

**RESOLVED BY THE PLANNING BOARD  
OF THE TOWNSHIP OF SOUTH HACKENSACK,  
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**RESOLUTION RECOMMENDING ADOPTION OF CERTAIN “AREAS IN NEED OF  
REDEVELOPMENT” WITH THE POWER OF CONDEMNATION AND OTHER  
“AREAS IN NEED OF REHABILITATION” WITHOUT THE POWER OF  
CONDEMNATION.**

**THE STUDY AREA RELATES TO:  
BLOCK 1.01, LOTS 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14, 4.18 AND 4.19 AND  
BLOCK 2.01, LOTS 4.01, 4.02, 6.03, 6.04, 8.02 AND 8.04  
SOUTH HACKENSACK, NEW JERSEY**

**HEARING DATES: March 23, 2023, October 26, 2023,  
December 28, 2023 and January 25, 2024  
MEMORIALIZED: June 6, 2024**

**WHEREAS**, the Township of South Hackensack is desirous of investigating whether the premises identified as Block 1.01: Lots, 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14, 4.18 and 4.19, and also Block 2.01: Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04, as depicted on the tax assessment map of the Township of South Hackensack, New Jersey, are Area(s) in Need of Redevelopment subject to the power of condemnation (hereinafter “Area in Need of Redevelopment”) (See, South Hackensack Resolution No 2023-191); and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”) provides municipalities the authority to determine adopt an area in need of redevelopment with condemnation; and

**WHEREAS**, the South Hackensack Township Council had by way of a Resolution identified as No. 2022-168 and dated October 6, 2022, authorized Neglia Group; (the “Planning Consultant”) to undertake a preliminary investigation to determine whether certain property parcels and the structures situated thereon are in need of redevelopment study and, in so doing, prepare a report commenting upon the necessity of condemnation regarding the sixteen (16) parcels identified above as within the Area in Need of Redevelopment; and

**WHEREAS**, the South Hackensack Planning Board Consultant prepared a Report, dated February 2023 and entitled “Area in Need of Redevelopment Study Block 1.01: Lots, 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14. 4.18 and 4.19; Block 2.01: Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04, Township of South Hackensack, Bergen County”, (the “Area in Need of Redevelopment Study”) memorializing its findings and recommendations; and

**WHEREAS**, pursuant to the requirements of the Municipal Land Use Law (hereinafter “MLUL”) and due process of law, the Planning Board conducted public hearings with regard to the Area in Need of Redevelopment Study on the following regularly scheduled in-person meeting dates: March 23, 2023, April 27, 2023 (meeting cancelled), October 26, 2023, December 28, 2023 and January 25, 2024 (collectively referred to hereinafter as the “meeting dates”); and

**WHEREAS**, the Board, at its March 23, 2023, meeting reviewed the proposed Area in Need of Redevelopment Study and at which time established the statutory notice requirements were satisfied; and

**WHEREAS**, the Township Planner, Lyndsay Knight, AICP, P.P., of Neglia Group testified in detail at the Planning Board’s March 23, 2023 meeting and the Planning Board’s subsequent meetings as to her authorship and findings as to the Area in Need of Redevelopment Study and provided answers to inquiries made by the members of the South Hackensack Planning Board as well as the general public and their respective counsel; and

**WHEREAS**, the matter was opened to public at the Board’s March 23, 2023, October 26, 2023, December 28, 2023 and January 25, 2024 meetings for questions, comments, concerns, inquiries and understandings regarding the Area in Need of Redevelopment Study; and

**WHEREAS**, the Planning Board gave due consideration as to all facts and comments asserted within the Area in Need of Redevelopment Study, and such consideration facilitated with

participation from the Planning Board's land use professionals and the public, all being part of the record and incorporated herein as if set forth at length; and

**WHEREAS**, general summarizations of the public comments are presented below:

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| PUBLIC COMMENT |
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**WHEREAS**, the Board Planner, Lyndsay Knight, P.P., AICP, of Neglia Group, 34 Park Avenue, P.O. Box 427, Lyndhurst, New Jersey 07071, testified as the relevant facts and salient circumstances as documented in the Area in Need of Redevelopment Study; and

**WHEREAS**, Mark Follender, Esq. presented at the Planning Board's October 26, 2023 and Joseph Grather, Esq. at the Board's December 28, 2023 meetings, as to the properties commonly identified as 125, 150 and 175 Louis Street (Block 1.01, Lots 4, 12 and 4.13 and Block 2.01, Lot 8.02). Mr. Follender, who is an attorney was formally represented by counsel, Joseph Granther, Esq. of McKirdy, Riskin, Olsen and DellaPelle, P.C. Mr. Follender described the history of said properties and the most recent rehabilitation efforts performed about and upon the structures located thereon. Mr. Follender also generally commented upon costs incurred during said properties' rehabilitation efforts; and

**WHEREAS**, Eric Lewin, Senior Executive V.P. of Team Resources, Inc, 1050 Wall Street, Lyndhurst, New Jersey 07071 (an industrial and commercial real estate brokerage) testified at the December 28, 2023 meeting. Mr. Lewin testified as a real estate professional familiar with the marketing and leasing of the properties commonly identified as 125, 150 and 175 Louis Street. In so doing, Mr. Lewin testified as to the qualities, conditions and benefits of said properties; and

**WHEREAS**, Peter Steck, P.P., Community Planning Consultant, 80 Maplewood Avenue, Maplewood, New Jersey 07040-1252, who was duly qualified and accepted by the Planning Board as an expert in planning, but admittedly not qualified as an expert in matters of civil engineering or law, testified at the December 28, 2023 meeting. Mr. Steck testified generally as to the factors

and criteria considered in determining whether an area was in need of rehabilitation. Mr. Steck submitted a planning analysis dated December 23, 2023 on behalf of the properties commonly identified as 125, 150 and 175 Louis Street. Mr. Steck's planning report was received and marked by the Planning Board as Exhibit "SH6; and

**WHEREAS**, Jeff Weedo, residing at 172 Alpine Drive, Paramus, New Jersey testified at the December 28, 2023 meeting. Mr. Weedo's testimony was on behalf of Weedo Enterprises, located at 454 Route 46, South Hackensack, New Jersey. Weedo Enterprises is the property owner of the Stop & Shine Car Wash located at 454 Route 46, South Hackensack (Block 1.01, Lot 4.18). Mr. Weedo testified as to the condition, operation and characteristics of the property specified as Block 1.01, Lot 4.18. Upon inquiry from the Planning Board, Mr. Weedo also testified as to the property commonly known as 434 Route 46, South Hackensack with emphasis upon said circumstances related to allegations which averred to said property's use for less than moral purposes. Mr. Weedo was represented by the counsel of William Torre, Esq. of the Law Offices of William J. Torre, Esq., 181 Boulevard, 2<sup>nd</sup> Floor, Hasbrouck Heights, New Jersey 07604; and

**WHEREAS**, Stop & Shine Car Wash was represented by Corey Klein, Esq. of Sills, Cummis & Gross, P.C. and who was against his client's property being included as part of Area in Need of Redevelopment Study; and

**WHEREAS**, Maria Moukides, Esq, appearing on behalf of Ms. Eudoxia Moukides and the landlord for Block 1.01, Lot 4.01 (the property parcel upon which the "Wendy's" branded restaurant is situated) voiced general objection to the Redevelopment Plan, without eliciting testimony from any person, but specifically objected to the Wendy's property parcel being part of the Redevelopment area; and

**WHEREAS**, Anthony Giaquinto, who presently resides at 118 Franklin Avenue in Hasbrouck Heights, New Jersey and had earlier resided for fifty-four (54) years in the Township

of South Hackensack and is the proprietor of the Flamingo nightclub in the Township of South Hackensack, voiced concerns regarding his property within in the Area in Need of Redevelopment; and

**WHEREAS**, the Stagecoach Motel and Knights Inn, the owner of the property parcels identified as Block 1.01, Lots 2 and 4, appeared by way of its counsel, Rebecca Maioriello, Esq. of DeCotiis, Fitzpatrick, Cole & Giblin, LLP., at the October 26, 2023 and December 28, 2023 meetings. At each of these meeting, the Stagecoach Motel and Knights Inn voiced general opposition to the remarks and conclusions presented in the Area in Need of Redevelopment Study but did not provide independent expert testimony; and

**WHEREAS**, Steven Rothman, a former member of the United States House of Representatives, testified at each of the Planning Board's March 23, 2023 and December 28, 2023 meetings as a private citizen and owner-layman, representing the other one-half (1/2) ownership interest in the properties commonly identified as 125, 150 and 175 Louis Street (Block 1.01, Lots 4.01, 12 and 4.13 and Block 2.01, Lot 8.02). Mr. Rothman voiced objection to the Area in Need of Redevelopment Study to the extent that it includes the three (3) properties of 125, 150 and 175 Louis Street; and

**WHEREAS**, having conducted public meetings on March 23, 2023, October 26, 2023, December 28, 2023 and January 25, 2024 wherein public comment was presented; and

**WHEREAS**, the Planning Board of the Township of South Hackensack has made the following Findings of Fact and Conclusions of Law set forth herein; and

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of the Township of South Hackensack that the following facts are made and determined:

### **Findings of Fact**

1. The Area in Need of Redevelopment as detailed in the Area of Need of Redevelopment Study authored and prepared by the Neglia Group in February 2023 encompasses sixteen (16) property parcels, measuring approximately 13.066 acres and containing a portion of the Route 46 corridor beginning at Phillips Avenue, South Hackensack and heading west along Route 46. Phillips Avenue is the easterly boundary of said Area in Need of Redevelopment. The Area in Need of Redevelopment also includes parcels at the intersection of Phillips Avenue and Route 46 as well as parcels along Louis Street. Block 2.01 Lots 8.04, 6.04, and 4.01 are the northerly boundary of the Area in Need of Redevelopment.

2. The Area in Need of Redevelopment is located entirely with the Township of South Hackensack and no area, section or portion of the Area in Need of Redevelopment, as specified in the Area in Need of Redevelopment Study is located outside the Township of South Hackensack, New Jersey.

3. Many of the structures within the Area in Need of Redevelopment have experienced property maintenance issues in the past and received prior building code violations. Notices of Unsafe Structures, Zoning Violations and Code Violations were issued for several parcels within the Area in Need of Redevelopment.

4. The parcels as per the Board planner's testimony are clustered and contiguous parcels meeting the Criteria G designation.

5. The designation of the sixteen (16) parcels discussed in the Area in Need of Redevelopment Study would advance the goals of the Township's Master Plan, promote development and redevelopment within the Area in Need of Redevelopment and eliminate those buildings or structures located on many of said sixteen (16) property parcels which, by reason of

dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excess 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.

6. The Area in Need of Redevelopment Study, as written and presented by Neglia Group, goals are consistent with the New Jersey State Strategic Plan revisions to the 2001 State Development and Redevelopment Plan.

7. The Area in Need of Redevelopment Study, as written and presented by Neglia Group, would advance the purposes of zoning set forth in the Municipal Land Use Law (“MLUL”) N.J.S.A. 40:551-24.

8. The Planning Board accepted as credible and probative the testimony of Lindsay Knight, A.I.C.P., P.P. of Neglia Group in regard to the Area in Need of Redevelopment Study as written and presented.

9. The Board further accepted as credible and probative the testimony of Anthony Kurus, P.E., P.P. of Neglia Group in regard to the Area in Need of Redevelopment Study as presented.

10. The Planning Board having received public comment as noted above and additional other hearing testimony along with property owner written submittals.

11. The Board found that Area B, based upon the testimony and documentation submitted, including Block 1.01, Lots 4.01 (Wendy’s) and 4.13 (Datamation, 125 Louis Court) within Area A should be designated as an Area in Need of Rehabilitation.

**BE IT FURTHER RESOLVED** by the Planning Board of the Township of South Hackensack that based upon the above Findings of Fact, that the following Conclusions of Law are made and determined:

**Conclusions of Law**

1. The Board has considered the Area in Need of Redevelopment Study, as written, submitted, presented and as discussed on March 23, 2023, October 26, 2023, December 28, 2023 and January 25, 2024.

2. The proposed Area in Need of Redevelopment Study will advance the purposes of zoning in the Municipal Land Use Law, namely N.J.S.A. 40:1-24 et seq. as discussed by the Planning Board and summarized in its Findings of Fact.

3. The Board recommends that the Township Council of South Hackensack to accept the Area in Need of Redevelopment Study as advancing the intent and purposes of the MLUL N.J.S.A. 40:1-24 et seq., subject to the amendments set forth herein.

4. The Board is satisfied that the Area in Need of Redevelopment Study with Condemnation meets the requirements for such authorization.

5. The Board recommends the Area in Need of Redevelopment Study with condemnation power to the Township Council, pursuant to, N.J.S.A. 40A:12A-6 et seq. is approved with the hereinafter amendments/clarifications:

**BE IT FURTHER RESOLVED AND HEREBY CONCLUDED** by the Planning Board of the Township of South Hackensack that the Planning Board hereby recommends that the Township Council accept and adopt the herein Neglia Group Report entitled “Area in Need of Redevelopment Study Block 1.01, Lots 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14. 4.18 and 4.19 and



Block 2.01, Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04, Township of South Hackensack, Bergen County, New Jersey” of February 2023 with related amendments as set forth as follows:

1. The Planning Board recommends that, in accordance with the herein Findings of Fact and Conclusions of Law, the Township Council designate Neglia mapping Area A not including Block 1.01, Lots 4.01 and 4.13 as an “Area in Need of “Redevelopment”, and Area A specifically Block 1.01, Lots 4.01 and 4.13 as an “Area in Need of Rehabilitation” without the power of condemnation.

2. The Planning Board further recommends that Block 2.01, Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04 within Neglia mapping Area “B” be designated as an “Area in Need of Rehabilitation” without the condemnation power.

3. The Planning Board however does recommend that, in accordance with the Findings of Facts and Conclusions of Law herein and as set forth in the Neglia Group report referenced above, that the Township Council designate Block 1.01, Lots 1,2,3, 4.04, 4.12, 4.14, 4.18 and 4.19 as an “Area in Need of Redevelopment” with condemnation power, as said parcels meet Criteria D and Criteria G of N.J.S.A. 40A:12A-5, *et seq.* and thereby recommend passage of Township Ordinances to effectuate the same.

4. The Board finds that the Neglia Study Area Map, attached hereto as Rider 1 reflects the aerial colored findings of the Planning Board.

5. The Board shall retain jurisdiction as to any interpretation or clarification of this approving Resolution to extent permitted by law.

June 6, 2024

The undersigned, Secretary of the Township of South Hackensack Planning Board hereby certifies that the above is a true copy of a resolution duly memorialized by said Board on June 6, 2024.



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Megan Krusznis, Secretary  
Township of South Hackensack  
Planning Board

Approved Motioned by: Anzevino

Seconded by: Vigilanti

Ayes: Anzevino, D'Ambrosio, DeRiso, Encarnacion, Vigilanti

Nays: Orzechowski

Abstentions: None

Absent: Allen, Panagia

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Resolution Memorialized June 6, 2024 by: Anzevino

Seconded by: D'Ambrosio

Ayes: Anzevino, D'Ambrosio, DeRiso, Encarnacion, Vigilanti

Nays: None

Abstentions: Allen, Orzechowski

Absent: Panagia

# **RIDER 1**

