4, page 190)

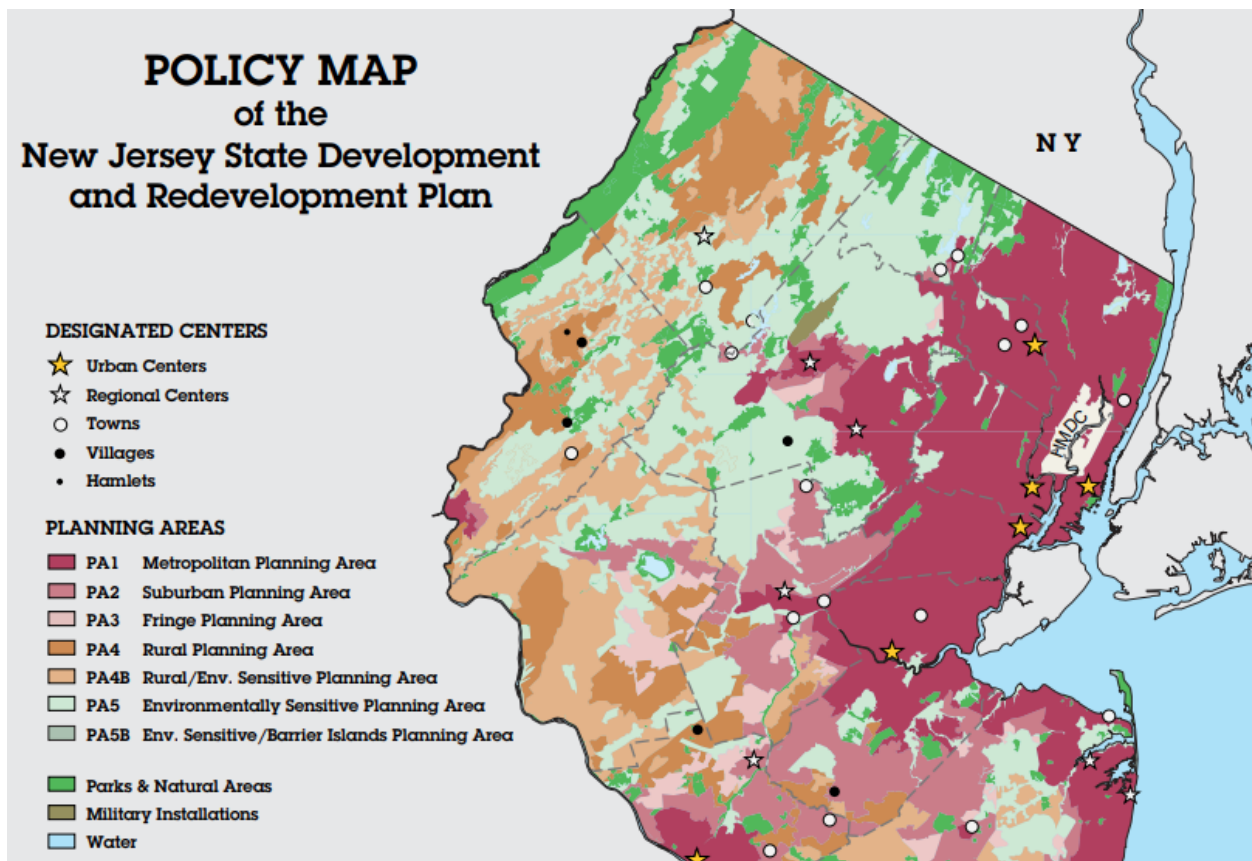


Figure 8: Map courtesy of the New Jersey State Development and Redevelopment Plan

There are 11 total Policy Objectives outlined by the State Plan for the Metropolitan Planning Area. Several of most relevance to this study are pasted below:

1. Land Use: **Promote redevelopment** and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single use developments

and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

2. Housing: Provide a full range of housing choices through **redevelopment**, new construction, rehabilitation, adaptive reuse of nonresidential buildings, and the **introduction of new housing into appropriate nonresidential settings**. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.
3. Economic Development: Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support appropriate **redevelopment**.
4. Transportation: Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency, link Centers and Nodes, and create **opportunities for transit-oriented redevelopment**. Facilitate efficient goods movement through strategic investments and intermodal linkages. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development and promote complementary uses for airport property such as business centers.
5. Natural Resource Conservation: **Reclaim environmentally damaged sites** and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites, and Historic and Cultural Sites. Give special emphasis to improving air quality. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link to other Planning Areas.
8. **Redevelopment: Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.**

(New Jersey State Plan, Section 4, pages 191-192)

The State Plan also says the following regarding **Transit Village Redevelopment**:

Surface parking lots near active train stations offer significant opportunities for the type of redevelopment that creates quality places while increasing transit ridership. Mixed-use buildings supported by shared parking structures and fronting on quality public spaces help integrate the transit facility into the community fabric and make access to transit a pleasant, seamless experience. (New Jersey State Plan, Section 4, page 19)

Montclair Master Plan

The recommendations for the Study Area in the Unified Land Use and Circulation Plan (Unified Plan) are shown in Figure 9. Parcel 1 is in the c-5 Transitional Area, which calls for the following:

- Bulk:
 - 3 stories/35 feet maximum height
 - 65% coverage
 - 28 dwelling units per acre
- Where appropriate, **adaptive reuse and rehabilitation** should be explored
- **Uses** should be weighted towards residential but should also provide for limited office and small retail opportunities.
- Existing prohibited and conditional uses, as regulated in existing zoning districts within the borders of this zone, should carry over into the land use regulations for this zone.
- New **parking** should be to the rear or side of buildings. (p101)
- Street Classification recommendations and to the Circulation recommendations:
 - All surrounding streets are identified as Residential Streets (RS)
 - Residential Streets (RS) in C₄ and C₅ zone districts in the Walnut Street Area should be **primarily residential** in use, or other associated uses currently allowed in the Township's residential zones.

The Unified Plan does not recommend any changes to the existing zoning for Parcel 2.

Zoning Revisions (Walnut Street)



Figure 9: Land Use Map from Unified Land Use and Circulation Plan Element, page 98.

Zoning

As shown in Figure 10, Parcel 1 is in the C2 General Business & Light Manufacturing zone. This is the most permissive zone in the Township with permitted uses including warehousing and wholesale distribution, light manufacturing, automobile-related uses, retail stores and personal service uses, office uses, and residential uses. Bulk requirements for commercial uses include a maximum height of 35 feet, a maximum of 3 stories, a minimum front yard setback of 30 feet and a minimum rear yard setback of 20 feet. For residential uses, the maximum density is 28 units per acre with a maximum height of 42 feet and a maximum of three stories.

Parcel 2 is in the R-2 Two Family Zone. The R-2 zone permits one-and two-family detached dwellings, with a maximum height of 35 feet and a maximum of 2-1/2 stories, and with a minimum lot width of 60 feet.

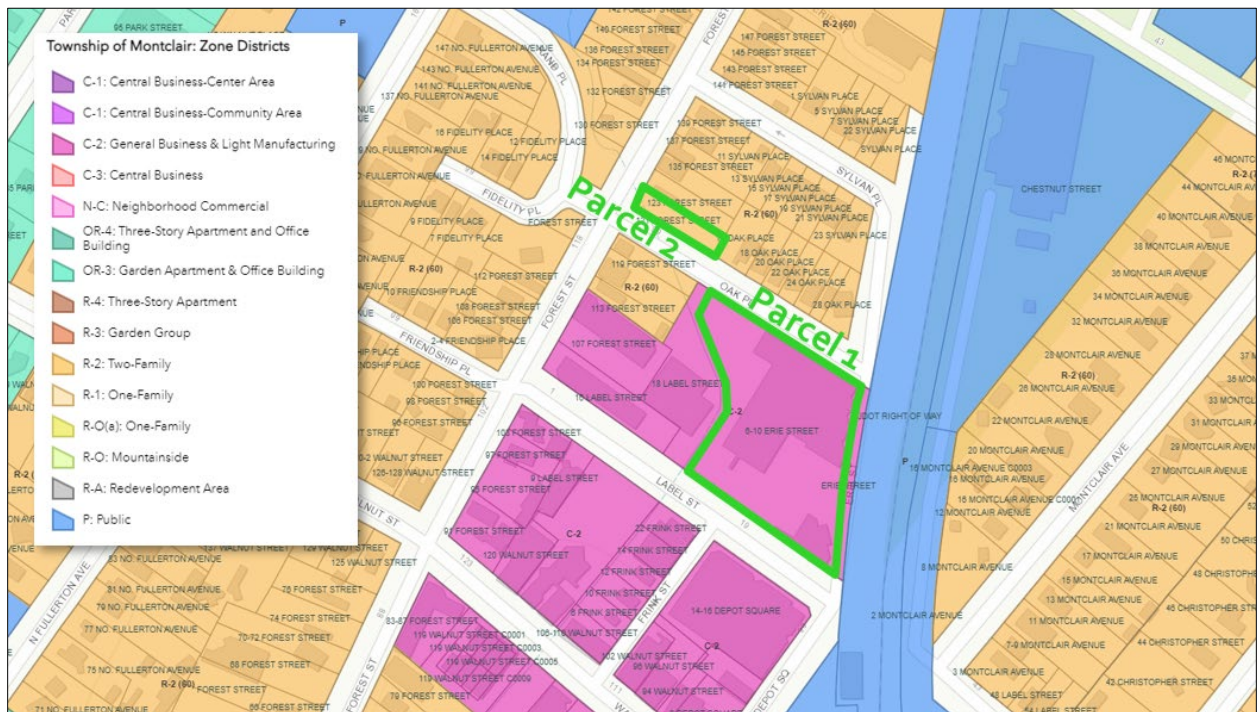


Figure 10: Study Area on the Township Zoning Map

History and Development Background

The study area has been subject to a long history of redevelopment initiatives as indicated in the historic timeline below. The property was at one time owned by the Township of Montclair and used for various municipal purposes. "Subject site" in the timeline below refers to the entirety of the block bounded by Erie Street, Label Street, Forest Street, and Oak Place.

1869: Samuel Crump relocates his printing business from New York City to the subject site.

1875: The firm of Crump & Everdell erect two factory buildings on the subject site. Crump dedicates the entire factory to printing labels for the then new business of consumer can & bottle labeling.

1877: The factory burns down on July 4th.

1877-1890: The factory buildings are immediately replaced with larger buildings and several more additions over time.

1888: Everdell leaves, and the company is renamed Samuel Crump Label Company.

1890: Crump sells the 200-employee company to Hinds & Ketchem, a Brooklyn company of former employees controlled by Joseph Hinds & William Ketchem.

1891: United States Printing Company purchases the Hinds & Ketchem factory. The factory is one of the largest, if not the largest factory of its kind in the U.S. producing 9MM pounds of card & paper annually.

1910: New Jersey Coated Paper Company assume ownership of plant.

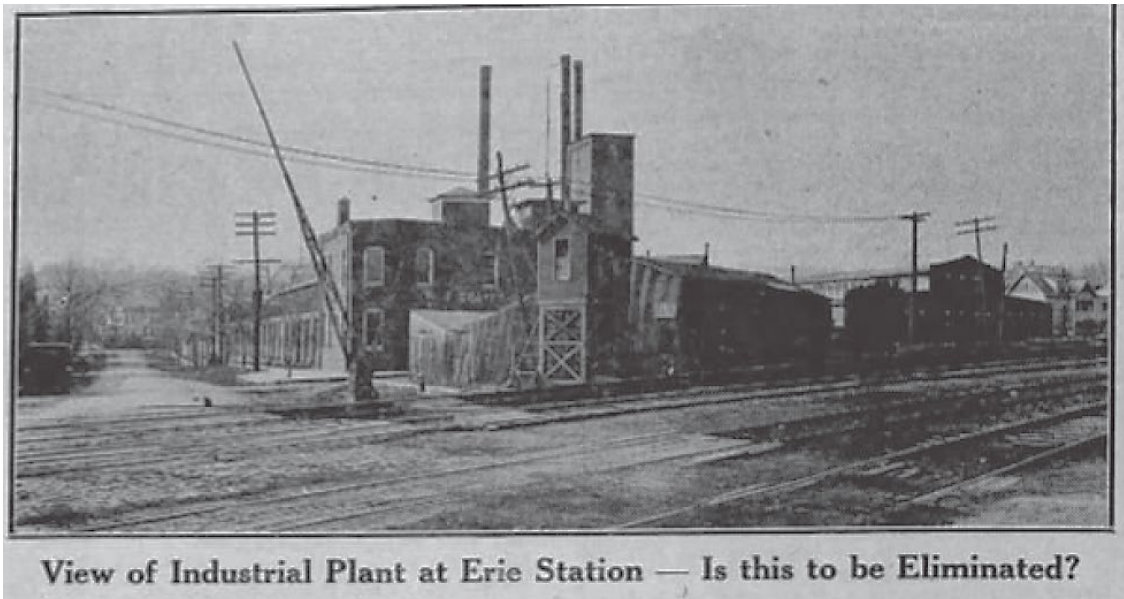


Figure 11: New Jersey Coated Paper Company, as photographed in 1926. Source: Montclair Times, Saturday, October 23, 1926

1928: Business is suspended at Label Street.

1929: The Township of Montclair acquires the subject site on July 29th for \$150,000. The Township received a grant to demolish all buildings on the site aside from what remains today. At that time, the Township used it as a Department of Public Works site.

1930: Montclair Township proposes the Walnut Street Station Plaza Development Plan which is subsequently defeated in a public referendum.

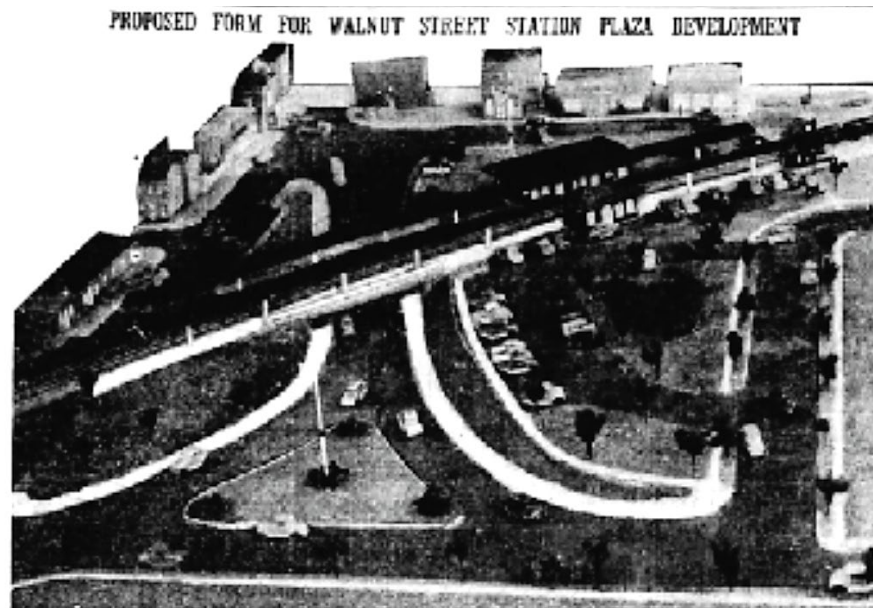


Figure 12: 1930 Model of Proposed Walnut Street Station Plaza Development. Source: Montclair Times, Saturday, February 15, 1930

1930-1963: The Montclair Poor Department moves to Label Street site and is renamed the Montclair Welfare Bureau.

1932: The site is the subject of an extremely contentious municipal election over the property purchase and its use and is considered by many as a white elephant akin to the Louisiana Purchase.

1935: A plan is created by the United States Department of Agriculture to rent the building to house a tree conservation workforce and as a base for 3,000 tree workers in Northern New Jersey and several New York counties. The plan fails to be implemented.

1937: The Township of Montclair starts demolition of the factory buildings, excluding the structure along Oak Place at Erie Street (4 Erie Street) whose mezzanine houses the Works Progress Administration sewing room. The Welfare Bureau Building at the corner of Label Street & Erie Street is also left standing.

1937: A \$15,000 municipal building at Forest and Label Streets is designed, built, and leased to the State of New Jersey as a Motor Vehicle Inspection Station.

1938: The Montclair Housing Authority proposes a 163-unit Low-Cost Housing Neighborhood Project that includes the subject site and surrounding properties. The project fails to be implemented.

1942: The Erie Railroad Company prepares a site plan for the area surrounding the Walnut Street commuter lot (Block 3307, Lot 8). The blueprint shows a never-realized extension of Label Street across tracks to Montclair Avenue .

1979: Parcel 1 is acquired by Albert J. and Dorothy Rombough

1985: The Township designates Parcel 1 as an Area in Need of Rehabilitation. A Redevelopment Plan is prepared in conjunction with the developer, 34 Label Street Associates, and is adopted by the Township

on August 20, 1985. The Plan is submitted with an application for funding from the Essex County Improvement Authority to pay for renovations included grading and paving of the parking lot, fencing, landscaping, and interior work to create the current office spaces.

1985: Parcel 1 is purchased by 34 Label Street Associates after adoption of the redevelopment plan.

1993: A use variance and parking variance is granted by the Board of Adjustment to Luna Stage to permit a theatre/studio performance facility at 6 Erie Street (App. #1236).

1996: A site plan for enlargement of the building at 2 Erie Street for a restaurant use is approved by Board of Adjustment (App. #1384).

1996: A use variance for expansion of the Luna Stage theatre use at 6 Erie Street is approved by Board of Adjustment (App. #1405).

1998: Parcel 2, which was acquired by the State in 1994 to demolish the structure to make infrastructure improvements to Toney's Brook, is acquired by 34 Label Street Associates.

2002: Richard Cecere opens a restaurant at 2 Erie Street

2002: A use variance and amended site plan to expand the restaurant at 2 Erie Street is approved by Board of Adjustment (App. #1681).

2004: A variance to allow illumination of a leased billboard for Richard Cecere's restaurant is denied by the Board of Adjustment (App. #1806).

2014: A subdivision application to create a separate lot for the restaurant with no onsite parking is denied by the Planning Board (App. 2739).

2015: The building at 2 Erie Street regained by 34 Label Street Associates.

Parcel 1 Assessment

Overview

Tax Map: Block 3307, Lot 7

Addresses:

- Building 1: 4, 6, 8, and 10 Erie Street, 7 Oak Place
- Building 2: 2 Erie Street
- Building 3: Associated with Building 2

Ownership: 34 Label Street Associates

Acreeage: +/- 1.61 Acres



Figure 13: Aerial of Parcel 1, with existing structures numbered, courtesy of Google Maps.

Current Zoning: C-2 General Business and Light Manufacturing Zone

Master Plan Recommendation : C5 Walnut Street Transitional Area

Current Uses:

- Building 1: Gym, nonprofit, professional office, light manufacturing (carpentry and millwork), storage. Current tenants listed below:
 - dFit (gym)
 - Tarsus (I referred to them as Aventine, pain management)
 - Montclair Fund for Educational Excellence (MFEE) (nonprofit)
 - Stoddart (carpenter)
 - Greenway Electric (subtenant)
 - Jason Aksman (woodwork)
 - Wyanoke (GC)
 - Viridian (environmental)
 - Clear Mountain Zen
 - MADLAB (architecture, engineer & shop)
 - Harvard Studio Photography
 - BDP Holdings (real estate)
 - GSA (architecture)
 - Brand sisters (marketing)
 - DKB (insurance)
 - Allied Property Services (real estate)
- Building 2: Vacant
- Building 3: Vacant/storage (associated with Building 2)

Previous Uses:

- Building 1: Industrial, community
 - Crump Label Co.
 - NJ Coated Paper Co.
 - US Printing & Lithography Co.
 - Church and community theater (8 Erie)
- Building 2: Restaurant
- Building 3: Storage (associated with Building 2)

Description

Parcel 1, identified as lot 7 on block 3307 on the Township’s tax map, is currently improved with three structures. Building 1 is a 32,500 square-foot multiuse building, containing 4, 6, 8, and 10 Erie Street, and 7 Oak Place. This building is one to two stories in height and was originally constructed as a mill. Building 2 is a two-story building with a basement, formerly occupied by a restaurant, but has been vacant for over 10 years. Building 3 is a detached storage building associated with and to the rear of Building 2 on the east side.

Parcel 1 has vehicular access from a curb cut on Erie Street, and a curb cut on Oak Place. The portions of the site not occupied by structures are paved with asphalt to provide 81 surface parking spaces for use by tenants.

Pedestrian circulation onsite and around the site is limited. There are four-foot concrete sidewalks in the right-of-way on Label Street bordering Parcel 1 to the south, but no other pedestrian amenities aside from a narrow and uneven sidewalk alongside 2 Erie Street. This sidewalk is impeded by parking signage, street lighting, and an elevated manhole cover. Figures 14 and 15 demonstrate that the site layout and placement of underground stormwater utilities on Erie Street are not properly coordinated. There is no sidewalk provided adjacent to the property along Oak Place, which adjoins a residential neighborhood.



Figure 14: Narrow sidewalk along Erie Street in front of 2 Erie Street



Figure 15: Underground stormwater utilities running beneath the sidewalk along Erie Street

The ownership of property along Erie Street is inconsistent. Figure 16, an excerpt from the planning report for denied subdivision application #2379, describes this condition.

Montclair Township owns the 13-foot wide strip of Erie Street that extends west from the railroad property and the remainder of the street is shown as a private street that is part of the subject property, as shown in the figure below. Because of this, Lot 7.01[remaining lot once subdivided] does not have direct access to a public street. The Township plans to acquire this strip of land to make this portion of Erie Street a public street. The Township requires a letter from the owner of Lot 7.01 and the potential owner of Lot 7.02 that they neither own nor claim any right, title, or interest in this property.

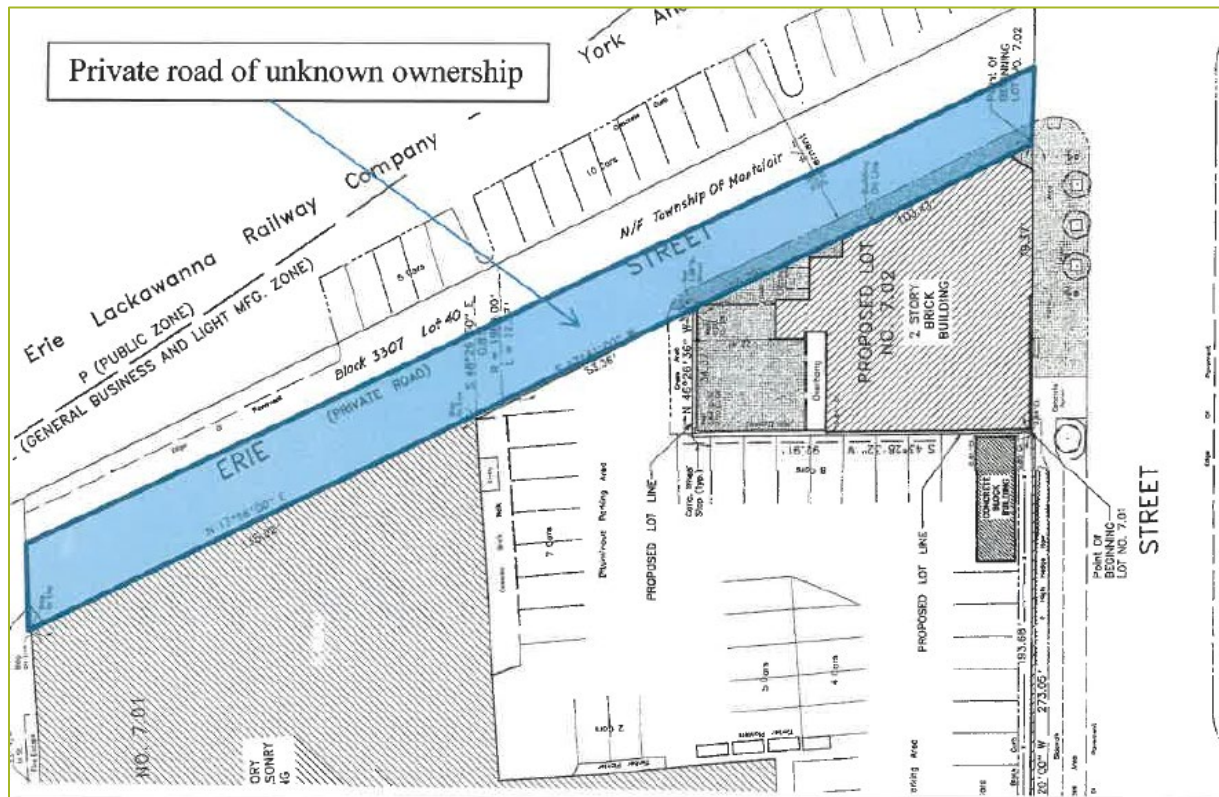


Figure 16: Excerpt map from Planning Report

The west edge of Parcel 1 is bordered by a culverted tributary of the Second River, known as Toney’s Brook. The entirety of the portion of the tributary adjacent to Parcel 1 is under the ownership of the adjacent property, Lot 6 on Block 3307. The surface parking lot on Parcel 1 extends to the edge of the property along the tributary, which is bordered by a chain-link fence and a steep bank down to the culvert. In certain areas erosion of the bank can be seen, such as in Figure 17, which has begun to damage the asphalt.



Figure 17: Visible erosion along the Second River tributary bank

Parcel 1 suffers from vehicular pinch points at the western edge along the tributary. Circulation onsite between the parking area on Oak Place and the parking area on Erie Street is directed through this pinch point, where large garage storage spaces and several light manufacturing businesses are located as shown in Figures 18 and 19.



Figure 18: Vehicular pinch point next to the tributary



Figure 19: Garage spaces and light manufacturing uses at the pinch point as viewed beside tributary

Outdated and unmaintained drainage facilities can be found throughout the site as shown in Figures 20 and 21. This site is listed as remediated for previous contamination of the groundwater by trichloroethylene using the site for industrial purposes, but is still listed as an active site, #494272, on the New Jersey Department of Environmental Protection’s Site Remediation Program inventory. There are monitoring wells located throughout the site as pictured below.



Figure 20: Outdated and ineffective stormwater management facilities.



Figure 21: Groundwater contamination observation well

Building 1

Building 1 contains several addresses and multiple tenants, as outlined in the Overview section above. Following is a description of each of the areas contained within this building, organized by street address. Overall, this large building has an obsolete layout for the current uses. The odd floor plan and division of the structure makes for many interior spaces which lack access to light, air, and outdoor space. This limits the potential of new or long-term tenants.

4 Erie Street

4 Erie Street, shown in Figures 22 and 23, is the original industrial portion of the building. It is currently occupied by dFit gym on the ground floor. The second floor, addressed as 7 Oak Place and accessed from the parking area on Oak Place, contains office spaces that were sectioned off as part of the rehabilitation of the site in 1985. See more information on the second floor in the 7 Oak Place section below. Overall, this building has a weak architectural relationship to the surrounding buildings, which include detached residences to the north along Oak Place. See Appendix 2 for additional photos of the area including Oak Place (Photos 48-51), the Walnut Street train station (Photos 7-10), and the neighborhood commercial buildings on Walnut Street (Photos 56-66), Label Street (Photos 34-45), and Forest Street (Photos 18-26).



Figure 22: 4 Erie Street as viewed from the Walnut Street Station neighborhood platform



Figure 23: East facade of 4 Erie Street

6 Erie Street

6 Erie Street, shown in Figures 24 and 25, is part of the ground floor of the original industrial building at 4 Erie Street. This space is currently leased as a large office space for Tarsus. Due to the COVID-19 pandemic, the space is still rented, but currently unoccupied, with most office workers working from home. The deep space stretches from the parking area on Erie Street to the north elevation of the building, with few windows in the intermediate spaces.



Figure 24: Entrance to 6 Erie Street

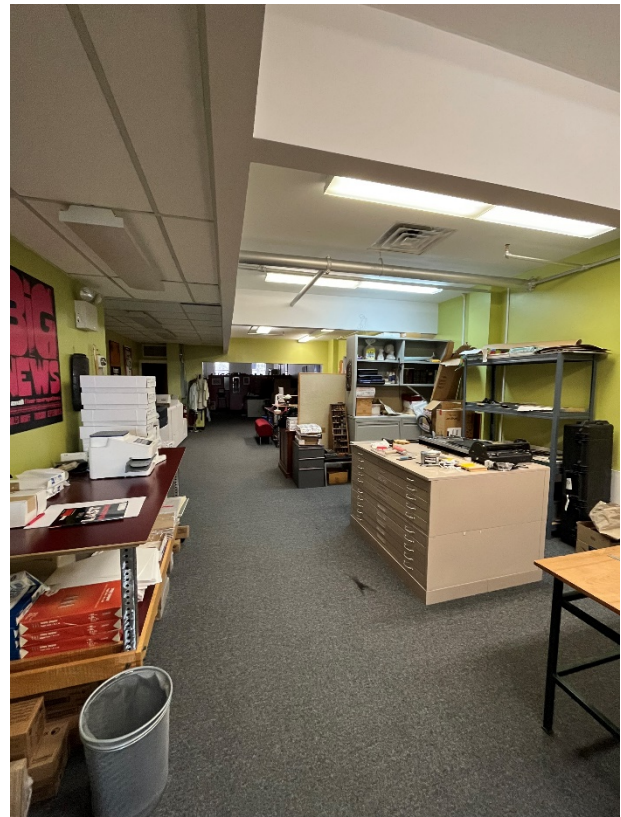


Figure 25: Interior office space at 6 Erie Street

8 Erie Street

8 Erie Street, shown in Figure 26, is located within an addition to the original industrial portion of the building. This space houses a juice bar and biking studio for fitness classes conducted by the dFit gym tenant at 4 Erie Street. The two gym spaces are physically separated from one another by 6 Erie Street and do not have any interior connections. There is a loft level office space without any windows to the exterior of the building. The cycle studio also has no exterior windows. This space is connected to the lobby of 7 Oak Place, discussed in further detail below.



Figure 26: Exterior of 8 Erie Street

10 Erie Street

10 Erie Street, shown in Figures 27 and 28, is in the addition to the original industrial portion of the building and houses offices and learning spaces for the Montclair Foundation for Educational Excellence (MFEE), which is a local nonprofit that focuses on ESL education. Many of the indoor spaces here lack windows and natural light.



Figure 27: Exterior of 10 Erie Street



Figure 28: Interior of MFEE

Garages and Manufacturing Spaces

There are several large garage spaces located on the south side of the addition to the original industrial portion of the building as shown in Figures 29 through 32. These are used as storage spaces for the various tenants. On the west side are additional garage spaces, as well as spaces used by local millwork and carpentry businesses for light manufacturing and storage. The spaces on the west side are those facing toward the tributary and toward the vehicular pinch point discussed above.



Figure 29: Southern elevation of addition



Figure 30: Interior of garage storage areas



Figure 31: Exterior of carpentry space



Figure 32: Interior of carpentry space

7 Oak Place

7 Oak Place is shown in Figures 33 through 36 and is located partially within the addition to the original industrial portion of the building, and partially on the second floor of the original building. This space is utilized by a variety of tenants as office space. Not all office spaces are currently leased. Some of the vacant office spaces are being used as temporary storage for other tenants. Emergency egress for the second-floor office tenants is via a collapsible stairway in the hallway leading to the roof and a collapsible fire escape to Oak Place.



Figure 33: Exterior of 7 Oak Place

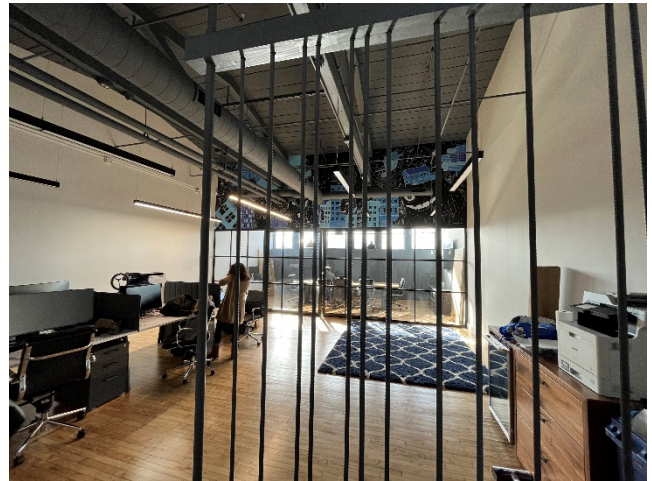


Figure 34: Office space on second floor



Figure 35: Egress stair to roof



Figure 36: Roof access to fire escape

Buildings 2 and 3



Figure 37: Interior of 2 Erie Street.

The former owner of the building at 2 Erie Street, Richard Cecere, held a 99-year ground lease on the property, which was abandoned in 2015 after a subdivision application was denied by the Planning Board. Reasons for denial centered around the lack of onsite parking for 2 Erie Street. In 2015 the building was regained by the property owner, 34 Label Street Associates, who has kept climate control and utility connections to the building active so that the structure would not deteriorate more than it already had. Much of the restaurant equipment and furnishings have been left behind in the building, as can be seen in Figure 37.

The original portion of 2 Erie Street is an approximately 1800-square-foot wedge-shaped section located at the corner of Label Street and Erie Street. A large rear addition was approved as part of a site plan application heard by the Board of Adjustment in 1996, subsequently amended in 2002 to account for unauthorized departures from the approval, including a walled-in courtyard. The exterior of 2 Erie remains in good repair overall as shown in Figure 38. Wooden paneling attached to the exterior of the ground floor by Richard Cecere as part of the 2002 site plan has begun to deteriorate, however, pictured in Figure 39.



Figure 38: Exterior of 2 Erie, detailing original portion of structure.



Figure 39: Wood paneling applied to first floor exterior



Figure 40: Large rear additions to 2 Erie Street, and the rear storage outbuilding (Building 3)

A small outbuilding, Building 3, was added to the site to add storage space, which can be seen in Figure 40. Figures 41 and 42 show the loading area on Label Street for 2 Erie Street. This loading area leads to a small interior storage space, not consistent with typical loading bays. Vehicular access to such a loading area would result in large transport vehicles blocking a portion of Label Street, as there is no interior space for vehicles.

The pedestrian entrance to the building is not located at the prominent corner of Label Street and Erie, but instead is located further to the north, at a location not visible from Label Street or Depot Square. The entrance is accessed from the uneven sidewalk which contains signage, lighting, and utility impediments as previously discussed.

Despite repeated attempts by the owner to lease Building 2, it has remained vacant. Restauranters have not been interested in renting the building because of the inefficient layout of the interior spaces. Photos of the interior are provided in Figures 43 and 44. The interior was constructed contrary to what was approved in 1996 when the addition was approved. Oddities and inefficiencies of the interior layout include but are not limited to:

- Three levels with different dining spaces on all levels
- Separate kitchen spaces on each level
- Limited amount of seating for diners due to layout choices
- Windowless rooms on each level
- Dining areas that can only be accessed from staff areas or kitchen spaces
- Windowless basement dining area containing a hatch to the outdoor patio



Figure 41: Loading area for 2 Erie on Label Street



Figure 42: Interior storage area off of loading dock42



Figure 43: Abandoned interior ground floor

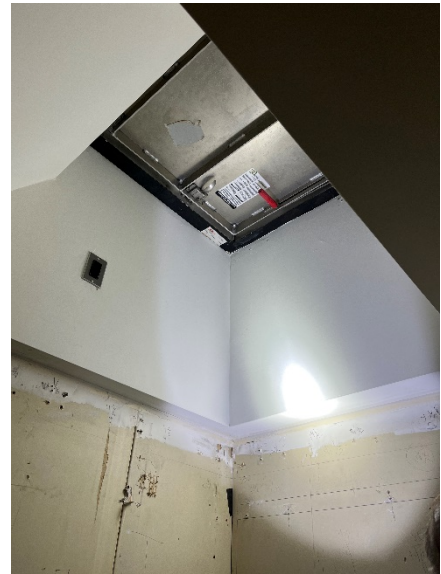


Figure 44: Hatch from basement dining space to outdoor patio

Evaluation

Parcel 1 meets criteria a, d, e, and h for designation as an area in need of redevelopment per **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 so **lacking in light air, or space**, as to be conducive to unwholesome living or working conditions.

Multiple structures on Parcel 1 meet criterion a. Building 1 lacks access to light and air in many of its interior spaces due to the depth of the structure, many large piecemeal additions, and the way the interior has been renovated and divided into multiple tenant spaces over the years. The original industrial use of this structure lent itself to a wide building with windows on the far outside wall surfaces, but for contemporary use as offices, there is not sufficient access to natural light and air for many of the tenants.

Building 2 has been vacant for many years, and its abandoned interior is in substandard and unsanitary condition. The location of its entrance away from prominent pedestrian areas, uneven and obstructed sidewalks limiting accessibility, a poorly-designed loading dock, and the odd and inefficient layout of the interior structure are all examples of how this building is obsolescent.

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.

About criterion d, the site layout of Parcel 1 is obsolescent. The vehicular pinch point on the western edge of the site near the garage spaces creates blockages and limits access between the Erie Street parking area and the Oak Place parking area.

The site is largely impervious, with outdated drainage facilities. This is problematic since Toney's Brook, a tributary of the Second River, is adjacent to the property. Erosion is visually evident along the western edge of the site where asphalt has deteriorated.

There is a lack of pedestrian facilities along Erie Street and Oak Place, and lack of pedestrian access to Parcel 1 from the sidewalks along Label Street. This creates an unsafe and unwelcoming environment for those wishing to access the site on foot and travel along these roads to the train station and other uses in the Walnut Street business district.

There is insufficient parking onsite, as evidenced by the overflow parking observed at Parcel 2, which as discussed in the next section is inadequate in and of itself.

Concerning sufficient access to light and air, see discussion above under criterion a.

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.

The transfer of ownership of Building 2 on Parcel 1 (2 Erie Street) back to the current property owner after lack of maintenance and interior deterioration, as well as the unauthorized and odd interior improvements made under previous ownership, have limited the viability of the reuse, and leasing of this structure to restaurateurs. Further, the lack of clear ownership of the sidewalk and street along the eastern edge of the site at 2 Erie Street complicates the utilization or development of this street frontage in a way that creates an accessible pedestrian environment.

h- The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The New Jersey State Plan encourages transit-oriented, compact development and redevelopment within Metropolitan Planning Areas (PA1). The site's immediate adjacency to Walnut Street train station presents ample opportunity for transit village redevelopment:

Mixed-use buildings supported by shared parking structures and fronting on quality public spaces help integrate the transit facility into the community fabric and make access to transit a pleasant, seamless experience. (New Jersey State Plan, Section 4, page 19).

Parcel 2 Assessment

Overview

Tax Map: Block 3304, Lot 1

Address: 121 Forest Street

Ownership: 34 Label Street Associates

Acreage: +/- 0.11 Acres

Current Zoning: R-2 Two Family Zone

Master Plan Recommended Zoning: No change

Current Use: Open parking



Figure 45: Aerial of Parcel 2, courtesy of Google Maps

Description

Parcel 2 comprises a rectangular lot at the northeast corner of Oak Place and Forest Street. It is currently used exclusively for open air parking as shown in Figures 46 and 47. There are four-foot concrete sidewalks along both street frontages in the right of way. Most of the linear length of the Oak Place frontage is an open concrete apron to allow vehicles to pull into the parking area. The lot is covered in gravel, and contains no markings for parking spaces, no screening, and no barriers between the parking area and sidewalks. It was observed that tenants of Parcel 1 utilize this parking area for parking of vans and other vehicles, and that there are instances of double parking and vehicles obstructing the sidewalk along Oak Place.

A portion of the Second River tributary enters an underground culvert to the northwest of Parcel 2, passes underneath Forest Street, Parcel 2, and Oak Place before daylighting on the south side of Oak Place near the northwest corner of Parcel 1. It is noted that no structures would be permitted to be constructed on top of a culverted stream. Figure 48 includes an aerial photo that illustrates the extent of the underground culvert.



Figure 46: View toward Parcel 2 from Oak Place. Visible are tenant vehicles of Parcel 1, double parking, and vehicles partially blocking sidewalks.



Figure 47: View across Forest Street from Oak Place sidewalk, toward undergrounded portion of tributary.

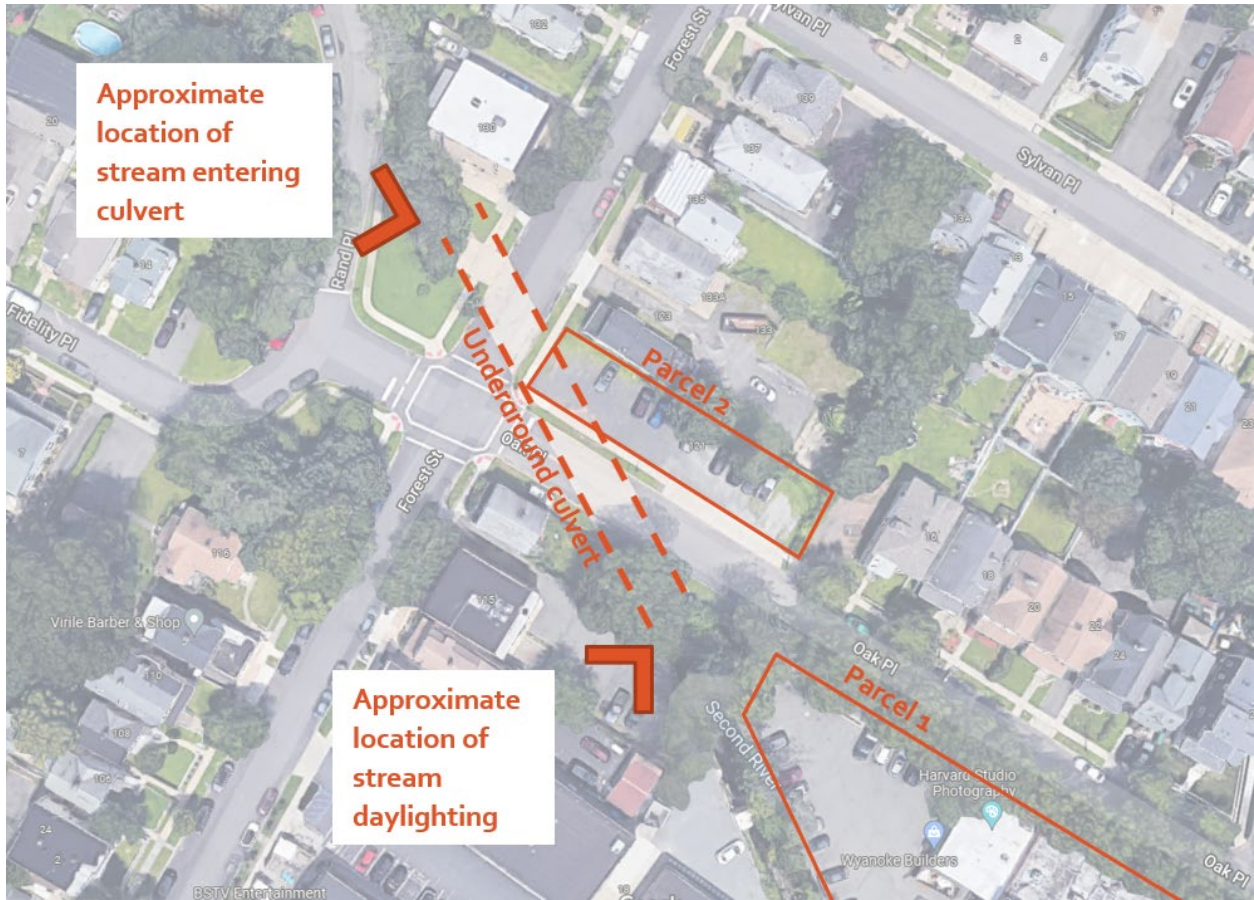


Figure 48: Aerial of Study Area showing the culverted tributary

Evaluation

Parcel 2 meets criteria e and h for designation as an area in need of redevelopment per **N.J.S.A. 40A:12A-5**.

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.

The use of Parcel 2 for open air parking has become the default use of the space, as the location of the underground culvert precludes meaningful development of structures in this location. Parcel 2 is stagnant and unproductive as a parking area, as it is not properly marked or screened, resulting in unorganized and unsightly parking conditions in a chiefly residential area. The lack of barriers or markings create an unsafe pedestrian condition along the north side of Oak Place.

h- The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The New Jersey State Plan encourages transit-oriented, compact development and redevelopment within Metropolitan Planning Areas (PA1). The site's immediate adjacency to Walnut Street train station presents ample opportunity for transit village redevelopment, in tandem with redevelopment of Parcel 1. The presence of the underground culvert will continue to preclude construction of structures on this site, but it could be redeveloped as supportive parking for improvements on Parcel 1, or for the surrounding community.

Mixed-use buildings supported by shared parking structures and fronting on quality public spaces help integrate the transit facility into the community fabric and make access to transit a pleasant, seamless experience. (New Jersey State Plan, Section 4, page 19).

Sources

New Jersey State Development and Redevelopment Plan.

<https://nj.gov/state/planning/state-plan.shtml>

Unified Land Use + Circulation Plan Element, Montclair Master Plan.

https://p1cdn4static.civiclive.com/UserFiles/Servers/Server_5276204/File/Government/Departments/Planning%20Community%20Development/Master%20Plan/Unified%20Plan_June%202021%20Amendment_v2.pdf

Appendix 1: Council Resolution 21-178

R-21-178

TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING A STUDY TO DETERMINE WHETHER BLOCKS 3307, LOT 7 AND 3304, LOT 1, QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT

August 24, 2021

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., provides that the Township Council may by resolution determine, pursuant to N.J.S.A. 40A:12A-5, that a proposed area may be determined to be in need of redevelopment, according to the criteria set forth therein, subject to review and recommendations of the Planning Board; and

WHEREAS, it is the public interest to determine whether Block 3307 Lot 7 and Block 3304 Lot 1 on the Tax Map of the Township, bordered by Label Street, Erie Place and Oak Street and Oak Street and Forest Street, meet the criteria for an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Montclair, that the Township Planning Department, through the Manager, is directed to undertake a study pursuant to N.J.S.A. 40A:12A-5, to determine whether Block 3307 Lot 7 and Block 3304 Lot 1 meet the criteria to be designated an area in need of redevelopment, and to report the findings and conclusions to the Township Council; and

BE IT FURTHER RESOLVED that the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (a "Non-Condensation Redevelopment Area").

RECORD OF COUNCIL VOTE						
COUNCIL MEMBERS	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Councilor Cummings			✓			
Deputy Mayor Hurlock		✓	✓			
Councilor Price Abrams			✓			
Councilor Russo			✓			
Councilor Schlager			✓			
Councilor Yacobellis			✓			
Mayor Spiller	✓		✓			

RESULT: THE MOTION FOR ADOPTION CARRIED BY VOICE VOTE

I HEREBY CERTIFY the foregoing to be a true copy of Resolution R-21-178 adopted by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on August 24, 2021.


Angelese Bermúdez Nieves, Township Clerk

Appendix 2: Context Photos

All photos taken by Planning staff 1/10/2022 and 1/19/2022

Depot Square



Photo 1: View south along Depot Square



Photo 2: View north up Depot Square



Photos 3-4: Eastern streetscape, north to south



Photos 5-6: Western streetscape, south to north



Photos 7-8: Depot Square restaurant



Photo 9: View east up Walnut Street platform



Photo 10: View east down Walnut Street platform

Erie Street



Photo 11: View south down Erie Street



Photo 12: View north up Erie Street



Photos 13-14: Eastern streetscape, north to south



Photos 15-17: Western streetscape, south to north

Forest Street



Photo 18: View north up Forest Street from corner with Oak Place



Photo 19: View south down Forest Street



Photos 20-23: Eastern streetscape, north to south



Photos 24-26: Western streetscape, south to north

Frink Street



Photo 27: View north up Frink Street



Photo 28: View south down Frink Street



Photos 29-30: Eastern streetscape, north to south



Photos 31-33: Western streetscape, south to north

Label Street



Photo 34: View east down Label Street



Photo 35: View west up Label Street



Photos 36-39: Northern streetscape, west to east



Photos 40-42: Southern streetscape, east to west



Photo 43: View of Toney's Brook looking north from Label Street from Label Street



Photo 44: View of Toney's Brook looking south



Photo 45: View toward parking area on south side of Label Street

Oak Place



Photo 46: View north up Oak Place



Photo 47: View south down Oak Place



Photos 48-51: Northern streetscape, west to east



Photos 52-55: Southern streetscape, east to west

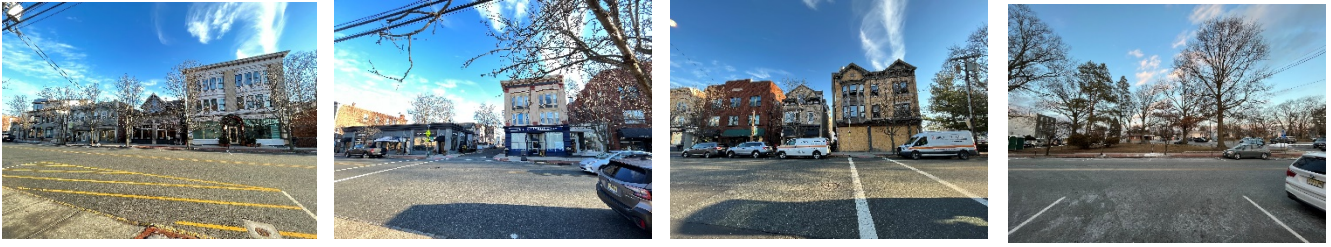
Walnut Street



Photo 56: View west down Walnut Street



Photo 57: View east up Walnut Street



Photos 58-61: Northern streetscape, west to east



Photos 62-66: Southern streetscape, east to west