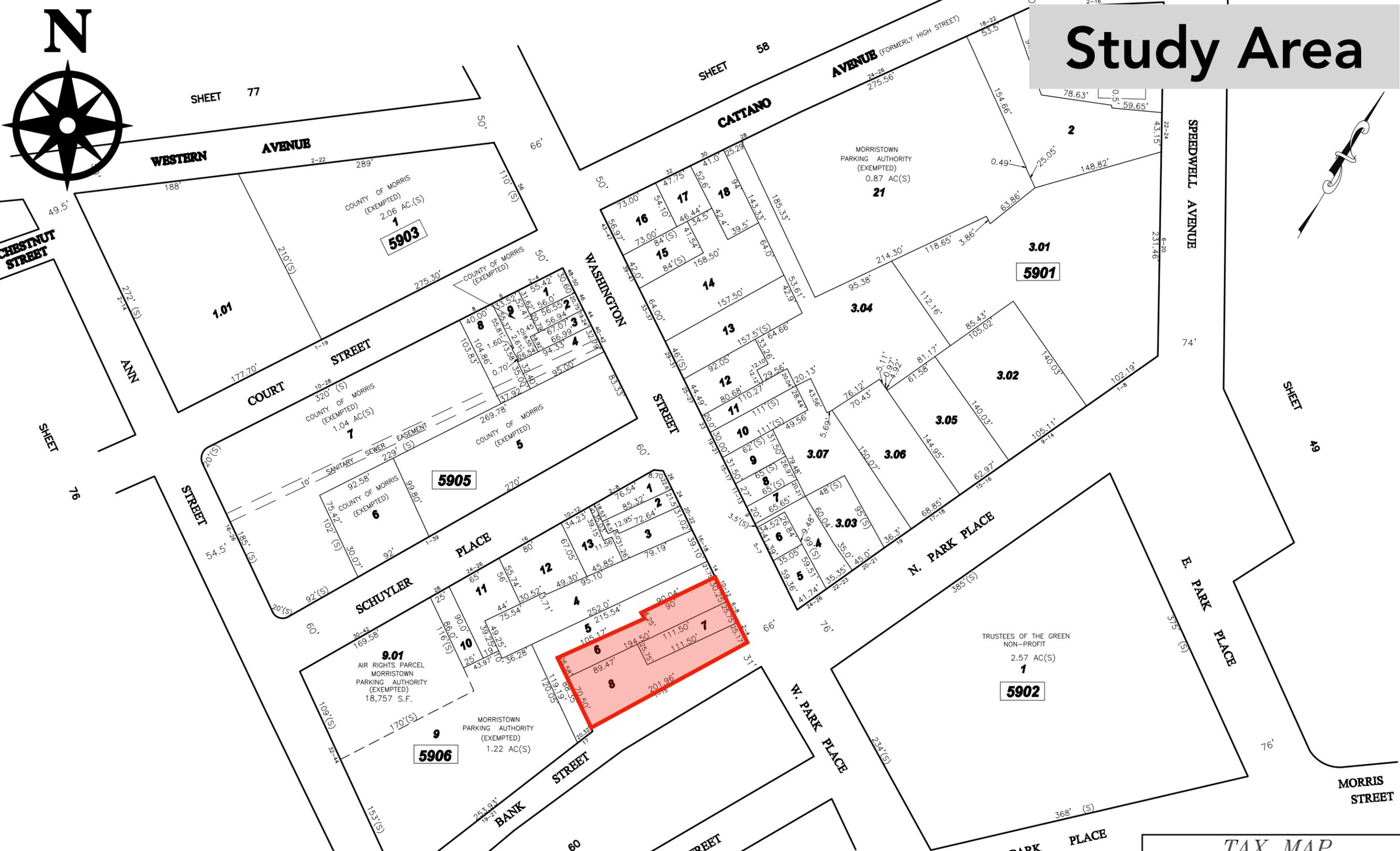


# Study Area



 **Recommended Redevelopment Area**

**TAX MAP**  
 TOWN OF MORRISTOWN  
 MORRIS COUNTY, NEW JERSEY  
 SCALE: 1"=50' DATE: 05-01-02  
 RICHARD F. SMITH, JR.  
 PROFESSIONAL LAND SURVEYOR NO.25048  
 16 SCHUYLER PLACE  
 MORRISTOWN, NJ 07960

THIS SHEET IS A DIGITIZED COPY OF THE TAX MAP PREPARED BY RICHARD F. SMITH, JR. AND DATED MAY 1, 2002. THE APPROVED ORIGINAL IS ON FILE IN THE ENGINEER'S OFFICE.



# Preliminary Investigation

**Morristown, NJ**

**Block 5906 Lots 6, 7, and 8**

Topology | 60 Union St #1N Newark, NJ 07105

TOPO  
LOGY

## Acknowledgements

### Mayor

Timothy P. Dougherty

### Town Council

Stefan Armington, Council President, 3rd Ward

Toshiba Foster, Vice President, At Large

Robert Iannaccone, 1st Ward

Tawanna Cotton, 2nd Ward

Sandi Mayer, 4th Ward

David Silva, At Large

Michael Elms, At Large

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### Planning Board Engineer

Charles Carley

**REPORT DATE 09.04.2020**

Report Date: September 4, 2020

Prepared by:



Philip A. Abramson, AICP/PP  
NJ Planner License No. 609600

## Table of Contents

Introduction	5
Background	6
Existing Conditions	8
Application of Statutory Criteria	16
Study Area Evaluation	20
Conclusion	60
Appendices	61

## Introduction

### Study Authorization

The following preliminary investigation has been prepared for the Planning Board of the Town of Morristown to determine whether certain properties qualify as condemnation areas in need of redevelopment under N.J.S.A. 40A:12A-5. The Town Council of the Town of Morristown authorized the Planning Board, through Resolution R-57-2020, annexed hereto as **Appendix A**, to conduct this preliminary investigation to determine whether designation of Block 5906, Lot 6, Lot 7 and Lot 8 as shown on the official Tax Map of Morristown (the "Property," "Site," or "Study Area") as in need of redevelopment is appropriate and in conformance with the statutory criteria in N.J.S.A. 40A:12A-5.

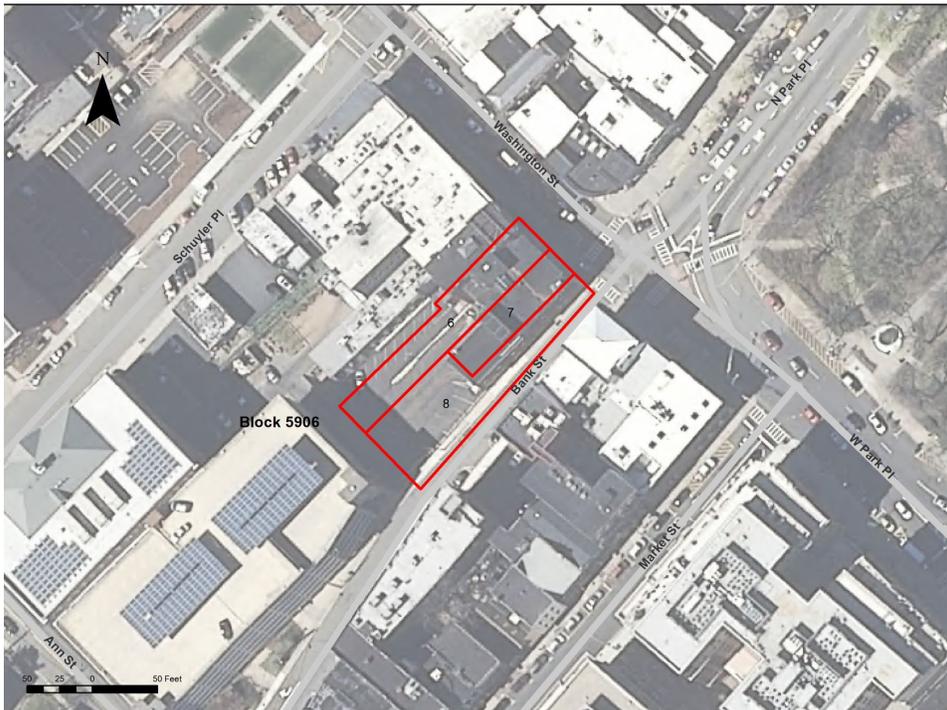


Figure 1: Study Area boundary.

### Summary of Findings

The analysis contained within this report will serve as the basis for the recommendation that Block 5906, Lot 6, Lot 7 and Lot 8 qualify as a condemnation area in need of redevelopment.

## Background

### Legal Authority

New Jersey's Local Redevelopment and Housing Law (the "LRHL") empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be transformed to advance the public interest. Once an area is designated in need of redevelopment in accordance with statutory criteria, municipalities may adopt redevelopment plans and employ several planning and financial tools to make redevelopment projects more feasible to remove deleterious conditions. A redevelopment designation may also qualify projects in the redevelopment area for financial subsidies or other incentive programs offered by the State of New Jersey.

### Redevelopment Procedure

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the LRHL. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires the Governing Body and Planning Board interact to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

- A. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5).
- B. The resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers for use in a redevelopment area other than the use of eminent domain (non-condemnation redevelopment area) or whether the redevelopment area determination shall authorize the municipality to use all those powers for use in a redevelopment area, including the power of eminent domain (condemnation redevelopment area).
- C. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included to be investigated. A statement setting forth the basis of the investigation or the preliminary statement should accompany this map.
- D. The Planning Board must conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.
- E. The Governing Body may accept, reject, or modify this recommendation by adopting a resolution designating lands recommended by the Planning Board as

## REPORT DATE 09.04.2020

an area in need of redevelopment.” The Governing Body must make the final determination as to the Redevelopment Area boundaries.

- F. If the Governing Body resolution assigning the investigation to the Planning Board states that the redevelopment determination shall establish a Condemnation Redevelopment Area, then the notice of the final determination shall indicate that: (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 final determination must be commenced within forty five (45) days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.
- G. A Redevelopment Plan may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the area in need of redevelopment.
- H. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance.
- I. Only after completion of this process is a municipality able to exercise the powers under the LRHL.

### **Progress**

In satisfaction of Part A above, the Town Council of the Town of Morristown adopted Resolution R-57-2020 on February 25, 2020. A preliminary investigation map, dated January 21, 2020, as attached to the resolution is on file with the Town Clerk. The resolution and preliminary investigation map are included as **Appendix A**.

### **Purpose + Scope**

In accordance with the process outlined above, this Preliminary Investigation will determine whether the Properties within the Town of Morristown meet the statutory requirements under N.J.S.A. 40A:12A-5 for designation as an area in need of redevelopment. This study was prepared at the request of the Planning Board of the Town of Morristown and was duly authorized by the Town Council.

The scope of work for the investigation encompassed the following: assessment of property conditions, occupancy and ownership status within the Study Area; review of municipal tax maps and aerial photos; review of building records; review of development approvals and permits; review of planning and zoning records; review of sewer records; review of tax assessment data; review of the existing zoning ordinance and zoning map for the Town of Morristown; review of the Master Plan for the Town; several external site inspections, including on March 12<sup>th</sup>, 2020; and an internal site inspection on August 28, 2020.

## Existing Conditions

### Study Context



Figure 2: Study Area context.

The Study Area is in Morristown’s downtown core. It is adjacent to the Green, the Town’s historic central gathering point. The three Study Area properties are generally bounded by Bank Street to the southeast, Washington Street to the northeast and developed properties to the northwest and southwest.

Nearby uses include eateries and retail establishments around the Green, a wide variety of housing, public parking garages, and government facilities. Specifically, to the northwest, the Study Area is bordered by a commercial building of which the ground floor is used by a florist. To the southwest, the Study Area is bordered by a structured parking facility operated by the Morristown Parking Authority.

The Green, in addition to being the Town’s central gathering point, is also the point of convergence for several major regional roadways, including Morris Street, South Street, Speedwell Avenue (US-202), and Washington Street (County Road 124). The train station is roughly .4 miles east of the site. Site access is provided via Bank Street (US-202), a major southwest-northeast arterial that goes through the Town’s downtown and connects to both I-80 and I-287, and Washington Street.

## Property History

As noted, the Study Area faces the Green, the historic economic and cultural center of the Town. The Green has served many purposes in the history of Morristown, including as a public marketplace and for military purposes during the Revolutionary War. Over time, stores, offices, and public facilities became concentrated around the Green, and it became the focal point of Morristown's downtown core, a role it continues to play today.

According to tax assessor records, the existing buildings in the Study Area were constructed roughly around 1870 and 1880. Based on a review of Sanborn maps, the district around Bank Street at the time was part of Morristown's livery trade. The brick buildings currently on site housed a variety of retail, office, and manufacturing uses during the last decades of the nineteenth century, including a drugstore, a hardware store, iron and steel works, and an agricultural imports office. Maps showing the development pattern around the Green as of 1885 and 1896 are included in Figure 3 below.

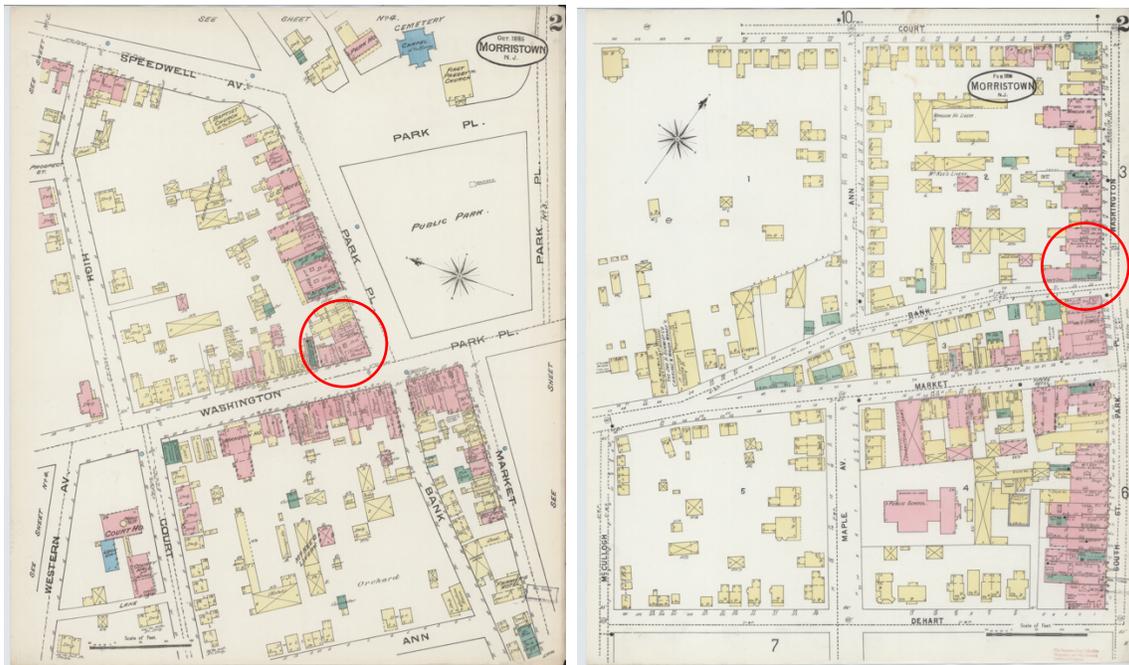


Figure 3: 1890 (left) and 1896 (right) Sanborn maps showing development in and around the Study Area.

While the Sanborn maps from the late nineteenth century show the Study Area properties being utilized for diverse purposes, for a large portion of the properties' existence they were adapted for utilization by a single operation and converted to function as a single unit. Specifically, the property was historically home to law firm of Schenck, Price, Smith & King, which was founded over 100 years ago as King & Vogt.

The law firm left Morristown around 2010 and moved their primary offices to a modern office facility in Florham Park, New Jersey. The properties were transferred to their current property owner at roughly the same time in February of 2010. The properties have remained largely vacant since that time.

The use of the properties in recent decades was established using Town records, including:

## REPORT DATE 09.04.2020

- Tax assessor records, included as **Appendix B**, which notes the use of each of the subject lots as office buildings.
- Documents associated with a 1985 Site Plan Application, included as **Appendix C**, which note the use of the site as a law office, among other uses, since 1917. This site plan application encompasses all three properties in the Study Area. It describes a plan to install an elevator that will serve all three of the buildings, and to install fire code compliant stairs at the rear of two of the buildings. These improvements, in addition to documenting the unified use of the properties, are also instructive in that they reflect an effort to retrofit the building to serve modern office practices, and that they reveal the responsibility for building improvements historically fell to the tenant, not the owner. This factor is significant when considering the current condition of the building.
- Zoning permit #15344, included as **Appendix D**, describes a 2006 application for interior renovations of Lot 6 as a continued office use.

As will be indicated below, the use of these buildings for commercial purposes, and the consolidation of these buildings to house a single shared use, is significant to the determination that they qualify as being an area in need of redevelopment.

### **On-Site Existing Conditions**

The Study Area, consisting of three distinct parcels, has a rectangular shape and measures 0.38 acres in total. All three lots have frontage on Washington Street, ranging between 25 and 30 feet. Vehicular access is provided via Bank Street and the rear of the property. The lots are narrow and, with exception of Lot 7, are about 200 feet in depth. Lot 7 measures roughly 111.50 feet in length as it is enclosed by the L-shaped Lot 8. The topography on site slopes down as it moves away from Washington Street. Portions of the properties that are not occupied by building footprints are used for parking and circulation. The 1985 Site Plan Application, included as Appendix C, notes that the improved lot coverage is 100% and that there are no loading berths.



Figure 4: Buildings in Study Area.

A brick structure is built on each of the three properties within the Study Area.

On Lot 6, a three-story building is built over a raised, partially below-grade basement. On Washington Street, steps lead down to the basement's separate entrance, while seven stairs lead from the street level to the building's ground level main entrance.

A three-and-a-half-story building with an additional below-grade level covers both Lot 7 and Lot 8. According to tax records, Lot 7 has roughly 4,743 square feet of office space. Lot 8 also has a smaller three-story appendage building built to the back of the building fronting on Washington Street.

As of the time of this report, all of the buildings in the Study Area are vacant.

### Existing Zoning

The Properties all lie in the TC- Town Center District. Relevant provisions from the Town's zoning ordinance are included below. Morristown's 2014 Master Plan described the district where the property is located as "the most intense mixed-use area within the Downtown...centered on the Town Green...[and] represent[ing] the heart of Morristown and the center of activity."

Additional detail regarding the properties' zoning can be found in the Town's Land Development Ordinance.



Figure 5: Study Area zoning.

Permitted uses are:

- a. 3-4 Family
- b. 5+ Family
- c. Art Gallery
- d. Childcare Center
- e. Convenience Store
- f. Market
- g. Media Production
- h. Offices, General and Professional
- i. Offices, Medical
- j. Coworking Facilities
- k. Services, Business or Personal
- l. Restaurant (coffee shop/café)
- m. Restaurant (full service/sit down)
- n. Retail
- o. Club / Lodge / Fraternal Organization
- p. Community Center
- q. Gov / Utility Offices
- r. Park / Playground

Permitted accessory uses are:

**REPORT DATE 09.04.2020**

- a. *Car Share*
- b. *Storage associated with principal uses*

*Conditional uses are:*

- i. *Artisan Workshop*
- ii. *Funeral Homes*
- iii. *Live/Work*
- iv. *Supermarkets*
- v. *Hotels*
- vi. *Theaters*
- vii. *Gaming*
- viii. *Parking*
- ix. *Restaurant, Fast Food*
- x. *Restaurant, Liquor Licensed*
- xi. *Nightclub/Bar*
- xii. *Breweries + Brewpubs*
- xiii. *Houses of Worship*
- xiv. *Schools*
- xv. *Outdoor Dining*
- xvi. *Wireless Communication Antennas*

*Permitted Buildings:*

- a. *Floor Area Ratio (Gross): Permitted FAR of 4.0 (Morristown Green Overlay District)*
- b. *Permitted Building Types:*
  - a. *Estate (Conditional)*
  - b. *Urban Small*
  - c. *Townhome (Conditional)*
  - d. *Urban Large (Conditional)*
- c. *Building Height: 5 stories or 60'*

**Ownership**

A review of the Town's property tax records was conducted to determine current ownership information. The table below shows the most current ownership records based on records from the Town's Tax Assessor.



Figure 6: Study Area outline.

Block	Lot	Zoning	Property Class	Area (Acres)	Address	Owner
5906	6	TC	4A	0.1324	10 WASHINGTON ST	10 WASHINGTON STREET LLC
5906	7	TC	4A	0.0656	6 WASHINGTON ST	2 WASHINGTON ST PENOBSCOT MGMT LLC
5906	8	TC	4A	0.1883	2 WASHINGTON ST	2 WASHINGTON ST PENOBSCOT MGMT LLC

### Property Taxes

Property tax records from the State of New Jersey Department of the Treasury, Division of Taxation were accessed to determine the assessed value of each property in the Study Area and current property taxes. The value of the land, improvements thereon and the net taxable value for the parcel parcels is displayed in the table below. Tax cards are included as **Appendix E**.

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	Taxes 2018
5906	6	\$975,000	\$975,000	\$1,200,000	\$35,400.00
5906	7	\$516,300	\$516,300	\$741,300	\$21,868.36
5906	8	\$1,115,000	\$1,115,000	\$1,340,000	\$39,530.00

**REPORT DATE 09.04.2020**

One property's assessed value has been reduced in recent years. Prior to the 2017 tax assessment, the assessed value of Block 5906, Lot 6 was \$1,330,300. Since 2017, the assessed value has been \$1,200,000 which translates into a reduction in assessed value of roughly 10%.

## Application of Statutory Criteria

### Introduction

The “Blighted Areas Clause” of the New Jersey Constitution empowers municipalities to undertake a wide range of activities to effectuate redevelopment of blighted areas:

“The clearance, replanning, development or redevelopment of blight areas shall be a public purpose and public use, for which private property may be taken or acquired. Municipal, public or private corporations may be authorized by law to undertake such clearance, replanning, development or redevelopment; and improvements made for these purposes and uses, or for any of them, may be exempted from taxation, in whole or in part, for a limited period of time...the conditions of use, ownership, management and control of such improvements shall be regulated by law.”

- NJ Const. Art. VIII, Section 3, Paragraph 1.

The New Jersey Local Redevelopment and Housing Law implements this provision of the New Jersey Constitution, by authorizing municipalities to, among other things, designate certain parcels as “in need of redevelopment,” adopt redevelopment plans to effectuate the revitalization of those areas and enter agreements with private parties seeking to redevelop blighted areas. Under the relevant sections of the LRHL (N.J.S.A. 40A:12A-1 et. seq.), a delineated area may be determined to be “in need of redevelopment” if the governing body concludes there is substantial evidence that the parcels exhibit any one of the following characteristics:

- a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar

conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the 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.

### **Redevelopment Case Law Principles**

The New Jersey Local Redevelopment and Housing Law has been interpreted extensively by New Jersey courts with regard to the specific application of the redevelopment criteria established under N.J.S.A. 40A:12A-5. Case law cited as being relevant to this analysis is intended to address: 1) the minimum evidentiary standard required to support a governing body's finding of blight; 2) the definition of blight that would satisfy both the State Constitution and the LRHL; and 3) the meaning of the term "faulty arrangement."

**Standard of Proof:** According to the New Jersey Supreme Court's decision, Gallenthin Realty v. Borough of Paulsboro (2007), a "municipality must establish a record that contains more than a bland recitation of the application of the statutory criteria and declaration that those criteria are met." In Gallenthin, the Court emphasized that municipal redevelopment designations are only entitled to deference if they are supported by substantial evidence on the record. It is for this reason that the analysis herein is based on a specific and thoughtful application of the plain meaning of the

statutory criteria to the condition of the parcels within the Study Area as they currently exist.

**The Meaning of Blight:** The Supreme Court in Gallenthin emphasized that only parcels that are truly “blighted” should be designated as “in need of redevelopment” and clarified that parcels designated under criterion “e” should be underutilized due to the “condition of the title, diverse ownership of the real properties.” Prior to this decision, municipalities had regularly interpreted criterion “e” to have a broader meaning that would encompass all properties that were not put to optimum use and may have been more financially beneficial if redeveloped. Gallenthin ultimately served to constrict the scope of properties that were once believed to qualify as an area in need of redevelopment under subsection (e).

On the other hand, in 62-64 Main Street LLC v. Mayor & Council of the City of Hackensack (2015), the Court offered a clarification that resisted an overly narrow interpretation, “[this Court has] never stated that an area is not blighted unless it ‘negatively affects surrounding properties’ because, to do so, would undo all of the legislative classifications of blight established before and after the ratification of the Blighted Areas Clause.” The Hackensack case is largely perceived as having restored a generally expansive view of the Housing and Redevelopment Law, except as restricted by the Gallenthin interpretation of subsection (e).

**“Faulty Arrangement”:** The term “faulty arrangement” is used as a basis for blight or area in need of redevelopment declarations in legislation from states across the country, including Minnesota, Louisiana, Illinois, and Utah. Given the ubiquity of this term and its lack of clear definition within the text of the LRHL, substantiating the meaning of faulty arrangement is essential to supporting the subsequent claims in the report regarding whether properties in the Study Area qualify.

New Jersey courts have made several rulings that substantiate the meaning of “faulty arrangement” as it pertains to an Area in Need of Redevelopment designation. These rulings are instructive in evaluating the applicability of the condition to properties within the Study Area. They include:

- 62-64 Main Street LLC v. Mayor & Council of the City of Hackensack (2015)
  - “The Board found that Block 205, Lot 8 [(the Moore property)] meets criteria “d” for faulty arrangement of design, which is indicated by the undefined layout and related poor circulation for the parking lot. The conditions have a negative impact on the surrounding properties because it is an unsightly area and the inefficient utilization of the parking area contributes to greater use of the on-street parking resources than would otherwise occur.”
  - “The property displayed faulty arrangement of design, had no landscaping or lighting, encroached into the sidewalk along one street, and was economically underutilized. In addition, the report found that the parcel had a negative impact on the surrounding properties because it was unsightly and inefficient, in a way that contributed to greater use of on-

street parking.”

- Price v. City of Union City, NJ (2018)
  - “[There are] 12 properties... [with] 12 separate driveways, most of which required vehicles to back out onto those roadways... The proliferation of this many individual driveways produces concerns for traffic safety on such a busy street... The deteriorated condition of the [area] exerts a negative impact on the surrounding neighborhood...”

The findings of the Courts in these cases are informative to an understanding of faulty arrangement as it pertains to conditions found in the Study Area, particularly as they relate to circulation patterns, property layouts, and the interaction of vehicles and pedestrians. It is also informative in that it suggests an overlap between faulty arrangement and obsolete layout.

## Study Area Evaluation

The following evaluation of the Study Area is based on the statutory criteria described above for designation as an “area in need of redevelopment.”

### Summary of Findings:

#### **Study Area – All Lots**

Criterion H applies to all properties within the Study Area. Criterion H states: “the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.”

The Smart Growth principles crafted by the Smart Growth Network and cited by the United States Environmental Protection Agency include:

- Mix of land uses;
- Take advantage of compact building design;
- Create a range of housing opportunities and choices;
- Create walkable neighborhoods;
- Foster distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland, natural beauty, and critical environmental areas;
- Strengthen and direct development towards existing communities;
- Provide a variety of transportation decisions;
- Make development decisions predictable, fair, and cost effective.

The Study Area exhibits many of the characteristics of an area suitable for Smart Growth. It has great access to public transit, including commuter rail. The properties are centrally located within Downtown Morristown, characterized as a Smart Growth Area by the State of New Jersey, which is part of a designated Regional Center. The existing land use form within the surrounding urban core of Morristown has a land use form conducive to creating a walkable neighborhood that has a mixture of land uses. Each of these characteristics supports the properties qualifying under Criterion H.

The New Jersey State Development and Redevelopment Plan (the “State Plan”) was adopted March 1, 2001 and is intended to “serve as a guide for public and private sector investment in New Jersey.”<sup>1</sup> In the State Plan, the Study Area is located in the Metropolitan Planning Area (PA-1). The State’s intention for areas within PA-1 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
- Protect the character of existing stable communities

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<sup>1</sup> “New Jersey State Development and Redevelopment Plan.” State of New Jersey. 1 March 2001, p. 6.

**REPORT DATE 09.04.2020**

In 2010, Executive Order 78 reiterated the importance of using “State planning as a tool to align all levels of government behind a shared vision for future growth and preservation.” Redevelopment of the Study Area properties would be in line with the objectives of the State Plan and the directive of Executive Order 78, and the aims of the State Plan for PA-1 zones aims are consistent with Smart Growth objectives. As such, designation of the Study Area would be consistent with the aims of the State Plan and warrant designation under Criterion H.

**Common Conditions in Photographs**

As noted, several inspections were conducted of the site, including an internal inspection on August 28<sup>th</sup>, 2020. Photographs from the inspections are included to support the recommendation contained herein—that all three properties qualify for designation as an area in need of redevelopment. More specifically, the photographs included herein support designation of the properties under Criteria A, B, and D.

Best efforts have been made to match photographs with the corresponding properties. However, because the buildings (and the underlying properties) are inter-connected and internal boundaries between structures and properties are not clearly defined, it is possible that certain photographs may depict one of the adjacent structures or properties within the redevelopment area rather than that which is indicated in the text. For example, a photo of the condition of Lot 6 may be included in the description of the conditions of Lot 7, or vice versa.

It is important to note that any misidentification in the manner described above does not affect the finding of the report because the conditions that support designation for Criteria A, B, and D are pervasive across all three of the properties.

To that end, the table below summarizes this report’s findings with regard to the statutory criteria’s applicability to the parcel within the Study Area:

Block	Lot	Acreage	Criteria								Section 3
			A	B	C	D	E	F	G	H	
5906	6	0.1324	X	X		X	X			X	
5906	7	0.0656	X	X		X	X			X	
5906	8	0.1883	X	X		X	X			X	

## Block 5906, Lot 6

Address: 10 Washington Street

Size: 0.1324 Acres

Owner: 10 Washington Street LLC

Based upon an inspection of the property and examination of records, Block 5906, Lot 6 meets the following criteria under the LRHL:

*Criterion 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.*

The property qualifies under Criterion A as the building is substandard, unsafe and dilapidated in a manner that is conducive to unwholesome working conditions. These conditions are reflected in observed exterior building conditions, including damaged gutters, exposed electrical wiring, damaged window frames, peeling paint, chipped masonry, and rusty fencing, as well as observed interior conditions such as damaged walls, exposed wiring, and evidence of water damage.

The building shows both cracks in the façade and chipped masonry. In some places, the brick has started to crumble and flake away, as shown below. On the back of the property, this condition is exacerbated by the excessive plant growth occurring on the exterior wall.



Figure 7: Cracks in exterior wall and bulging brick (see lower right).



*Figure 8: Plant growth on exterior wall, exposed wires.*



*Figure 9: Cracked masonry and fragmented mortar on exterior wall.*

An exterior inspection of the building revealed signs of spalling which can create safety hazards and compromise the structural integrity of the building. Spalling of the exterior wall can cause pieces of masonry to fall, which creates a safety hazard. Also, spalling in the foundation wall can over time negatively impact the structural integrity of the building as it no longer rests on a sound foundation. These safety hazards are conducive to unwholesome working conditions.

In the front of the building, dilapidated and unsafe conditions are observed at the ground level and lower level entrances to the building. Elements of the building in these locations

exhibit rotting wood (see Figure 10), rusting stairs and window frames (as shown in Figure 11), and deteriorating window enclosures. These conditions create unwholesome working conditions by creating dangerous access routes – especially the dilapidated building entrance on Washington Street, as shown in Figure 12 – that present safety hazards for individuals entering and exiting the building.



*Figure 10: Rotten wood near Washington Street entrance.*



*Figure 11: Rusted window enclosure.*



Figure 12: Dilapidated building entrance.

Observed interior conditions were generally substandard, unsafe, and dilapidated—supporting the conclusion that the property qualifies for designation under Criterion A. As reflected in the photographs below, evidence of substandard and dilapidated conditions included holes in walls (Figure 13), evidence of water damage/intrusion in ceilings (Figure 14), missing ceiling panels and exposed wiring (Figure 15), dangerous stairway configuration (Figure 16), and water intrusion and debris in the basement (Figures 17 - 18).



Figure 13, 14: Holes in walls; evidence of water intrusion in the ceiling



Figure 15, 16: Missing ceiling panels and exposed wires; compromised stair structure.



Figure 17, 18: Evidence of water intrusion in the basement; scattered debris in the basement.

These observed interior conditions are conducive to unwholesome working conditions. Holes in walls create an unsightly working condition and may expose workers to wiring, insulation or other hazardous materials enclosed within walls. Many of the holes were the result of water damage and/or emergent pipe / leak repairs. Water intrusion of this nature promotes mold growth, which is supported by presence of “mildew” odor observed during the site inspection. Water damage can compromise the integrity of building materials and increase the risk of injury due to falling debris.

**REPORT DATE 09.04.2020**

Critical building elements in disrepair, like the stairs shown in Figure 16 create dangerous emergency routes for workers. Exposed wires, as observed, create safety hazards for workers that may come in contact with live electrical equipment. Scattered debris, as observed in the basement, creates both tripping hazards and substrate for pathogen growth. These interior building conditions, particularly when considered in their totality, reflect a substandard, unsafe, and dilapidated condition that is conducive to unwholesome working conditions.

Based on the analysis above, the property qualifies as an area in need of redevelopment under criterion A. Specifically, the generality of the building is dilapidated, unsafe, and substandard in a manner that is conducive to creating unwholesome working conditions.

*Criterion 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.*

As noted, the principal structure on the property is a vacant commercial building. Based on a review of imagery, press clippings, and water records, the property has experienced significant vacancies for at least two consecutive years, or since August 2018.

The imagery below supports the conclusion that the building has experienced significant vacancies for at least two consecutive years. The imagery included shows no signs of activity in the building such as lights being on, interior activity seen through the window, trash areas with evidence of recent use, or individuals entering or exiting.



Figure 19: October 2017, vacant.



Figure 20: August 2019, vacant.



Figure 21: March 2020, vacant.

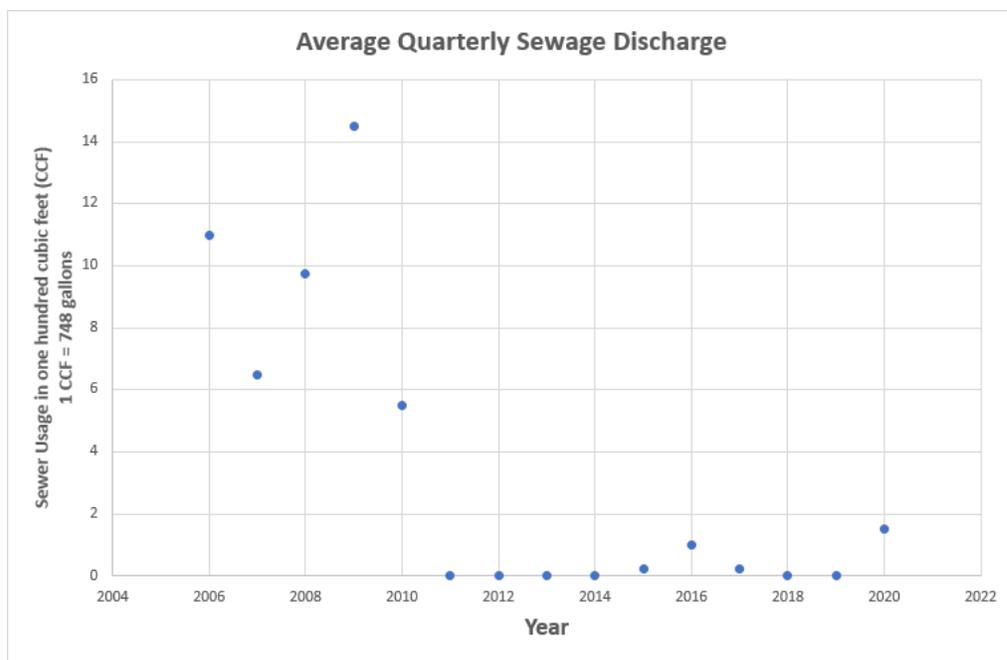
In addition to the photographs above, site vacancy was also documented via media reports. As has been previously established, the property was historically utilized by the law firm Schenck, Price, Smith & King. In his 2011 State of the Town address, Morristown Mayor Timothy Dougherty noted the vacant condition of the buildings in the Study Area. Specifically, the Mayor said:

**REPORT DATE 09.04.2020**

“Furthermore, the leasing and/or redevelopment of several sites in town including...the former Schenck Price buildings on Washington Street...all should make progress this year.”<sup>2</sup>

Furthermore, data obtained by the Town of Morristown reflecting sewer readings over time documents the property’s significant vacancy since 2010. These records are included as **Appendix F**. These quarterly reports establish the property’s sewer discharge and, therefore, its water consumption based on meter readings.

Two reports were provided by the Town of Morristown for the three properties in the Study Area. The graph below shows the average quarterly sewer discharge, by year, for the report assigned to 10 Washington Street LLC, the listed owner of Block 5906, Lot 6.



*Graph 1: Average Quarterly Sewage Discharge, 10 Washington Street LLC.*

As the graph shows, the sewer discharge on site has almost fallen to zero after 2010, evidencing the discontinuance of the use of the building and continued vacancy. While there was a minor uptick in usage 2020, this change was not associated with any known occupancy of the building or any observed occupancy during internal or external inspections.

Finally, the vacancy of the site was confirmed during the internal site inspection. During the inspection, the building showed no signs of recent occupancy. Additionally, as is

<sup>2</sup> Coughlin, Kevin. Morristown Green. 4 January 2011. “Morristown Mayor predicts progress for 2011 in his first annual address.” <<https://morristowngreen.com/2011/01/04/morristown-mayor-predicts-progress-for-2011-in-his-first-annual-address-2/>>. Accessed 28 April 2020.

## REPORT DATE 09.04.2020

noted in other sections of this report, the generally uninhabitable condition of the structure further supports the conclusion that it has experienced long-term vacancy.

The property's vacancy is considered significant given Morristown's relatively strong market-demand for office space. Market reports issued by CBRE, an authoritative commercial real estate firm, explain that Morristown consistently sees a quick turnover (i.e. high demand) of for-lease office space. In the first quarter of both 2019 and 2020, Morristown accounted for less than 10 percent of the available square footage of office space in Northern New Jersey, while it was responsible for nearly 25 percent of the total amount of office space leased within that quarter in Northern New Jersey.<sup>3 4</sup> In a market report for the second quarter of 2020, CBRE listed the availability rate for office buildings in the Morristown submarket at 17.5%.<sup>5</sup> Based on this market context, the complete vacancy of the building can be considered to be significant.

As a property where the primary building was previously used for commercial purposes and has experienced significant vacancies for at least two years, the property qualifies as an Area in Need of Redevelopment under Criterion B.

*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.*

The property exhibits several characteristics that warrant qualification under Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, dilapidated buildings and improvements, and elements of obsolescence that are detrimental to the health, safety, morals and welfare of the community.

The parking area in the rear of the lot exhibits faulty arrangement in a manner that is detrimental to the safety of the community. Access to the rear parking area of Lot 6 is provided via a narrow driveway. There is a convergence of access patterns on this driveway, including vehicles accessing loading on Schuyler Place, the public parking garage, and the Study Area properties. This creates an unsafe situation and conflict points between cars accessing the site and those accessing these other uses. Vehicles forced to back out of the property due to the one-way circulation pattern could easily come into conflict with vehicles utilizing the garage or loading along Schuyler Place. The dangerous nature of these movements is compounded by limited sight lines. The relationship between the properties and the various access points is reflected in the figure below.

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<sup>3</sup> CBRE. 2019. "Marketview New Jersey Office, Q1 2019." Accessed June 12, 2020.

<sup>4</sup> CBRE. 2020. "Marketview New Jersey Office, Q1 2020." Accessed June 12, 2020.

<sup>5</sup> CBRE. 2020. "Marketview New Jersey Office, Q2 2020." Accessed September 1, 2020.



*Figure 22: Access to parking and loading for Lot 6 via narrow rear drive with conflicting users*

Faulty arrangement in the rear lot is also reflected in the unclear striping of the parking area and the lack of markings denoting drive lanes in the rear of the property. The circulation area of the parking does not allow for two-way circulation, creating a confusing and dangerous pattern. This confusing and dangerous pattern is exacerbated by the lack of infrastructure for pedestrians entering or exiting their vehicles. There are no clear pathways to denote where and how pedestrians should travel from their vehicles to the building. As a result, pedestrians are required to walk in the vehicular pathway, creating a condition that is detrimental to the health and safety of the community.

As reflected in the figure below, the property also possesses dilapidated improvements. Pavement in the parking and circulation area and the low retaining wall show signs of settling and potential water intrusion. While it appears that some effort was made to repair the retaining wall, the deteriorated condition persists, and no associated construction permit was identified. The conditions on-site, including the absence of screening or landscaping, have a deleterious impact on the surrounding properties by creating an unsightly appearance. These conditions could reasonably be expected to discourage adjacent property owners from undertaking investment and are therefore detrimental to the welfare of the community.



*Figure 23: Dilapidated parking area and retaining wall; absence of clear circulation patterns, absence of screening and landscaping.*

An interior inspection also revealed the building on site to be in a dilapidated condition that is detrimental to health, safety, and welfare of the community. As noted in the description of Criterion A and evidenced in photographs, dilapidated conditions included holes in walls, evidence of water intrusion in the ceiling, missing ceiling panels and exposed wiring, compromised stairs, water intrusion and uneven surfaces in the basement, and scattered debris in the basement. These conditions are detrimental to health and safety because they, amongst other things, promote the growth of mold, expose workers to dangerous electrical conditions, and create falling hazards. These conditions are detrimental to the welfare of the community because they are both the result of and will impede reuse and reoccupancy of the building, contributing to the long-term vacancy (and continued deterioration) of the structure. The presence of a vacant building is detrimental to the welfare of the community because it negatively impacts surrounding properties, thereby having a negative impact on economic activity and potential tax revenues within the vicinity.

The property also exhibits excessive land coverage. Based on an aerial assessment and site visits, Lot 6 is completely covered by improvements as no natural or landscaped areas are present. This observation was confirmed in the 1985 Site Plan application previously referenced as Appendix C. Excessive land coverage negatively impacts the health, safety, and welfare of a community by exacerbating flooding, stormwater runoff, and non-point source pollution.

The existing structure also exhibits characteristics of obsolescence. The characteristics of obsolescence appear to be the result of a decades-long effort to both retrofit a historic building to modern standards and to combine multiple structures. Most significantly, the building possesses a raised entrance on Washington Street that, by virtue of the fact that visitors are required to climb several steps, fails to comply with modern accessibility standards. An accessible entrance is considered of the highest priority under Federal ADA

**REPORT DATE 09.04.2020**

(Americans with Disabilities Act) regulations. The existing entrance fails to comply with these regulations. As a result, it does not allow full and equal access to people with disabilities and is not conducive for ground floor uses permitted under the zoning.

While the existing entrance may be sufficient to secure a Certificate of Occupancy, the lack of full compliance with accessibility regulations calls into question the marketability of the space for a modern user. Additionally, the current design and site improvements create a break in the pedestrian network as the staircase entrance disrupts the established rhythm of pedestrian-oriented, storefront retail – the policy underlying the Town’s requirement for active ground floor uses. Failing to continue this pattern of a comfortable and welcoming pedestrian environment and limiting the marketability of the site by not providing an ADA accessible entrance is detrimental to the welfare of the community by limiting the accessibility of the site to all potential users and detracts from the walkability of the surrounding area.



*Figure 24: Obsolescent access on Washington Street.*

Conditions along Washington Street have been cited by the Town in recent years as a safety violation. In April 2015, a violation was issued for the following condition: “SURVEY PROPERTY TO REPAIR EXPOSED SHARP NAILS. PRIMARILY THE FENCES THAT ARE BROKEN EXPOSE SHARP RUSTED NAIL WHICH IS A SAFETY HAZARD.” In January 2016, a violation was issued for the following condition: “Outside front rail leading to basement is in disrepair and a hazard. Repair asap. See pic.” While these violations have since been closed, they reflect a pattern of deterioration, rather than the proactive and specific maintenance required for a historic structure.

The presence of the conditions detailed above, particularly the violations referenced, is partially the result of the property’s significant vacancy in recent years. As noted previously, the 1985 Site Plan Application and 2006 Zoning Permits were filed by the tenant with consent from the prior owner. Since the property transacted in 2010 and in

**REPORT DATE 09.04.2020**

the absence of a tenant, there have been no formal efforts made to improve the property except to abate the safety violations cited by the Town via property maintenance violations. The lack of recent improvement to the property is leading to a condition of waste and appears to have exacerbated many of the conditions cited for establishing the property's qualification under various criteria.

Internal conditions are also reflective of inadequate ADA accessibility and support the conclusion that the building exhibits characteristics of obsolescence. As reflected in the figure below, stairways within the structure (including what appear to be all means emergency egress) are narrow and difficult to climb. Furthermore, the retrofitting of the three separate properties to accommodate a single user has resulted in a configuration that requires the use of a network of small, internal staircases or, in some cases ramped floors, to accommodate varying floor heights. This condition, which will be evidenced in photos for subsequent properties, inhibits circulation for users with mobility impairments. Limited accessibility is reflective of obsolescence and, is detrimental to the morals and welfare of the community because it limits the range of individuals that can be accommodated within the building and inhibits potential reuse of the structure.



*Figure 25: Steep and narrow staircase*

Based on the analysis above, Block 5906, Lot 6 qualifies as an area in need of redevelopment under the LRHL as it satisfies Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, dilapidated buildings and improvements, and elements of obsolescence, that are detrimental to the health, safety, morals and welfare of the community.

*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*

**REPORT DATE 09.04.2020**

*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.*

Criterion E can be applied to the apparent shared uses between the buildings. The properties have been historically affiliated, resulting in shared facilities, specifically as it relates to accessibility. The only elevator in the Study Area, for example, is in Lot 6, while the ADA accessible entrances serve Lots 7 and 8. While these shared uses may be appropriate as long as the buildings are treated as a unified site, they prevent the uncoupling of the buildings for separate uses. This bundling of the buildings via shared assets can be viewed as a condition of title that prevents future improvements. This bundling may discourage the undertaking of improvements in individual components of the overall Study Area, resulting in a stagnant and unproductive condition of land which can be presumed to have a negative economic impact.

Based on this analysis, the property qualifies as an Area in Need of Redevelopment under Criterion E.

## Block 5906, Lot 7

Address: 6 Washington Street

Size: 0.0656

Owner: Washington St Penobscot MGMT

Based upon an inspection of the property and examination of records, Block 5906, Lot 7 meets the following criteria under the LRHL:

*Criterion 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.*

The property qualifies under Criterion A as the generality of the building is substandard, unsafe and dilapidated in a manner that is conducive to unwholesome working conditions.

Observed interior conditions were generally substandard, unsafe, and dilapidated, supporting the conclusion that the property qualifies for designation under Criterion A. As reflected in the photographs below, substandard, unsafe, and dilapidated conditions included evidence of mold and water damage in ceilings and walls (Figures 28, 29, 32), haphazard “patch” repairs, which themselves appear to be water damaged (Figures 28, 29); holes and separation in walls and ceilings (Figures 26, 27, 30, 31), and cracked floor tiles (Figure 32).



Figure 26, 27: Holes in ceiling; separation of ceiling tile.



Figure 28, 29: Evidence of water damage in ceiling and walls; separating joints; cracked ceiling elements

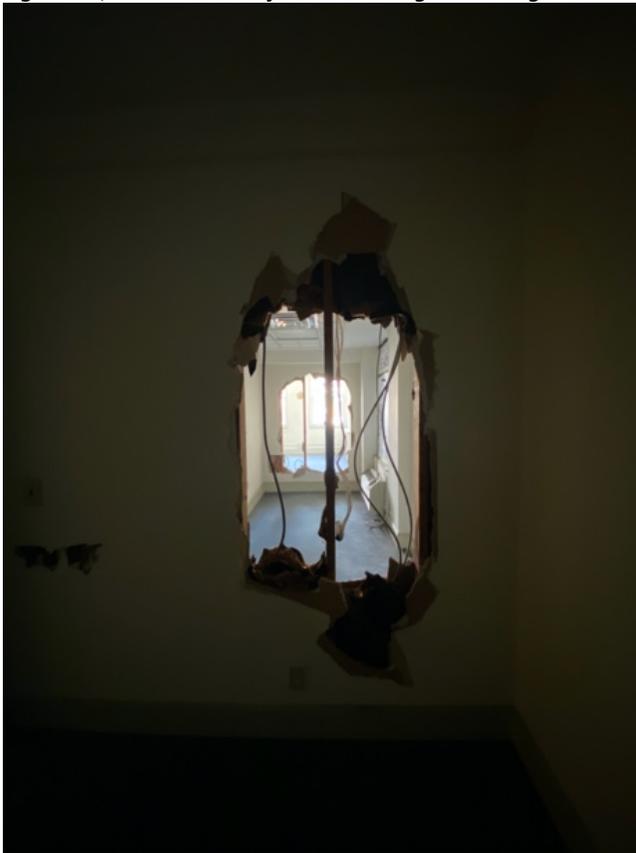


Figure 30: Holes in walls, exposed wiring



Figure 31, 32: Hole in ceiling; water intrusion in ceiling; dilapidated floor tiles

These observed interior conditions are conducive to unwholesome working conditions. Holes in walls or ceilings create unsightly working condition and may expose workers to wiring, insulation or other hazardous materials enclosed within walls. Many of the holes appear to have been the result of water damage. Water intrusion of this nature promotes mold growth, which is supported by the presence of “mildew” odor observed during the site inspection. Water damage can also compromise the integrity of building materials and increase the risk of injury due to falling debris. Over time, long-term water damage between floors could damage joists and implicate structural stability. Dilapidated floors create tripping hazards. Exposed wires, as observed, create safety hazards for workers that may come in contact with live electrical currents. These interior building conditions, particularly when considered in their totality, result in a substandard, dilapidated, and unsafe environment that is conducive to creating unwholesome working conditions.

Based on the analysis above, the property qualifies as an area in need of redevelopment under criterion A. Specifically, the generality of the building is dilapidated, unsafe, and substandard in a manner that is conducive to unwholesome working conditions.

*Criterion 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.*

As noted, the principal structure on the property is a vacant commercial building. Based on a review of imagery, press clippings, and water records, the property has experienced significant vacancies for at least two consecutive years, or since February 2018.

The imagery below supports the conclusion that the building has experienced significant vacancies for at least two consecutive years. The imagery included shows no signs of

**REPORT DATE 09.04.2020**

activity in the building such as lights being on, interior activity seen through the window, trash areas with evidence of recent use, or individuals entering or exiting. Imagery taken in recent years also no longer shows parked cars in the back-lot parking area shared with Lot 8, as opposed to 2009 imagery showing an active parking area. A “For Lease” sign, is also clearly visible in the window of Lot 8. While the “For Lease” sign is not in the window of Lot 7, the historic links between the properties has been sufficiently detailed to conclude that the “For Lease” sign in the window of Lot 8 supports the conclusion that Lot 7 is also vacant.



*Figure 33: August 2009, occupied.*



*Figure 34: September 2017, vacant.*



Figure 35: October 2017, vacant.



Figure 36: August 2018, vacant.



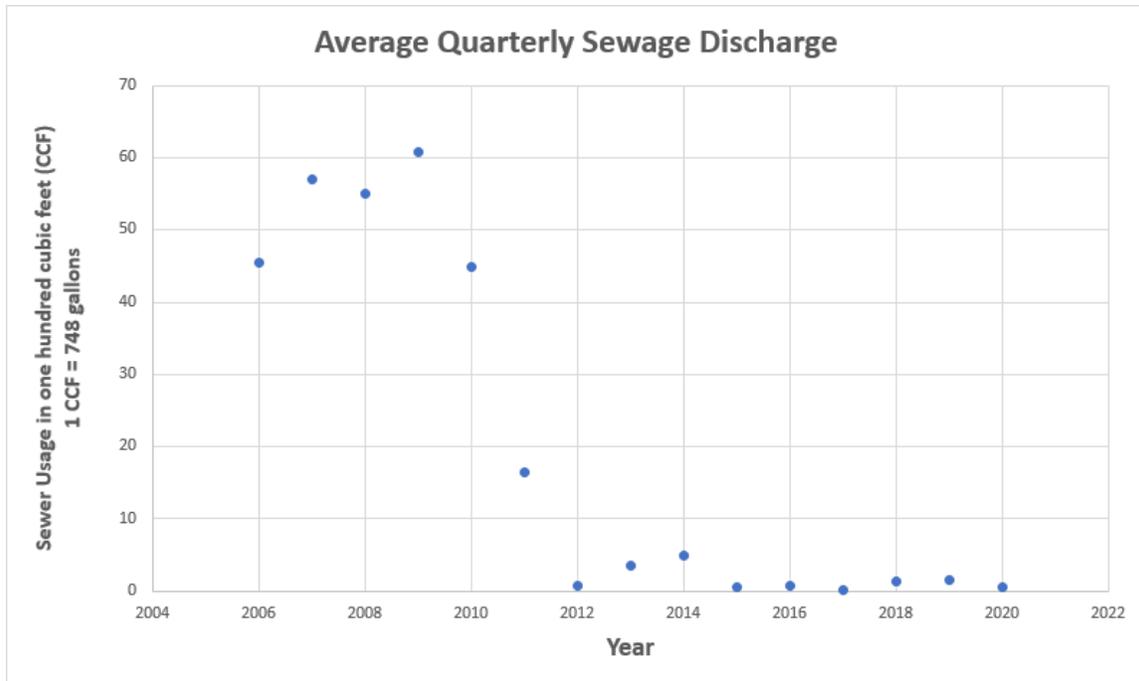
Figure 37: March 2020, vacant.



Figure 38: March 2020, vacant.

Data obtained Town of Morristown reflecting sewer readings over time also documents the property's significant vacancy since roughly 2010. These records are included as **Appendix F**. These quarterly reports establish the property's sewer discharge and, therefore, its water consumption based on meter readings.

Two reports were provided by the Town of Morristown for the three properties in the Study Area. The graph below shows the average quarterly sewer discharge, by year, for the report assigned to 2 WASHINGTON ST PENOBSCOT MGMT, the listed owner of Block 5906, Lots 7 and 8.



Graph 2: Average Quarterly Sewage Discharge, Washington St Penobscot MGMT.

As the graph shows, the sewer discharge on site has almost fallen to zero after 2010, evidencing the discontinuance of the use of the building and continued vacancy.

In addition to the photographs and sewer discharge reports mentioned above, the site vacancy was also documented via reports in the press. As has been previously established, the property was historically utilized by the law firm Schenck, Price, Smith & King. In his 2011 State of the Town address, Morristown Mayor Timothy Dougherty noted the vacant condition of the buildings in the Study Area. Specifically, the Mayor said:

“Furthermore, the leasing and/or redevelopment of several sites in town including...the former Schenck Price buildings on Washington Street...all should make progress this year.”<sup>6</sup>

Finally, the vacancy of the site was confirmed during the internal site inspection. During the inspection, the building showed no signs of recent occupancy nor any recent efforts to prepare the building for occupancy. As noted in other sections of this report, the generally uninhabitable condition of the structure further supports the conclusion that it has experienced long-term vacancy.

As noted above, the property’s enduring vacancy is considered significant given Morristown’s real estate market for office space. As evidenced by market reports issued by CBRE, an authoritative commercial real estate firm, Morristown consistently sees a

<sup>6</sup> Coughlin, Kevin. Morristown Green. 4 January 2011. “Morristown Mayor predicts progress for 2011 in his first annual address.” <<https://morristowngreen.com/2011/01/04/morristown-mayor-predicts-progress-for-2011-in-his-first-annual-address-2/>> Accessed 28 April 2020.

## REPORT DATE 09.04.2020

quick turnover of for-lease office space. An office space that has been vacant for such a prolonged period of time as is the case here can thus be considered an anomaly in Morristown, and reflective of a condition of significant vacancy.

As a property where the primary building was previously used for commercial purposes that has experienced significant vacancies for at least two years, the property qualifies as an Area in Need of Redevelopment under Criterion B.

*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.*

The property exhibits several characteristics that warrant qualification under Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, characteristics of obsolescence, and dilapidated buildings and improvements that are detrimental to the health, safety, morals, and welfare of the community.

The parking area in the rear of the lot exhibits faulty arrangement and an obsolete layout in a manner that is detrimental to the safety of the community. The parking area in the rear is encircled by, and shared with, the other properties in the Study Area. As such, many of the characteristics are similar. As noted in the evaluation of Block 5906, Lot 6, access to the rear parking area is provided via a narrow driveway utilized by several properties. There is a convergence of access patterns on this driveway, including vehicles accessing loading on Schuyler Place, the public parking garage, and the Study Area properties. This driveway creates an unsafe condition and conflicts between cars accessing the site, those leaving the adjacent public parking garage and those using the driveway to access loading for properties on Schuyler Place. This unsafe situation is only exacerbated as cars leaving the adjacent public parking garage and the surface parking behind it drive parallel to this driveway.

The unsafe condition of accessing the lot is magnified by the lack of clear striping noting the parking area or denoting drive lanes in the rear of the property. These conditions are reflective of faulty arrangement and obsolete layout. The existing arrangement of accessways and parking requires tight turns to enter or exit and creates an unsafe condition for drivers and pedestrians. This safety risks associated with this pattern is exacerbated by the lack of infrastructure pedestrians entering or exiting their vehicles. There are no clear pathways to denote where and how pedestrians should travel from their vehicles to the building. As a result, pedestrians are required to walk in the vehicular pathway, creating an unsafe situation.

As reflected in the figures below, the property also possesses dilapidated improvements. The limited parking and circulation area in the rear show signs of deterioration. The

absence of screening or landscaping have a deleterious impact on the surrounding properties by creating an unsightly appearance. These conditions could reasonably be expected to discourage adjacent property owners from undertaking investment, thereby having a detrimental impact on the community's welfare.



*Figure 39: Dilapidated improvements; absence of marking.*



*Figure 40: Unstriped parking area shared with adjacent lots*

An interior inspection also revealed the building to be in a dilapidated condition that is detrimental to health, safety, and welfare of the community. As noted in the description of Criterion A and evidenced in photographs, dilapidated conditions included holes in walls, evidence of water intrusion in the ceiling, missing ceiling panels, exposed wiring, dilapidated floor tiles, and cracks and damage to the ceiling. These conditions are detrimental to health and safety because they, amongst other things, promote the growth of mold, expose workers to dangerous electrical conditions, create tripping

**REPORT DATE 09.04.2020**

hazards, and increase the likelihood of injuries caused by falling building materials. These conditions are detrimental to the welfare of the community because they are both the result of and will continue to impede reuse and reoccupancy of the building, contributing to long-term vacancy and continued deterioration of the structure. The presence of a vacant building is detrimental to the welfare of the community because it negatively impacts surrounding properties, thereby having a negative impact on economic activity and potential tax revenues within the vicinity.

The interior inspection also revealed characteristics of obsolescence related to property accessibility. Because the three properties have been retrofitted to accommodate a single user, the resulting configuration is a circulation network that requires the usage of numerous small internal staircases or, in some cases ramped floors, to accommodate varying floor heights. This condition, as reflected in the figures below, inhibits circulation for users with mobility impairments. Limited accessibility is reflective of obsolescence and, as noted previously, is detrimental to the morals and welfare of the community because it limits the range of individuals that can be accommodated within the building and inhibits potential reuses of the structure.



*Figure 41, 42: Small staircases required for internal circulation limit accessibility of property*

Furthermore, the property exhibits excessive land coverage. Based on an aerial assessment, site visits, and property documentation, the maximum improved coverage is roughly 95% as natural or landscaped areas are almost completely absent on-site. As noted, before, excessive land coverage negatively impacts the health, safety, and welfare of a community by exacerbating flooding, stormwater runoff, and non-point source pollution. Excessive land coverage detracts from the welfare of the community by creating a less hospitable landscape that discourages pedestrian activity. Pedestrian activity is an essential component of a modern downtown and conducive to creating a thriving business environment.



Figure 43: Excessive land coverage.

Based on the analysis above, Block 5906, Lot 7 qualifies as an area in need of redevelopment under the LRHL as it satisfies Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, characteristics of obsolescence, and dilapidated buildings and improvements, that are detrimental to the health, safety, morals, and welfare of the community.

*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.*

Criterion E can be applied to the apparent shared uses between the buildings. The properties have been historically affiliated, resulting in shared facilities, specifically as it relates to accessibility. The only elevator in the Study Area, for example, is in Lot 6, while the ADA accessible entrances serve Lots 7 and 8. While these shared uses may be appropriate as long as the buildings are treated as a unified site, they prevent the uncoupling of the buildings for separate uses. This bundling of the buildings via shared assets can be viewed as a condition of title that prevents future improvements. This intertwining of fee simple parcels can be viewed as a condition of title discouraging the undertaking of improvements in individual components of the overall Study Area, resulting in a stagnant and unproductive condition of land which can be presumed to have a negative economic impact.

Based on this analysis, the property qualifies as an Area in Need of Redevelopment under Criterion E.

## Block 5906, Lot 8

Address: 2 Washington Street

Size: 0.1883 Acres

Owner: 2 Washington St Penobscot MGMT

Based upon an inspection of the property and examination of records, Block 5906, Lot 8 meets the following criteria under the LRHL:

*Criterion 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.*

The property qualifies under Criterion A as the building is substandard, unsafe, and dilapidated in a manner that is conducive to unwholesome working conditions. These conditions are reflected in observed exterior building conditions, including damaged or missing roof or fascia elements, cracks in the façade, chipped masonry, and spalling brick. Substandard, unsafe, and dilapidated conditions are also evidenced in observed interior conditions such as damaged walls, exposed wiring, and evidence of water damage.

The building façade in the rear of the lot has damaged and missing roof-top and fascia elements, as shown below.



Figure 44: Missing fascia element.

The absence of adequate roofing is likely to cause roof leaks and increases the risk of mold problems within the building. As the United States Environmental Protection Agency (EPA) mentions on their website: “The key to mold control is moisture control. It is important to dry water damaged areas and items within 24-48 hours to prevent mold

growth.”<sup>7</sup> As the building has been vacant for a prolonged period of time, water damaged areas and any resulting mold growth are likely to remain unnoticed. The EPA also points out the health risks posed by mold: “Molds have the potential to cause health problems. Molds produce allergens (substances that can cause allergic reactions) and irritants. Inhaling or touching mold or mold spores may cause allergic reactions in sensitive individuals. Allergic responses include hay fever-type symptoms, such as sneezing, runny nose, red eyes, and skin rash. Allergic reactions to mold are common.” As such, the dilapidated roofing of the building is conducive to unwholesome working conditions.

The presence of moisture and subsequent water damage can also compromise some of the most structurally significant components of the building – such as rafters and joists – which if compromised could result in the collapse of the building under added weight as may be experienced during a snowstorm. This would result in the loss of a historic treasure and potentially vital contributor of Morristown’s downtown, and presents an unwholesome working condition.

Both buildings also show cracks in the façade as well as chipped masonry. In some places, the brick has started to crumble, and flake away, as shown below.



*Figure 45: Cracks and chipped masonry visible on exterior wall.*

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<sup>7</sup> United States Environmental Protection Agency (2020). *Mold and Health*. Available at <<https://www.epa.gov/mold/mold-and-health>>.



Figure 46: Cracked masonry and fragmented mortar on foundational wall.



Figure 47: Visible spalling in foundation wall.

Visual observation of the exterior of the structure reveals signs of spalling brick, which is a failure caused by moisture penetrating the brick and the freeze/thaw cycle. Spalling of the exterior wall running parallel to Bank Street can cause pieces of masonry to fall, which creates a safety hazard for pedestrians using the sidewalk there. Also, spalling in the foundation wall can over time negatively impact the structural integrity of the building as it no longer rests on a sound foundation. This safety hazard reflects an unwholesome working condition caused by the condition of the building.

Observed interior conditions were generally substandard, unsafe, and dilapidated, supporting the conclusion that the property qualifies for designation under Criterion A. As reflected in the photographs below, substandard, unsafe, and dilapidated conditions include missing ceiling panels and exposed building infrastructure (Figures 48, 49, 50), large holes in the walls and ceilings (Figures 51, 52, 53, 56), evidence of water damage/intrusion in the building and basement (Figure 54, 55, 57) and haphazardly stored material and debris in the basement (Figure 55, 57).



Figure 48, 49: Missing ceiling panels and exposed wiring



Figure 50, 51: Missing ceiling panels and dilapidated ceiling exposing building infrastructure

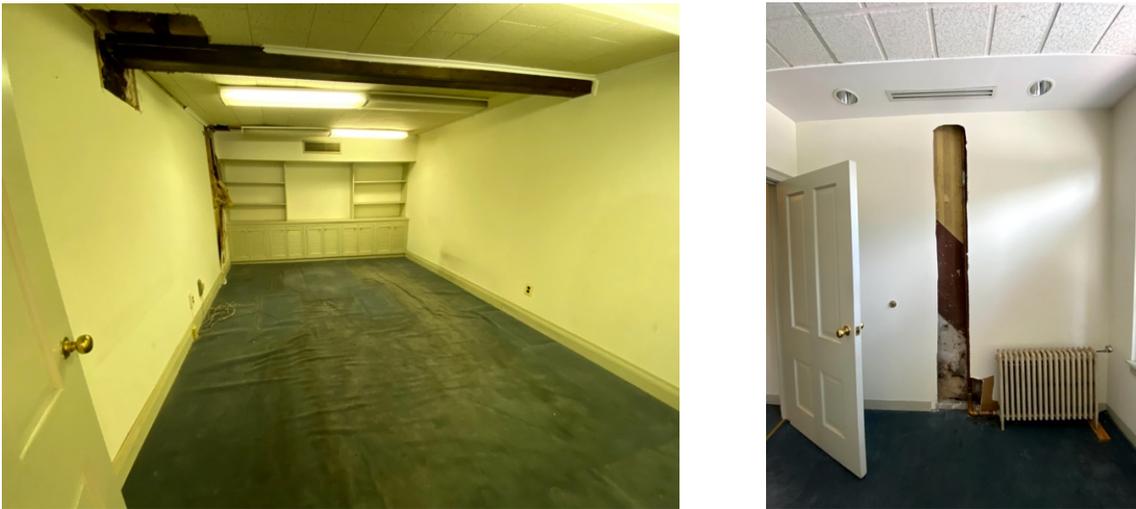


Figure 52, 53: Dilapidated ceiling, hole in wall



Figure 54, 55: Evidence of water damage along edges of floors; haphazardly stored material in basement



Figure 56, 57: Large hole in wall exposing building infrastructure; debris and evidence of water damage in basement

These observed interior conditions are conducive to unwholesome working conditions. Holes in walls or ceilings create an unsightly working condition and may expose workers to wiring, insulation, or other hazardous materials enclosed within walls.. Water damage and intrusion promotes mold growth, which is supported by the presence of a “mildew” odor observed during the site inspection. Water damage also can compromise the integrity of building materials and increase the risk of injury due to falling debris. Exposed wires create safety hazards for workers that may come in contact with live electrical current. Scattered debris, as observed in the basement, creates both tripping hazards, and substrate for pathogen growth. These conditions, particularly when considered in their totality, result in a substandard, dilapidated, and unsafe environment that is conducive to creating unwholesome working conditions.

Based on the analysis above, the property qualifies as an area in need of redevelopment under criterion A. Specifically, the substandard, unsafe, and dilapidated conditions of the building contribute to unwholesome working conditions by creating safety hazards.

*Criterion 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*

**REPORT DATE 09.04.2020**

*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.*

As noted, the principal structure on the property is a vacant commercial building. Based on a review of imagery, press clippings, and water records, the property has experienced significant vacancies for at least two consecutive years, or since February 2018.

The imagery below supports the conclusion that the building has experienced significant vacancies for at least two consecutive years. The imagery included shows no signs of activity in the building such as lights being on, interior activity seen through the window, trash areas with evidence of recent use, or individuals entering or exiting. Imagery taken in recent years also no longer shows parked cars in the back-lot parking area, as opposed to 2009 imagery showing an active parking area. A “For Lease” sign, is also clearly visible in the window.



*Figure 58: August 2009, occupied.*



*Figure 59: September 2017, vacant.*



Figure 60: October 2017, vacant.



Figure 61: August 2018, vacant.

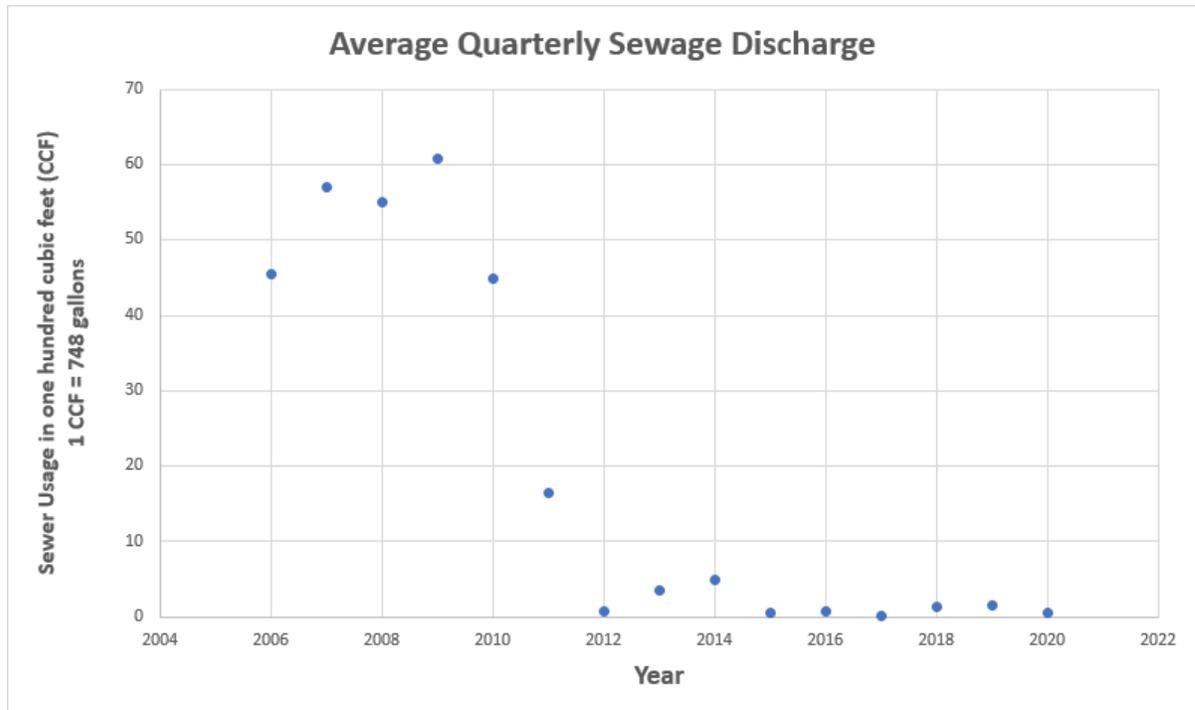


Figure 62: March 2020, vacant.

Furthermore, data obtained Town of Morristown reflecting sewer readings over time document the property's significant vacancy since roughly 2010. These records are

included as **Appendix F**. These quarterly reports establish the property’s sewer discharge and, therefore, its water consumption based on meter readings.

Two reports were provided by the Town of Morristown for the three properties in the Study Area. The graph below shows the average quarterly sewer discharge, by year, for the report assigned to 2 WASHINGTON ST%PENOBSCOT MGMT, the listed owner of Block 5906, Lots 7 and 8.



Graph 3: Average Quarterly Sewage Discharge, Washington St Penobscot MGMT.

As the graph clearly shows, the sewer discharge on site has almost fallen to zero after 2011, evidencing the discontinuance of the use of the building and continued vacancy.

In addition to the photographs and the property’s fallen sewer discharges mentioned above, the site vacancy was also documented via reports in the press. As has been previously established, the property was historically utilized by the law firm Schenck, Price, Smith & King. In his 2011 State of the Town address, Morristown Mayor Timothy Dougherty noted the vacant condition of the buildings in the Study Area. Specifically, the Mayor said:

“Furthermore, the leasing and/or redevelopment of several sites in town including...the former Schenck Price buildings on Washington Street...all should make progress this year.”<sup>8</sup>

<sup>8</sup> Coughlin, Kevin. Morristown Green. 4 January 2011. “Morristown Mayor predicts progress for 2011 in his first annual address.” <<https://morristowngreen.com/2011/01/04/morristown-mayor-predicts-progress-for-2011-in-his-first-annual-address-2/>> Accessed 28 April 2020.

## REPORT DATE 09.04.2020

Finally, the vacancy of the site was confirmed during the internal site inspection. During the inspection, the building showed no signs of recent occupancy nor any recent efforts to prepare the building for occupancy. As noted in other sections of this report, the generally uninhabitable condition of the structure further supports the conclusion that it has experienced long-term vacancy.

As noted above, the property's enduring vacancy is considered significant in Morristown's real estate market for office space. As evidenced by market reports issued by CBRE, an authoritative commercial real estate firm, Morristown consistently sees a quick turnover of for-lease office space. An office space that has been vacant for such a prolonged period of time as is the case here can thus be considered an anomaly in Morristown, and reflective of a condition of significant vacancy.

As a property where the primary building was previously used for commercial purposes that has experienced significant vacancies for at least two years, the property qualifies as an Area in Need of Redevelopment under Criterion B.

*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.*

The property exhibits several characteristics that warrant qualification under Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, and dilapidated buildings and improvements that are detrimental to the health, safety, morals and welfare of the community.

Access to the parking area in the rear of the lot is reflective of faulty arrangement and an obsolete layout in a manner that is detrimental to the safety of the community. As noted in the evaluation of the previous properties, access to the rear parking area is provided via a narrow driveway located between the loading area of neighboring Block 5906, Lot 5, and Bank Street, as no direct access to the site from Bank Street presently exists. There is a convergence of access patterns on this driveway, including vehicles accessing loading on Schuyler Place, the public parking garage, and the Study Area properties. This creates an unsafe situation and conflict points between cars accessing the site and those accessing these other uses.

Faulty arrangement and obsolete layout are also reflected in the lack of striping and pedestrian infrastructure in the parking area. There are no clear pathways to denote where and how pedestrians should travel from their vehicles to the buildings on site. As a result, pedestrians are required to walk in the vehicular pathway, creating an unsafe situation. There are no clear markings denoting vehicular circulation patterns,

**REPORT DATE 09.04.2020**

contributing to potential conflicts between pedestrians and vehicles, and creating a condition detrimental to the health and safety of the community.

As reflected in the figure below, the property also possesses dilapidated improvements. Pavement in the parking and circulation area signs of settling and potential water intrusion. The conditions on-site, including the absence of landscaping, have a deleterious impact on the surrounding properties by creating an unsightly appearance. These conditions could reasonably be expected to discourage adjacent property owners from undertaking investment.



*Figure 63: Dilapidated improvements; absence of clear marking and landscaping.*

An interior inspection also revealed the building on site to be in a dilapidated condition detrimental to health, safety, and welfare of the community. As noted in the description of Criterion A and evidenced in photographs, dilapidated conditions included holes in walls, evidence of water intrusion along the floors and in the basements, missing ceiling panels and exposed wiring, and dilapidated ceilings. These conditions are detrimental to health and safety because they, amongst other things, promote the growth of mold, expose workers to dangerous electrical conditions, and increase the likelihood of falling debris. These conditions are detrimental to the welfare of the community because they are both the result of and impede future reuse and reoccupancy of the building, contributing to the continued vacancy and deterioration of the structure. The presence of a vacant building is detrimental to the welfare of the community because it negatively impacts surrounding properties and thereby has a negative impact on economic activity and potential tax revenues within the vicinity.

**REPORT DATE 09.04.2020**

The interior inspection also revealed characteristics of obsolescence related to property accessibility. As noted, because the three properties have been retrofitted to accommodate a single user, the resulting configuration is a circulation network that requires the use of a network of small, internal staircases or, in some cases, ramped floors, to accommodate varying floor heights. This condition, as reflected in the figures below and elsewhere throughout this report, inhibits circulation for users with mobility impairments. Limited accessibility is reflective of obsolescence and, as noted previously, is detrimental to the morals and welfare of the community by limiting the range of individuals that can be accommodated within the building and inhibiting potential reuses of the structure.



*Figure 64, 65: Internal staircases limiting accessibility*

Furthermore, the property exhibits excessive land coverage. Based on an aerial assessment and site visits, the property is completely covered by improvements as no natural or landscaped areas are present. This is well in excess of the maximum improved coverage of 85% permitted under the ordinance for this type of building. Excessive land coverage negatively impacts the health, safety, and welfare of a community by exacerbating flooding, stormwater runoff, and non-point source pollution. Excessive land coverage detracts from the welfare of the community by creating a less hospitable landscape that discourages pedestrian activity. Pedestrian activity is an essential component of a modern downtown and conducive to creating a thriving business environment.

Based on the analysis above, Block 5906, Lot 8 qualifies as an area in need of redevelopment under the LRHL as it satisfies Criterion D. Specifically, it exhibits faulty arrangement, excessive land coverage, obsolete layout, characteristics of obsolescence, and dilapidated buildings and improvements, that are detrimental to the health, safety, morals and welfare of the community.

*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.*

Shared uses between the buildings result in a condition of title that warrants designation under Criterion E. The properties have been historically affiliated, resulting in shared facilities, specifically as it relates to accessibility. The only elevator in the Study Area, for example, is in Lot 6, while the ADA accessible entrances serve Lots 7 and 8. While these shared uses may be appropriate as long as the buildings are treated as a unified site, they prevent the uncoupling of the buildings for separate uses. This bundling of the buildings via shared assets can be viewed as a condition of title that prevents future improvements. This intertwining of fee simple parcels can be viewed as a condition of title discouraging the undertaking of improvements in individual components of the overall Study Area, resulting in a stagnant and unproductive condition of land which can be presumed to have a negative economic impact.

Based on this analysis, the property qualifies as an Area in Need of Redevelopment under Criterion E.

**Consideration of Redevelopment Designation**

The results of the preliminary investigation indicate that the Study Area, encompassing Block 5906, Lots 6, 7, and 8 can be designated as a condemnation area in need of redevelopment in accordance with N.J.S.A. 40:12A as described above. All properties qualify as an area in need of redevelopment under criteria A, B, D, E, and H.

## Conclusion

This Preliminary Investigation was prepared on behalf of the Town of Morristown Planning Board to determine whether properties identified as Block 5906, Lots 6, 7, and Lot 8 qualify as a condemnation area in need of redevelopment in accordance with N.J.S.A. 40A:12A-1 et seq. Based on the above analysis and investigation of the Study Area, we conclude that the above properties meet the criteria condemnation area in need of redevelopment designation. A map of the recommended redevelopment area is included as **Appendix G**.

REPORT DATE 09.04.2020

## Appendices

**REPORT DATE 09.04.2020**

**Appendix A: Resolution R-57-2020 and Study Area Map**

**TOWN OF MORRISTOWN**

**RESOLUTION R-57-2020**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN  
AUTHORIZING THE PLANNING BOARD OF THE TOWN OF MORRISTOWN TO  
CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A  
CERTAIN AREA WITHIN THE MUNICIPALITY IS A CONDEMNATION AREA IN  
NEED OF REDEVELOPMENT**

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Town Council of the Town of Morristown (the “Town Council”) considers it to be in the best interest of the Town to have the Town Planning Board conduct such an investigation of an area consisting of certain property located in the Town, which property is located at 10 Washington Street, 6 Washington Street and 2 Washington Street and identified as Block 5906, Lot 6, Lot 7 and Lot 8, respectively, on the official Tax Map of the Town of Morristown (collectively, the “Property”), to determine whether such Property, or any portions thereof, is a condemnation redevelopment area; and

**WHEREAS**, the Property is generally bounded by Bank Street to the southeast, Washington Avenue to the northeast and developed properties to the northwest and southwest; and

**WHEREAS**, the Town Council believes the Property is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the Town; and

**WHEREAS**, the preliminary investigation referenced herein shall be designed to evaluate and study the Property to determine whether the designation of the Property, or any portions thereof, as a condemnation redevelopment area is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law; and

**WHEREAS**, subject to the results of the preliminary investigation referenced herein, a condemnation redevelopment area determination concerning the Property, if so made, would authorize the Town to use all those powers provided under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., including but not limited to, the power of eminent domain to acquire all or any portion of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown that:

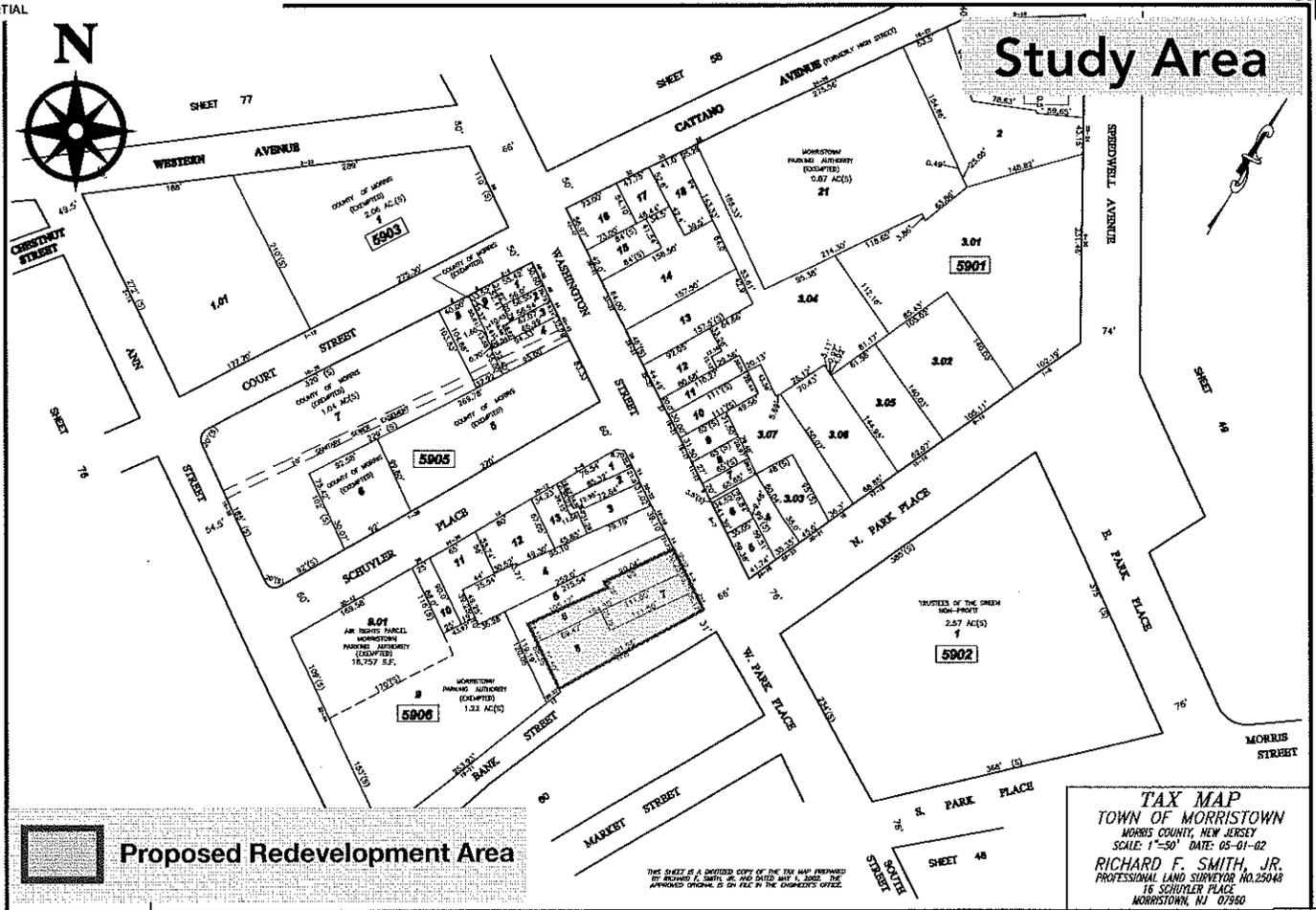
1. The Planning Board of the Town of Morristown is hereby directed to conduct a preliminary investigation to determine whether the property known as 10 Washington Street, 6 Washington Street and 2 Washington Street and identified as Block 5906, Lot 6, Lot 7 and Lot 8, respectively, on the official Tax Map of the Town of Morristown, which is depicted as the "Proposed Redevelopment Area" on the map entitled "Study Area" prepared by Topology, dated January 21, 2020, attached hereto, or any portions thereof, constitute a condemnation "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law; and
2. The Planning Board of the Town of Morristown is hereby further directed to study the area known as 10 Washington Street, 6 Washington Street and 2 Washington Street and identified as Block 5906, Lot 6, Lot 7 and Lot 8, respectively, on the official Tax Map of the Town of Morristown; to develop a map reflecting the boundaries of the proposed condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6; and to draft a preliminary investigation/report to the Mayor and Town Council containing its findings; and
3. The Planning Board shall submit the results of such preliminary investigation concerning the proposed condemnation redevelopment area to the Mayor and Town Council for review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on February 25, 2020 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 25, 2020



Margot G. Kaye, Town Clerk



Attachment: Schenck Price Study Area Map.pdf (R-57-2020 : Resolution - Planning Bd Investigation - 10 Washington Street)

REPORT DATE 09.04.2020

## Appendix B: Tax Assessor Records



5906-6

BUILDING CLASS <div style="border: 1px solid black; width: 40px; height: 20px; margin: 5px;"></div>	OBSERVED PHYSICAL CONDITION GOOD <input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/>	YEAR BUILT <u>1870±</u> EFFECTIVE AGE _____	TYPE <u>COMMERCIAL</u> USE <u>OFFICE</u>	<b>BUILDING VALUE CALCULATION</b>										
				BUILDING DESCRIPTION <u>21,712 SQ. OFFICE BUILDING</u>		CODE 		AREA or QTY. 	UNIT COST 	TOTAL 				
<b>1. STRUCTURAL SHELL</b>		<b>3. INTERIOR FINISH</b>		<b>5. PLUMBING</b>		<b>8. STD. BLDG. ACCESS (cont'd)</b>								
DESCRIPTION	Q	FV/Sec	Apt. Area:	DESCRIPTION	Q	No.	FA Floor Adjustments	Q	FV/Sec					
101 Light Wood			No. Units:	3 Fix't. Bath			Concrete Slab							
102 Heavy Timber			DESCRIPTION	2 Fix't. Bath			Wood Deck							
103 Mas. Ld. (Bearing)			1. Apartment	Lavatory			Concrete Deck							
104 Reinforced Conc.			2. Apt. Utility Area	Shower Stall			Rein. Concrete							
105 Steel			3. Motel, Hotel	Toilet			Grating Type							
106 Fireproof-Steel			4. Sm. Offices	Urinal			RA Roof Adjustments							
107 Steel w/Gal. Steel			5. Lg. Open Offices	Sink, Kitchen			Light Wood							
108 Steel w/Alum ext.			6. Professional Office	Sink, Slop			Heavy Timber							
109 Steel w/Ins Sand			7. Clinics	Ind. Sink			Steel Deck							
110-111 Basement			8. Lg. Open Stores	TOTALS			Concrete							
None Full			9. Small Stores	1. Apartment			Galv. Steel							
Partial Sq. Ft.			10. Bank	2. Commercial			Enam. Steel							
Finished Sq. Ft.			11. Warehouse	3. Industrial			Insul. Panel							
Type of Finish			12. Light Mfg. Area	<b>6. ELECTRICAL</b>			Precast Concrete							
Basement Floor Construction:			13. Heavy Mfg. Area	TYPE INTENSITY	Q	FV/Sec	Canopies							
Dirt <input type="checkbox"/> Wood <input type="checkbox"/> Conc. <input checked="" type="checkbox"/>			FINISHED FLOORING											
First Floor Construction:			Softwood	1. Apartment Bright			WR Roof Span Wd.	Type	Qual.					
Wood <input type="checkbox"/> Conc. <input type="checkbox"/> Steel <input type="checkbox"/>			Hardwood	Adeq.										
123 - 127 Service Station			Asphalt Tile	Min.			Other Accessories							
133 - 137 Specialty Building			Terazzo	2. Commercial Bright										
145 Garden Apartments			Ceramic Tile	Adeq.										
Other: <u>CARPET</u>				Min.										
<b>2. EXTERIOR WALL FINISH</b>								<b>ELEVATORS</b>						
DESCRIPTION	Q	FV/Sec	CEILINGS				Type	Auto	Cap.	Floors				
1. Plywood, Gal. Steel			Plaster	Acoustical Tile			Passenger	<input checked="" type="checkbox"/>		4				
2. Wd. Siding, Asbestos			Sheetrock	Suspended			Freight							
3. Cement Block			Other:											
4. Wood Sheathing / Sid.			<b>4. HEATING &amp; COOLING</b>			<b>7. SPRINKLERS</b>								
5. Common Brk. on C.B.			DESCRIPTION	Q	FV/Sec	Sq. Ft.	DESCRIPTION	Q	No.					
6. Face Brk. on W.D.			1. Hot Water				1. Apartment							
7. Face Brk. on C.B.			2. Forced Hot Air				2. Commercial							
8. Com. Brk. on Re. C.			3. Unit Heater				3. Industrial							
9. Face Brk. on Re. C.			4. Central Cooling				<b>8. STD. BLDG. ACCESS.</b>							
10. Precast Panels			5. Package Cooling				SD Doors	Q	#S.F.					
11. Metal & Glass			6. Central Combined											
12. Stone			7. Package Combined				BD Wood Mezz.							
13. Slate, Limestone			8. Min. Industrial Unit Heaters				Concrete Mezz.							
14. Marble			Sm. Med. Lg.				Steel & Conc. Mezz.							
15. Granite			9. Individ. Wall Sleeve Units											
16. Store Front			Sm. Med. Lg.											
								<b>ADJUSTMENTS TO BASE COST</b>						
								ITEM		CODE		AREA OR QTY.	UNIT COST	TOTAL

Block:	5906	Prop Loc:	10 WASHINGTON ST	Owner:	WASHINGTON BLDG CO	Square Ft:	0
Lot:	6	District:	24 MORRISTOWN TOWN	Street:	10 WASHINGTON ST	Year Built:	
Qual:		Class:	4A COMMERCIAL	City State:	MORRISTOWN, NJ Zip: 07960	Bldg:	
				Additional Information			
Prior Block:	282	Acct Num:		Addl Lots:		EPL Code:	00 00 000
Prior Lot:	34	Mtg Acct:		Land Desc:	5768SF	Statute:	
Prior Qual:		Bank Code:		Bldg Desc:	3S B STR & OFF	Initial:	000000Further: 000000
Updated:	01/12/04	Tax Codes:	S11	Class4Cd:		Desc:	
Zone:	CBD	Map Page:		Acreage:	0.132	Taxes:	(57): 32422.87 (58): 0.00
				Last Sale			
Sale Date:	00/00/00	Book:	Page:	Price:	ONU#:	Ratio:	0.00

TAX-LIST-HISTORY

Year	Owner Information	Land/Imp/Tot	Exemption	Assessed
2004	WASHINGTON BLDG CO	225000	0	1330000
.	10 WASHINGTON ST	1105000 .	.	.
.	MORRISTOWN, NJ 07960	1330000 .	.	.









TOWN: MORRISTOWN

NEIGH: BK

VCS: FF00

USE:

BLOCK: 5906

LOT: 7

QUAL:

BLDG: M

DATE: 02/04/04

OWNERS NAME: BANK ST INVES % SCHENK, PR

STREET ADDR: 10 WASH. ST. - POBOX 905

CITY/STATE/ZIP: MORRISTOWN N J 07960

PROPERTY LOC: 6 WASHINGTON ST

LAND CALCULATIONS:

WALL RATIO: 8 BASEMENT WALL RATIO: 0 AVG# ROOMS: 2

CODE	HT	ST	Q	DESCRIPTION	AREA	RATE	CONST	QF	VALUE
101	32	4	5	STRCT SHELL: LIGHT-WOOD FRAM	315	@ 12.04	+	0 x1.45=	5499
101	24	3	5	STRCT SHELL: LIGHT-WOOD FRAM	989	@ 10.52	+	0 x1.45=	15086
101	8	1	5	STRCT SHELL: LIGHT-WOOD FRAM	516	@ 8.39	+	0 x1.45=	6277
111	8	1	5	STRCT SHELL: BSMT W/WOOD 1ST	1612	@ 20.85	+	0 x1.00=	33610
2.8			5	EXT. WALL F: BRICK ON CONC.	3840	@ 7.00	+	0 x1.00=	26880
3.4			5	INTERIOR FI: SMALL OFFICES	1404	@ 9.50	+	0 x1.00=	13338
4.2.1			5	HVAC : HOT WATER	5767	@ 1.96	+	0 x1.25=	14129
4.2.4			5	HVAC : CENT COOLING	5767	@ 1.63	+	0 x1.25=	11750
5.2			5	PLUMBING : COMM. FIXT	7	@ 900.00	+	0 x1.00=	6300
6.2.A			5	ELECTRICAL : COMM. LIGHT -AD	5767	@ 3.00	+	0 x1.00=	17301
3.4			3	INTERIOR FI: SMALL OFFICES	3339	@ 6.79	+	0 x1.00=	22672
3.4			1	INTERIOR FI: SMALL OFFICES	1024	@ 4.07	+	0 x1.00=	4168
FA02			5	FLOOR ADJUS: WOOD DECK	3339	@ 4.12	+	0 x1.00=	13757

TOTAL BASE COST: 190,767  
 COST CONVERSION: 3.16 602,823  
 YEAR BUILT: 1880 EFF AGE: 73 (N) COND: NORMAL  
 EFF AGE DEPR: 15% N PHYS DEPR: 0% NET: 0.85  
 FUNC DEPR: 0% ECON DEPR: 0% NET: 1.00  
 BUILDING APPRAISED VALUE 512,400

DETACHED ITEMS:  
 PV05 PAVING : ASPHALT - AVG. 1274 @ 0.64 x1.00 @ 50%x3.16= 1288  
 FA02 FLOOR ADJUSTM: WOOD DECK 208 @ 4.12 x1.00 @ 50%x3.16= 1354  
 RA01 ROOF ADJUSTME: LIGHT WOOD 208 @ 3.70 x1.00 @ 50%x3.16= 1216  
 TOTAL DETACHED ITEMS: 3,858

TOTAL LAND VALUE: 225,000  
 TOTAL BUILDING VALUE: 516,300  
 TOTAL APPRAISED VALUE: 741,300

INCOME APPROACH:

3.4 INCOME APPROACH : SMALL OFFICES 1404 @ 36.00 = 50544  
 3.4 INCOME APPROACH : SMALL OFFICES 3339 @ 24.00 = 80136  
 3.4 INCOME APPROACH : SMALL OFFICES 1024 @ 12.00 = 12288  
 TOTAL: 142,968  
 SIZE ADJ: 0.00% 142,968  
 LESS VACANCY: 5.00% 135,819  
 LESS EXPENSES: 25.00% 101,864  
 OAR: 12.00% 848,866  
 INDICATED VALUE: 848,900

TOTAL SQ FT: 5767 COST/SF: 128.54 INC/SF: 147.20

Block: 5906 Prop Loc: 6 WASHINGTON ST Owner: BANK ST INVES % SCHENK,PRICE ETC Square Ft: 0  
 Lot: 7 District: 24 MORRISTOWN TOWN Street: 10 WASH.ST.- POBOX 905 Year Built:  
 Qual: Class: 4A COMMERCIAL City State: MORRISTOWN N J Zip: 07960 Bldg:  
 Additional Information  
 Prior Block: 282 Acct Num: Addl Lots: EPL Code: 00 00 000  
 Prior Lot: 35 Mtg Acct: Land Desc: 25.75X111 Statute:  
 Prior Qual: Bank Code: Bldg Desc: 3S B STR OFF Initial: 000000Further: 000000  
 Updated: 01/12/04 Tax Codes: S11 Class4Cd: Desc:  
 Zone: CBD Map Page: Acreage: 0.066 Taxes: (57): 23448.39  
 (58): 0.00  
 Last Sale  
 Sale Date: 12/31/84 Book: 2771 Page: 590 Price: 800000NU#: Ratio: 0.00

TAX-LIST-HISTORY

Year	Owner Information	Land/Imp/Tot	Exemption	Assessed
2004	BANK ST INVES % SCHENK,PRICE ETC	225000	0	741300
.	10 WASH.ST.- POBOX 905	516300	.	.
.	MORRISTOWN N J 07960	741300	.	.

Block: 5906 Land Desc: 8204SF Owners Name: 2 WASHINGTON ST%PENOBSCOT MGMT LLC Land: 225,000 Exemption Net Taxable Value Deductions  
 Lot: 8 Bldg Desc: 3SB STR OFF Street Address: 545 CEDAR LN Bank: Impr: 1,115,000 Code: Cd No-Ow  
 Qual: Addl Lots: City & State: TEANECK, NJ Zip: 07666 Total: 1,340,000 Value: 0 1,340,000  
 Card: M (#1 of 1) Acreage: 0.188 Class: 4A Property Loc: 2 WASHINGTON ST Zone: CBD Map: MORRISTOWN

SALES HISTORY					ASSESSMENT HISTORY				BUILDING PERMITS/REMARKS			
Grantor	Date	Book/Page	Price	Nu#	Year	Land	Impr	Total	Date	Work Description	Amount	Compl
BANK ST INVES % SCHENK, PRICE E	02/12/10	21498/809	2500000		2003	538500	704600	1243100				
	12/31/84	2771 /590	800000		2004	225000	1115000	1340000				
LAND CALCULATIONS					SITE INFORMATION				RESIDENTIAL COST APPROACH			
Frnt	Rr	SB	T	FF	Avgd	Tabl	EqF	Rate	Site	Cond	Value	
					Units	Rate	Site	Cond	Value			
					0.000 AC	0	225000	100 100 100	225000			
Net Adj: 100.00 SF: 8,202 Auto: N Land Value: 225,000					Road: Utilities: Basement				Main Bldg			
					Curbs: Sewer: Main Bldg				Heat/AC			
					Sidewalk: Water: Main Bldg				Plumbing			
					Measured: Gas: Main Bldg				Fireplace			
					Inspected: Neigh: BK Attic				Deck/Patio/Garage/Misc			
					VCS: AC99							
BUILDING INFORMATION					Type and Use: Class/Quality:				Roof Type: Livable Area: 0 SF			
					Story Height: Condition:				Roof Material: Interior Cond:			
					Style: Year Built/EffA: / ( )				Foundation: Interior Wall:			
					Exterior Finish: Windows:				Baths: M: A: O: Kitchens: M: A: O:			
ROOM COUNT					B 1 2 3/A Tot				Base Cost: 0 CCF: 106 CLA: 0 Cost New: 0			
Living Rm									Phys Depr: 0 00 (N) Func Depr: Net Depr: 100.00			
Dining Rm									Loc Depr: Mkt+: Mkt-: Bldg Value: 0			
Kitchen									Detached Items: COMM. COST APPROACH 1,115,000			
Dinette									Land: 225,000 Impr: 1,115,000 Total: 1,340,000			
5 Fixt Bath												
4 Fixt Bath												
3 Fixt Bath												
2 Fixt Bath												
Bed Room												
Fam Room												
Den/Other												
Old B: 282												
Old L: 36									05/16/19			

A  
B  
C  
D  
E  
F  
G  
H  
I  
J  
K  
L

M  
N  
O  
P

Block: 5906 Prop Loc: 2 WASHINGTON ST Owner: BANK ST INVES % SCHENK,PRICE ETC Square Ft: 0  
 Lot: 8 District: 24 MORRISTOWN TOWN Street: 10 WASHINGTON ST Year Built:  
 Qual: Class: 4A COMMERCIAL City State: MORRISTOWN, NJ Zip: 07960 Bldg:  
 Additional Information  
 Prior Block: 282 Acct Num: Addl Lots: EPL Code: 00 00 000  
 Prior Lot: 36 Mtg Acct: Land Desc: 8204SF Statute:  
 Prior Qual: Bank Code: Bldg Desc: 3SB STR OFF Initial: 000000Further: 000000  
 Updated: 01/12/04 Tax Codes: S11 Class4Cd: Desc:  
 Zone: CBD Map Page: Acreage: 0.188 Taxes: (57): 41457.39  
 (58): 0.00  
 Last Sale  
 Sale Date: 12/31/84 Book: 2771 Page: 590 Price: 800000NU#: Ratio: 0.00

TAX-LIST-HISTORY

Year	Owner Information	Land/Imp/Tot	Exemption	Assessed
2004	BANK ST INVES % SCHENK,PRICE ETC	225000	0	1340000
.	10 WASHINGTON ST	1115000.	.	.
.	MORRISTOWN, NJ 07960	1340000.	.	.

REPORT DATE 09.04.2020

## **Appendix C: Documents Associated with 1985 Site Plan Application**

# THE TOWN OF



# MORRISTOWN

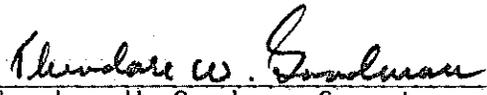
PLANNING BOARD

August 13, 1985

## CERTIFICATE OF APPROVAL

This is to certify that Application #85-14 of Schenck, Price, Smith & King, for property situate Block 282, Lots 43, 35 & 36, known as 2-10 Washington Street, Morristown, NJ; for minor site plan approval for facade change and change in permitted use to offices was approved by the Site Plan & Subdivision Committee of the Morristown Planning Board at a meeting held June 17, 1985.

This Certificate is issued in lieu of a signed site plan to show that the approval required from the Planning Board has been granted.

  
Theodore W. Goodman, Secretary

am  
cc:Town Engineer  
Building Inspector  
Tax Assessor

SCHENCK, PRICE, SMITH & KING  
COUNSELLORS AT LAW

10 WASHINGTON STREET  
CN-905  
MORRISTOWN, N.J. 07960-0905  
TELEPHONE 201-539-1000

JAMES P. WYSE  
PAUL N. AMBROSE, JR.  
MICHAEL K. MULLEN  
M. SHEILAH O'HALLORAN  
JOSEPH E. KRAKORA  
ANNE E. ARONOVITCH

OF COUNSEL  
HAROLD A. PRICE  
BEN D. WHITE  
JOHN E. LEE

NEW YORK OFFICE  
261 MADISON AVENUE, SUITE 800  
NEW YORK, NEW YORK 10016  
TELEPHONE 212-986-6482

EDWARD L. C. VOGT (1940-1984)  
CLIFFORD W. STARRETT\*  
ROBERT W. KING  
DONALD W. BEDELL\*<sup>Δ</sup>  
DAVID S. CRAMP\*  
JULIUS J. DENZLER\*  
WILLARD BERGMAN, JR.\*  
EDWARD WARD AHART\*\*  
STEPHEN G. SEPANIAK\*  
DOUGLAS S. BRIERLEY\*  
GILBERT S. LEEDS  
ANITA JOY SIEGEL  
LISA K. PANTEL  
PATRICIA GARITY SMITS\*

August 8, 1985

\*CERTIFIED CIVIL TRIAL ATTORNEY  
\*ALSO MEMBER N.Y. BAR  
<sup>Δ</sup>ALSO MEMBER D.C. BAR  
<sup>°</sup>ALSO MEMBER FLORIDA BAR

Theodore W. Goodman, P.P.  
Morristown Planning Board  
38 Dumont Place  
Morristown, New Jersey 07960

Dear Mr. Goodman:

I enclose herewith consent by Bank Street Investment Partnership, the owner of 2-4 and 6-8 Washington Street. Would you please file the same.

I would appreciate it if you would issue a letter approving the site plan subject to the remaining contingency that the railing cannot be constructed until approved by the appropriate legal authorities.

We are requesting approval from the Morris County Board of Freeholders. However, we wish to proceed with construction and if we do not get approval for the railing it will be deleted.

Sincerely,

  
Clifford W. Starrett

CWS:mjc  
Enc.

CONSENT OF PROPERTY OWNER

The undersigned, being the owners of Lots 2-4 and 6-8 Washington Street, Morristown, New Jersey, hereby consent to the application by Schenck, Price, Smith & King for site plan approval filed with the Town of Morristown to renovate the premises known as 2-4 and 6-8 Washington Street in accordance with the plans by Nadaskay/Kopelson, Architects.

BANK STREET INVESTMENT PARTNERSHIP

By David Kleitman  
David Kleitman, Partner

DATED: 8/2/85

# THE TOWN OF



# MORRISTOWN

Emilio J. Gervasio, Mayor

DEPARTMENT OF ENGINEERING, PLANNING AND DEVELOPMENT  
Michael D. D'Altilio, PE, PP, Director  
Theodore Goodman, PP, Principal Planner

## CERTIFICATION OF COMPLETE APPLICATION

TO: Clifford Starnett, Esq. Application # 85-114  
10 Washington St.  
Morristown

On the 12<sup>th</sup> day of June, 1985, your application to the  
(  ) Planning Board (  ) Board of Adjustment was reviewed in  
accordance with the rules of the Board and the ordinances of the  
Town. It was determined that the application is complete for  
purposes of filing.\* The time within which the Board must act  
on the application pursuant to statute has commenced to run from  
this date. Your application will be placed on the Board agenda  
for the meeting of June 17, for Site Plan Committee, at 38  
Dumont Place.

Theodore W. Goodman  
Theodore W. Goodman, P.P.  
Administrative Officer

\* The Board may require additional information not specified  
in the ordinance, or any reasonable additions necessary to  
make an informed decision. This certification is procedural,  
not substantive, in nature.

# THE TOWN OF



# MORRISTOWN

PLANNING BOARD

June 7, 1985

Clifford Starrett, Esq.  
10 Washington Street  
Morristown, NJ 07960

RE: Application #85-14, 2-10 Washington St.

Dear Mr. Starrett:

Subject application will be included on the Site Plan Committee's June 17 agenda. The meeting will be at 38 Dumont Place beginning at 7:30PM.

Your application states that your firm owns #10 and is lessee of 2-8. If you are not the attorney representing the owner(s) of 2-8, will you please provide a letter stating the owner's consent to this application.

Sincerely,



Ann MacKinnis  
Assistant Secretary

am

# SCHENCK, PRICE, SMITH & KING

COUNSELLORS AT LAW

10 WASHINGTON STREET

CN-905

MORRISTOWN, N.J. 07960-0905

TELEPHONE 201-539-1000

JAMES P. WYSE  
PAUL N. AMBROSE, JR.  
MICHAEL K. MULLEN  
M. SHEILAH O'HALLORAN  
JOSEPH E. KRAKORA  
ANNE E. ARONOVITCH

OF COUNSEL  
HAROLD A. PRICE  
BEN D. WHITE  
JOHN E. LEE

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NEW YORK, NEW YORK 10016  
TELEPHONE 212-986-6482

EDWARD L. C. VOGT (1940-1984)  
CLIFFORD W. STARRETT\*  
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DONALD W. BEDELL\*<sup>Δ</sup>  
DAVID S. CRAMP\*  
JULIUS J. DENZLER\*  
WILLARD BERGMAN, JR.\*  
EDWARD WARD AHART\*\*  
STEPHEN G. SEPANIAK\*  
DOUGLAS S. BRIERLEY\*  
GILBERT S. LEEDS  
ANITA JOY SIEGEL  
LISA K. PANTEL  
PATRICIA GARITY SMITS\*<sup>◊</sup>

May 16, 1985

\*CERTIFIED CIVIL TRIAL ATTORNEY  
\*ALSO MEMBER N.Y. BAR  
ΔALSO MEMBER D.C. BAR  
◊ALSO MEMBER FLORIDA BAR

85-14

Theodore W. Goodman, P.P.  
Morristown Planning Board  
38 Dumont Place  
Morristown, New Jersey 07960

Dear Mr. Goodman:

I enclose herewith original and 15 copies of the application for minor site plan approval and 15 copies of the site plan prepared by Robert C. Edwards Associates and 15 copies of drawings by Nadaskay/Kopelson Architects showing the proposed elevation and alteration of the first floor of the building.

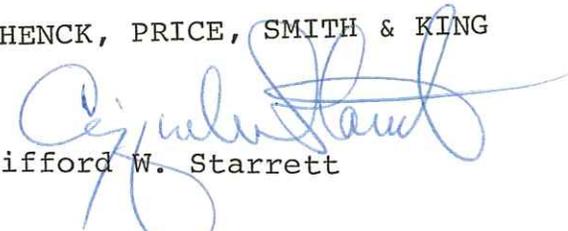
As we have discussed with you informally, we propose to change the exterior of 2-4 and 6-8 Washington Street from the existing store front as shown in the elevation prepared by Nadaskay/Kopelson. In addition, we propose to renovate the interior of the first floor of those two buildings as law offices, as shown on the accompanying floor plan. We also propose to add an elevator, which will serve all floors of the three buildings, 2-4, 6-8 and 10-12 Washington Street. Lastly, interior stairs, meeting the fire code, will be constructed at the rear of 2-4 and 6-8 Washington Street.

I hope that the foregoing meets the definition of a minor site plan in §132-3 of the Land Use Regulations. If so, I would ask that the matter be referred to the site plan and subdivision committee pursuant to §132-102B.

I enclose herewith our check in the sum of \$25.00 to cover your fee. If you require any additional information, please let me know. Best personal wishes.

Sincerely,

SCHENCK, PRICE, SMITH & KING

  
Clifford W. Starrett

CWS:cat  
Encls.

Date filed 5/16/85

Application # 85-14

(Please type or print)

I. Applicant's name & address SCHENCK, PRICE, SMITH & KING  
10 Washington St., Morristown, N.J. 07960 phone 201-539-1000

II. Attorney's name & address (if any) Clifford W. Starrett, Esq., Schenck, Price, Smith & King phone 201-539-1000

III. Property street address 2-10 Washington Street  
Tax Map Block # 282 Lot # 34, 35, 36 Zoning District Central Business District

IV. If applicant is a corporation, give names & addresses of owners of 10% or more of stock. If partnership, give names & addresses of partners.  
SCHENCK, PRICE, SMITH & KING is a partnership.  
(See attached Rider)

V. Applicant is (check one) owner X 10 Washington St. Long term lease, 2-8  
purchaser under contract \_\_\_\_\_ other (explain) Washington Street  
If purchaser under contract, give owner's name, address and phone number.

VI. Application is being made to \_\_\_\_\_ Board of Adjustment X Planning Board  
for the following: (check approval(s) requested)  
\_\_\_\_\_ Appeal from decision of administrative officer X Minor site plan  
\_\_\_\_\_ Use variance \_\_\_\_\_ Major site plan  
\_\_\_\_\_ Request for interpretation of zoning ordinance \_\_\_\_\_ Minor subdivision  
\_\_\_\_\_ Dimensional variance(s) \_\_\_\_\_ Major subdivision  
\_\_\_\_\_ Other (explain) \_\_\_\_\_ Conditional use

VII. Applicant requests permission to: (check applicable word and describe proposal)  
\_\_\_\_\_ construct \_\_\_\_\_  
X alter premises known as 2-10 Washington St. to convert 1st floor to lwyr's offices  
\_\_\_\_\_ convert \_\_\_\_\_  
\_\_\_\_\_ use \_\_\_\_\_

Building permit refused? No Court proceedings started? No  
Previous Board application for premises? Yes (If yes, give date, which Board, type of application and result. If possible, attach copy of any Board resolution and the application.) Application for site plan approval for parking lot 1976 withdrawn.

XI. Site data

- a. Present use of property law offices, store and travel agency b. For how long law offices since 1917  
 c. If owner, date purchased 1917 for 10 Washington St.

	Existing or Proposed Dimensions for Property in Question	Required by Ordinance for Permitted Use(s)
d. 1. Lot area	16,440 sq. ft.	None
2. Lot width	75 ft.	None
3. Lot depth	194 ft.	100 ft.
4. Total both side yards	None	None
5. Smallest side yard	None	None
6. Front yard setback	None	10 ft.
7. Rear yard	70 ft.	15 ft.
8. Maximum lot coverage (% including accessory buildings)	41%	80%
9. Lot area per family	n/a	n/a
10. Number of parking spaces (on-site)	26	26
11. % Improved lot coverage	100%	95%
12. Loading berths	None	Not required
13. Building maximum height	3 stories	5/55
14. Buffers	None	None
15. If corner lot, is corner clearance adequate?	<u>Yes</u>	
16. If there are accessory buildings, describe. If they are in violation of dimensional requirements, state how they violate.	<u>None</u>	

- e. Square footage of lot surface to be disturbed by construction None.  
 (A soil erosion and sediment control plan must be filed with and approved by the Morris County Soil Conservation District if more than 5,000 square feet will be disturbed.)

XII. Off-site parking

- a. Location of property 2-10 Washington Street Block 282 Lot 34,35,36  
 b. Number of spaces available 3 deck parking Ann St. (MPA) Distance (in feet, following sidewalks) from property in question 250 ft.  
 c. Name & address of owner of property Morristown Parking Authority

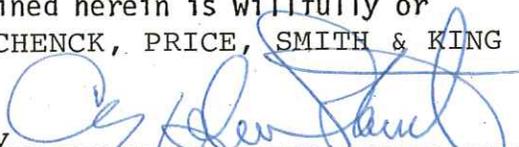
XXI. Tax information (to be filled out by all applicants)

All taxes on the property in question have been paid through the second quarter of 1985.

I hereby certify that all of the facts contained in the within application are true to the best of my knowledge or belief. I realize that I may be subject to prosecution if any information contained herein is willfully or deliberately false.

SCHENCK, PRICE, SMITH & KING

Date May 10, 1985

By   
Signature of Applicant or Legally Authorized Officer/Partner  
Clifford W. Starrett

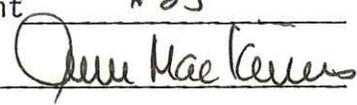
I consent to this application.

\_\_\_\_\_  
Signature of Owner (if other than applicant)

APPLICATION & FEE RECEIVED

Date 5/16/85

Amount \$25

By 

Date Application Accepted As Complete \_\_\_\_\_

Date of Hearing \_\_\_\_\_

RIDER

IV. Clifford W. Starrett, Robert W. King, Donald W. Bedell,  
Julius J. Denzler, Willard Bergman, Jr., Edward Ward  
Ahart, Stephen G. Sepaniak, Gilbert S. Leeds, Anita J.  
Siegel, Lisa K. Pantel, Patricia G. Smits

all c/o of 10 Washington Street, Morristown, New Jersey 07960

SPC 6/17/85

85-14 SCHENCK ET ALS

7 of 9

The Application is for a facade change.

It is noted that approval for the installation of the planter and sidewalk alterations require approval. It is unclear if this approval should come from Morristown, Morris County, or the NJDOT. An opinion from the Board Attorney is required.

Approval, if granted, should be subject to the Applicant obtaining that approval.

It is also noted that the existing & proposed uses are similar and no increase in sewage is expected.

REPORT DATE 09.04.2020

**Appendix D: Zoning Permit #15344**

ZONING PERMIT # 15344

PROPERTY ADDRESS 10 WASHINGTON STREET

BLOCK 5906 LOT 6 ZONING DISTRICT (CBI)

APPLICANT'S NAME AND ADDRESS SCHENCK, RIFE, SMITH & KING, LLP  
10 WASHINGTON STREET  
MORRISTOWN, NJ 07960 TELEPHONE # 59-1000

PROPERTY OWNER'S NAME AND ADDRESS BANK STREET INVESTORS  
SAME TELEPHONE # SAME

This is to certify that the above property, together with any building(s) thereon, is(are) used, or proposed to be used as, or for:

OFFICE BUILDING: INTERIOR RENOVATIONS  
TO EXISTING OFFICE SPACE ON 2ND FLOOR  
FOR CONTINUED OFFICE USE.

which is a:

- Use or structure permitted by Ordinance on a lot conforming to Ordinance requirements.
- Use or structure permitted by Ordinance on a lot not conforming to Ordinance requirements. FOR THE WORK DESCRIBED ABOVE.
- Use or structure permitted by Ordinance; Without a copy of a current survey, it cannot be determined whether the lot conforms to Ordinance requirements.
- Use permitted by Variance, Site Plan, Appeal, Interpretation or Certificate # \_\_\_\_\_ approved by the  Planning Board or  Zoning Board of Adjustment on \_\_\_\_\_ subject to the following conditions attached to the grant thereof:

Other \_\_\_\_\_

NOTE: This permit is related to the ZONING of the property ONLY. The Applicant or Property Owner is still required to obtain all applicable State, County, Local and Private permits and approvals, by way of, but not limited to, NJ DEP and DOT, County Planning Board and Soil Conservation District, Local Building Permits, Private Condo or Townhouse Association approval.

DATE 11/13/06 ZONING OFFICER [Signature]

CC:  CONSTRUCTION OFFICIAL  HOUSING OFFICIAL  RENT LEVELING

\$ 100.00 RECEIVED  
Chk # 90800 NOV 06 2006

TOWN OF MORRISTOWN  
APPLICATION FOR ZONING PERMIT

TOWN OF MORRISTOWN  
DEPT. OF PUBLIC WORKS

APPLICATION # 15344 (For Official Use Only)

PROPERTY ADDRESS 10 Washington Street

BLOCK 5906 LOT 6 ZONING DISTRICT CBD

APPLICANT'S NAME AND ADDRESS Schenck, Price, Smith & King, LLP, 10 Washington Street, Morristown, NJ TELEPHONE # (973) 539-1000

PROPERTY OWNER'S NAME AND ADDRESS Bank Street Investors, c/o Schenck, Price, Smith & King, LLP TELEPHONE # same as above

1. DESCRIBE IN DETAIL THE ACTIVITY OR ACTIVITIES TO BE CONDUCTED ON THE PREMISES, INCLUDING IN THE PRICIPAL BUILDING AND ANY ACCESSORY ACTIVITIES TO BE CONDUCTED IN ANY ACCESSORY BUILDING(S) AND ON THE GROUNDS OF THE PROPERTY (I.E. RETAIL, OFFICE, TWO-FAMILY, ANY NEW CONSTRUCTION - INTERIOR OR EXTERIOR):

Existing second floor office space will be divided into four offices and support areas. One window will be replaced.

2. DESCRIBE IN DETAIL THE PREVIOUS/ EXISTING USE OF THE PROPERTY, INCLUDING IN ANY BUILDINGS ON THE GROUNDS, OR IF THE PREMISES ARE VACANT, THE MOST RECENT USE OF THE PROPERTY AND THE DATE THIS USE WAS DISCONTINUED:

Law Offices

DATE 11/06/2006 SIGNATURE OF APPLICANT [Signature] SCHENCK, PRICE, SMITH & KING, LLP  
DATE \_\_\_\_\_ SIGNATURE OF PROPERTY OWNER Edward W. Ahart, Managing Partner  
See Attached

- NOTES:**
- 1) A COPY OF A SURVEY OF THE PROPERTY, SHOWING LOT DIMENSIONS AND DIMENSIONS OF ALL IMPROVEMENTS, SHOULD BE SUBMITTED WITH THIS APPLICATION. IF NEW CONSTRUCTION IS PROPOSED, THE LOCATION, DIMENSIONS AND ALL SETBACKS FROM PROPERTY LINES MUST BE SHOWN.
  - 2) OR INTERIOR CONSTRUCTION, A PLAN (WHICH MUST BE SCALED, BUT NEED NOT BE PROFESSIONALLY PREPARED) MUST BE SUBMITTED. THIS PLAN MUST INCLUDE A KEY PLAN SHOWING THE LOCATION OF THE WORK WITHIN THE BUILDING, EXISTING AND PROPOSED LAYOUTS OF THE AREA OF CONSTRUCTION.
  - 3) IF YOUR PROPOSAL RECEIVED PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT APPROVAL, A CURRENT CERTIFICATION OF PAYMENT OF TAXES AND SEWER USES FEES MUST BE ATTACHED.

**BANK STREET INVESTMENT PARTNERSHIP**

November \_\_, 2006

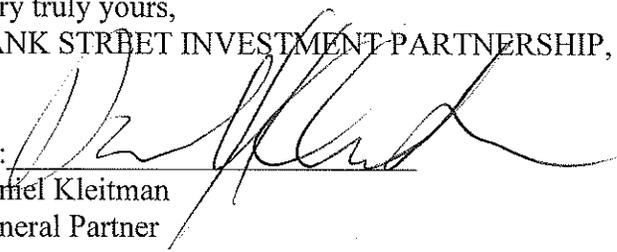
Town of Morristown  
200 South Street  
Morristown, NJ 07963-0914

Re: Schenck, Price, Smith & King, LLP  
Proposed Interior Renovations to Second Floor Office Space  
10 Washington Street, Morristown, New Jersey

Dear Sir or Madam:

I am a General Partner of Bank Street Investment Partnership, the owner of the above-referenced property. Please be advised that Bank Street Investment Partnership hereby consents to the application by Schenck, Price, Smith & King, LLP for a zoning permit and any and all building, construction or other permits required by the Town of Morristown in connection with its proposed interior renovations to the second floor office space.

Very truly yours,  
BANK STREET INVESTMENT PARTNERSHIP,

By:   
Daniel Kleitman  
General Partner

# SCHENCK, PRICE, SMITH & KING, LLP

ATTORNEYS AT LAW

10 Washington Street  
Morristown, New Jersey 07963  
(973) 539-1000  
www.spsk.com

JOHN M. DEMARCO  
ADMITTED IN NJ AND NY

DIRECT LINE: (973) 540-7323  
INTERNET: JMD@SPSK.COM

TELECOPIER (973) 540-7300

NEW YORK OFFICE  
305 BROADWAY, SUITE 900  
NEW YORK, N.Y. 10007  
(212) 822-1456

Reply to:  
P.O. Box 905  
Morristown, New Jersey 07963-0905

November 6, 2006

## VIA HAND DELIVERY

John Fugger, Zoning Officer  
Town of Morristown  
200 South Street, P.O. Box 914  
Morristown, New Jersey 07963-0914

**Re: Schenck, Price, Smith & King, LLP - Application for Zoning Permit  
Proposed Interior Alterations to Second Floor Office Space  
10 Washington Street, Morristown, New Jersey**

Dear Mr. Fugger:

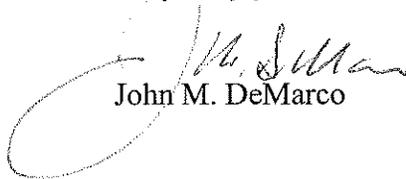
Enclosed herewith are the following in connection with our request for a zoning permit concerning our proposed interior alterations at the above premises:

1. Application for Zoning Permit.
2. Architectural Plans (three sheets) dated October 24, 2006 prepared by Peter Johnston, Architect PC, which reflect existing and proposed conditions.
3. A check of our firm in the amount of \$100.00 payable to the Town of Morristown in payment of the Application Fee.
4. A letter from the property owner consenting to our filing of zoning and building permits for the proposed alterations.

In accordance with our telephone conversation of last week confirming that all alterations/renovations will be to the interior of the existing building, the filing of a survey is not required.

If any additional information is required, please contact me. Thank you for your assistance.

Very truly yours,

  
John M. DeMarco

REPORT DATE 09.04.2020

**Appendix E: State of New Jersey Department of Treasury  
Division of Taxation Tax Cards**

**RECORD DETAILS  
AS OF JANUARY 10, 2019:**

**OWNER INFORMATION**

Owner Name: 10 WASHINGTON STREET LLC  
Owner Address: 545 CEDAR LN  
TEANECK, NJ 07666

**PROPERTY INFORMATION**

Property Location 10 WASHINGTON ST  
County 14 - Morris  
District 24 - Morristown Town  
Block Number 5906  
Lot Number 6  
Qualifier  
Property Class 4A - Commercial  
Land Description 5768SF  
Building Description 3S B STR & OFF  
Acreage 0.1324

Land Value 975,000  
Building Value 975,000  
Net Value 1,200,000

Prior Year's Taxes \$35,400.00  
Prior Year's Net Value 1,200,000

**RECORD DETAILS  
AS OF JANUARY 10, 2019:**

**OWNER  
INFORMATION**

Owner Name: 2 WASHINGTON ST%PENOBSCOT  
MGMTLLC  
Owner Address: 545 CEDAR LN  
TEANECK, NJ 07666

**PROPERTY  
INFORMATION**

Property Location 6 WASHINGTON ST  
County 14 - Morris  
District 24 - Morristown Town  
Block Number 5906  
Lot Number 7  
Qualifier  
Property Class 4A - Commercial  
Land Description 25.75X111  
Building Description 3S B STR OFF  
Acreage 0.0656  
  
Land Value 516,300  
Building Value 516,300  
Net Value 741,300  
  
Prior Year's Taxes \$21,868.36  
Prior Year's Net Value 741,300

**RECORD DETAILS  
AS OF JANUARY 10, 2019:**

**OWNER  
INFORMATION**

Owner Name: 2 WASHINGTON ST%PENOBSCOT  
MGMT LLC  
Owner Address: 545 CEDAR LN  
TEANECK, NJ 07666

**PROPERTY  
INFORMATION**

Property Location 2 WASHINGTON ST  
County 14 - Morris  
District 24 - Morristown Town  
Block Number 5906  
Lot Number 8  
Qualifier  
Property Class 4A - Commercial  
Land Description 8204SF  
Building Description 3SB STR OFF  
Acreage 0.1883  
  
Land Value 1,115,000  
Building Value 1,115,000  
Net Value 1,340,000  
  
Prior Year's Taxes \$39,530.00  
Prior Year's Net Value 1,340,000

REPORT DATE 09.04.2020

## Appendix F: Sewer Meter Reading Reports

Range of Accounts: 3244-0 to 3244-0 Status: Both  
 Range of Dates: First to 12/31/20 Service Type: All Reading Type Includes:  
 Range of Years: First to Last Name to Print: Bill To Standard: Y Final: Y Prorated Final: Y  
 Range of Periods: First to Last Location to Print: Property Reset: Y Interim: Y Consumption: Y  
 Range of Cycles: First to Last Minimum Usage: -9999999999 Max Usage: 9999999999  
 Range of Acct Types: First to Last Range of City Ids: First to Last Estimate Flag Includes:  
 Range of Sections: First to Last Range of Bill Group Ids: First to Last Actual: Y Estimate: Y Customer Reads: Y  
 Read: Y Do Not Read: Y Retired: Y

Account Id	Location	Units	Code	Year	Prd	Date	Type	Est	Readings	Usage	Roll	Ref
Type	Section Name							Flag			Flag	Num
	Cycle	Meter Num	Mult	Size	Book	Page						
	Bill Group	City Id										

3244-0		6 WASHINGTON ST		1.00 S02 Sewer Standard Meter:				1 Meter Group: 1 Status: Read					
4A	M	10 WASHINGTON STREET LLC			Meter Num: 0124100060				Serial Num: 0016905001				
Sewer:	2	0124100060	0	7	Year	Prd	Date	Type	Est	Readings	Usage	Ref	
					2020	2	04/23/20	C		0	0	241	
					2020	1	01/17/20	C		3	3	236	
					2019	4	10/28/19	C		0	0	233	
					2019	3	07/12/19	C		0	0	230	
					2019	2	04/10/19	C		0	0	226	
					2019	1	01/14/19	C		0	0	223	
					2018	4	10/23/18	C		3-	3-	220	
					2018	3	07/23/18	C		1	1	215	
					2018	2	04/17/18	C		1	1	210	
					2018	1	02/07/18	C		1	1	206	
					2017	4	10/11/17	C		1	1	201	
					2017	3	08/04/17	C		0	0	197	
					2017	2	04/25/17	C		0	0	191	
					2017	1	01/18/17	C		0	0	184	
					2016	4	10/18/16	C		0	0	179	
					2016	3	07/20/16	C		2	2	175	
					2016	3	07/19/16	C		2	2	196	
					2016	2	04/20/16	C		0	0	169	
					2016	1	01/15/16	C		0	0	162	
					2015	4	10/22/15	C		0	0	159	
					2015	3	07/27/15	C		0	0	157	
					2015	2	04/14/15	C		0	0	154	
					2015	1	02/05/15	C		1	1	151	
					2014	2	04/10/14	C		0	0	140	
					2014	1	01/14/14	C		0	0	135	
					2013	4	10/10/13	C		0	0	131	
					2013	3	07/25/13	C		0	0	126	
					2013	2	04/18/13	C		0	0	118	
					2013	1	01/14/13	C		0	0	113	
					2012	4	11/01/12	C		0	0	110	
					2012	3	07/17/12	C		0	0	107	
					2012	2	04/30/12	C		0	0	99	
					2012	1	01/30/12	C		0	0	95	
					2011	4	10/12/11	C		0	0	91	
					2011	3	07/22/11	C		0	0	87	
					2011	2	04/12/11	C		0	0	82	
					2011	1	01/10/11	C		0	0	79	
					2010	4	10/21/10	C		1	1	75	
					2010	3	07/09/10	C		6	6	69	
					2010	2	04/12/10	C		7	7	63	

Account Id	Location	Units Code	Year	Prd Date	Type	Est Flag	Readings	Usage	Roll Flag	Ref Num
Type	Section Name									
Bill Group	Cycle Meter Num	City Id	Mult	Size	Book	Page				
3244-0	6 WASHINGTON ST						Continued			
			2010	1	01/11/10	C	8	8		60
			2009	4	10/22/09	C	34	34		58
			2009	3	07/21/09	C	8	8		53
			2009	2	04/17/09	C	8	8		46
			2009	1	01/12/09	C	8	8		41
			2008	4	10/21/08	C	9	9		37
			2008	3	07/31/08	C	8	8		32
			2008	2	04/16/08	C	14	14		26
			2008	1	01/16/08	C	8	8		24
			2007	4	10/11/07	C	7	7		19
			2007	3	07/23/07	C	6	6		14
			2007	2	05/02/07	C	6	6		9
			2007	1	01/30/07	C	7	7		2
			2006	4	10/05/06	C	9	9		1
			2006	3	07/11/06	C	6	6		1
			2006	2	04/05/06	C	19	19		1
			2006	1	01/04/06	C	10	10		1
								198		

Range of Accounts: 3326-0 to 3326-0 Status: Both  
 Range of Dates: First to 12/31/20 Service Type: All Reading Type Includes:  
 Range of Years: First to Last Name to Print: Bill To Standard: Y Final: Y Prorated Final: Y  
 Range of Periods: First to Last Location to Print: Property Reset: Y Interim: Y Consumption: Y  
 Range of Cycles: First to Last Minimum Usage: -9999999999 Max Usage: 9999999999  
 Range of Acct Types: First to Last Range of City Ids: First to Last Estimate Flag Includes:  
 Range of Sections: First to Last Range of Bill Group Ids: First to Last Actual: Y Estimate: Y Customer Reads: Y  
 Read: Y Do Not Read: Y Retired: Y

Account Id	Location	Units	Code	Year	Prd	Date	Type	Est	Readings	Usage	Roll	Ref
Type	Section Name							Flag			Flag	Num
	Cycle Meter Num	Mult	Size	Book	Page							
	Bill Group	City Id										
3326-0	2	WASHINGTON ST	1.00	S02	Sewer	Standard Meter:	1	Meter Group: 1	Status: Read			
4A	M	2	WASHINGTON ST%PENOBSCOT	MGMT		Meter Num: 0124100080		Serial Num: 0016982001				
Sewer:	2	0124100080	0	7								
						2020	2	04/23/20	C	1	1	241
						2020	1	01/17/20	C	0	0	236
						2019	4	10/28/19	C	1	1	233
						2019	3	07/12/19	C	2	2	230
						2019	2	04/10/19	C	2	2	226
						2019	1	01/14/19	C	1	1	223
						2018	4	10/23/18	C	0	0	220
						2018	3	07/23/18	C	3	3	215
						2018	2	04/17/18	C	2	2	210
						2018	1	02/07/18	C	0	0	206
						2017	4	10/11/17	C	0	0	201
						2017	3	08/04/17	C	1	1	197
						2017	2	04/25/17	C	0	0	191
						2017	1	01/18/17	C	0	0	184
						2016	4	10/18/16	C	1	1	179
						2016	3	07/20/16	C	1	1	175
						2016	3	07/19/16	C	1	1	196
						2016	2	04/20/16	C	1	1	169
						2016	1	01/15/16	C	0	0	162
						2015	4	10/22/15	C	0	0	159
						2015	3	07/27/15	C	1	1	157
						2015	2	04/14/15	C	1	1	154
						2015	1	02/05/15	C	0	0	151
						2014	4	10/29/14	C	0	0	146
						2014	3	07/24/14	C E	10	10	145
						2014	2	04/10/14	C	10	10	140
						2014	1	01/14/14	C	0	0	135
						2013	4	10/10/13	C	10	10	131
						2013	3	07/25/13	C	4	4	126
						2013	2	04/18/13	C	0	0	118
						2013	1	01/14/13	C	0	0	113
						2012	4	11/01/12	C	1	1	110
						2012	3	07/17/12	C	1	1	107
						2012	2	04/30/12	C	1	1	99
						2012	1	01/30/12	C	0	0	95
						2011	4	10/12/11	C	31	31	91
						2011	3	07/22/11	C	4	4	87
						2011	2	04/12/11	C	1	1	82
						2011	1	01/10/11	C	30	30	79
						2010	4	10/21/10	C	17	17	75

Account Id	Location	Units Code	Year	Prd Date	Type	Est Flag	Readings	Usage	Roll Flag	Ref Num
Type	Section Name									
Bill Group	Cycle Meter Num	City Id	Mult	Size	Book	Page				
3326-0	2	WASHINGTON ST	Continued							
			2010	3	07/09/10	C	0	0		69
			2010	2	04/12/10	C	115	115		63
			2010	1	01/11/10	C	48	48		60
			2009	4	10/22/09	C	66	66		58
			2009	3	07/21/09	C	81	81		53
			2009	2	04/17/09	C	54	54		46
			2009	1	01/12/09	C	42	42		41
			2008	4	10/21/08	C	41	41		37
			2008	3	07/31/08	C	73	73		32
			2008	2	04/16/08	C	58	58		26
			2008	1	01/16/08	C	48	48		24
			2007	4	10/11/07	C	79	79		19
			2007	3	07/23/07	C	47	47		14
			2007	2	05/02/07	C	52	52		9
			2007	1	01/30/07	C	50	50		2
			2006	4	10/05/06	C	44	44		1
			2006	3	07/11/06	C	44	44		1
			2006	2	04/05/06	C	42	42		1
			2006	1	01/04/06	C	52	52		1
								1175		

**REPORT DATE 09.04.2020**

## **Appendix G: Recommended Redevelopment Area**

# Study Area



 **Recommended Redevelopment Area**

THIS SHEET IS A DIGITIZED COPY OF THE TAX MAP PREPARED BY RICHARD F. SMITH, JR. AND DATED MAY 1, 2002. THE APPROVED ORIGINAL IS ON FILE IN THE ENGINEER'S OFFICE.

**TAX MAP**  
 TOWN OF MORRISTOWN  
 MORRIS COUNTY, NEW JERSEY  
 SCALE: 1"=50' DATE: 05-01-02  
 RICHARD F. SMITH, JR.  
 PROFESSIONAL LAND SURVEYOR NO.25048  
 16 SCHUYLER PLACE  
 MORRISTOWN, NJ 07960