

# **Preliminary Investigation Report for a Non-Condensation Area in Need of Redevelopment**

**DRAFT**

**Club Pure Site  
1970 State Highway 35  
Sayreville, New Jersey**

**Also known as  
Block 425, Lot 2.02**

January 2022  
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## Introduction

The purpose of this Preliminary Investigation Report (hereinafter referred to as “the report”) is to determine whether the Club Pure Site identified as Block 425, Lot 2.02 on the Borough’s Official Tax Map also known as 1970 State Highway Route 35, and (hereinafter referred to as “the Subject Property,”) in the Borough of Sayreville, Middlesex County, New Jersey will qualify as an area in need of redevelopment as defined in the Local Redevelopment and Housing Law, P.L. 1992, Chapter 79 (commonly and hereinafter referred to as the “LRHL”).

Before proceeding to a public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area. In addition to the map, a statement is required setting forth the basis for the investigation.

Once completing its review of the report, holding hearing(s) on this matter, and listening to the comments from the public, the Planning Board shall by resolution recommend to the Mayor, and Borough Council whether the Subject Property, meets the criteria and may qualify as an area in need of redevelopment. After receiving the recommendation of the Planning Board, the Mayor and Borough Council may adopt a resolution determining whether the identified area is in need of redevelopment.

Before considering the analysis of the Subject Property, it is important to note that the determination of an area in need of redevelopment presented in this report is only the first step of the redevelopment process and does not provide guidance with respect to the planning, development, or redevelopment of the Subject Property. Section 40A:12A-7 of the LRHL describes the tool (the redevelopment plan), which specifies how the site’s redevelopment should be planned, in addition to the process through which such a plan is prepared.

## Site Location, Description, and History

The Subject Property is in the northeast section of the Borough. It is immediately east of the Garden State Parkway and just north of the Ernston Road/Lorraine Avenue intersection with NJ Route 35. The site’s primary frontage is on NJ Route 35 North, but also had frontage on the dead-end of Olsen Street, with no approved access. Approximately half of the site’s access from the Route 35 frontage is impaired by one of the Highway’s jug handles, which provides a U-turn for north bound traffic.

Brook Avenue, a residential street, runs north to south immediately east, or rear of the Subject Property. The site’s situation as it relates to the general vicinity is shown below on Map 1, the Site Location Map. Map 2, the Site Identification and Boundary Map, depicts the Subject Property’s boundaries and identifies the limits of the overall property. It provides a closeup aerial photo of the Subject Property depicting it and its relationship to the adjacent roadway networks and the surrounding neighborhood. Site condition and location photographs can be found in Appendix 1 (Site Photos).

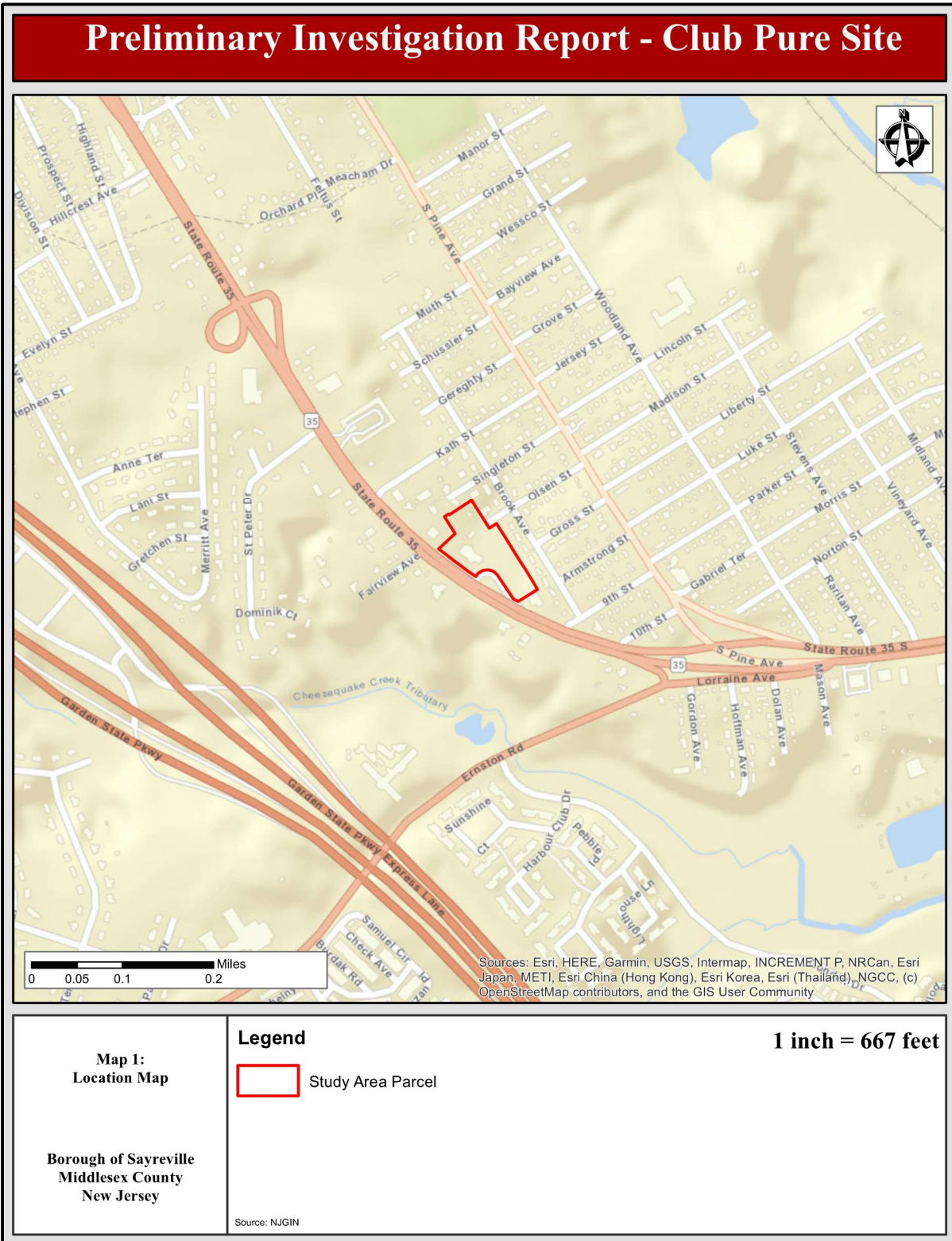


In addition to the direct access to Route 35 North, as the Site Location Map shows, access to other transportation routes is readily available as the site is located within minutes to the Garden State Parkway, NJ Turnpike, NJ Route 440 and US-Route 287. In addition, mass transit options by bus, train, and in the not-too-distant future, ferry, are available within convenient distances of the Subject Property.

Excerpts from the March 19, 2021, Geotechnical Investigation prepared by Dynamic Earth are appended to this report (Appendix 2 [Geotechnical Investigation]). The report describes the history of the Subject Property as follows, 'In general, the site was undeveloped wooded and agricultural land until about 1940. New Jersey State Highway Route 35 was constructed circa 1940. The Subject Property primarily consisted of wooded areas between 1951 and 1961, but several small buildings existed within the area of the Subject Property during this period. Available 1969 aerial photograph shows the construction of current site development (commercial property and residential structures).'

'Based on a review of available historical topographic mapping within the area of the Subject Property, the topography within the area of the Subject Property is relatively consistent between 1888 and 1940. The historical mapping on a 1940 topographic map shows a depression near the central portion of the Subject Property and shows New Jersey State Highway Route 35. The 1943 Historic Topographic Map depicts a stream.'

Map 1. Site Location Map



**Map 2. Site Identification and Boundary Map**





## **Existing Site Conditions**

The Subject Property is 3.17 acres and is fully developed primarily containing a one story, 9,330 square foot building, presently identified as Club Pure, a combination night club and catering facility. The facility was formerly identified as Club Abyss, and before that as Mel's Lounge. The Club Pure building is surrounded by paved parking, with no landscaped islands or drainage facilities, with the exception on a single inlet located at the rear of the site. The only landscaping is a 15-foot-wide buffer strip that runs along the rear of the property separating it from the adjacent residents. The northern third of the site is occupied by a separate use, not clearly identifiable and not necessarily associated with the Club Pure facility. This northern section of the Subject Property contains a one-story brick dwelling, a storage building, garage and a refrigeration building, totaling approximately 1,000 square feet and the rear portion is littered with debris. This area can be accessed from a driveway located to the north of the Club Pure building and contains little in the way of site improvements as can be seen from the site photos in Appendix 1 (Site Photos) of this report.

The Club Pure Building has been utilized in some form as a night club/catering facility since it opened around 1970. It received Planning Board approvals for additions in 1999 and 2008. The 1999 addition was approximately 1,000 square feet, which consisted mainly of a new entrance area and has since been constructed. The 2008 approval was for a two-story addition over 40,000 square feet in size which never moved forward. In 2015 the Planning Board granted a Change of Use approval.

The parking lot shows signs of deterioration, with worn and cracked undulating pavement and potholes throughout the parking fields. There is evidence of a sinkhole, associated with a drainage inlet in the rear of parking area as shown on the photograph 4 in Appendix 1 (Site Photos).

The infrastructure that had serviced the main site, including roadway access, public water and sanitary sewer, and utilities are all intact and available to future redevelopment. However, public sewer and water are not shown to be servicing the random buildings on the northern end of the site.

Including the photographs mentioned above, Appendix 1 (Site Photos) contains a series of photographs depicting the current condition of the buildings and parking areas.

## **Environmental Constraints, Composition and Topography**

The Subject Property is relatively flat and drains from the east and west to the center of the Subject Property where stormwater reaches the lowest grade, elevation 60 feet, and from there drains north to the drainage inlet and the vegetated strip at the rear of the site. There are no apparent naturally occurring site constraints relative to the redevelopment of the Subject Property.

Middlesex County Soils Mapping identifies the soils onsite as Downer (DouC)- urban land complex 5 to 10 percent slopes. Downer soil is a deep well-drained soil developed from acid, loamy Coastal Plain sediments. Originally, the land area had developed from older rock formations before the coastal sands were deposited over it. They are found on rolling landscapes, terraces and uplands with up to 30% slope in some places, but less than 5% slope is most common. Every soil can be separated into three separate size fractions called sand, silt, and clay, which make up the soil texture.

Regarding subsurface conditions at the Subject Property that are not naturally occurring, Dynamic Earth was employed to explore and evaluate the site's subsurface conditions. The findings of Dynamic Earths' investigation are contained in a report titled, Report of Geotechnical Investigation, dated March 19, 2021. Excerpts from the study are included in this Report as Appendix 2 (Geotechnical Investigation).

The findings of the Geotechnical Investigation Report which appear to constrain the site's redevelopment can be summarized in the following passages:

- Surface Cover: Borings and test pits performed in pavement areas encountered approximately one to three inches of asphaltic concrete at the surface with up to one inch of apparent subgrade material. Borings performed within existing landscape areas encountered approximately one inch of topsoil.
- Existing Fill Material: Beneath the surficial cover, existing fill material was encountered that generally consisted of silty clay, sand, and gravel with variable amounts of debris. The debris encountered included wood, brick, asphalt, metal, plywood, buried topsoil, concrete, glass. Where penetrated, the existing fill material was encountered to depths ranging between approximately five feet and 23 feet below the ground surface. Relatively deep fill material was encountered within the area of the former historically mapped depression at the central portion of the Subject Property.

An additional man-made environmental constraint is depicted on the Existing Conditions Plan prepared by French & Parrello, dated May 7, 2008, and attached as Map 3 (Existing Conditions Plan). The Existing Conditions Plan is basically an as-built survey of the Subject Property and shows that a 36-inch reinforced concrete pipe for conveying stormwater bisects the site running northeast and southwest. It appears to collect stormwater from Route 35 North and South, and the jug handle that abuts the site. The pipe extends off-site into the residential neighborhood to the rear of the property and outlets into the drainage system in Brook Avenue. There is no known easement associated with the drainage pipe, but it's likely that no permanent structures will be permitted within 10 to 15 feet off center of the pipe.

The Existing Conditions Plan also depicts water and sewer lines running from the rear of the Club Pure Building and connecting with the mains in Olsen Street. Similar to the drainage pipe, no buildings can be constructed on these lines, and they will likely be rerouted during future site development.

## **Relationship to the Borough's Master Plan and Surrounding Land Uses**

The Borough's 2013 Master Plan designates the Subject Property as Highway Business, as shown on Map 4, Future Land Use Map – Master Plan. The Highway Business District area includes portions of the existing highway commercial uses along Route 9 and 35. The designation currently permits retail sales, service uses, business and other commercial uses. While the 2013 Master Plan recommended no change in uses for this area from the previous plan, it was recommended that building and parking layouts, the types and styles of signage, landscaping, lighting, and other design guidelines should be improved consistent with the Route 35 and Route 9 Overlay Section within the Plan.

The district is further intended to allow community and regional-scale commercial uses that rely heavily on automobile and truck access. As stated in the Master Plan, opportunities exist to improve community design in the areas planned for Highway Commercial land use. Future development, expansions, or building alterations need to follow the recommended community design guidelines. Benefits will include the creation of a more business friendly environment and improved circulation patterns on public streets and within the parking lots of existing businesses.

The Master Plan notes, the Route 9 and Route 35 corridor provide significant economic development potential to the Borough. Many sections of the corridors are underutilized and in need of improvement. Improved design and revitalization should be implemented by applying community design standards within the corridor.

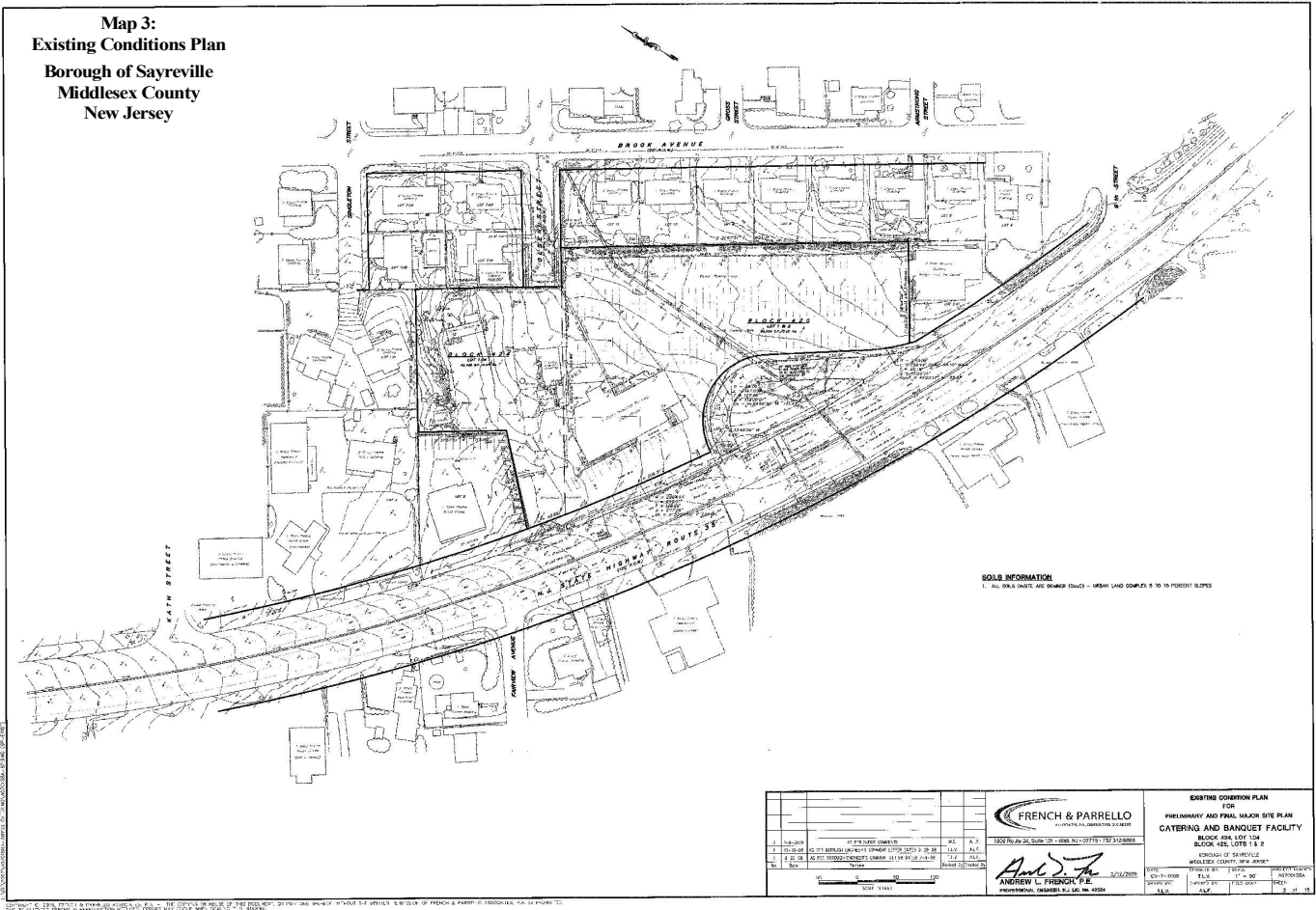
If the Subject Property becomes a redevelopment area in the future, the area's redevelopment plan can apply the community design standards for the corridor as mentioned above and further described in the Master Plan.

With respect to the surrounding land uses, as shown on Map 2, Site Identification and Boundary Map, the Subject Property has several abutting land uses. To the northeast, single family residential development lines the site. To the southwest, the site abuts Route 35 North. Across Route 35 from the site is a single-family home, a Night Club/Lounge, an Auto Body Shop, and a truck storage/parking area set back from the roadway between the Lounge and Auto Body Shop. The Morgan First Aid Squad is adjacent to the site to the southeast, and a Used Car Dealership abuts the site to the northwest. There is no vacant property adjacent to the property in question.

Map 3. Existing Conditions Plan

# Preliminary Investigation Report - Club Pure Site

Map 3:  
Existing Conditions Plan  
Borough of Sayreville  
Middlesex County  
New Jersey



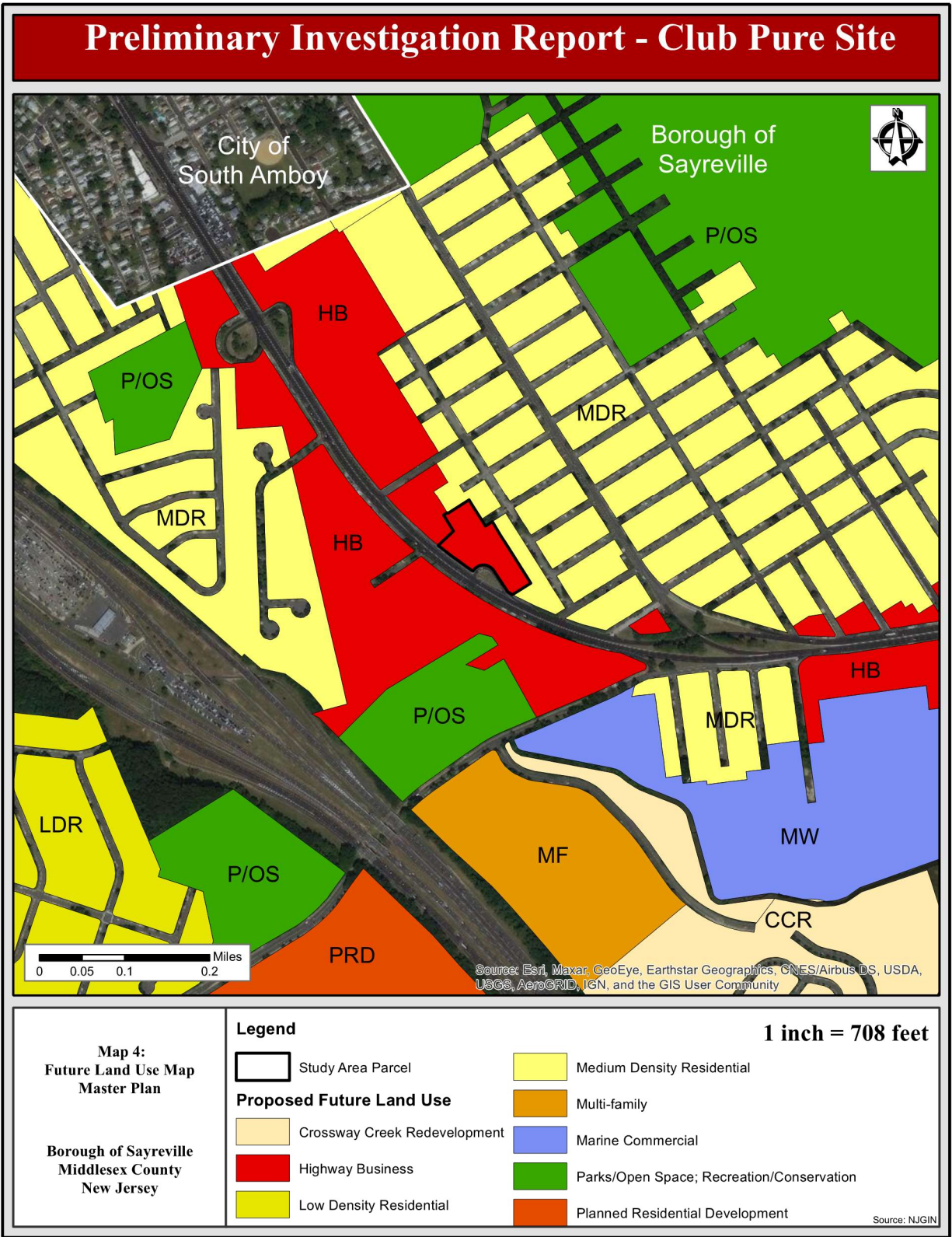
**SOLE INFORMATION**  
1. ALL THIS MAPS ARE QUANTIFIED - USDA LAND COMPLEX 5 TO 10 PERCENT SLOPES

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Map 4. Future Land Use Map – Master Plan





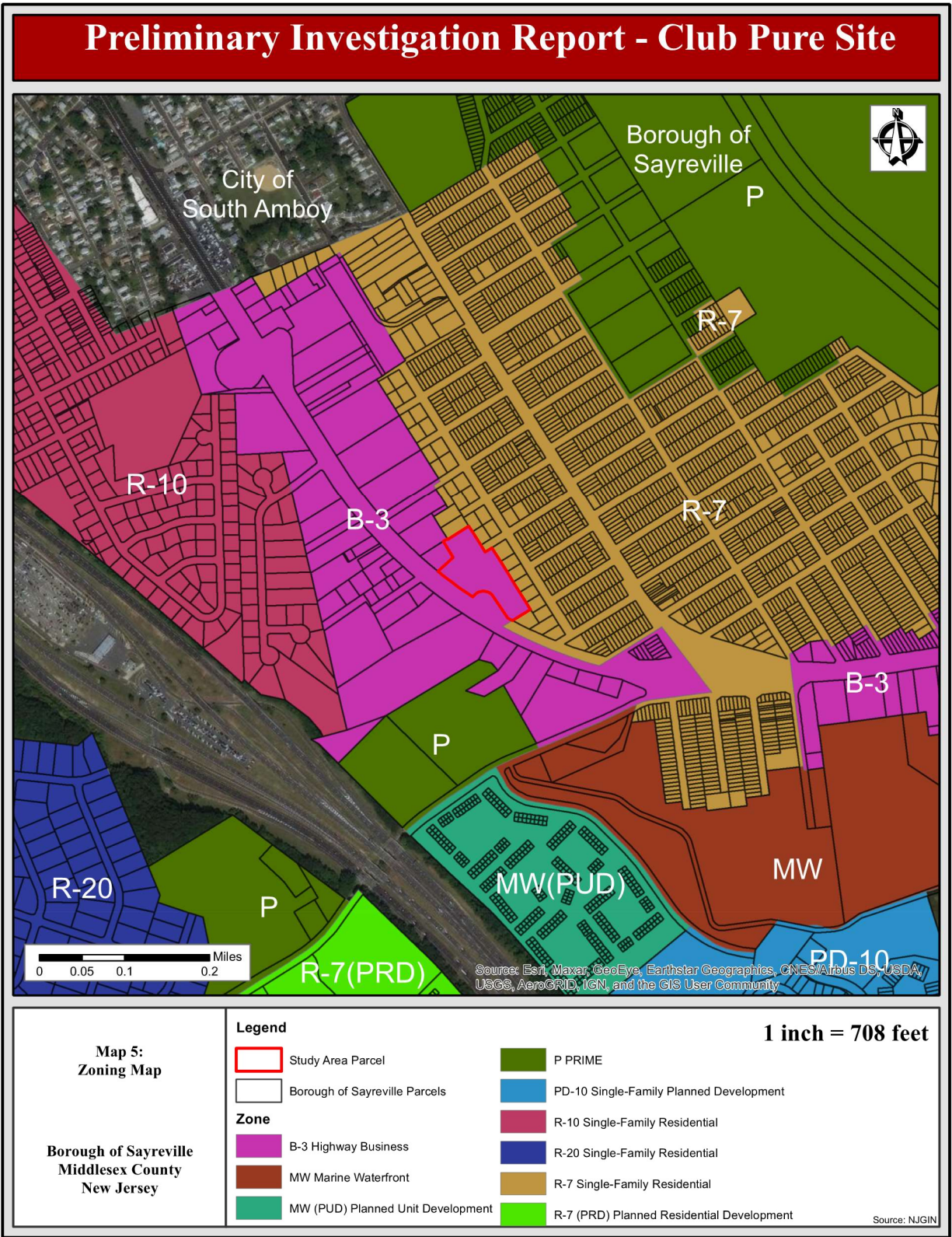
## Relationship to Existing Zoning

The site is presently zoned B-3 Highway Business, consistent with the Master Plan's Highway Business designation as shown on Map 5, Zoning Map. Permitted uses in the Zone include:

- Automatic Car Wash
- Automobile Repair
- Automobile Sales
- Bar
- Childcare center
- Essential service
- Health club, gym or recreational facility
- Indoor theater
- Institutional and public use
- Nightclub
- Nursing home, assisted living facility, continuing care retirement community
- Office
- Restaurant, excluding drive-in
- Retail sales and service
- Wholesale sales and service

Map 5 (Zoning Map) also depicts the existing zoning surrounding the site. As shown, the B-3 Highway Business Zone continues to the north of the Subject Property along Route 35 and on the opposite side of Route 35 to the north and south. However adjacent to the Subject Property to the south on Route 35, and to the northeast, the area is Zoned R-7, Residential, 7,500 S.F. Lots.

Map 5. Zoning Map



## Redevelopment and the Basis of the Preliminary Investigation

As stated in the *Complete Guide to Planning in New Jersey* (2018) the New Jersey Local Redevelopment and Housing Law (LRHL or Redevelopment Statute}, NJSA 40A:12A-1 et seq, empowers municipalities to become active participants in the real estate development process. The Redevelopment Statute recognizes that it is appropriate, under certain circumstances, to put municipalities in the driver's seat with respect to real estate development. Accordingly, the Statute gives municipalities access to certain critical tools - such as the ability to choose and designate redevelopers, and execute redevelopment agreements with such selected redevelopers, to grant tax exemptions and abatements and negotiate agreements for payments in lieu of taxes, permitting the sale of municipally-owned real property without public bidding and on negotiable terms, and even the exercise of condemnation powers to acquire real property - which have been shown to be instrumental in making redevelopment projects happen.

The Redevelopment Statute also empowers the planning profession and the plan making process by removing certain constraints under the MLUL and allowing greater control over the design and aesthetics than available under ordinary zoning powers. In particular, with respect to physical planning and urban design, planners have incorporated Form-Based Zoning frameworks and concepts into redevelopment plans, which is a deviation from the way zoning has become customary and practiced under the MLUL.

It is generally accepted that the Redevelopment Statute authorizes the Redevelopment Plan to contain a much higher level of specificity with respect to urban design and physical planning aspects than are commonly available under general zoning standards.

While the Redevelopment Statute was originally conceived to provide municipalities with additional tools to better address urban blight and natural or man-made disasters (such as catastrophic flooding or large scale fires) it is now routinely applied to various other circumstances and conditions, such as environmental remediation of former industrial or commercial sites, the large scale abandonment of industrial, commercial or residential properties and generally deteriorating, obsolete and unproductive areas.

This preliminary investigation is aimed only at determining whether the Subject Property meets the statutory criteria to be identified as a non-condemnation Area in Need of Redevelopment and therefore does not contain any of the specific planning guidance contained in a non-condemnation redevelopment plan.

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

Resolution #2021-269 was adopted at the Regular Meeting of the Mayor and Borough Council of Sayreville, NJ, held on the 12th day of October 2021. The resolution requested that the Planning Board undertake a preliminary investigation of the Subject Property to determine if it qualifies as a non-condemnation area in need of redevelopment pursuant to the LRHL. A copy of the Resolution is included in this report as Appendix 3 (Council Resolution). The guidance provided in the resolution serves as the “statement setting forth the basis for the investigation,” which is required by the LRHL [N.J.S.A. 40A:12A-6b(1)]. In accordance with N.J.S.A. 40A:12A-6b(5).

## **Criteria for Redevelopment Area Determination**

The criteria for determining an area to be in need of redevelopment include a finding that the area meets one, or more of the following criteria (N.J.S.A. 40A:12-5)

- A. The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (N.J.S.A. 40A:12A-5[a]).
- B. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such buildings or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).
- C. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. (N.J.S.A. 40A:12A-5[c]).
- D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A-5[d]).
- E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. (N.J.S.A. 40A:12A-5[e]).



- F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).
- G. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and Planning Board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. (N.J.S.A. 40A:12A-5[g]).
- H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A5[h]).

In preparing this report, an investigation of the site was performed that collected, analyzed and considered readily available information. The analysis of that information forms the basis to determine the applicability of the aforementioned statutory criteria in making a recommendation to designate the site as an area in need of a redevelopment.

## **Conformity with Statutory Criteria for an Area in Need of Redevelopment**

An analysis of the Subject Site's existing physical characteristics was conducted via site inspections, review of historic aerial photographs, the State Plan, the Borough's Master Plan, and Zoning Ordinance. Relevant tax records, building records, as-built surveys, approved site plans, resolutions, reports, studies, news reports and police incident reports, were also reviewed.

The Subject Property's main building has been actively utilized in some manner as a night club/catering facility since approximately 1970. However, the use of the dwelling and smaller random buildings at the northern most section of the site is unclear. It appears to be a mix of a business activity and residential use. Based on site visits and as shown in the site photographs attached as Appendix 1 (Site Photos), the buildings are somewhat dilapidated and appear vacant.

It should be noted that the Residential uses are nonconforming in the B-3 Highway Business Zone. To be considered as a Non-Condemnation Redevelopment Area, the area being investigated must meet at least one of the eight criteria under Section 5 of the LRHL. Our analysis provides evidence that supports the Subject Site's conditions to be consistent with two of the criteria as explained below.

*D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A5[d]).*

*d. As shown in Map 2 (Site Identification and Boundary Map), site photos, and Existing Conditions Map, the parking area shows signs of substantial deterioration, and the residential building and accessory uses on the northern end of the site appear somewhat dilapidated. The site is shown to have excessive land coverage as depicted on the site photos and mapping, as only a 15-foot-wide strip of land, acting as a buffer area at the rear of the Subject Site is unimproved. The site's layout is obsolete based on current design standards. It contains no landscaped islands within the parking areas, no stormwater detention facilities, and no free-standing site lighting. These conditions create excessive offsite runoff with no water quality or quantity controls, negatively impacting downstream waterways and neighborhoods. The lack of adequate site lighting and traffic control islands, landscaping, signage and striping presents unsafe conditions onsite for vehicles and pedestrians. The lack of shade trees in the parking field creates a heat island effect and excessive temperatures. The existence of the drainage pipe that bisects the center of the site is an example of faulty arrangement or design, as it hampers the redevelopment of the property by limiting the location of buildings, associated structures, and utilities. As noted in the excerpts of Report of Geotechnical Investigation, dated March 19, 2021, and contained in Appendix 2 (Geotechnical Investigation) the presence of improper fill material over significant area of the site render those areas incapable of supporting new structures without excavation of those materials and the placement of clean compacted fill. In addition, since 2015, there have been over sixty incident reports filed with the Borough Police Department, most of which were filed due to deleterious impacts of activities associated with the use of the property on the surrounding neighborhood. The combination of these factors is detrimental to the safety and general welfare of the community.*

*H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A5[h]).*

*h. The State Plan maps indicate the Subject Property is within Planning Area 1, the Metropolitan Planning Area, as shown in Appendix 4, State Plan Quad Map. This Planning Area includes a variety of communities that range from large Urban Centers to 19th century towns shaped by commuter rail and post-war suburbs. The communities in this Planning Area often have strong ties to major metropolitan centers—the New York/ Newark/Jersey City metropolitan region; the Philadelphia/Camden/Trenton metropolitan region; and on a smaller scale in the Easton/Phillipsburg metropolitan region. These communities have many things in common: mature settlement patterns; infrastructure systems that are approaching their reasonable life expectancy; the need to rehabilitate housing; the recognition that redevelopment will be the predominant form of growth; and a growing realization of the need to regionalize services and systems. In addition, the wide and often affordable choice of housing in proximity to New York and Philadelphia has attracted significant immigration, resulting in noticeable changes in demographic characteristics over time. In addition, Appendix 5 contains a copy of the NJ Executive Order 4, Smart Growth which states in part that, “it is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State”. As indicated above, the redevelopment of the Subject Property is consistent with the Smart Growth planning principals of the NJ State Plan.*

## **Conclusion & Recommendation to the Governing Body**

As previously stated, and in accordance with the laws governing redevelopment, an area may be determined to be In Need of Non-Condensation Redevelopment if, after investigation, notice and hearing, the governing body of the municipality concludes by resolution that any one of the relevant criteria is found.

Based on the above analysis and supporting documentation that is provided in this preliminary investigation report, for the Subject Site, depicted on the Borough’s official Tax Maps as Block 425, Lot 2.02, and also identified as 1970 State Highway 35, Sayreville, NJ, commonly known as Club Pure, it is recommended that the Planning Board find that the Subject Site qualifies for designation by the Borough Council as an Area in Need of Non-Condensation Redevelopment.

## Appendices

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# Appendix 1. Site Photos

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# Appendix 2. Excerpts of the Dynamic Earth Geotechnical Investigation, Dated March 19, 2021

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## SUMMARY OF FINDINGS

Dynamic Earth, LLC (Dynamic Earth) has completed an exploration and evaluation of the subsurface conditions for the proposed site redevelopment located at 1970 New Jersey State Highway (NJSH) Route 35 in the Borough of Sayreville, Middlesex County, New Jersey.

The subsurface exploration included reconnaissance of the project site, drilling soil borings, excavating test pits, performing laboratory testing, reviewing subsurface conditions documented by others, and evaluating the geotechnical conditions relevant to the proposed construction details provided. A summary of Dynamic Earth's findings and recommendations is presented below:

**Generalized Subsurface Conditions:** The soil borings were performed within existing pavement or landscape areas. Borings and test pits performed in pavement areas encountered approximately one to three inches of asphaltic concrete at the surface with upto one inch of apparent subbase material. Borings performed within existing landscape areas encountered approximately one inch of topsoil at the surface. Beneath the surficial cover, existing fill material was encountered that generally consisted of silty clay, sand, and gravel with variable amounts of debris (wood, brick, asphalt, metal, plywood, buried topsoil, concrete, glass). Where penetrated, the existing fill material was encountered to depths ranging between approximately five feet and 23 feet below the ground surface. The relatively deep fill material was encountered within the central portion of the subject site. Beneath the existing fill material (where penetrated), natural alluvial deposits were encountered that generally consisted of sand (USCS: SM, SP-SM, and SC), clay (USCS: CL and CH) and silt (USCS: ML) with variable amounts of gravel. The natural alluvial deposits were encountered to termination depths ranging between approximately 11 feet and 35 feet below the ground surface. Groundwater was not encountered during our investigation.

**Overexcavation/Ground Improvement:** The relatively deep existing fill material encountered is not suitable for support of the proposed structure without the risk of excessive settlement. Therefore, these materials will need to be replaced or improved below the proposed building footprint. While overexcavation and replacement of the materials are technically feasible, the process can become complicated. As such, an alternative to perform ground improvement is included herein.

**Foundations and Floor Slabs:** Following overexcavation/replacement or ground improvement, the proposed building may be designed to bear on conventional shallow foundations and ground supported floor slabs supported on newly placed compacted structural fill material, and/or approved natural alluvial deposits. Foundations bearing within compacted structural fill material may be designed to exert a maximum allowable net bearing pressure of 3,000 pounds per square foot. Where ground improvement is performed, considerations for higher bearing capacities may be evaluated.

**Pavements:** The on-site soils are expected to be suitable for support of proposed pavements,

provided these materials are properly evaluated and inspected during construction (as detailed herein). **Due to the variability of the fill material, partial overexcavation and replacement or subgrade stabilization should be expected below proposed floor slab and pavement areas.**

**Use of Site Soils as Structural Fill:** Due to the debris encountered and apparent buried topsoil within the existing fill layer, limited portions of the existing fill material are expected to be suitable for reuse as structural fill material. Special handling to remove objectional debris should be included as part of the construction planning. The on-site alluvial deposits are expected to be suitable for reuse as structural fill material, provided moisture contents are within suitable limits to achieve compaction. Portions of the on-site soils include increased fines content and/or fine-grained soils and are moisture sensitive. If encountered during construction, the fine-grained soils will only be suitable for reuse as structural fill material during periods of ideal weather. Reuse will be contingent upon further evaluation during construction.

***Field Exploration***

Field exploration of this investigation was conducted by means of three soil borings (identified as borings B-1 through B-3) and seven test pits (identified as TP-1 through TP-7). The borings were drilled using hollow stem augers with a truck-mounted drill rig and test pits were excavated with a rubber-tired backhoe.

Test locations are summarized in the following table and are shown on the accompanying *Test Location Plan*.

<b>TEST LOCATION SUMMARY TABLE</b>		
<b>Number</b>	<b>Proposed Location</b>	<b>Final Depth(feet)</b>
B-1	Building A (Northern Portion)	35.0
B-2	Building A (Southern Portion)	35.0
B-3	Building B (Southern Portion)	35.0
TP-1	Pavement/Southern Portion Building A	11.0
TP-2	Central Portion Building A	11.0
TP-3	Central-eastern Portion Building A	12.0
TP-4	Southeastern corner Building A	12.0
TP-5	Northern Portion Building B	11.0
TP-6	Central Portion Building B	11.0
TP-7	Pavement	11.5



## **Location and Description**

The subject property is located at 1970 New Jersey State Highway (NJSH) Route 35 in the Borough of Sayreville, Middlesex County, New Jersey. **Summary of Historic Mapping/Photographs**

A cursory review of available historical topographic mapping and aerial photographs was performed as part of this investigation. The results of our review are incorporated into the findings and recommendations, as appropriate, but are summarized below.

In general, the site was undeveloped wooded and agricultural land until about 1940. New Jersey State Highway Route 35 was constructed circa 1940. The subject site primarily consisted of wooded areas between 1951 and 1961, but several small buildings were observed within the area of the subject site during this period. The 1969 aerial photograph shows construction of current site development (commercial property and residential structures).

Based on a review of available historical topographic mapping within the area of the subject site, the topography within the area of the subject site is relatively consistent between 1888 and 1940. The historical mapping on a 1940 topographic map shows a depression near the central portion of the subject site and shows New Jersey State Highway Route 35. A copy of the 1988 and 2019 Historical Topographic Map overlain on a recent aerial photograph is included in the appendix of this report. The 1943 Historic Topographic Map depicts a stream. The 2014 map shows that the area of the subject site is relatively flat.

## **Subsurface Soil Profile**

**Surface Cover:** Borings and test pits performed in pavement areas encountered approximately one to three inches of asphaltic concrete at the surface with up to one inch of apparent subgrade material. Borings performed within existing landscape areas encountered approximately one inch of topsoil.

**Existing Fill Material:** Beneath the surficial cover, existing fill material was encountered that generally consisted of silty clay, sand, and gravel with variable amounts of debris. The debris encountered included wood, brick, asphalt, metal, plywood, buried topsoil, concrete, glass. Where penetrated, the existing fill material was encountered to depths ranging between approximately five feet and 23 feet below the ground surface. Relatively deep fill material was encountered within the area of the former historically mapped depression at the central portion of the subject site. Standard Penetration Test (SPT) N-values within the existing fill materials ranged between approximately four blows per foot (bpf) and 19 bpf. Unconfined Compressive Strength (Qp) pocket penetrometer values within this stratum ranged between one ton per square foot (tsf) and two tsf within the fine-grained soils.

**Natural Alluvial Deposits:** Beneath the existing fill material (where penetrated), natural alluvial deposits were encountered that generally consisted of sand (USCS: SM, SP-SM, and SC), clay (USCS: CL and CH) and silt (USCS: ML) with variable amounts of gravel. The natural alluvial deposits were encountered to termination depths ranging between approximately 11 feet and 35 feet below the ground surface. SPT N-values within this stratum ranged between five bpf and 18 bpf, and averaged 13 bpf, generally indicating a relatively medium dense condition within the coarse-grained soils. Unconfined Compressive Strength (Qp) pocket penetrometer values ranged between one tsf and 4.5 tsf, and averaged 2.8 tsf; generally indicating a relatively very stiff consistency within the fine-grained soils.

Groundwater was not encountered during our investigation. Groundwater levels are expected to fluctuate seasonally and following significant periods of precipitation.

Existing fill material was encountered that is not suitable for direct foundation support without the risk of excessive settlement. As detailed throughout this report, relatively deep existing fill material was encountered within a mapped depression at the central portion of the site (southern portion of Proposed Building A and northern portion of Proposed Building B). While overexcavation and replacement is technically feasible, additional developmental concerns associated with relatively deep overexcavations include special handling of the existing fill material for reuse, disposal of unsuitable portions of the existing fill materials, and import of structural fill material. As such, ground improvement with installation of aggregate piers are included as an alternative to relatively deep overexcavation and replacement below proposed foundations and floor slabs.

**Difficult Excavation:** As detailed throughout this report, existing fill material was encountered with variable amounts of debris. As evident by the test pit excavations, larger cobble sized concrete debris was encountered. Therefore, difficult excavation to remove oversized debris should be included as part of the construction planning.

While small boulders, cobbles and debris may typically be removed with conventional excavation equipment, heavy excavating equipment with rock ripping tools may be required for larger materials. The speed and ease of excavation will depend on the equipment used, the skill of the operator, and the structure of the material itself.

**We preliminary anticipate that up to 23 feet will need to be overexcavated below existing**

**grades, particularly within the central portion of the subject site.** Any overexcavation to be restored with structural fill (on-site or imported) will need to extend at least one foot laterally beyond footing edges for each vertical foot of overexcavation within a depth of twice the width of the foundation. Beyond this depth, excavation may extend vertical (to the extent practical and safe) to the bottom of the existing fill layer. The bottom of overexcavations should be compacted with smooth drum rollers, walk-behind compactors, vibrating plates or plate tampers (“jumping jacks”) to compact locally disturbed materials and densify underlying natural soil zones. Existing fill material should be overexcavated prior to placing new fill material if site grades are raised. Furthermore, the proposed building footprint and interior column locations should be located by a professional surveyor prior to performing overexcavation operations.

### **Pavement Design Criteria**

**General:** Dynamic Earth anticipates that approved on-site soils will be suitable for support of the proposed pavements provided these materials are properly evaluated, compacted and proofrolled in accordance with this report. **Due to the existing fill material encountered, more frequent paving and/or increased maintenance should be planned for the life of the facility.** If this risk is unacceptable, considerations for overexcavation of the existing fill material and/or geogrid stabilization can be evaluated. Depending on construction phase evaluation, overexcavation may be limited (to a typical depth of approximately two feet) with the use of subgrade stabilization techniques, such as geogrid stabilization and/or lime/cement stabilization, as directed by Dynamic Earth.

## Appendix 3. Council Resolution

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### RESOLUTION #2021-269

**RESOLUTION OF BOROUGH OF SAYREVILLE AUTHORIZING THE BOROUGH PLANNING BOARD TO EXPLORE WHETHER THE REAL PROPERTY, COMMONLY KNOWN AS CLUB PURE, LOCATED AT 1970 STATE HIGHWAY 35, SAYREVILLE, NJ AND IDENTIFIED AS BLOCK 425, LOT 202 ON THE BOROUGH OF SAYREVILLE MUNICIPAL TAX MAP, MAY BE AN APPROPRIATE AREA FOR DESIGNATION AS A REDEVELOPMENT AREA**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Borough Council desires to explore whether the real property known as Club Pure located at 1970 State Highway 35, Sayreville, NJ 08872 and identified as Block 425, Lot 202 on the Municipal Tax Map, inclusive of any and all streets, paper streets, private drives and right of ways (the "Study Area"), attached hereto as Exhibit A, may be an appropriate area for consideration for the program of redevelopment; and

**WHEREAS**, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an Area in Need of Redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, prior to the Borough Council making a determination as to whether the Study Area qualifies as an Area in Need of Redevelopment as a Non-Condensation Redevelopment Area, the Borough Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria for designation as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-6; and

**WHEREAS**, the Borough Council wishes to direct the Borough Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria for designation as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-6 and in accordance with the investigation and hearing process set forth in N.J.S.A. 40A:12A-1 et. seq.; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sayreville, in the County of Middlesex, State of New Jersey, as follows:

1. The foregoing recitals are incorporated herein as if set forth in full; and
2. The Planning Board is authorized and directed to conduct the necessary investigation and to hold a public hearing to determine whether the Study Area defined hereinabove qualifies for designation as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-6 and in accordance with the investigation and hearing process set forth in N.J.S.A. 40A:12A-1 et. seq.; and

3. The Planning Board shall submit its findings and recommendations to the Borough Council in the form of a Resolution with supportive documentation; and
4. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough Planning Board and Planning Board Secretary; and
5. This Resolution shall take effect immediately.

/s/ Michele Maher, Councilwoman  
(Planning & Zoning Committee)

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick, Mayor  
Mayor

	Conti	Dalina	Enriquez	Maher	Novak	Roberts
Ayes	X	X	X	X	X	
Nays						X
Abstain						
Absent						

I, Jessica Morelos, RMC, Municipal Clerk of the Borough of Sayreville do hereby certify that the foregoing is a true copy of a Resolution adopted at a Regular Meeting of the Mayor and Borough Council held on the 12<sup>th</sup> day of October, 2021.

  
Municipal Clerk



# Appendix 4. State Plan Quad Map

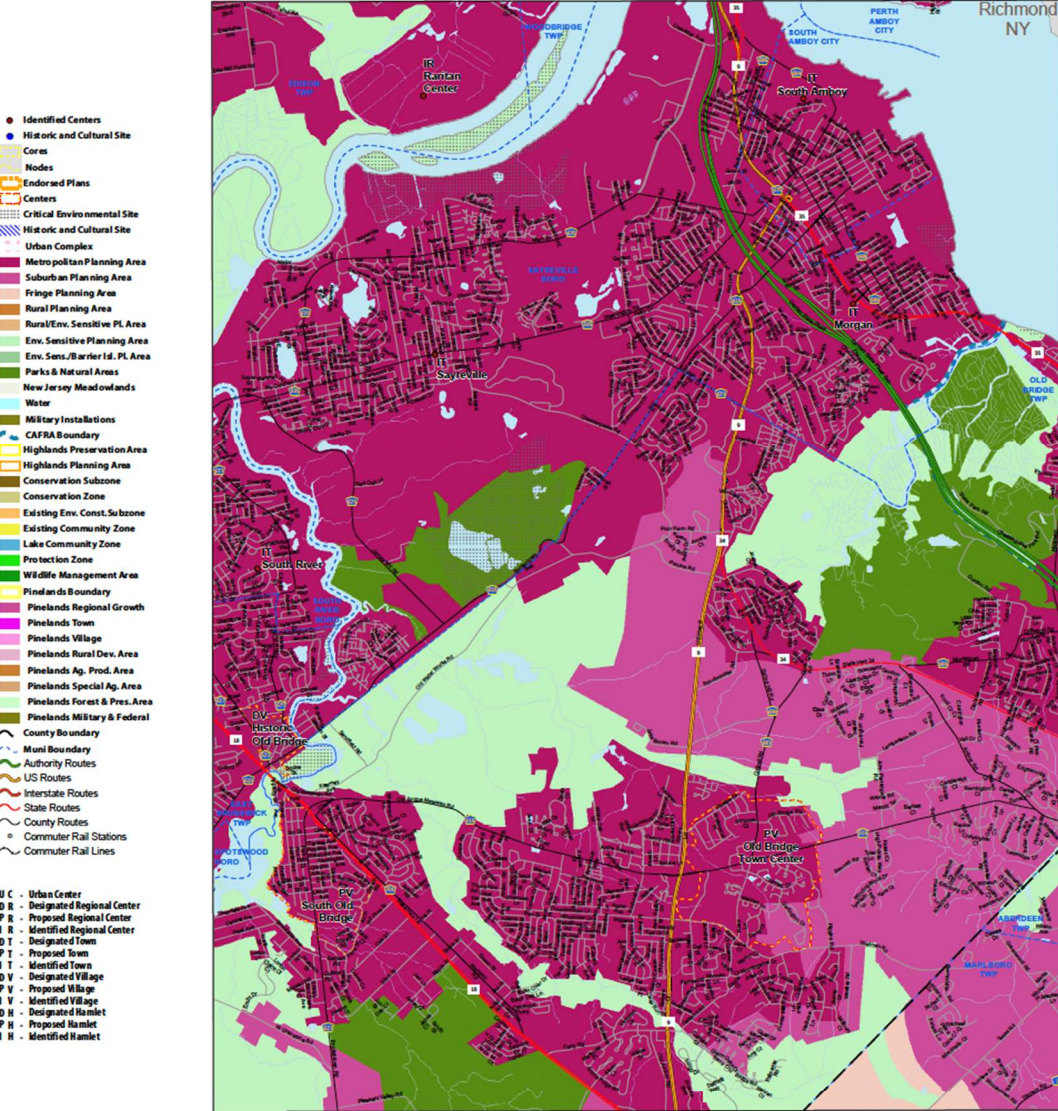
## Policy Map of the State Development and Redevelopment Plan

The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their statutory authority.

## New Jersey State Planning Commission

July 01, 2016

Map prepared by the New Jersey Office for Planning Advocacy. Map was developed in part using digital data from the New Jersey Department of Environmental Protection, New Jersey Department of Transportation, New Jersey Highlands Council and the New Jersey Pinelands Commission, New Jersey State Plane Coordinate System, North American Datum 1983 (NAD83).



I certify that this quadrangle of the State Plan Policy Map was adopted and approved by the New Jersey State Planning Commission on September 12, 2012.

*Geny Schlarfenberger*  
Geny Schlarfenberger, Secretary

**SOUTH AMBOY, NJ-NY 72**

# Appendix 5. NJ Executive Order 4, Smart Growth

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## State of New Jersey Executive Order #4

Governor James E. McGreevey

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WHEREAS, it is the law and policy of the State of New Jersey to promote smart growth and to reduce the negative effects of sprawl and disinvestments in older communities; and

WHEREAS, the State Legislature has declared that New Jersey requires sound and integrated Statewide planning and the coordination of Statewide planning with local and regional planning in order to conserve the State's natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, significant economies, efficiencies and savings in the development process would be realized by private sector enterprise and by public sector development agencies if the several levels of government would cooperate in the preparation of and adherence to sound and integrated plans; and

WHEREAS, it is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State; and

WHEREAS, a sound and comprehensive planning process will facilitate the provision of equal social and economic opportunity so that all of New Jersey's citizens can benefit from growth, development and redevelopment; and

WHEREAS, the State Planning Commission is charged with overseeing a cooperative planning process that involves the State, county and local governments as well as other public and private sector interests to enhance prudent and rational development, redevelopment and conservation policies and the formulation of sound and consistent regional plans and planning criteria and providing local governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State plans and programs; and

WHEREAS the State Development and Redevelopment Plan, commonly known as the "State Plan," embodies the State's official land use and development policies, to guide public investment, infrastructure development, economic growth, urban revitalization, sound housing and transportation policy, agriculture promotion and preservation, energy policy, and preservation of natural, environmental, coastal, historic and cultural resources; and

WHEREAS, despite these efforts, New Jersey still suffers the effects of poor land use planning and decision-making such as increased commuter times, loss of open space, loss of natural resources, declining property values in distressed areas, increasing property taxes, escalating State costs associated with aiding distressed municipalities and supporting sprawling development.

WHEREAS, the principles of smart growth would focus new growth into redevelopment of our older urban and suburban areas, protect existing open space, conserve natural resources, increase transportation options and transit availability and reduce automobile traffic and dependency, stabilize property taxes, and provide affordable housing; and

WHEREAS, plan endorsement -- meaning a process by which the State Planning Commission certifies consistency between municipal or regional planning and the State Plan - offers the potential of fostering municipal and regional implementation of the principles of smart growth; and

WHEREAS, various State agencies, including independent authorities and bi-state agencies, have not maximized the potential of incorporating the fundamental elements of the State Plan and the general principles of smart growth into their functional plans or regulations;

NOW, THEREFORE, I, JAMES E. MCGREEVEY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. To ensure that State agencies incorporate the principles of smart growth and the State Plan into their functional plans and regulations, there shall be created in the Office of the Governor a Smart Growth Policy Council.
2. The Council shall consist of the following: the Secretary of Agriculture; the President of the Board of Public Utilities; the Treasurer; the Chief Executive Officer of the Commerce and Economic Growth Commission; the Commissioners of the Departments of Community Affairs, Education, Environmental Protection, and Transportation; the Executive Directors of New Jersey Transit, and the Economic Development Authority, and the Chief of the Authorities Unit. The Council shall be chaired by a senior policy advisor from the Governor's staff. The chairperson shall be supported by appropriate planning staff as needed from the various executive departments.
3. The Council shall meet bi-monthly or as needed.
4. The Council shall have the following responsibilities, powers and duties:
  - a. Develop and implement inter- and intra-departmental procedures and programs to assure that State agency functional plans, programs, and projects are consistent with and serve to the principles of smart growth and implement the State Plan.
  - b. Recommend legislative and administrative changes to advance the principles of smart growth and the State Plan.



- c. Ensure that State grants, incentives or other funding issued to promote economic activity or otherwise by any agency promote consistency with the principles of smart growth and the State Plan.
  - d. Ensure that State transportation and infrastructure spending and regulation are consistent with the principles of smart growth and the State Plan.
  - e. Ensure that school construction initiatives promote smart growth, open space, and revitalization of communities.
  - f. Coordinate and consolidate State redevelopment initiatives especially those involving Brownfields to reduce points of entry for municipalities and developers.
  - g. Provide an interdepartmental venue for resolution of conflicts regarding specific private and public sector projects that would either advance or undermine the implementation of the State Plan, and to expedite projects that would serve to implement the Plan.
  - h. Develop initiatives to assist local government and communities to achieve smart growth objectives.
  - i. Review water resource capacity in the State to reduce conflicts between development and the protection of water and natural resources.
5. In cases of statewide significance involving the integrity of the State Plan and the goals of smart growth, the State Attorney General is hereby directed, in consultation with the Smart Growth Policy Council, to defend and/or intervene on behalf of municipalities, counties or regional planning entities that have adopted plans that have been endorsed by the State Planning Commission or that are consistent with major smart growth objectives.
  6. Prior to the adoption, amendment or repeal of any rule adopted pursuant to Section 4(a) of the Administrative Procedure Act, each agency shall include a Smart Growth Impact Statement, which shall describe the impact of the proposed rule on the achievement of smart growth and implementation of the State Plan. The Smart Growth Policy Council shall also recommend guidelines for the state agencies to regularly review and consider the smart growth impacts of their major actions.
  7. The agencies represented on the Council shall undertake a review of their respective spending programs and rules and regulations to ensure that their actions are consistent with the principles of smart growth and the State Plan and report to the Council on their findings.
  8. This Executive Order shall take effect immediately.

GIVEN under my hand and seal, this  
Thirty First day of January in the Year of  
Our Lord, Two Thousand and Two and  
of the United States, the Two Hundred and  
Twenty-Sixth.

s/ James E. McGreevey  
GOVERNOR  
(Seal)

Attest:

/s/Paul A. Levinsohn  
Chief Counsel to the Governor