

3.6.10: Block 39 Lot 27

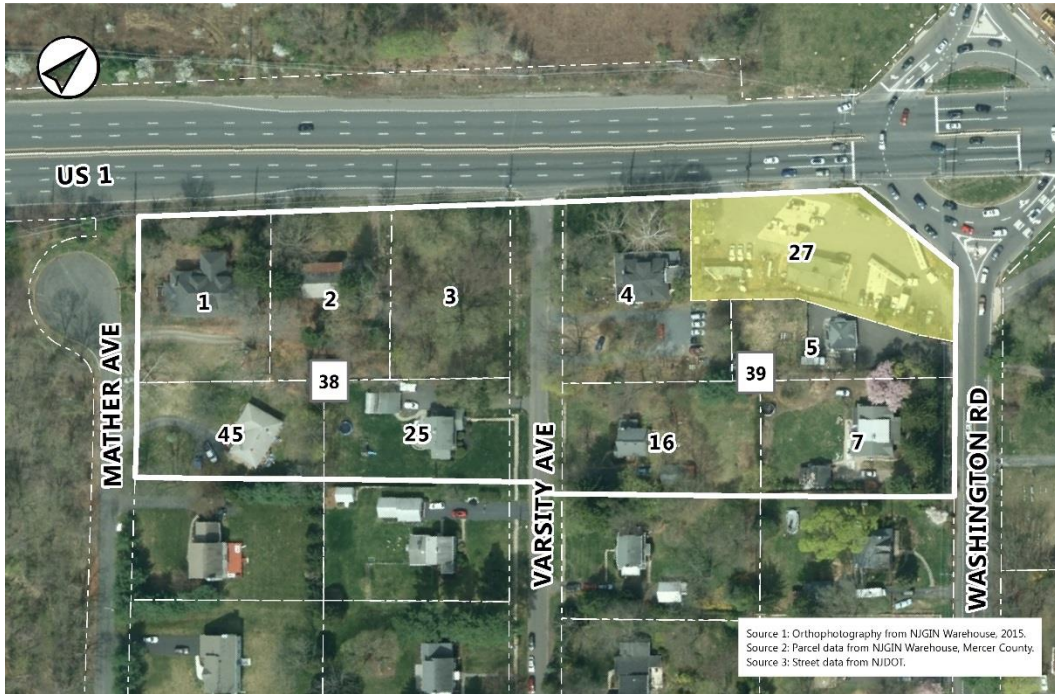


Figure 15: Block 39 Lot 27 (Scale: 1"=200')

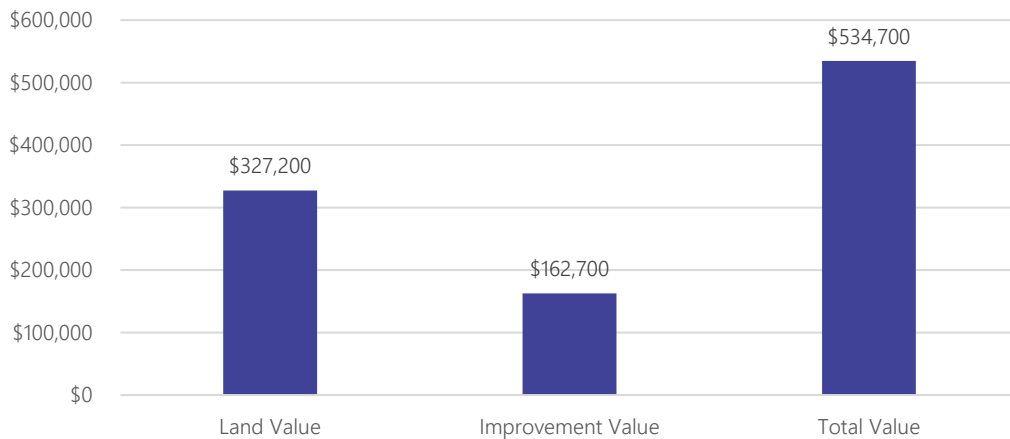
Summary

Block 39 Lot 27 is located in the northwest corner of the Study Area and has frontage along US Route 1 and Washington Road. The site is developed with a gas station which is an existing nonconforming use. The site is in a CEA and has an active remediation program.

Property Information Overview

Address:	264 Washington Road
Owner(s):	Tinetra Realty Holdings PA LP
Area (ac):	0.62
Property Classification:	4A (Commercial)
Zoning District:	R-20
Property Use:	Gasoline Service Station
Building Description:	1-Story Station with Four Pumps
Permitted Use(s):	Existing Nonconforming Use
Exterior Condition:	Poor

Valuation Information (Mod IV Tax Data)



Permits

Date	Permit #	Description	Notes
09/08/70	A-48	Certificate of Occupancy	Approved
11/21/77	009	Fire Inspector's Office Application for Permit	For the storage of flammable liquids in stationary tanks. Approved 12/1/77
06/30/78	1218	Board of Health Sewage Disposal System	1,000-gallon Septic
08/18/80	1750	Sewer line lateral	Tied in 08/19/80
10/06/83	n/a	Letter of request	New signage for Getty
10/14/83	6027	General Construction	New signs and façade. All work completed
10/21/83	6051	General Construction	Board up 3 existing garage door openings
05/06/88	n/a	Temporary approval	Request from the Marine Corps League to sell flowers on 05/07/88 for one day
01/23/89	5330	Building	Vapor Recovery System
10/24/95	95-1148	Building & Fire	Removal of one 550 Waste Oil UST Sample
12/09/04	2005-0793	Building, Electrical, Plumbing, Fire	Remove three (3) 6,000 UST and Pump Island. Install four new pump islands, two gasoline UST & one (1) new kiosk.
08/22/05	2005-0743	Electrical	200 AMP Service
08/22/05	2005-0743 (2)	Building	Remove (2) 750 gallon. (3) 4,000 gallon UST found during construction
11/02/09	2010-0036	Building, Electrical	Placement of treatment system with concrete pad and fence for Getty Station

Date	Permit #	Description	Notes
01/09/14	NJG0171662	Individual NJPDES/DSW General Permit Authorization	Allows for the discharge of treated groundwater through the discharge outfall
10/05/15	09-0080a	TWA	Approved to construct and operate a holding tank (T1) with circulation and transfer pumps, a settling tank (T2) with transfer pump, 3-autmoated iron filters in series with circulation pump % a backwash storage tank (T4), 2-cartridge filters in series, a low profile air stripper, 2- 1,000 pound capacity carbon absorption units, 1-zeolite filter, 1-bioreactor tank (T5) and trickling filter (T6) with circulation and transfer pumps, and effluent discharge pump for groundwater remediation system
07/27/16	09-0080a	TWA	Granted 1-year extension. New expiration date is 06/30/17
06/08/17	CEA No. 21708	Highway Occupancy Permit issued by NJDOT	Installation of six flush-mounted monitoring wells in the shoulder of southbound US 1 in the vicinity of Brunswick Pike and Varsity Ave
12/13/17	2018-0074	Building, Electrical	Change existing Getty sign to a Gulf sign
Undated	2018-0074	Field Revision	Switched from double-pole sign footing to old footing dimensions
07/31/18	2018-1060	Plumbing	Removed bathroom
08/29/18	FP 18-31	Fence Permit	Approved
09/07/18	2018-1060 B	Mechanical	Replacement of B vent on roof

Application/Approval Summary

Date	App. #	Description	Notes
05/28/69	341	Subdivision plat	Consolidated two (2) lots into one (1) and expand gas station operation
02/10/75	Unknown	Application to erect portable 4'x8' advertising sign	Board denied the application after finding the applicant failed to provide a special reason
03/27/79	n/a	Letter from construction official/zoning officer to applicant	Notes that a d(2) variance would be required for additional signage
11/3/87	n/a	Letter from Jamieson, Moore, Peskin & Spicer	Filing an application seeking zoning approval for the operation of a truck rental business on the premises.
12/22/87	n/a	Letter from Director of Community Development to Township Administrator	Notes that a use variance has been filed by the Princeton Circle Getty in order to conduct truck rental operation. Result of the Zoning Officer's action in filing a complaint in Municipal Court.
05/05/88	87-33	Zoning Board of Adjustment Resolution	Applicant's request for a truck rental business was not approved by the Board
11/04/88	n/a	Letter from Zoning Officer to Zoning Board of Adjustment Chairman	Indicates that automotive detailing would require d(2) variance relief
05/31/90	n/a	Letter from Zoning Officer	Indicates that d(2) variance relief is required to operate a propane re-fill station
11/20/08	n/a	Letter from Zoning Officer to David S. Hodulik	Informs applicant that, after consulting with Planning Board attorney, it has been determined that a d(2) variance will be required for a treatment facility building
02/05/09	n/a	Letter from David S. Hodulik to Zoning Officer	Requests that zoning officer issue permit for a remediation system w/o need for d-2 variance relief
10/28/09			d(2) variance application to implement a groundwater remediation system for gasoline contaminants.

Complaints/Violations

Date	Department	Complaint/Issue	Description
12/12/85	n/a	Zoning Violation	Letter from administrative secretary. Three unpermitted signs: two cigarette signs and one Master Card/Visa sign.
04/03/86	n/a	Zoning Violation	Notes that two cigarette signs and Master Card/Visa sign have not been removed
08/05/87	n/a	Zoning Violation	Truck rental not permitted on site
12/09/87	n/a	Zoning Violation	Complaint filed regarding excessive signage. Inspection revealed two cigarette signs and 3 credit card signs.
09/15/88	n/a	Zoning Complaint	Routine inspection revealed presence of temporary real estate signs. These signs are only permitted between 12 noon and 6 p.m. Saturday and Sunday. Note in file indicates these signs were later removed.
09/27/88	n/a	Use Violation	Letter from the Zoning Officer notes that a routine inspection revealed automotive detailing shop in operation, which is not a permitted use
05/23/90	n/a	Zoning	Complaint received regarding presence of "Getty" pennants. Site inspection confirmed the pennants, noted that these signs are prohibited.
04/25/91	n/a	Housing and Public Health Nuisance Violation	Joint inspection conducted by Zoning and Health Departments revealed: (1) trash and debris accumulated in the alley behind the building; (2) an area adjacent to the restroom was observed to be contaminated with sewers; (3) mobile trailer being used for sleeping and cooking purposes by an employee
04/29/91	n/a	Zoning Complaint	Letter from Director of Community Development. Complaint was received concerning storage and use of mobile home trailer. Not a permitted use, would require a use variance.
03/10/92	n/a	Zoning Complaint	Received a complaint regarding "overhead streamers." Site inspection confirmed existence. Noted that this was a violation.

Date	Department	Complaint/Issue	Description
02/03/00	n/a	Zoning Violation	Letter from the Zoning Officer notes that a complaint was registered regarding the storage (and alleged leading) of U-Hal trucks. Application to do so was denied 03/03/88
08/29/06	n/a	Zoning Violation	Received a complaint regarding a Marlboro cigarette ground sign, wrap-around pole signs on light fixtures, and banners over garage doors. Signs are not permitted.
02/21/07	n/a	Zoning Violation	Received a complaint regarding operation of a propane filling business. Not a permitted use
07/09/18	2018-0023/0	Notice of Abatement – removed an existing restroom and capped off and sealed plumbing without a permit.	Matter closed. Conformed with all NJ Administrative Code. All outstanding penalties have been abated.
08/20/18	2018-0030	Failure to comply with Violation #2108-0023 re: removal of restroom	

Inspections

Date	Complaint/Issue	Description
11/04/77	Fire Inspector's Office – Loss Prevention Survey Report	Requested to clean up small accumulation of oily substance on floor in heating room; drive should be cleaned up
08/31/79	Fire Inspector's Office – Loss Prevention Survey Report	Issued no smoking sign for gas island
09/15/05	Certificate of Identification	Only one failed item, due to fire extinguisher warning signs not being installed
06/15/05	Checklist for Closure of UST 2005-0793	Found 3 ghost tanks. Contaminated soil to be stockpiled on site. Pending DEP Investigation.
06/15/05	Electrical Subcode	Approved

Contamination

Date	Complaint/Issue	Description
04/18/05	NJDEP Remedial Investigation	<ul style="list-style-type: none"> • October 2004: six monitoring wells installed in site • Getty proposed to install one or more wells downgradient of MW-1 to MW-6. Dept. concurred • Getty proposed that aqueous samples be analyzed for VO+10, calibrated for total xylenes, MTBE and TBA using an approved EPA method on a quarterly basis. Dept. approves of ground water sampling schedule • Getty proposed a capital upgrade to be conducted on site in 2005. Accessible contaminated soil was to be excavated and disposed. Dept. concurred with remediation of contaminated soils and remedial action of groundwater while the site is closed and before the new UST system is installed • Outlines timeframes and requirements for remedial activities
02/28/06	NJDEP review of Remedial Action Workplan (RAW) Report	<ul style="list-style-type: none"> • Approved as a partial RAW • Established guidelines for remediation <ul style="list-style-type: none"> ○ Outlines cleanup levels of volatile organics pursuant to GWQS • Established areas of concern: <ul style="list-style-type: none"> ○ Soils: former waste oil area of concern (AOC #3) has Thallium at 3.98 ppm in soil sample WO-2. NJDEP's cleanup criteria is at 2 ppm ○ Groundwater: high levels of dissolved gasoline contamination has been noted on site ranging from historical free product conditions to highest VO concentrations at 41,580 ppb • Remediation proposal/conditions of approval: <ul style="list-style-type: none"> ○ Utilizing a Soil Vapor Extraction (SVE) system ○ Proposing to recapture on-site dissolved ground water contaminant plume. Pump contaminated ground water → treated ground water to be pumped into a low-profile air stripper for treatment ○ Will have quarterly ground water sampling and reporting • CEA includes: Block 39 Lot 27; portions of Block 39 Lots 5 and 7; Block 40 Lots 4, 5, 7, and 12; parts of Washington Road • CEA originally set at 12 years • CEA established on page 15
04/24/07 (date stamped received)	NJDEP Progress Report Approval (PR)	<ul style="list-style-type: none"> • Response to PR received on 01/04/07 and supplemental email dated 03/28/07. • Determined that the PR is in compliance with technical requirements for site remediation

Date	Complaint/Issue	Description
07/18/07	NJDEP Progress Report Approval	<ul style="list-style-type: none"> • Response to PR received on 06/07/07 and supplemental email dated 07/03/07. • Determined that the PR is in compliance with technical requirements for site remediation
03/31/08 (date stamped received)	NJDEP Progress Report Approval	<ul style="list-style-type: none"> • Response to PR received on 12/06/07 and 03/20/08 • Determined that the PR is in compliance with technical requirements for site remediation
04/16/08	Biennial CEA Certification Report	<ul style="list-style-type: none"> • Weekly limited withdrawals of groundwater (LWG) and Liquid Phase Hydrocarbons (LPH) • List of contaminants on page 8 • Identifies limits of CEA on page 11
05/27/08	NJDEP Biennial Report for CEA Approval	<ul style="list-style-type: none"> • Review of the Biennial Reports received on 04/24/08 and 05/15/08 • Determined reports to be in compliance with the technical requirements for site remediation
08/08/08	NJDEP General Permit Authorization	Allows for the discharge of treated groundwater through a discharge outfall
09/16/08	NJDEP Progress Report Approval	<ul style="list-style-type: none"> • Response to PR received on 09/11/08 • Determined that the PR is in compliance with technical requirements for site remediation
01/22/09	NJDEP Progress Report Approval	<ul style="list-style-type: none"> • Response to PR received on 01/08/09 • Determined that the PR is in compliance with technical requirements for site remediation
03/20/09	NJDEP Treatment Works Approval No. 09-0080	Granted permission to construct and operate a holding tank, an oil/water separator, two sediment filters, a low profile air stripper and two 1,000-pound capacity carbon absorption units for groundwater remediation
11/24/09	NJDEP Remedial Action Progress Report (RAPR) Approvals and Public Notification Approval	<ul style="list-style-type: none"> • NJDEP completed review of the RAPRs received 03/26/09 and 11/28/09 • NJDEP received public notification on 11/24/09 • Determined that RAPRs and Public Notice are in compliance with the technical requirements for site remediation
01/14/10	NJDEP letter re: LSRP	<ul style="list-style-type: none"> • Required operator/owner to hire a temporary LSRP within 180 days after effective date of Site Remediation Reform Act • 05/07/12 deadline to submit a written remedial action progress report • No longer required to file PRs
03/04/11	Receptor Evaluation Form	Contaminants present in ground water exceed vapor intrusion ground water screening levels

Date	Complaint/Issue	Description
06/20/12	Letter from Environmental Compliance Brigade, Corp.	<ul style="list-style-type: none"> • Letter addressed to Township and owner • Indication that Environmental Compliance Brigade, Corp. may file an action in NJ Superior Court pursuant to Environmental Rights Act seeking an order compelling the current property owner to comply with the statutory and regulatory requirements to hire a LSRP to investigate and remediate the property • Notes that current property owner/operator has failed to timely submit to the NJDEP an LSRP notification form
02/23/13	Biennial CEA Certification Report	<ul style="list-style-type: none"> • Contaminant in the CEA exceed the current ground water screening levels in the NJDEP Vapor Intrusion Guideline (pg. 5) • Contamination concentrations did not decrease to or below applicable standards (pg. 6) • List of contaminants on page 10 • Identifies limits of CEA on page 14
03/25/13	Public Notification and Outreach Letter	<ul style="list-style-type: none"> • Work prompted by the presence in soil and/or groundwater of the following compounds associated with gasoline: benzene, toluene, ethylbenzene, total zylenes, methyl tertiary butyl ether (MTBE), tertiary butyl alcohol (TBA) and total tentatively identified compounds (TICs) • Receptor evaluation has been completed, and impact to the public has been minimized
11/01/16	Classification Exception Area/Well Restriction Area Fact Sheet Form	<ul style="list-style-type: none"> • Revision to CEA • List of contaminants on page 2 include Benzene, MTBE, TBA • Revised CEA limits to include adjoining Lot 4, portion of 262

Miscellaneous

Date	Complaint/Issue	Description
04/24/97 (stamped received)	Letter from NJDOT to owner/operator	Will remove the existing egress driveway from property to Route 1 and only maintain driveway from Washington Road



Photograph 51: Gas Station from US Route 1 (Source: Google Maps)



Photograph 52: Gas Station (Photo Taken from Across from Washington Road)



Photograph 53: Westerly Corner, Looking Northeast (Photo Taken from Lot 4)



Photograph 54: Treatment Area (Photo Taken from Lot 4)



Photograph 55: Treatment Area (Photo Taken from Lot 4)



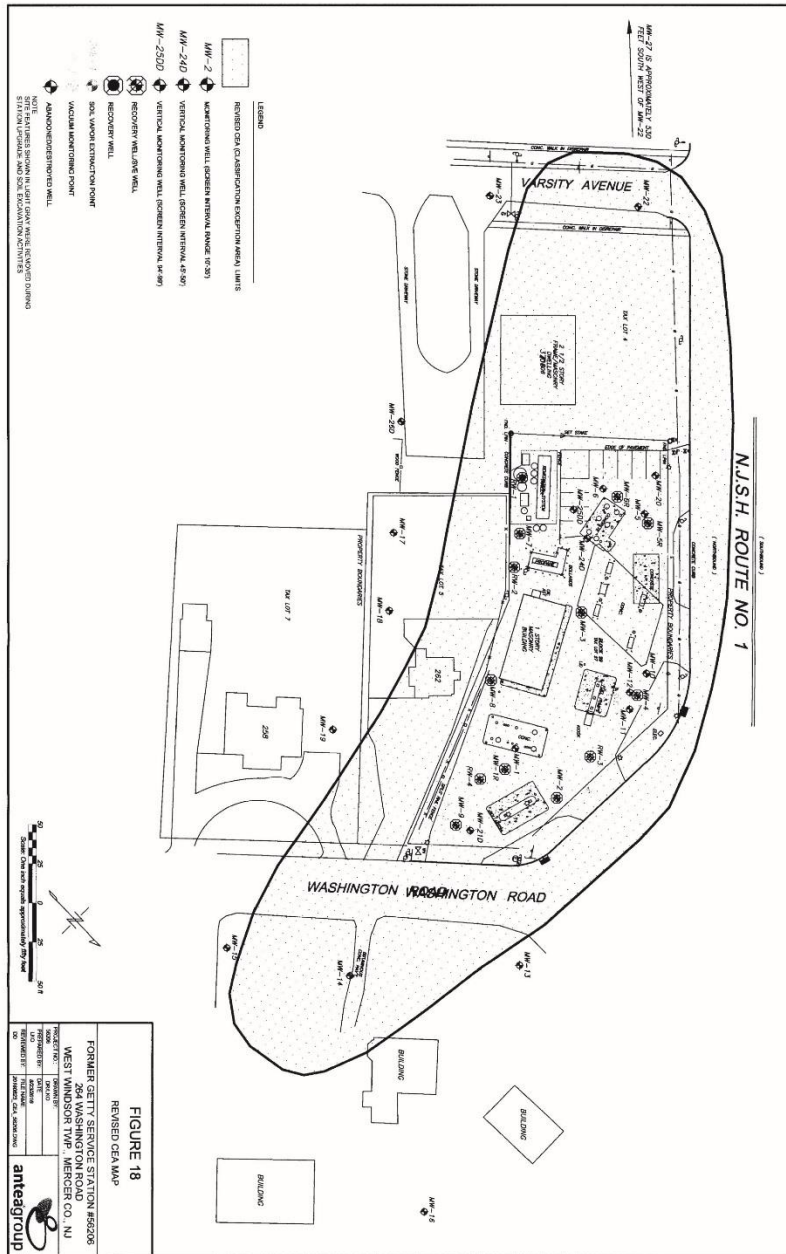
Photograph 56: Block 39 Lot 27 Easterly Corner, Looking Northwest (Photo Taken from Washington Road)



Photograph 57: Block 39 Lot 27 Corner, Looking West (Photo Taken from Washington Road)

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Figure 16: CEA Area



6.10: Block 39 Lot 27

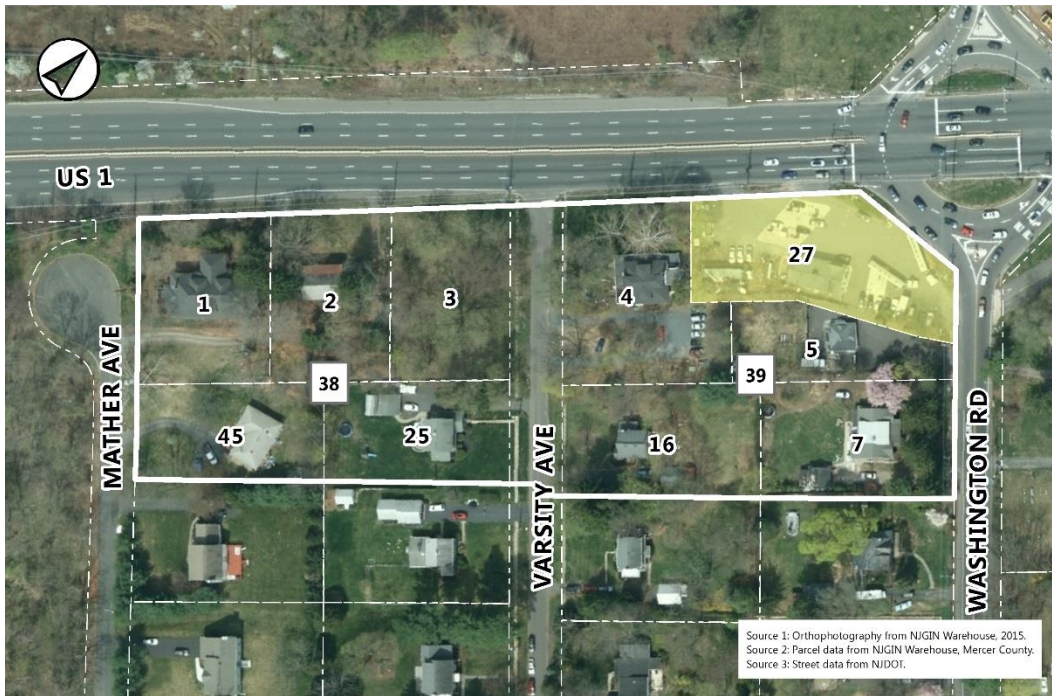


Figure 28: Block 39 Lot 27 (Scale: 1"=200')

Application

As detailed in Section 3.6.10, this lot is presently developed with a gas station which is an existing nonconforming use.

The property presently contains a groundwater CEA. Monitoring wells were installed on site in 2005 in order to analyze the presence of xylenes, MTBA, and TBA. A Remedial Action Workplan (RAW) was partially approved in 2006, which focused on both soil and groundwater remediation. The RAW outlined the utilization of a Soil Vapor Extraction (SVE) system which was to recapture the on-site groundwater contaminated plume. Originally, the CEA included Block 39 Lot 27, as well as: portions of Block 39 Lots 5 and 7; Block 40 Lots 4, 5, 6, and 12; and parts of Washington Road. Since that time, the CEA has been expanded to include adjoining Lot 4.

In addition to the above, Lot 27 has an outdated and inefficient layout. The site features four (4) curb cuts providing ingress and egress: two (2) curb cuts are located directly along US Route 1, one (1) curb cut is located on the US Route 1/Washington Road circle, and one (1) curb cut is located directly on Washington Road. These curb cuts are uncontrolled and do not feature any directional signage or arrows, which ultimately makes vehicular ingress into and out of the site an unregulated "free-for-all." This condition is exacerbated due to the immediate proximity of this site next to US Route 1 and the US Route 1/Washington Road circle. The site also contains undefined circulation aisles and does not offer any proper direction for on-site traffic and circulation.

Furthermore, the northernmost gas pump is located approximately twenty (20) feet from the property boundary line, and approximately sixteen (16) feet away from the nearest grass island. The northernmost gas pumps are also situated adjacent to an ingress and egress driveway. Likewise, the southernmost gas pump is located approximately fourteen (14) feet from the sidewalk located on the northerly and easterly sides of the existing one-story masonry building on site. Consequently, the placement of the gas pumps on site and their proximity to the highway and to the existing building do not permit a safe and efficient circulation.

Finally, the site lacks any substantive landscape buffer along either of its front yards. It also contains storage areas immediately adjacent to residential properties.

In consideration of the above, the site meets the “d” Criterion, which includes 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.

Recommendation

In consideration of the above, this site **should** be included in the area in need of redevelopment area.