



AMENDED GULTON TRACT REDEVELOPMENT PLAN

Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03,
17.01 & 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3

Borough of Metuchen, Middlesex County, State of New Jersey

Endorsed by the Planning Board on _____, 2022

Adopted by the Borough Council by Ordinance 2022-__ on _____, 2022

Prepared by LRK, Inc.

March 11, 2022

Amended Gulton Tract Redevelopment Plan

Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03,
17.01 & 17.02; Block 42, Lot 1-7; and, Block 66, Lots 1-3

Borough of Metuchen, Middlesex County, State of New Jersey



Prepared on behalf of:

Metuchen Borough Council
500 Main Street
Metuchen, NJ 08840



Prepared by:

LRK, Inc.
217 Nassau Street
Princeton, NJ 08542

The original copy of this document was appropriately signed and sealed in accordance with N.J.S.A. 45:14A-1 et seq.

Handwritten signature of James Constantine in black ink.

James Constantine, PP
NJPP Planner License #3982

Handwritten signature of Chris S. Cosenza in black ink.

Chris S. Cosenza, AICP, PP, LEED AP
NJPP License #6344

Acknowledgements

Mayor & Borough Council

Jonathan Busch, Mayor
Joel Branch, Councilmember
Jason Delia, Council President
Daniel Hirsch, Councilmember
Tyler Kandel, Councilmember
Linda Koskoski, Councilmember
Dorothy Rasmussen, Councilmember

Planning Board

Jonathan Busch, Class I Member, Mayor
William Love, Class I Member, Mayor's Designee
Melissa Perilstein, Class II Member, Administrator
Linda Koskoski, Class III Member, Council Representative
Eric Erickson, Class IV Member, Chairperson
Ellen Clarkson, Class IV Member, Vice Chairperson
James Griffin, Class IV Member
Alan Grossman, Class IV Member
Jonathan Lifton, Class IV Member
Lynn Nowak, Class IV Member
Michael Alvarez, Alternate I
Lauren Cohn, Alternate II

Denise Hamilton, Board Secretary
Robert F. Renaud, Esq., Renaud DeAppolonio LLC, Board Attorney
Robert M. Mannix III, PE, PP, CME, Colliers Engineering & Design, Board Engineer
Jim Constantine, PP, LRK Inc., Board Planner
Chris S. Cosenza, AICP, PP, LEED AP, LRK Inc., Board Planner

Redevelopment Attorney

M. James Maley, Jr., Esq., Maley Givens, P.C.
Emily K. Givens, Esq., Maley Givens, P.C.
Erin E. Simone, Esq., Maley Givens, P.C.

Borough Attorney

Denis G. Murphy, Esq., Weiner Law Group LLP

Borough Staff

Melissa Perilstein, Administrator
Jay Muldoon, Director of Special Projects
Deborah Zupan, Acting Clerk
Patricia Kaulfers, Zoning Official

Table of Contents

- 1.0 Introduction 1**
 - 1.1 Purpose 1
 - 1.2 Overview 1
 - 1.3 Description of Project Area 2
- 2.0 Redevelopment Statute 5**
 - 2.1 Purpose of the Redevelopment Statute 5
 - 2.2 The Redevelopment Process 5
 - 2.3 Designation of Project Area as a Redevelopment Area 6
 - 2.3.a Summary of Redevelopment Investigation Findings 6
 - 2.3.b Criterion “C” 7
 - 2.3.c Criterion “D” 7
 - 2.3.d Non-Condemnation 8
 - 2.4 Designation of Project Area as a Rehabilitation Area 8
 - 2.5 Original Borough-wide Redevelopment Plan 8
 - 2.6 Original Gulton Tract Redevelopment Plan 9
 - 2.7 Amendment to the Gulton Tract Redevelopment Plan 9
- 3.0 Statutory Requirements of a Redevelopment Plan 10**
- 4.0 Statement of Goals & Objectives 12**
- 5.0 Proposed Land Uses & Building Requirements 14**
 - 5.1 Permitted Principal Uses 18
 - 5.2 Permitted Accessory Uses & Structures 19
 - 5.3 Prohibited Uses 20
 - 5.4 Area & Bulk Standards 20
 - 5.5 Site Development & Design Standards 23
 - 5.6 Development of Public Electric Vehicle Charging Infrastructure 34
 - 5.7 Affordable Housing 35
 - 5.8 Property Acquisition 35
 - 5.9 Relocation of Displaced Residents 35
 - 5.10 Phasing 35
- 6.0 General Provision 36**
 - 6.1 Definitions 36
 - 6.2 Redevelopment Entity 36
 - 6.3 Redeveloper Selection 36
 - 6.4 Redevelopment Agreement 36
 - 6.5 Duration of Redevelopment Plan Restrictions 36
 - 6.6 Amendments to Approved Redevelopment Plan 36
 - 6.7 Discrimination Ban 37
 - 6.8 Repeal & Severability Statements 37
- 7.0 Development Plan Review & Approval 38**
 - 7.1 Concept Plan Review 38
 - 7.2 Design Review Committee 38
 - 7.3 Applications for Development 38
 - 7.4 Planning Board Review 38
 - 7.5 Deviations from Provisions of Approved Redevelopment Plan 39
- 8.0 Relationship of the Redevelopment Plan to Other Plans 40**
 - 8.1 Relationship to Borough of Metuchen Land Development Ordinance 40
 - 8.2 Relationship to Borough of Metuchen Master Plan 40
 - 8.3 Relationship to Master Plans of Contiguous Municipalities 41
 - 8.4 Relationship to Middlesex County Comprehensive Plan 42
 - 8.5 Relationship to State Development and Redevelopment Plan 42

1.0 Introduction

1.1 Purpose

The Borough of Metuchen (the “Borough” or “Metuchen”) is 2.8 square miles (1,836 acres) in area, surrounded entirely by the Township of Edison, and is situated in Middlesex County in the eastern-central portion of the State of New Jersey. Metuchen is within 30 miles of New York City, has a passenger/commuter rail line station in the downtown area and is surrounded by established residential neighborhoods. As a built-up community, there is limited vacant land for development. Therefore, redevelopment opportunities play an important role in the Borough’s limited growth.

The purpose of the Amended Gulton Tract Redevelopment Plan (the “Redevelopment Plan” or “Plan”) is to create a shared community vision and implementation plan for redevelopment for the area commonly referred to as the Gulton Tract. The Borough has requested that this Redevelopment Plan be created in order to advance decades of master planning efforts pertaining to legacy industrial uses at the Gulton Tract, including its environmental clean-up and remediation of contaminated brownfields and the restoration of natural ecology and wetlands, guide its future redevelopment with viable and appropriate land uses, improve various infrastructure systems within the surrounding area and provide a series of public benefits and improvements with the goal of creating public access to the Peter J. Barnes III Wildlife Preserve, and to enable its transformation into a regional destination for both Metuchen and Middlesex County residents and visitors.

1.2 Overview

Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), via Resolution No. 2015-226 adopted on September 8, 2015, the Borough Council designated Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3 (the “Gulton Tract”) as a “Non-Condemnation Redevelopment Area.”

Beginning in late 2019, the Mayor and Council of the Borough of Metuchen (the “Borough Council”) began a process regarding the determination as to the Borough’s qualification and designation as an “Area in Need of Rehabilitation.” The Borough Council, upon favorable recommendation from the Borough’s Planning Board, adopted Resolution 2020-50 on February 3, 2020, declaring the entire area within the Borough, including the Gulton Tract, as an “Area in Need of Rehabilitation”. The original “Redevelopment Plan for Rehabilitation in the Borough of Metuchen” was subsequently adopted by the Borough by Ordinance 2020-10 on May 26, 2020.

Concurrently, the Borough engaged in active discussions regarding the environmental clean-up and remediation of contaminated brownfields and wetlands within the Gulton Tract and its future redevelopment and rehabilitation, including the creation of a southern gateway to the Peter J. Barnes III Wildlife Preserve, connectivity to the anticipated extension of the Middlesex Greenway and evaluation of flexible and sustainable redevelopment concepts for the portion of the Gulton Tract fronting Durham Avenue. To that end, the original “Gulton Tract Redevelopment Plan” was adopted by the Borough by Ordinance 2021-19 on September 27, 2021.

Over the past several months, the Borough has continued to advance its planning efforts related to the Gulton Tract and adjacent open spaces. Recognizing long-needed reinvestment and upgrades to existing open spaces and recreation fields, the Borough introduced the Greenprint initiative in May, 2021. Drawing on community input, Greenprint provides a vision and implementation plan for various recreational spaces, including those proximate to the Gulton Tract: Vidas Park, the anticipated extension of the Middlesex Greenway and the Peter J. Barnes III Wildlife Preserve.

Recently, in December, 2021, Middlesex County formally announced it would purchase nearly 19 acres of privately-owned land within the Gulton Tract and will enter into a conservation management agreement with the Borough to manage approximately 12 acres of Borough-owned land adjacent to the Gulton Tract. The County indicated that it anticipated a series of planned improvements that would provide access to and serve as an addition to the Peter J. Barnes III Wildlife Preserve, as envisioned by the original Gulton Tract Redevelopment Plan and the Greenprint initiative.

Building off of the County's announcement, the Borough has engaged in negotiations with the property owner and a potential redeveloper to advance a redevelopment concept for the remaining areas suitable for development within the Gulton Tract. The Borough seeks to incorporate more specific design standards, to ensure high-quality site development and building design that is appropriate and necessary given its highly visible gateway location as well as adjacent open spaces and residential areas.

In light of these recent events and to stimulate private investment, promote community interests, prevent further deterioration and promote desirable redevelopment and rehabilitation within the Borough, consistent with the goals and objectives of the Master Plan, the Borough seeks to redevelop and rehabilitate the Project Area in accordance with this amended redevelopment plan.

1.3 Description of Project Area

The project area (the "Project Area") is comprised of Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 and 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3 on the official Tax Map of the Borough of Metuchen. The Project Area consists of ±27.45 acres with ±13.42 acres containing developed or disturbed land and the remaining ±14.03 acres being predominately vacant land and wetlands within the Peter J. Barnes III Wildlife Preserve.

The Project Area is bounded to the south by Durham Avenue, the stub end of several local streets, the stub end of the "access road" (locally known as the "Opalanie Trail"), residential properties and the telecommunications tower property, to the northeast by the Lehigh Valley Railroad Line right-of-way ("future Middlesex Greenway Extension"), to the north by industrial properties fronting Liberty Street, and to the west by the Borough-owned wooded wetlands within the Peter J. Barnes III Wildlife Preserve.

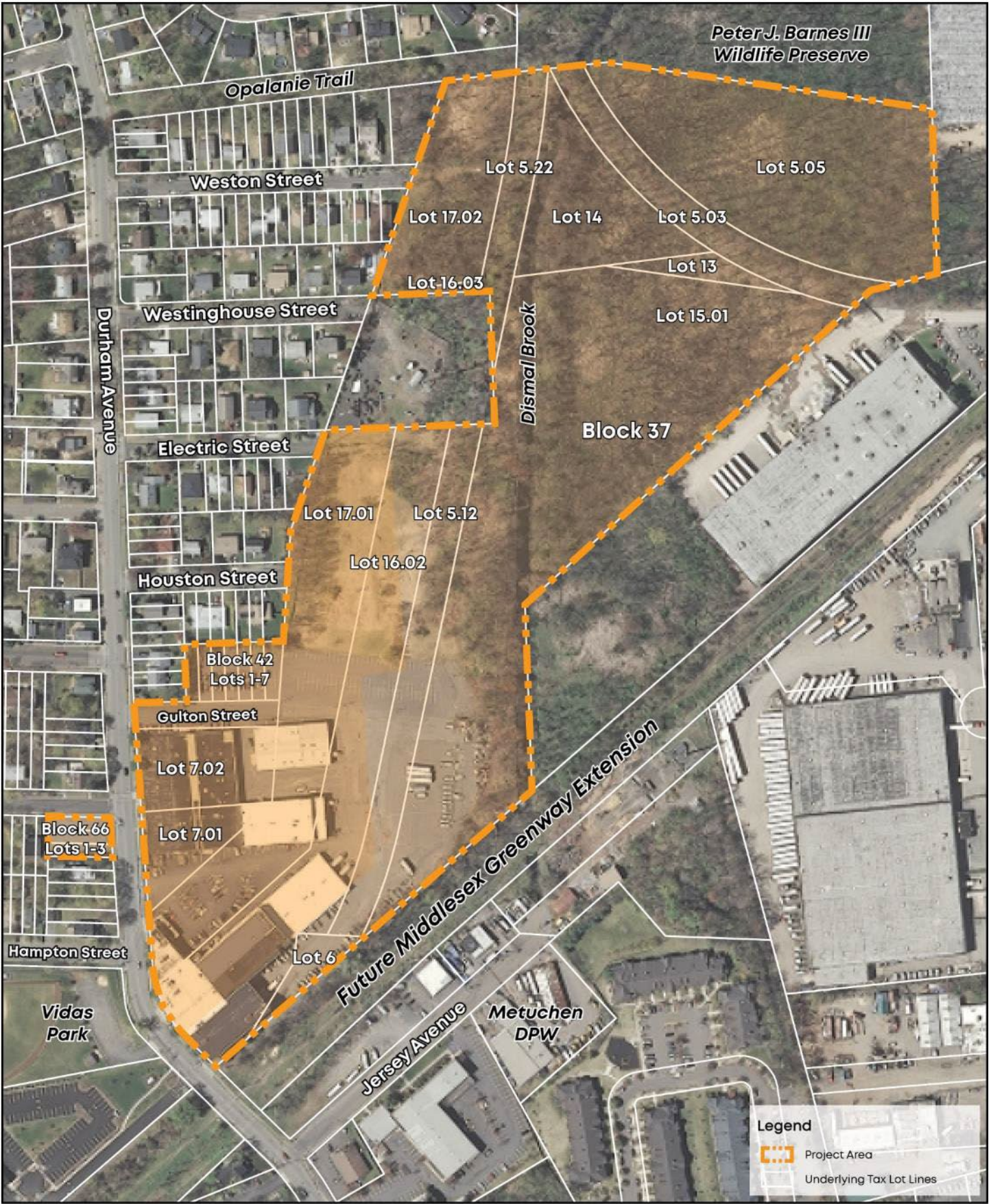
The Project Area was previously zoned as LI - Light Industrial District and R-2 Residential District. For reference, existing permitted uses in the LI Zone include offices, certified scientific, research or

testing laboratories, non-retail wholesale distribution centers, light industrial plants, affordable senior housing, and Borough-operated public facilities; existing permitted uses in the R-2 Zone include single-family detached dwellings and Borough-operated public facilities. The Project Area is now zoned with the superseding zoning created by the adoption of the original Gulton Tract Redevelopment Plan. Redevelopment within the Project Area is required to accommodate a series of open space improvements and public access to those open spaces. Permitted uses within the areas suitable for development generally fronting on Durham Avenue include multi-family apartments and live/work units.

With the exception of Block 37, Lot 5.03, all of the lots are owned by Metuchen Realty Acquisition LLC, with Block 37, Lot 5.03 being owned by the Borough of Metuchen. Land within the Project Area was once owned and operated by Gulton Industries, which has long ceased operation. Over the years, several businesses have occupied various portions of multiple buildings throughout the industrial complex; with trucks, equipment and outdoor storage utilizing the large parking area in the rear, while the remainder of the Project Area has remained vacant and unimproved, with contaminated wetlands currently undergoing remediation.



Bird's eye view of the Project Area, looking northwest, outlined in yellow. Source: Google Maps; screen capture on February 10, 2022. The Project Area is generally bounded by Durham Avenue (bottom and to the left), the future Middlesex Greenway Extension (right) and Peter J. Barnes III Wildlife Preserve (top).



Amended Gulton Tract Redevelopment Plan

Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42; Lots 1-7; Block 66, Lots 1-3

Borough of Metuchen, Middlesex County, New Jersey

**Exhibit A
Aerial Map**



2.0 Redevelopment Statute

2.1 Purpose of the Redevelopment Statute

New Jersey's Local Redevelopment and Housing Law (the "LRHL") was designed by the Legislature to guide municipalities and local governments through the process of redevelopment and rehabilitation, finding at N.J.S.A. 40A:12A-2.a. that:

"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting the physical development that will be most conducive to the social and economic improvement of the State and its municipalities. The LRHL provides a detailed process for the municipality to follow in order to exercise its redevelopment powers.

According to the LRHL, before the municipality is authorized to exercise any of its redevelopment powers and before any redevelopment project is undertaken, a specified area must be designated a redevelopment and/or rehabilitation area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a "Condemnation Redevelopment Area" or have been designated as a redevelopment area prior to the effective date of P.L. 2013, c.159.

A redevelopment plan must indicate, among other things, its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and indicate proposed land uses and building requirements in the designated redevelopment and/or rehabilitation area.

This redevelopment planning process has been used successfully throughout New Jersey to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

2.2 The Redevelopment Process

In order to address conditions within the Borough and stimulate private investment, the Borough Council has determined that the appropriate course of action to prevent further underutilization and deterioration of the Project Area and to return it to a useful and productive state is to redevelop and rehabilitate the site in accordance with the LRHL as generally described above.

Following the designation of a specified area as a redevelopment and/or rehabilitation area, a redevelopment plan, or an amendment or revision to a redevelopment plan must be prepared and must generally adhere to the following procedures for adoption:

- A. Either the Borough Council can prepare a redevelopment plan, or it can direct that the Planning Board prepare a redevelopment plan setting forth the goals, objectives, and specific actions to be taken with regard to the designated redevelopment and/or rehabilitation area in accordance with the criteria established under N.J.S.A. 40A:12A-7;
- B. If the Borough Council prepares the redevelopment plan, the Borough Council introduces the redevelopment plan via ordinance for first reading and adopts a resolution referring the proposed redevelopment plan to the Planning Board for review and recommendation to Borough Council per N.J.S.A. 40A:12A-7;
- C. In accordance with N.J.S.A. 40A:12A-7, the Planning Board, within 45 days after referral, reviews the proposed redevelopment plan and adopts a resolution containing a report and recommendations to Borough Council; and,
- D. The Borough Council holds a public hearing on the redevelopment plan ordinance and, taking into consideration the recommendations of the Planning Board, may then act on the Redevelopment Plan by passing the ordinance adopting the redevelopment plan and where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, adopting an amendment to the zoning map.

In the case where the Borough Council has directed the Planning Board to prepare a redevelopment plan or amendment or revision to a redevelopment plan, the Borough Council is relieved of the referral requirements contained in this section. After the redevelopment plan is prepared, the Borough Council will introduce the redevelopment plan via ordinance for first reading and thereafter hold a public hearing on the redevelopment plan ordinance, in the same manner as adoption of other municipal ordinances. Again, where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, the Borough Council will also adopt an amendment to the zoning map.

2.3 Designation of Project Area as a Redevelopment Area

2.3.a Summary of Redevelopment Investigation Findings

On June 1, 2015, the Borough Council passed Resolution No. 2015-131 authorizing the Planning Board to undertake a preliminary investigation (“Study”) to determine whether Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 and 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3 (the “Study Area”) qualified as an “area in need of redevelopment” in accordance with N.J.S.A. 40A:12A-5. The Planning Board subsequently conducted a public hearing at which it reviewed a report (the “Study”) entitled “Area in Need of Redevelopment Investigation for the Gulton Tract” dated July 30, 2015. Following the duly noticed hearing, the Planning Board adopted a Resolution recommending the Borough Council designate the Study Area as an “area in need of redevelopment.” Based upon the Planning Board’s recommendation, the Borough Council adopted a resolution designating the Study Area as an “area in need of redevelopment.”

The Study concluded that the Study Area meets the criteria for redevelopment designation pursuant to subsection(s) “c” and “d” of N.J.S.A. 40A:12A-5.

2.3.b Criterion “C”

The Study concluded the Study Area meets the “C” criterion for the following reasons:

- A. Portions of the Study Area located north of the Dismal Brook (Block 37, Lots 5.05, 13, 14 and a portion of 15.01) as well as the two (2) parcels south of the Dismal Brook and west of the telecommunications tower containing wetlands (Block 37, Lots 5.22, 16.03 and 17.02) have remained unimproved vacant land for a period of ten years prior to the adoption of Resolution No. 2015-131.
- B. Portions of the Study Area located north of the Dismal Brook (Block 37, Lots 5.03, 5.05, 13, 14 and a portion of 15.01) has no accessible street frontage on public rights-of-way and, therefore, its landlocked location, is not likely to be developed through the instrumentality of private capital.
- C. The topography of the former rail spur owned by the Borough (Block 37, Lot 5.03), is such that it is raised approximately five (5) to eight (8) feet above surrounding grade, which represents an additional constraint for development on this parcel and abutting parcels as mentioned above, thus also making it not likely to be developed through the instrumentality of private capital.
- D. The nature of the soil in various portions of the Study Area is further constrained by wetlands and environmental contamination. This contamination and the costs associated with the long-term cleanup have been a significant challenge in the site being developed through the instrumentality of private capital.

2.3.c Criterion “D”

The Study concluded the Study Area meets the “D” criterion for the following reasons:

- A. Portions of the Study Area previously developed for industrial purposes (Block 37, Lots 6, 7.01, 7.02, a portion of 15.01, 15.12, 16.02 and 17.01, and Block 42, Lots 1-7) and the non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) contain buildings and improvements that are constrained by a combination of obsolescence, obsolete layout and excessive land coverage.
- B. The buildings were built incrementally over time, resulting in a dated industrial complex that was found to be obsolete in layout, affecting access, accessibility, and loading. The building frontage along Durham Avenue has minimal setback and yard area, which stands in contrast with surrounding residential neighborhood. The non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) is almost entirely paved without screening or landscaping on a highly visible corner lot within the surrounding residential neighborhood. These conditions were found to be detrimental to the welfare of the surrounding residential neighbors and, therefore, the entire community.
- C. The land coverage was found to be excessive, and extended into the wetlands transition area, wetlands themselves as well as the riparian zone along the Dismal Brook, creating an environmental condition that is detrimental to the ecological health of the surrounding

area and, therefore, the health and welfare of the community.

2.3.d Non-Condemnation

Pursuant to N.J.S.A. 40A:12A-6b, the Borough Council's Resolution No. 2015-131 authorized the Study to establish the Study Area as a "Non-Condemnation Redevelopment Area" and the Borough Council's resolution is consistent with that determination.

2.4 Designation of Project Area as a Rehabilitation Area

In consideration of ongoing planning activities for other site-specific projects, the Borough began to proactively explore additional tools to help prevent further deterioration and promote desirable rehabilitation and redevelopment within the entire municipality.

On November 12, 2019, the Borough Council adopted Resolution 2019-287, referring a proposed "Rehabilitation Area Designation" for the entire Borough to the Planning Board for its statutory review pursuant to N.J.S.A. 40A:12A-14(a).

The Planning Board, at its meeting on December 5, 2019, reviewed and considered the proposed designation and, through its adopted resolution, determined that the entire area of the municipality satisfies one of the criteria set forth in N.J.S.A. 40A:12A-14(a), specifically that a majority of the water and sewer infrastructure in the entire area of the municipality is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community. As such, the Planning Board recommended that the Borough Council adopt the resolution designating the entire area of the municipality as an "Area in Need of Rehabilitation".

On February 3, 2020, the Borough Council adopted Resolution 2020-50, formally designating the entirety of the Borough an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14.

2.5 Original Borough-wide Redevelopment Plan

The Borough then began the preparation of the original Borough-wide redevelopment plan. On April 27, 2020, the Borough Council introduced Ordinance 2020-10 and further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on May 7, 2020, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report such findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

On May 26, 2020, the Borough Council adopted Ordinance 2020-10, formally adopting the original "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" which applied to the entire municipality.

While the redevelopment plan did not authorize a specific project, it provided a mechanism to streamline redevelopment planning and activities and incorporated by reference the underlying

zoning and already adopted site-specific redevelopment plans currently in effect throughout the Borough.

2.6 Original Gulton Tract Redevelopment Plan

Following the redevelopment and rehabilitation designations, the Borough sought to advance environmental clean-up and remediation of contaminated brownfields and wetlands and to promote redevelopment and rehabilitation of the Project Area that accommodates the planned southern gateway concept, by providing public access, public parking, trails, and various amenities related to, the Peter J. Barnes III Wildlife Preserve, and to coordinate the anticipated extension of and connectivity to the future Middlesex Greenway Extension. The Borough also sought to provide opportunities for appropriate and sustainable redevelopment concepts for the remainder of the Project Area along Durham Avenue.

On September 27, 2021, the Borough Council adopted Ordinance 2021-19, formally adopting the original “Gulton Tract Redevelopment Plan.”

2.7 Amendment to the Gulton Tract Redevelopment Plan

As discussed in the introduction, the Borough has continued to advance its planning efforts to promote the overall redevelopment and rehabilitation of the Project Area. Among these efforts include the Greenprint initiative and the County’s announcement to purchase and/or manage approximately 31 acres of land, including significant portions of the Project Area.

Since that time, the Borough has been in discussions with the property owner and a potential redeveloper on a refined redevelopment concept for the remaining areas suitable for development generally fronting along Durham Avenue.

In order to facilitate the redevelopment and rehabilitation of the entire Gulton Tract as envisioned by the Borough, consistent with the goals and objectives of the Master Plan, an amended redevelopment plan is hereby created, applicable to Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3, entitled “Amended Gulton Tract Redevelopment Plan” (the “Redevelopment Plan” or “Plan”).

3.0 Statutory Requirements of a Redevelopment Plan

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the following provisions:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment or rehabilitation area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - a. the master plans of contiguous municipalities;
 - b. the master plan of the county in which the municipality is located; and,
 - c. the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close

proximity to the rehabilitation area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

4.0 Statement of Goals & Objectives

The Borough seeks to alleviate the conditions found in the Project Area and support use of property in the area which will better serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following goals and objectives have been established:

- A. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an “area in need of redevelopment” and “area in need of rehabilitation.”
- B. The stimulation of private investment in the Project Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation.
- C. The making available of the full range of benefits and inducements for the Project Area, including, federal, state, county and local government funding.
- D. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents to the area, and contributes to the continuing vitality of the Borough.

This Redevelopment Plan is also intended to advance the following specific goals and objectives:

- A. Guide the transformation of environmentally contaminated industrial brownfields and wetlands into public green space, leveraging redevelopment to pay for costly environmental clean-ups, and channeling reinvestment to create public amenities that benefit the entire community.
- B. Leverage redevelopment within the Project Area to assist the Borough and County to advance the planned Southern Gateway to the Peter J. Barnes III Wildlife Preserve, including providing for public access, public parking, opportunities for passive and active recreation, and access to the future Middlesex Greenway Extension and regional park system.
- C. Create connections between the Project Area and the various recreational facilities in proximity to the Project Area, including the planned Southern Gateway to the Peter J. Barnes III Wildlife Preserve, future Middlesex Greenway Extension, Opalanie Trail, and Vidas Park.
- D. Improve roadway and frontage conditions along Durham Avenue in relation to adjacent residential neighborhoods, and address truck traffic and parking issues associated with industrial uses. The Borough’s objective is to include context-sensitive streetscape improvements, pedestrian connectivity and other potential traffic calming measures for the area along Durham Avenue to create a unified design and comprehensive traffic management and calming strategy for the Northwest quadrant of the Borough.
- E. Provide opportunities for redevelopment of the Project Area and design land uses that will take advantage of its unique location in front of the Peter J. Barnes III Wildlife Preserve and along the future Middlesex Greenway Extension.

- F. Provide the types of development that support housing and access to neighborhood amenities as well as active and passive recreational facilities.
- G. Mitigate long-standing issues associated with and improve existing stormwater infrastructure and, to the extent practical, utilize stormwater best management practices, including green infrastructure and other sustainable design elements, within the Project Area.

5.0 Proposed Land Uses & Building Requirements

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development and redevelopment, including but not limited to N.J.S.A. 40:55D-1 et seq. and 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, redevelopment, or rehabilitation of the Project Area shall effectuate the Goals and Objectives of the Redevelopment Plan.
- B. The zoning standards as set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area for use and bulk standards as provided for in the LRHL at N.J.S.A. 40A:12A-7c, except that the increased density and floor area ratio shall be an overlay zoning which shall require the execution of a redevelopment agreement in order to apply.
- C. It is intended and expressly understood that any design, development or performance standards, or building requirements not specifically addressed in this Redevelopment Plan, shall continue to apply as set forth in the Borough's Zoning and Land Development Ordinance (the "Ordinance") and all other codes and regulations of the Borough of Metuchen not contravened in this Redevelopment Plan.
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance.

This Redevelopment Plan addresses multiple areas within the overall Project Area, each exhibiting differences in planned intensity and nature of development. As such, the Project Area is divided into the following areas (see Exhibit B):

Parcel A: Wetlands and undevelopable portion of the Project Area within Block 37 comprising of approximately 15.2 acres and part of the developable portion of the Project Area within Block 37 comprising of approximately 4.2 acres, pertaining to the planned expansion of and public access to the Peter J. Barnes III Wildlife Preserve;

Parcel B: Part of the developable portion of the Project Area within Block 37, Block 42, Lots 1-7, and the Gulton Street public right-of-way, comprising of approximately 8.0 acres pertaining to a range of permitted redevelopment options and associated site improvements; and,

Parcel C: Block 66, Lots 1-3, pertaining to planned residential development intended to be compatible to the surrounding residential neighborhood.

Additionally, the regulations as prescribed herein shall generally apply to the boundaries of the above-defined Parcels as generally shown on Exhibit B but in the event there is any discrepancy between the boundaries of the Parcels (specifically the proposed subdivision line between Parcel A and Parcel B) as depicted on Exhibit B and individual lots that may be created as a result of a subdivision, the subdivision shall control so long as the subdivision does not substantially deviate from the general boundaries depicted in Exhibit B and such subdivision plan is approved by the Redevelopment Entity prior to being filed with the Planning Board.

Redevelopment within the Project Area, particularly public access to and public parking for the Peter J. Barnes III Wildlife Preserve, should generally be designed as illustrated in the concept plan as depicted in Exhibit C.



Amended Gulton Tract Redevelopment Plan

Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42; Lots 1-7; Block 66, Lots 1-3

Borough of Metuchen, Middlesex County, New Jersey

**Exhibit B
Project Area Map**





Amended Gulton Tract Redevelopment Plan

Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42; Lots 1-7; Block 66, Lots 1-3

Borough of Metuchen, Middlesex County, New Jersey

**Exhibit C
Concept Plan**



5.1 Permitted Principal Uses

The regulations pertaining to land use standards contained herein shall apply to all development in the Project Area.

- A. The following principal uses shall be permitted on Parcel A:
 - 1. Public open space.
 - 2. Borough- and/or County-operated public facilities.
- B. The following principal uses shall be permitted on Parcel B:
 - 1. Residential uses, consisting of any one or combination of the following uses:
 - a. Multi-family apartments.
 - b. Age-restricted housing, senior housing, independent, assisted living and nursing and convalescent homes offering memory loss care and other types of care.
 - c. Live/work units, provided that such units are located on the ground floor fronting on Durham Avenue or on the access drive adjacent to the future Middlesex Greenway Extension.
 - 2. Non-residential uses, consisting of any one or combination of the following uses:
 - a. Eating and drinking establishments, except fast food restaurants, drive-through restaurants and drive-in restaurants.
 - b. Brew pub, distillery and winery, including retail sales or merchandise produced on the premises or ancillary goods related to the retailer (i.e., logo goods), purveyors of organic products, when included with the manufacture and sale on and off-site of organic alcohol beverages (i.e., organic microbrewery, micro distillery or winery, and liquor store).
 - c. Specialty retail selling bicycles, canoes, kayaks, sporting goods, outdoor fitness or athletic equipment and apparel.
 - d. Specialty retail consisting of art galleries, shops selling hand-made crafts, and similar type uses selling arts, crafts or other similar merchandise that is not mass-produced.
 - e. Artist and crafts-person studios, including the direct sale to the public of arts, crafts or other merchandise produced on the premises.
 - f. Artisanal manufacturing, fabrication and/or sale of products such as apparel, jewelry, baked goods, food, beverages, furniture, housewares, ceramics, pottery, glassware, paper goods, toys, and similar products.
 - g. Indoor entertainment and recreational sports facilities.
 - h. Health & wellness campus facilities, including medical, dental, health care,

veterinary health care offices, outpatient or ambulatory care, surgery centers, urgent-care centers, rehabilitation facilities, health clubs, physical fitness studios, and similar uses.

- i. Professional offices.
- j. Nursery schools and day-care centers.
- k. Borough-operated facilities, including public community meeting space.

C. The following principal uses shall be permitted on Parcel C:

- 1. Single-family detached dwelling unit.
- 2. Two-family detached dwelling unit.

5.2 Permitted Accessory Uses & Structures

A. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use on Parcels A & B:

- 1. Access drives, on-street parking, off-street parking lots, structured parking facilities, private garages and loading areas.
- 2. Electric vehicle (EV) charging infrastructure, including but not limited to electric vehicle supply equipment (EVSE) and Make-Ready parking spaces, as those terms are defined in P.L. 2021, c.171.
- 3. Pedestrian walkways, hiking trails, boardwalks, footbridges, lookout towers, nature interpretive signage and environmental education kiosks.
- 4. Common open space, social and recreational facilities, plazas, courtyards, kiosks, gazebos, picnic shelters, picnic tables and other outdoor furniture, gardens and landscaped areas, dog parks, outdoor art exhibit spaces, water features, pools, sport courts, permanent or temporary installations of public art, walkways and alleys and other similar types of open spaces.
- 5. Outdoor display and sales areas associated with permitted specialty retail stores and live/work units.
- 6. Outdoor dining structures, dining areas and cafes associated with permitted eating and drinking establishments, brew pub, distillery and winery, or multi-family apartment amenity spaces.
- 7. Property management and leasing offices.
- 8. Signs.
- 9. Storm water management structures and facilities.
- 10. Trash enclosures, compactors and dumpsters.
- 11. Utility boxes.

12. Walls, retaining walls, fences, hedges and other landscape elements.
 13. Other uses deemed to be permitted accessory uses and structures pursuant to the Ordinance with respect to uses permitted hereunder.
- B. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use on Parcel C:
1. Driveways, parking lots, carports containing not more than two (2) motor vehicles and garages containing not more than three (3) motor vehicles.
 2. Electric vehicle charging infrastructure, including but not limited to electric vehicle supply equipment and Make-Ready parking spaces, as those terms are defined in P.L. 2021, c.171.
 3. Storage and maintenance sheds.
 4. Gardens and landscaped areas, including fountains, ponds and other water features.
 5. Greenhouses and other structures used for horticultural purposes.
 6. Patios, freestanding decks, gazebos, cabanas and other recreational or ornamental buildings or structures.
 7. Swimming pools and sport courts, pursuant to §110-112.6 of the Ordinance.
 8. Other uses deemed to be permitted accessory uses and structures pursuant to the Ordinance with respect to uses permitted hereunder.

5.3 Prohibited Uses

All uses prohibited in §110-93 of the Ordinance which are not permitted pursuant to Sections 5.1 and 5.2 above shall also be prohibited under this Redevelopment Plan. Any use not specifically permitted above is also prohibited under this Redevelopment Plan.

5.4 Area & Bulk Standards

The regulations pertaining to area, density, setback, coverage, and height standards contained herein shall apply to all development in Project Area.

- A. The following area and bulk standards shall apply to Parcel A:

Area Requirements

1. Minimum Lot Area: 19.4 acres
2. Minimum Lot Width: 35 feet as measured along Durham Avenue; 80 feet as measured a maximum distance of 100 feet from Durham Avenue

- B. The following area and bulk standards shall apply to Parcel B:

Area Requirements

1. Minimum Lot Area: 4.0 acres
2. Maximum Lot Area: 7.8 acres

Density & Floor Area Requirements

3. Maximum Residential Density: 20 units per acre, rounded up to the nearest unit
Maximum Residential Density Overlay: 35 units per acre, rounded up to the nearest unit. To utilize the Maximum Residential Density Overlay, there must be a signed redevelopment agreement at the time of application
4. Maximum Floor Area Ratio*: 0.50
Maximum Floor Area Ratio* Overlay: 1.125. To utilize the Maximum Floor Area Ratio Overlay, there must be a signed redevelopment agreement at the time of application
*Floor Area Ratio is defined in Section 5.4.E below

Building Setbacks

5. Minimum front yard setback from Durham Avenue: 35 feet for any portion of a building up to four (4) stories and 50 feet in height; 40 feet for any portion of a building up to five (5) stories and 60 feet in height
6. Minimum yard setback from Block 42, Lots 8-11: 70 feet
7. Minimum yard setback from all other lots within Blocks 40, 41 & 42: 170 feet
8. Minimum yard setback from Parcel A: 15 feet as measured along the northeastern parcel line; 70 feet as measured along all other parcel lines

Coverage Requirements

9. Maximum Building Coverage: 25%
10. Maximum Impervious Coverage: 75%

Height** Requirements

11. Maximum Building Height in Stories: five (5) stories
12. Maximum Building Height in Feet: 60 feet

**Height is defined in Section 5.4.F below

Accessory Building Setbacks

13. Location: Shall not be located in the front yard area
14. Minimum yard setbacks from all parcel lines: 10 feet

Accessory Building Height** Requirements

15. Maximum Building Height in Feet: 15 feet
**Height is defined in Section 5.4.F below

C. The following area and bulk standards shall apply to Parcel C:

Area Requirements

1. Minimum Lot Area: 7,500 square feet

Building Setbacks

2. Minimum front yard setback from Durham Avenue: 25 feet
3. Minimum front yard setback from Smith Street: 15 feet
4. Minimum side yard setback (from lot line opposite Smith Street): 8 feet
5. Minimum rear yard setback (from lot line opposite Durham Avenue): 25 feet

Coverage Requirements

6. Maximum Building Coverage: 25%
7. Maximum Impervious Coverage: 45%

Height* Requirements

8. Maximum Building Height in Stories: 2 ½ stories
9. Maximum Building Height in Feet: 35 feet

*Height is defined in Section 5.4.F below

D. Permitted Projections.

1. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
2. Non-enclosed one-story porches, porticos, stoops, entrance platforms and uncovered decks leading to the basement, or the ground floor shall be permitted to project not more than four (4) feet into a side or rear yard setback.
3. Cornices, eaves, chimneys, gutters, downspouts, cantilevered roofs, uncovered balconies and bay windows shall be permitted to project not more than three (3) feet from the building into any yard setback.
4. Belt courses, windowsills and other similar ornamental features may project not more than nine (9) inches into any yard setback.
5. Ramps and stairways leading to a building entrance may project into any yard setback, provided that they do not encroach into the public right-of-way.
6. Awnings and canopies may project not more than eight (8) feet into any yard setback, provided that they have a minimum vertical clearance of eight (8) feet.

E. Definition of Floor Area Ratio.

1. Floor Area Ratio shall be calculated by the gross floor area of all buildings on a lot

divided by the lot area.

2. For the purposes of this subsection, gross floor area shall be calculated by the total floor area of all stories of all principal and accessory structures on the lot, as measured from the outside faces of the exterior walls and including recessed balconies and mezzanines.
3. If any portion of interior space has a ceiling height of 16 feet or greater on the first floor or 12 feet or greater on all other floors, those portions of the floor area of that space shall be counted twice for the purpose of gross floor area calculation. This provision shall not apply to indoor entertainment and recreation sports facilities.

F. Definition of Height.

1. Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.
2. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans and similar mechanical equipment), solar panels, bulkheads, elevator penthouses, stair enclosures, roof access stairwells, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, steeples, belfries, spires, and other similar elements), provided that such shall not exceed the applicable height requirements by greater than 15 feet. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not exceed the applicable height requirements by greater than five (5) feet.
3. Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

5.5 Site Development & Design Standards

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area, which shall supersede current applicable regulations contained in Part IV of the Ordinance. Unless specifically superseded below, all other regulations contained in Part IV of the Ordinance shall apply.

5.5.1 Overall Circulation, Parking & Off-Site Requirements

- A. In addition to the off-site requirements set forth in the Ordinance, any development pursuant to this Redevelopment Plan shall provide a contribution for off-site improvements to the planned southern gateway to the Peter J. Barnes III Wildlife Preserve and/or other open space or public recreational facilities as determined by the Borough. Such

contribution(s) shall be addressed in accordance with any Redevelopment Agreement entered into between a Redeveloper and the Redevelopment Entity.

- B. The Public Access Drive within Parcel A shall be developed in accordance with any Redevelopment Agreement entered into between a Redeveloper and the Redevelopment Entity. More specifically, the Public Access Drive shall be developed to align with the driveway associated with the Metuchen Sportsplex, and extend northwest through Parcel A. Such Public Access Drive shall be designed to include parallel parking spaces, head-in parking spaces, a continuous sidewalk system on at least one (1) side connected with the public sidewalk along Durham Avenue and the trail system to be developed within the Peter J. Barnes III Wildlife Preserve, and a roundabout / drop-off area at the terminus of the Public Access Drive. The roundabout / drop-off area shall be designed with a texture-paved or similar special paving treatment, so as to create an overall sense of place, a sense of arrival, enhance the aesthetics of the circulation area, and provide additional traffic calming through the Project Area. Up to two (2) driveways may connect to development within Parcel B. Cross-access easements shall be filed to ensure the continuance of these driveway interconnections. To accommodate the development within Parcel B, a portion of the Public Access Drive shall be permitted to be developed in an initial phase, with the remainder of the Public Access Drive and the roundabout / drop-off area to be developed in a future phase.
- C. The overall streetscape along the Public Access Drive within Parcel A shall be designed to enhance the public realm, by emphasizing pedestrian safety, accessibility and connectivity throughout the Project Area. All driveway aprons shall accommodate a continuous public sidewalk across the driveways. A mid-block crossing shall be provided and shall be designed as a raised pedestrian crossing with curb extensions to accommodate a continuous pedestrian connection between Parcel B and the future Middlesex Greenway Extension.
- D. The portion of the Public Access Drive containing the roundabout / drop-off area and head-in parking spaces shall be suitably buffered and screened from the development on Parcel B. Such screening shall consist of either (1) a combination of landscaping and a masonry wall and/or fence or (2) an enhanced landscape buffer. Where a masonry wall and/or fence is utilized, such shall be composed of materials, colors, finishes and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Project Area. All such elements shall be designed with a unified design palette throughout the Project Area. Where an enhanced landscape buffer is utilized, such buffer shall be a minimum of 10 feet in width and contain multiple rows and/or layers of ground-level landscaping and shade trees, and may include bio-retention swales or other green infrastructure elements.
- E. The front yard area along the northeast-southwest segment of Durham Avenue shall be permitted to include a parking area, provided that such parking area is designed as a shared space motor court. The shared space shall be designed with texture-paved or

similar special paving treatment, so as to enhance the aesthetics of circulation areas and provide additional traffic calming to ensure pedestrians, cyclists and motorists all share the shared space. The shared space may be flush with the pedestrian areas adjacent to the building, separated by bollards, pedestrian amenities or other visual cues in the shared space.

5.5.2 Parking & Surface Parking Lot Standards

- A. The following standards shall apply to all Parcels:
1. The minimum parking requirements shall be 1.25 parking spaces per dwelling unit, inclusive of live/work units.
 2. It is recognized that the residential parking requirement(s) established herein are less than that required under the New Jersey Residential Site Improvement Standards ("RSIS") (N.J.A.C. 5:21-1 et seq.). Consequently, any action by the Planning Board shall either: (a) establish alternative parking standards from RSIS pursuant to N.J.A.C. 5:21-4.14.(c) that better reflect local conditions, including household characteristics, availability of mass transit, urban versus suburban location, and available off-site parking resources; or (b) require a finding of a de minimus exception from RSIS pursuant to N.J.A.C. 5:21-3.1(f)1.
 3. On-street parking spaces along the Project Area's frontage along Durham Avenue and parallel parking spaces along the Public Access Drive may be included in the calculation of the required number of parking spaces within Parcel B.
 4. The minimum parking stall size for parallel parking spaces along the Public Access Drive shall be 8' wide by 23' long.
 5. The minimum parking stall size for stalls within all other off-street parking facilities shall be 9' wide by 18' long, except for accessible parking stalls and associated access aisles which shall be subject to standards promulgated by the Americans with Disabilities Act (ADA).
 6. Parking stalls designated for compact cars, which shall be no less than 8' wide and no less than 16' long shall be permitted provided that the number of compact parking spaces does not exceed 10% of the total number of parking spaces provided on each Parcel.
 7. No public or private roadway, driveway or parking area shall be located within 10 feet of an existing adjacent residential property.
 8. No public or private roadway, driveway or parking area shall be located within 10 feet of any buildings, except for those areas necessary for accessing garage parking areas, servicing refuse & recycling and loading areas, and the shared space motor court in accordance with Section 5.5.1.E above.
 9. Provisions for electric vehicle (EV) charging infrastructure and/or stations shall be

provided on each Parcel in accordance with State law, including P.L. 2021, c.171. Installation of electric vehicle supply equipment (EVSE) may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c.171.

10. Provisions for bicycle parking shall be provided in the Project Area. Within Parcel A, bicycle racks to park a minimum of 50 bicycles shall be provided for public use. Within Parcel B, a minimum of one (1) bicycle shall be provided for each residential unit with one or more of the following: bicycle storage rooms or appropriately sized storage areas within the building, on wall-mounted hooks, ceiling hooks or closets within a dwelling unit, and/or covered exterior bicycle rack(s). A minimum of 5% of such bicycle parking shall be located outdoors to accommodate guests. A minimum of 50% of such bicycle parking shall be provided prior to the issuance of any Certificate of Occupancy, with future bicycle parking to be provided upon request by tenants.

5.5.3 Streets & Sidewalks

- A. The following standards shall apply to all Parcels:
 1. In order to accommodate the redevelopment on Parcel B which will include improvements within the Gulton Street public right-of-way, the Borough may vacate a portion or the entirety of the Gulton Street public right-of-way and in such case shall provide the necessary easements to maintain adequate public utilities and public access.
 2. The location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Project Area to be developed, but in no case shall be less than four (4) feet in width. Any sidewalk along the Public Access Drive shall no less than eight (8) feet in width.
 3. Sidewalks shall continue uninterrupted across all driveways with the apron design accommodating a continuous sidewalk.
 4. Where sidewalks intersect at corners and at mid-block crossings, accessible ramps and warning strips shall be provided.
 5. Pedestrian crosswalks shall be provided across all street intersections and at mid-block crossing with “continental” or ladder striping. Such striping shall be two (2) feet in width and at least eight (8) feet in length, spaced two (2) feet apart.
 6. Walkways providing pedestrian connection between public sidewalks and entrances to buildings and each live/work unit shall be provided.
 7. Walkways providing pedestrian connection between entrances of buildings and parking areas, outdoor amenity spaces and other pedestrian accessible locations shall be provided.

5.5.4 Refuse & Recycling

A. The following standards shall apply to all Parcels:

1. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided either within each unit, within the building being served or in nearby locations outside the building on the Parcel.
2. Collection vehicles shall be able to access refuse and recycling facilities without interference from parked vehicles or other obstacles.
3. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view within or outside the Parcel.
4. Such screening shall consist of a combination of landscaping and a masonry wall and/or fence composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Project Area.
5. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by users and recycling personnel and/or vehicles.
6. Any receptacles or dumpsters located in exterior areas shall be covered and equipped with signage indicating the materials to be placed therein.
7. The collection, disposal, recycling and transportation of solid waste shall be by private carters and shall be performed in accordance with Chapter 160 of the Code of the Borough of Metuchen.

5.5.5 Landscaping

A. The following standards shall apply to all Parcels:

1. Street trees shall be provided at intervals of approximately 20 to 30 feet along the Project Area's frontage along Durham Avenue and the Public Access Drive, whether existing or proposed. Any new street tree shall be a minimum size of two and one-half (2 ½) inches in caliper at time of planting.
2. Shade trees shall be provided at intervals of approximately 40 to 50 feet along yard areas and along the perimeter of parking areas, and shall be provided within all landscape islands within parking areas. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.
3. A regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features shall be provided, where feasible, along public sidewalks along the Project Area's frontage along Durham Avenue and the Public Access Drive.
4. Subject to any limitations as to growth or placement of specific vegetation as a

result of environmental controls and capping of the Project Area, all portions of the Project Area not utilized by buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area, lessen the visual impact and climatic effects of structures and paved areas, and reduce impervious coverage. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized. To avoid monocultures, not more than 1/4 of the required plantings shall be of any one species.

5. Where ground-level live/work units are provided, such shall have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and may be screened with a combination of intensive and extensive landscaping, including hedging and landscape edging, decorative brick knee walls or decorative fencing.

5.5.6 Lighting

A. The following standards shall apply to all Parcels:

1. Street lighting shall be provided along the Project Area's frontage along Durham Avenue and the Public Access Drive within Parcel A, whether existing or proposed, in accordance with §110-157 of the Ordinance.
2. All parking and pedestrian areas shall be provided with pedestrian-scale light fixtures, in accordance with §110-157 of the Ordinance.
3. Decorative and/or ambient lighting may be provided by one or more of the following: ground-recessed up-lighting, bollard lighting, string lighting, recessed and/or wall-mounted lighting.
4. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward.
5. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

5.5.7 Stormwater & Utilities

A. The following standards shall apply to all Parcels:

1. All development shall incorporate the use of decentralized small-scale Green Infrastructure (GI) elements, as required by N.J.A.C. 7:8, in order to: (a) maximize treatment for water quality and groundwater recharge to the extent practical; and (b) manage water quantity prior to discharging into an on-site watercourse (e.g., Dismal Brook) via overland flow, new stormwater outfall(s) and/or existing stormwater outfall(s), subject to review by the NJDEP.
2. All development shall be serviced with public, potable water and sanitary sewer,

along with electric, natural gas, telephone, and cable service; all utilities shall be placed underground to the extent practical. Any existing utilities or infrastructure servicing the Project Area that are in need of repair or replacement shall be addressed in accordance with any Redevelopment Agreement entered into between a Redeveloper and the Redevelopment Entity.

3. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, a dedicated lot or lots, or within easements located on privately-owned lands, and may discharge to the Dismal Brook via overland flow, new stormwater outfall(s) and/or existing stormwater outfall(s), subject to review by the NJDEP.

5.5.8 Building Design

A. Development within Parcel B shall comply with the following standards:

1. Architectural Style.
 - a. For the portion of the building containing the main entrance and along the Public Access Drive, such portion of the building shall be designed to reflect the modern industrial or loft-style design character that evokes the “adaptive reuse” character of factory and industrial buildings.
 - b. The massing, fenestration, materials, colors and details of the building shall reflect the defining character and identifying features of the architectural style(s) selected for such building.
2. Orientation.
 - a. Buildings shall be oriented to face and relate to the street with the facade generally aligned with the respective front lot lines. Angled or non-rectilinear buildings, unless relating to the alignment of the street and Public Access Drive, shall not be permitted.
3. Scale & Massing.
 - a. The overall massing of the building shall be articulated into a series of forms which provide a variety of scale and are of recognizable proportions in order to provide architectural interest and relieve the negative visual effect of a single, long wall and associated rooflines. The overall massing of the building shall be articulated into multiple “façade elements” articulated by “projecting bay elements” and separated by “recessed elements.”
 - b. The portion of the building along Durham Avenue shall be articulated as follows:
 - i. Individual façade elements shall extend in width a minimum distance of 30 feet and a maximum distance of 100 feet, separated by another individual façade element and/or a recessed element.

- ii. Recessed elements shall extend in width a minimum distance of 10 feet and a maximum distance of 25 feet, and shall extend vertically from the top of the base of the building up through the roofline.
 - iii. The projection/recess distance between an individual façade element and another individual façade element or a recessed element shall not be less than two (2) feet in depth.
 - iv. Additionally, individual façade elements which extend in width a minimum distance of 50 feet shall be further articulated with a projecting bay element. Projecting bay elements shall be a minimum of two (2) stories and a maximum of four (4) stories in height, shall extend in width a minimum distance of 50% of the individual façade element from which it projects, and the projection distance between the individual façade element and the projecting bay element shall not be less than four (4) feet and shall not be more than eight (8) feet in depth.
 - c. The portion of the building containing the main entrance and along the Public Access Drive shall be articulated as follows:
 - i. Individual façade elements shall extend in width a minimum distance of 50 feet and a maximum distance of 150 feet, separated by a recessed element.
 - ii. Recessed elements shall extend in width a minimum distance of 20 feet and a maximum distance of 50 feet, and shall extend vertically from the ground floor level through the roofline.
 - iii. The projection/recess distance between an individual façade element and another individual façade element or a recessed element shall not be less than 10 feet in depth.
 - d. All other portions of the building shall be articulated as follows:
 - i. Individual façade elements shall extend in width a maximum distance of 100 feet, after which such wall shall be offset that steps forward or backward by a minimum distance of two (2) feet.
 - ii. Building walls may extend further in width to a maximum distance of 200 feet, provided that for every foot beyond the initial 100 feet, the minimum offset distance is increased by an additional foot.
 - e. These provisions shall not apply to building walls in any private interior courtyards of the building.
4. Façade Composition.
- a. The overall composition of the facade shall incorporate the three-part hierarchy of base, body, and cap to maintain a balanced façade

composition. Each element shall be articulated by materials, colors and details that are of recognizable proportions as to the overall horizontal and vertical dimensions of the façade.

b. The base, body and cap shall be articulated as follows:

- i. Base: The base of the building clearly defines the public realm, provides the necessary spatial enclosure, and defines the character and quality of the street, public space, or private yard area. The base of the building shall consist of the portion of the wall immediately along the ground floor level up to the floor line of the second floor, where the body of the building begins. The transition between the base to the body shall be articulated by a horizontal belt course between similar building materials and/or between a change in building materials along a horizontal line. This level line shall be extended across all façade elements, projecting bay elements, and recessed elements. Additionally, the transition may be further expressed through a shift in the vertical plane.
- ii. Body: The body of the building comprises the majority of the building wall consisting of the portion of the wall from the top of the base up to the bottom of the cap of the building. The body itself may be articulated at floor levels, lintel or sill levels with horizontal belt courses.
- iii. Cap: The cap of the building comprises the top of the building wall, clearly terminating the body of the building. The cap shall consist of the portion of the wall above the top floor level or roof structure up to the top of the parapet wall. The transition between the body to the bottom of the cap shall be articulated by a horizontal belt course between similar building materials and/or the cap itself shall be ornamented with moldings, brackets and other details along a horizontal line. This level line shall be articulated within each individual façade element, projecting bay element, and recessed element to accommodate required roofline offsets.

c. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors and details of the front façade.

d. These provisions shall not apply to building walls in any private interior courtyards of the building.

5. Fenestration.

a. The ground floor shall be comprised of a regular rhythm of storefront bays

or window treatments such that the ground floor façade along the street has a greater proportion of openings, windows and doors than solid wall, in comparison to remainder of the façade above.

- b. All openings, windows and doors shall be vertically proportioned and be vertically aligned with the location of openings, windows and doors on the ground floor. Individual panels for ornamental purposes adjacent to windows and doors are not required to be vertically aligned.
- c. All openings, windows, doors and their respective horizontal elements, including lintels, sills and decorative moldings, shall be horizontally aligned.
- d. Windows and doors may meet at exterior building corners, or shall be offset a minimum distance of 24 inches from the exterior building corner.
- e. Balconies, where provided, shall be accessible by the interior units they serve.

6. Materials.

- a. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
- b. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and/or fiber cement siding and may include light-weight concrete or wood panels. Trim materials may consist of precast stone, wood, fiber cement, aluminum and PVC. Vinyl, cultured stone, stucco and EIFS are not permitted building materials.

7. Mechanical Equipment.

- a. Any mechanical equipment and HVAC units shall be located on the roof and screened from public view. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element that has the appearance of a window opening. Through-the-window and exterior wall-mounted HVAC units on street-facing facades shall be prohibited. Screening devices shall be designed to be architecturally compatible with the style, materials, colors and details of such building.

- B. Development within Parcel C shall comply with Section 110-112.7 and Section 110-112.8 of the Ordinance.

5.5.9 Sustainable Design

- A. All development shall incorporate at least 10 of the following elements from the following Sustainable Design standards or features:

Renewable Energy

1. Solar Photovoltaic (PV) Readiness & sufficient space in order to accommodate future installation of Battery Storage Infrastructure

Passive Design

2. Light-Colored, Reflective Roof Surface
3. Architectural Shading Devices
4. Operable Windows

Energy Efficiency

5. Occupancy and Daylighting Controls (in Common Areas)
6. Digital Programmable Thermostats
7. ENERGY STAR Certified Appliances
8. ENERGY STAR Certified Light Fixtures
9. ENERGY STAR Certified Windows

Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

Indoor Air Quality

12. Air Tightness Verification by ASTM Testing
13. Protection/Flushing of HVAC Equipment & Ductwork
14. MERV 8+ Air Filters During Construction; MERV 13+ Air Filters for Occupancy
15. Prohibition of Indoor Combustion Devices
16. Low VOC Interior Paints, Finishes, Adhesives & Sealants
17. Formaldehyde-Free Casework, Cabinetry & Composite Wood Finishes
18. Smoke-Free Building Policy (in Common Areas)

Materials & Resources

19. FSC Certified Wood Products
20. Material Reuse During Construction & Demolition

5.5.10 Accessibility & Universal Design

- A. All development within the Project Area shall comply with federal, state and local requirements regarding accessibility.
- B. All development within the Project Area is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.
- C. All development within the Project Area shall incorporate multiple elements from the following Universal Design techniques and strategies:
 - 1. Accessible ramps, where necessary, should be integrated in the site and building design to create a dignified, non-discernable and inclusive access point that facilitates mobility for all users.
 - 2. Accessible on-street parking spaces, where provided, should be located to minimize travel distances to public spaces and building access points.
 - 3. At least one automated door (via push pad or other means of activation) to a main access point to each building should be provided.
 - 4. No-step ($\frac{1}{4}$ to $\frac{1}{2}$ inch thresholds) access to access points, patios, balconies and terraces should be provided to the extent practical.
 - 5. Doorways should be specified to have at least 34-inch-wide clear openings, with door handles located between 34 and 38 inches above the floor.
 - 6. Hallways should be designed to have at least 42-inch-wide clearances, with all controls, switches and outlets within the comfortable reach zone of between 24 and 48 inches above the floor.
 - 7. Kitchen areas should include cabinetry or areas that allow for a user to work in a seated position and appliances with controls within reach, in order to be accessible.
 - 8. Countertops, where provided, should be adjustable or designed at different heights, in order to be accessible.
 - 9. Laundry appliances, where provided, should be front-loaded in order to be accessible.
 - 10. Signage should be provided throughout common areas, within sight lines and in alternate languages in addition to English.

5.6 Development of Public Electric Vehicle Charging Infrastructure

Provisions for electric vehicle (EV) charging infrastructure and stations for private use by future tenants are provided on Parcel B as required in Section 5.5.2.

The Redevelopment Plan anticipates the need for and development of public EV charging infrastructure within the Project Area. Provisions for public EV charging infrastructure and stations, are provided within the Project Area on Parcel A as required in Section 5.5.2.

5.7 Affordable Housing

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Project Area shall be addressed in accordance with the Borough's Affordable Housing Ordinance and Housing Element and Fair Share Plan.

5.8 Property Acquisition

The Project Area has been designated as a "Non-Condemnation Redevelopment Area" and as a rehabilitation area. As a result, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan under the LRHL. To the extent property will be acquired, all such property must be acquired by the designated redeveloper(s) through private negotiation with the property owner(s). Nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

5.9 Relocation of Displaced Residents

This Redevelopment Plan does not anticipate any property will be acquired by any government entity or utilizing government funds, by eminent domain or otherwise. Additionally, there are no residents that presently reside within the Project Area. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan. Notwithstanding the above, in the case where any governmental entity, including the Borough, utilizes eminent domain in accordance with other applicable laws, to acquire any property for a public purpose, then a Workable Relocation Assistance Plan may be required.

5.10 Phasing

No specific phasing is required for the development of any of the Parcels within the Project Area except that no Certificate of Occupancy shall be issued for any project or Parcel until the party seeking the Certificate of Occupancy has submitted proof, in the form of a Preliminary Assessment, as defined in N.J.S.A. 58:10B-1, a Site Investigation, as defined in N.J.S.A. 58:10B-1, and/or a Final Remediation Document, as defined in N.J.A.C. 7:26C-1.3, as necessary, to establish that the site for which the Certificate of Occupancy is sought is safe for its intended use. Any Preliminary Assessment and any Site Investigation shall be conducted pursuant to the Technical Requirements of the Site Remediation Rules at N.J.A.C. 7:26E-3.

6.0 General Provision

6.1 Definitions

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

6.2 Redevelopment Entity

The Borough's governing body shall act as the Redevelopment Entity pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and 40A:12A-22, and all other relevant statutes and regulations to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

6.3 Redeveloper Selection

Pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, the Redevelopment Entity may select a single redeveloper or multiple redevelopers for the redevelopment of the Project Area or portion thereof. All property within the Project Area must be developed in accordance with the requirements of this Redevelopment Plan, the Borough's Zoning and Land Development Ordinance, and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). Any private Redeveloper(s) wishing to enter into a redevelopment agreement with the Redevelopment Entity will be required to contact the Redevelopment Entity to present its proposal.

6.4 Redevelopment Agreement

If a redeveloper has been selected, the Borough shall enter into a Redevelopment Agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions and continuing controls as may be deemed necessary to effectuate the purposes of the LRHL and this Redevelopment Plan. A Redevelopment Agreement, however, is not required in order to utilize the zoning standards set forth by this Redevelopment Plan, except that a Redevelopment Agreement is required in order to utilize the increased density and floor area ratio on Parcel B.

6.5 Duration of Redevelopment Plan Restrictions

This Redevelopment Plan and any modification thereof shall be in full force and effect for a period of thirty (30) years from the date the Borough first approves this Redevelopment Plan.

6.6 Amendments to Approved Redevelopment Plan

The Borough may amend, revise or modify this Redevelopment Plan from time to time in accordance with the provisions of the LRHL, as may be amended.

6.7 Discrimination Ban

No covenant, lease conveyance or other instrument shall be executed by the Redevelopment Entity or any redeveloper whereby land or structures with this redevelopment is restricted upon the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

The termination of this plan shall in no way permit the land or structures of the Project Area to be restricted on the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

6.8 Repeal & Severability Statements

All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only. If any provision or regulation of this Redevelopment Plan should be judged invalid by a court of competent jurisdiction, such order or plan shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

7.0 Development Plan Review & Approval

7.1 Concept Plan Review

Any redeveloper(s) seeking to enter into a Redevelopment Agreement with the Redevelopment Entity shall make a formal proposal for development to the Redevelopment Entity and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

7.2 Design Review Committee

Once the concept plan is approved by the Redevelopment Entity and found consistent with this Redevelopment Plan, the redeveloper shall submit the proposed materials associated with the concept plan, or any redeveloper seeking to utilize the zoning standards set forth by this Redevelopment Plan shall submit the proposed materials associated with its concept plan, to the Design Review Committee for informal design review and to coordinate completeness review prior to submission of a formal Application for Development.

7.3 Applications for Development

Once the concept plan has been reviewed by the Design Review Committee, the redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity. Execution of a Redevelopment Agreement shall not be required in order to file any Application for Development as the term is defined in N.J.S.A. 40:55D-3, unless the Application for Development seeks to utilize the increased density and floor area ratio allowed on Parcel B.

Preliminary and final site plan and/or subdivision applications for property within the Project Area shall be in accordance with the requirements with this Redevelopment Plan and all applicable provisions of the Borough Land Development Ordinance. It is recognized that the NJDEP will impose capping requirements on portions of the Project Area which control with respect to control of stormwater and development.

Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity.

7.4 Planning Board Review

- A. Site plan or subdivision review shall be conducted by the Planning Board pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).
- B. Applicants before the Planning Board shall provide public notice of such site plan or subdivision application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12(a) and (b).

7.5 Deviations from Provisions of Approved Redevelopment Plan

All applications requiring relief for deviations from this Redevelopment Plan or the Borough Land Development Ordinance shall be governed by the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) or any existing, or to be adopted, redevelopment plan for a specific site and/or project and/or the Project Area, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)) or (ii) deviating from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.
- B. Variances may be granted from applicable “Area and Bulk Standards” or within Part III of the Borough Land Development Ordinance pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from applicable “Site Development and Design Standards” or within Part IV of the Borough Land Development Ordinance pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of submission waivers shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

8.0 Relationship of the Redevelopment Plan to Other Plans

8.1 Relationship to Borough of Metuchen Land Development Ordinance

As noted in Section 5.0, the zoning standards as set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area, with the exception of the increased density and floor area ratio on Parcel B, which shall be an overlay zoning. Any standards not specifically addressed in this Redevelopment Plan remain subject to the Borough's Zoning and Land Development Ordinance.

8.2 Relationship to Borough of Metuchen Master Plan

The Land Use Element of the 1983 Master Plan recognized that “although the Northwest quadrant has been zoned industrial and commercial purposes for many years[,]” “the presence of vacant buildings and lots in the industrial zone suggests the area’s desirability for industrial purposes may have waned.” (P. 12). The report goes on to recommend consideration and re-evaluation of land use policies to alleviate the existing, conflicting land uses with nearby residential neighborhoods and to attract developers to the area. (P. 12).

The recommendation of new uses away from industrial usage for the Northwest quadrant was further expressed in a concept proposal which envisioned redevelopment of the Gulton Tract “in a comprehensive manner which would ensure compatibility with the residential character of the area, ... improving it as an open space buffer, and permit adaptive re-use of the Gulton Industries building, if feasible.” (P. 49). The type of uses contemplated included a mix of residential and non-residential uses; “[h]owever, in the interests of maintaining the viability of the central business district, extensive non-residential development, particularly with uses which are competitive with those permitted along Main Street, should not be encouraged.” (P. 50).

The 1988 Master Plan Reexamination Report again raised concerns regarding the existing zoning within the Northwest quadrant of the Borough and suggested consideration of development alternatives and evaluate whether such “would have equivalent or fewer environmental impacts on the Dismal Brook area than the industrial development for which the Northwest quadrant is currently zoned.” (P. 4).

The 2006 Master Plan Reexamination Report (the “2006 Reexamination”) describes the Borough’s decision to remove the R-5 Residential Overlay District applicable to the Gulton Tract. According to the 2006 Reexamination, the overlay district was repealed for consistency with the Borough’s Housing Element, but specifically noted that “that is not to say that the underlying zoning designations – LI and R-2 – constitute, by default, the appropriate zoning designations for the site.” (P. 7). The report goes on to state that “to the extent that there is new and more specific information available – with respect to the site’s environmental constraints and to its level of contamination, as well as renewed market interest in a non-industrial redevelopment scenario – it may be appropriate for the Borough to examine other options for this particular area.” (P. 4).

For several decades, the Master Plan and subsequent reexamination reports set forth a clear intent to move away from industrial uses on the Project Area. However, environmental

contamination from the former industrial uses has created challenges to formulating a clear vision for the uses deemed appropriate for the site. Concerns impacting the appropriateness of uses for the Project Area include the presence of environmental contamination and the ability to remediate same, the potential for increased traffic and congestion from any proposed use, and a desire to protect the surrounding residential area.

The latest planning document, the 2016 Master Plan Reexamination Report (the “2016 Reexamination”), recognized that “Metuchen has always been a community concerned with preserving its unique character.” Among the recommendations within the 2016 Reexamination, it was suggested that the Borough prepare a Vision Plan that would address, among others, areas in need of redevelopment and parks and public space. Relative to areas containing former industrial uses, the Master Plan recommended that “the Borough should continue to explore appropriate types of redevelopment for the former industrial ... Gulton Tract[.]” Since then, various development projects have implemented the vision of the mixed-use “downtown gateway,” and the Gulton Tract is presently undergoing extensive environmental cleanup at the expense of the property owner, and there has been and continues to be renewed market interest to redevelop former industrial lands throughout the Borough.

The 2016 Reexamination also indicated that a goal of the Master Plan is “[t]o complete the extension of the Middlesex Greenway to the Dismal Swamp [the former name of the Peter J. Barnes III Wildlife Preserve] which will significantly expand the quality and quantity of open space and water (Dismal Brook) accessible to the public.” It also noted that in 2010, the Middlesex Greenway Extension Plan provided “a vision and strategic plan for linking Metuchen’s Town Center to the Dismal Swamp and promoting redevelopment of former industrial and commercial sites along its route.” Implementation of this Redevelopment Plan will help effectuate this open space and recreation goal.

This Redevelopment Plan is consistent with the Borough’s overall vision as set forth in the Master Plan and subsequent Reexaminations Reports and is designed to effectuate these plans because it provides for uses that complement recent and proposed redevelopment within the Borough, nearby open space resources and the adjacent residential uses, improves infrastructure within the surrounding area, and provides a series of public benefits and improvements with the goal of finally creating public access to the Peter J. Barnes III Wildlife Preserve. This Redevelopment Plan stimulates economic development with the Borough while providing uses that do not detract from the downtown business districts. Therefore, this Redevelopment Plan is consistent with and desired to effectuate the Master Plan.

8.3 Relationship to Master Plans of Contiguous Municipalities

The only contiguous municipality to the Project Area is the Township of Edison (“Edison”), which completely surrounds Metuchen. Adopted in 2003, the Future Land Use Plan Element of Edison’s Master Plan recognizes both Municipalities as being located in the Northeast subregion of the Middlesex County Growth Management Plan, “reflect[ing] the potential for redevelopment of industrial sites into retail, office, and residential uses.” Additionally, Edison’s Master Plan recognizes the Dismal Swamp [the former name of the Peter J. Barnes III Wildlife Preserve] as one

of Edison's largest open space preserves within Planning District 3 and represents a crucial scenic resource with opportunities for passive recreation and a trail system.

The Project Area is located near the northwest corner of Metuchen and is in close proximity to Edison. Portions of the Project Area previously developed along Durham Avenue are planned for redevelopment, while the remaining environmentally sensitive lands extend beyond the Project Area and adjoins Edison. The Existing Land Use Map and Future Land Plan both depict this particular area near the Project Area as preserved open space. Therefore, it is anticipated that this Redevelopment Plan will not conflict with Edison's Master Plan.

8.4 Relationship to Middlesex County Comprehensive Plan

The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Master Plan. Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.

8.5 Relationship to State Development and Redevelopment Plan

The State Development and Redevelopment Plan ("SDRP") was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 SDRP is the most current version.

The Project Area is located in both the Metropolitan Planning Area ("PA1") and Environmentally Sensitive Planning Area ("PA5") designations of the SDRP. More specifically, the entirety of Parcels B & C – where development is proposed to be located – are situated in PA1 area while the majority of Parcel A – where the preservation and enhancement of as well as public access to natural areas are proposed to be located – is situated in the PA5 area. The purpose of the SDRP is to provide for much of the State's future redevelopment of the PA1 area and protect environmental resources through protection of large contiguous areas of land within the PA5 area.

One of the Policy Objectives for the PA1 area is the promotion of economic development through the encouragement of strategic land assembly and infill development, as well as the encouragement of private sector investment through government policies which support appropriate redevelopment. As Metuchen has very little remaining vacant land, the Project Area provides a unique opportunity for infill development. Another Policy Objective is the reclamation of environmentally damaged sites and mitigation of future negative impacts, as well as use open space to reinforce neighborhood and community identity and protect natural linear systems. Similarly, another Policy Objective is the rehabilitation of open space while expanding and linking the system through redevelopment and reclamation projects. This Redevelopment Plan furthers the foregoing goal(s) of the PA1 designation by encouraging infill development of an environmentally damaged site as well as expanding and linking recreation opportunities through

strategic redevelopment and private investment.

As for the Policy Objectives for the PA5 area, the Project Area provides an opportunity to utilize land use techniques to leverage redevelopment within Parcels B & C to maintain open space networks, critical habitat and large contiguous tracts of land within Parcel A and beyond. Similarly, another Policy Objective Another is the provision for regional recreation and tourism opportunities by targeting parkland acquisition and improvements that enhance large contiguous open space systems as well as ensure meaningful access to public lands. This Redevelopment Plan advances the foregoing goal(s) of the PA5 designation by calling for a substantial amount of land to be preserved, enhanced and provided meaningful access through creative redevelopment techniques, public/private partnerships as well as intergovernmental coordination.

Thus, this Redevelopment Plan furthers the State Development and Redevelopment Plan.