



## AMENDED OAKITE SITE REDEVELOPMENT PLAN

Block 71, Lots 37.01 & 37.02

Borough of Metuchen, Middlesex County, State of New Jersey

Endorsed by the Planning Board on Mmmmm dd, 2021

Adopted by the Borough Council by Ordinance 2021-## on Mmmmm dd, 2021

Prepared by LRK, Inc.

August 18, 2021 **DRAFT**



# Amended Oakite Site Redevelopment Plan

Block 71, Lots 37.01 & 37.02

Borough of Metuchen, Middlesex County, State of New Jersey



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

  
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## 1.0 Introduction

### 1.1 Overview

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.

Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), via Resolution No. 2015-147 adopted on June 15, 2015, the Borough designated Block 71, Lot 37.01 as a “Non-Condemnation Redevelopment Area.” The original “Oakite Site Redevelopment Plan” was subsequently adopted by the Borough by Ordinance 2018-24 on October 15, 2018.

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 land designated Block 71, Lot 37.02, 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.

Over the past few years, the Borough has been in discussions with the property owner and multiple potential redevelopers regarding the joint redevelopment and rehabilitation of the entirety of the former Oakite site, including addressing parking issues associated with the operation of the Metuchen Sportsplex, consideration of other types of events that could be held at the Metuchen Sportsplex facility with reasonable parking management controls, and evaluation of several redevelopment concepts for the remainder of the site.

Recently, the Borough was advised by the property owner that the Fulton Bank announced its pending closure, and the Borough coordinated with the property owner and potential redevelopers to advance several concepts, including a memory care facility, an independent living facility and a coffee shop to complete the redevelopment of the vacant land in front of the Metuchen Sportsplex along Middlesex Avenue, as well as a day care facility within the existing parking area along Durham Avenue.

In light of these recent events and to prevent further deterioration and promote desirable redevelopment and rehabilitation within the Borough, consistent with the goals and objectives of the Master Plan, all parties seek to redevelop and rehabilitate in accordance with a consolidated redevelopment plan.

### 1.2 Description of Project Area

The project area (“Project Area”) is comprised of Block 71, Lots 37.01 and 37.02 on the official Tax Map of the Borough of Metuchen, and consists of approximately 11 + acres, with 5.48 acres of

primarily unimproved, vacant land on property commonly known as 700 Middlesex Avenue and 215 Durham Avenue, respectively (see Exhibit A).

The Project Area is located in the LI – Light Industrial District. 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.

Originally part of a larger industrial superblock containing the Oakite factory that manufactured asbestos building materials, the Project Area is generally bounded by Vidas Park to the west, Durham Avenue to the north, the Lehigh Valley Railroad Line right-of-way (“future Middlesex Greenway Extension”) to the northeast, Middlesex Avenue to the southeast, and Factory Street to the southwest. Since closure of the Oakite factory in the 1980’s, Vidas Park & Trailhead Park, Fulton Bank, and the Metuchen Sportsplex have been developed out of the former Oakite industrial site while the remainder of Project Area has remained vacant, unimproved land.



Bird's eye view of the Project Area, looking northwest, outlined in yellow. Source: Google Maps; screen capture on January 20, 2021. The Project Area is bounded by Middlesex Avenue with Trailhead Park beyond (bottom), Future Middlesex Greenway Extension (right) and Vidas Park (top).





**Amended Oakite Redevelopment Plan**

Block 71, Lots 37.01 & 37.02

Borough of Metuchen, Middlesex County, NJ

**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.

A redevelopment plan must indicate 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.

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 Block 71, Lot 37.01 as a Redevelopment Area

### 2.3.a Summary of Redevelopment Investigation Findings

On March 2, 2015, the Borough Council passed Resolution No. 2015-48 authorizing the Planning Board to undertake a preliminary investigation to determine whether Block 71, Lot 37.01 qualified as an “area in need of redevelopment” in accordance with N.J.S.A. 40A:12A-5. On June 4, 2015, the Planning Board conducted a public hearing at which it reviewed a report (the “Study”) entitled “Area in Need of Redevelopment Investigation for the Oakite Site/Block 71/Lot 37.01” dated May 14, 2015. Following the duly noticed hearing, the Planning Board adopted a Resolution recommending the Borough Council designate Block 71, Lot 37.01 as an “area in need of redevelopment.” On June 15, 2015, based upon the Planning Board’s recommendation, the Borough Council adopted Resolution No. 2015-147 designating Block 71, Lot 37.01 as an “area in need of redevelopment.”

The Study concluded that Block 71, Lot 37.01 meets the criteria for redevelopment designation pursuant to subsection(s) “c” and “e” of N.J.S.A. 40A:12A-5.

### 2.3.b Criterion “C”

The Study concluded Block 71, Lot 37.01 meets the “C” criterion for the following reasons:

- A. Metuchen III LLC (or the property owner) has owned the unimproved, vacant land for more than ten (10) years prior to adoption of Resolution 2015-48 and, due to its location with limited accessible street frontage on public rights-of-way and semi-landlocked isolation, is not likely to be developed through the instrumentality of private capital; and
- B. Notwithstanding the foregoing, the nature of the soil on Block 71, Lot 37.01 is such that it is impacted by 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 “E”

Consistent with the Borough’s 2009 Circulation Plan Element, the Borough conditioned approval for the Metuchen Sportsplex on the construction of a mid-block connecting roadway between Durham Avenue and Middlesex Avenue. This mid-block connector will effectively split Block 71, Lot 37.01 into multiple, smaller non-conforming parcels unable to meet the minimum lot width and depth requirements under existing LI-Light Industrial zoning. The Study concluded Block 71, Lot 37.01 meets the “E” criterion due to the negative impact of the mid-block connector on Block 71, Lot 37.01 and its potential use and value for contributing to and serving the public health, safety, and welfare.

### 2.3.d Non-Condemnation

Pursuant to N.J.S.A. 40A:12A-6b, the Borough Council’s Resolution No. 2015-48 authorized the Study to establish Block 71, Lot 37.01 as a “Non-Condemnation Redevelopment Area” and the Borough Council’s Resolution No. 2015-147 is consistent with that determination.

## 2.4 Original Oakite Redevelopment Plan

Following the redevelopment designation, the Borough began and continued to have discussions with the property owner regarding redevelopment of the undeveloped portion of the property. Identified early in this process, the Borough established goals and objectives seeking to improve roadway interconnectivity and relieve pressure on traffic “hot spots” surrounding the Project Area, address parking issues associated with the operation of the Metuchen Sportsplex, and leverage opportunities for redevelopment, particularly given its location directly across from the Middlesex Greenway’s Trailhead Park and adjacent to the future Middlesex Greenway Extension.

After nearly three (3) years of planning, among the various redevelopment concepts considered was a memory care facility to be located between the Fulton Bank and the Metuchen Sportsplex, with the remainder of the property to accommodate a range of complementary uses. On October 15, 2018, the Borough Council adopted Ordinance 2018-24, formally adopting the original “Oakite Site Redevelopment Plan.”

## 2.5 Designation of Block 71, Lot 37.02 as a Rehabilitation Area

Following the adoption of the “Oakite Site Redevelopment Plan” and 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.

## 2.6 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.

## 2.7 Amendment to the Oakite Site Redevelopment Plan

As discussed in the introduction, the Borough has been in discussions with the property owner and potential redevelopers regarding the overall redevelopment and rehabilitation of the entirety of



the former Oakite site. The potential redevelopers have presented plan concepts to the Borough Council as Redevelopment Entity, and all parties seek to redevelop and rehabilitate in accordance with a consolidated redevelopment plan.

In order to facilitate the redevelopment of the entire Oakite site, the “Oakite Site Redevelopment Plan” will be amended and superseded upon adoption of this consolidated redevelopment plan, applicable to Block 71, Lots 37.01 and 37.02, entitled “Amended Oakite Site Redevelopment Plan” (the “Redevelopment Plan” or “Plan”).

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### 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.

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## 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. Leverage redevelopment projects to assist the Borough and County to turn Trailhead Park into a destination, including providing for public parking, opportunities for passive and active recreation, and access to the Middlesex Greenway and the regional park system, including future access to the Dismal Swamp.
- B. Mitigate long-standing issues associated with and improve existing stormwater infrastructure, including the stormwater pipe within the adjacent future Middlesex Greenway Extension, and, to the extent practical due to environmental controls and capping of the Project Area, utilize stormwater best management practices, including green infrastructure and other sustainable design elements, within the Project Area.
- C. Create connections between the Project Area and the various recreational facilities in proximity to the Project Area, including the Middlesex Greenway’s Trailhead Park, future Middlesex Greenway Extension, Vidas Park, and planned Southern Gateway to the Dismal Swamp on the Gulton Tract, located across Durham Avenue.
- D. Improve roadway interconnectivity and relieve the pressure on traffic “hot spots” surrounding the Project Area consistent with the goals of the Borough’s 2009 Circulation Plan Element. The Borough’s objective is to include an extension of the context-sensitive streetscape improvements, pedestrian connectivity and other potential traffic calming measures for the area along Middlesex Avenue to create a unified design with the downtown area and a comprehensive traffic management and calming strategy for the entire core area of the Borough. The portion of Middlesex Avenue upon which the Project Area has frontage is currently under the jurisdiction of Middlesex County and will require an interjurisdictional surface improvement and maintenance agreement strategy.

- E. Provide the types of development that support housing and access to neighborhood amenities that allow residents to age in place in the local community.
- F. Address parking issues associated with the related Metuchen Sportsplex.
- G. Accommodate additional types of events and activities within the Metuchen Sportsplex, with reasonable parking management controls so as not to negatively impact adjacent residential neighborhoods.
- H. Provide opportunities for redevelopment of the Project Area, which is located directly across from the Middlesex Greenway's Trailhead Park and adjacent to the future Middlesex Greenway Extension, to program and design land uses that will take advantage of its unique location on the Middlesex Greenway.

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## 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 be an overlay to the underlying zoning within the Project Area as provided for in the LRHL at N.J.S.A. 40A:12A-7c.
- C. It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to 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 several specific 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:** Portion of Block 71, Lot 37.01 pertaining to the Fulton Bank land lease area east of the Mid-Block Connector Roadway having frontage along Middlesex Avenue;

**Parcel B:** Portion of Block 71, Lot 37.01 pertaining to the vacant land east of the Mid-Block Connector Roadway, and north of Parcel A;

**Parcel C:** Portion of Block 71, Lot 37.01 pertaining to the vacant land west of the Mid-Block Connector Roadway having frontage along Middlesex Avenue;

**Parcel D:** Portion of Block 71, Lot 37.01 pertaining to the vacant land west of the Mid-Block Connector Roadway, and north of Parcel C;

**Parcel E:** Portion of Block 71, Lot 37.02 which contains the Metuchen Sportsplex and portions of Block 71, Lot 37.01 west of the Metuchen Sportsplex; and,

**Mid-Block Connector Roadway:** Portion of Block 71, Lot 37.01 and Lot 37.02 pertaining to the planned roadway connecting Middlesex Avenue and Durham Avenue, as contemplated in the Circulation Plan Element of the Master Plan (see Exhibit C).

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 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 should generally be designed as illustrated in the concept plan as depicted in Exhibit D.

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**Amended Oakite Redevelopment Plan**

Block 71, Lots 37.01 & 37.02

Borough of Metuchen, Middlesex County, NJ

**Exhibit B  
Project Area Map**





# Proposed "Missing Link" Roadway Connections

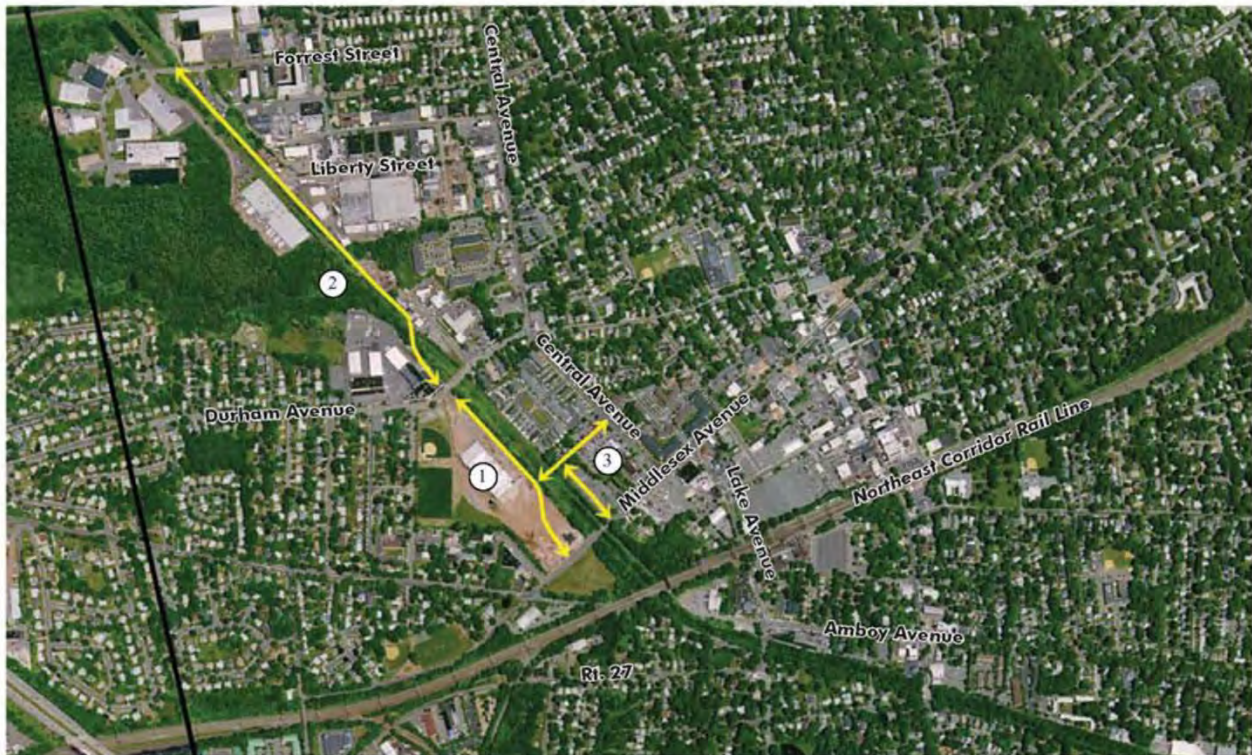
Perhaps the greatest challenge confronting Metuchen's development capacity are the constraints imposed on its transportation infrastructure by current patterns of circulation. Additional growth in this region will bring additional "background" traffic through Metuchen, whether or not Metuchen experiences any development. How the growth in background traffic is accommodated within a system constrained by limited railroad underpasses and cross streets is a continuing challenge and threat. While there may be opportunities to improve the functionality of the street network through the redesign of key intersections or through the use of smarter signalization, these improvements must also include some mid-block connectors.

The biggest traffic issue remains the staggered intersection of Middlesex/Central/Lake Avenues. The area bounded by Central Avenue on the northeast, Middlesex Avenue to the southeast, and Durham to the northwest is much larger than the current downtown without any street connection. A series of "missing link" roadway connections solution will create more interconnectivity in this area and will help to relieve the pressure on some of the traffic hot spots, especially the Middlesex/Central/Lake Avenues intersection.

## Proposed "Missing Link" Connections

The following improvements are recommended:

- ① Durham Avenue to Middlesex Avenue Connector
- ② Liberty Street Connector
- ③ Central Avenue Cross Connector







**Amended Oakite Redevelopment Plan**

Block 71, Lots 37.01 & 37.02

Borough of Metuchen, Middlesex County, NJ

**Exhibit D  
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 and Parcel C:

1. One bank or drive-through bank may be permitted in the Project Area; the former Fulton Bank on Parcel A was the one permitted bank and this building, with associated site improvements, may continue to be used as bank, or other permitted use hereunder, but in no case shall there be more than one bank or drive-through bank within the Project Area, on either Parcel A or Parcel C. Any drive-through facility shall be designed in accordance with Section 5.6.5. below.
2. Sit-down restaurants, fast casual restaurants, drive-through fast casual restaurants, coffee shops with seating, and drive-through coffee shops. In no case shall there be more than one drive-through fast casual restaurant or drive-through coffee shop within the Project Area, on either Parcel A or Parcel C. Any drive-through facility shall be designed in accordance with Section 5.6.5. below.

For purposes of this Redevelopment Plan, “fast-casual restaurant” shall mean a sit-down restaurant with no wait staff or table service where customers typically order off a menu board and seat themselves. “Drive-in fast casual restaurant” shall mean a fast-casual restaurant offering drive-through service, provided any such drive-through service is secondary to the primary dine-in service. “Sit-down restaurant” shall mean a restaurant with wait staff or table service where the customers are seated to consume their meals and beverages, which are ordered from a server or bartender who prepares the meals and beverages are delivered to the table.

3. 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).
4. Specialty retail selling bicycles, sporting goods, outdoor fitness or athletic equipment and apparel.
5. 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.
6. Artist and crafts-person studios, including the direct sale to the public of arts, crafts or other merchandise produced on the premises.
7. 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.

8. Stores not exceeding 3,500 square feet, primarily engaged in wholesale (i.e., sale of processed products off-site) operations, such as wholesale bakeries, ice cream stores, selling only ice cream prepared on site and similar food and libations prepared on site, and ancillary retail operations (i.e., similar to a winery or brewery) of no more than 20% of their floor space.
  9. Retail shops and stores not exceeding 5,000 square feet.
  10. Retail liquor stores.
  11. Personal service businesses.
  12. Physical fitness studios.
  13. Massage and somatic therapy establishments.
  14. Professional offices, medical, dental, health care, veterinary health care offices; outpatient or ambulatory care, surgery centers, urgent-care centers; office space including co-working office space.
  15. Dry cleaning establishments.
  16. Age-restricted apartments, except located on the ground floor of a building.
  17. Borough-operated facilities, including public community meeting space.
- B. The following principal uses shall be permitted on Parcel B and Parcel D:
1. Age-restricted housing, senior housing, independent, assisted living and nursing and convalescent homes offering memory loss care and other types of care.
- C. The following principal uses shall be permitted on Parcel E:
1. Indoor recreational sports facilities, including any related and ancillary uses and activities approved under Metuchen Zoning Board of Adjustment Resolution of April 7, 2009, granting a conditional use variance, and which may be utilized for temporary uses and events in accordance with Section 5.5 below.
  2. Free-standing nursery schools and day-care centers not exceeding 15,000 square feet.
  3. Dual principal uses shall be permitted on Parcel E.

## 5.2 Permitted Accessory Uses and Structures

- A. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use:
1. Driveways, on-street parking, off-street parking lots and loading areas.
  2. Electric vehicle charging infrastructure, including but not limited to electric vehicle supply equipment and Make-Ready parking space, as those terms are defined in P.L. 2021, c.171.
  3. Common open space, social and recreational facilities, plazas, courtyards, kiosks,

gazebos, picnic shelters, picnic tables and other outdoor furniture, gardens and landscaped areas, outdoor art exhibit spaces, water features, permanent or temporary installations of public art, walkways and alleys and other similar types of public and semi-public open spaces.

4. Outdoor display and sales areas associated with permitted retail shops and stores.
5. Outdoor cafes and restaurants, with or without liquor license.
6. Signs, pursuant to Section 5.6.12 herein.
7. Storm water management structures and facilities.
8. Trash enclosures, compactors and dumpsters.
9. Utility boxes.
10. Walls, retaining walls, fences, hedges and other landscape elements.
11. 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, and 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. For any project which is subject of a Redevelopment Agreement, and therefore subject to the overlay zoning set forth herein, the specifics of this Redevelopment Plan shall supersede the Ordinance where in conflict with underlying zoning set forth therein.

### 5.4 Area and Bulk Standards

The regulations pertaining to area, 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: 25,000 square feet

#### Building Setbacks

2. Minimum yard setback from Middlesex Avenue: 15 feet
3. Maximum yard setback from Middlesex Avenue: 20 feet.
4. Minimum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 12 feet from curb line
5. Maximum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 25 feet from curb line

6. Minimum yard setback from Parcel B: 25 feet
7. Minimum yard setback from future Middlesex Greenway Extension: 10 feet

Permitted Projections

8. In addition to permitted projections contained in Section 5.4.F below, roofed porches, porte cocheres, entry enclosures and canopies may project up to 15 feet into the yard setback toward Parcel B

Coverage Requirements

9. Maximum Building Coverage: 50%
10. Maximum Impervious Coverage: 90%

Height\* Requirements

11. Minimum Building Height in Feet: 20 feet
12. Maximum Building Height in Stories: Two (2) stories
13. Maximum Building Height in Feet: 35 feet

\*Height is defined in Section 5.4.G below

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

Area Requirements

1. Minimum Lot Area: 60,000 square feet.

Building Setbacks

2. Minimum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 50 feet from curb line
3. Minimum yard setback from the east-west segment of the Mid-Block Connector Roadway: 40 feet from curb line
4. Minimum yard setback from future Middlesex Greenway Extension: 25 feet
5. Minimum yard setback from Parcel A: 25 feet

Permitted Projections

6. In addition to permitted projections contained in Section 5.4.F below, roofed porches, porte cocheres, entry enclosures and canopies may project up to 15 feet into any yard setback

Coverage Requirements

7. Maximum Building Coverage: 40%
8. Maximum Impervious Coverage: 80%

Height Requirements



9. Maximum Building Height in Stories: Two (2) stories
10. Maximum Building Height in Feet: 35 feet

\*Height is defined in Section 5.4.G below

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

Area Requirements

1. Minimum Lot Area: 30,000 square feet

Building Setbacks

2. Minimum yard setback from Middlesex Avenue: 15 feet
3. Maximum yard setback from Middlesex Avenue: 20 feet
4. Minimum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 12 feet from curb line
5. Maximum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 25 feet from curb line
6. Minimum yard setback from Parcel D: 125 feet
7. Minimum yard setback from Factory Street: 10 feet

Coverage Requirements

8. Maximum Building Coverage: 30%
9. Maximum Impervious Coverage: 80%

Height\* Requirements

10. Minimum Building Height in Feet: 20 feet
11. Maximum Building Height in Stories: Two (2) stories
12. Maximum Building Height in Feet: 35 feet

\*Height is defined in Section 5.4.G below

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

Area Requirements

1. Minimum Area: 80,000 square feet

Building Setbacks

2. Minimum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 25 feet from curb line
3. Maximum yard setback from the southern north-south segment of the Mid-Block Connector Roadway: 50 feet from curb line
4. Minimum yard setback from Parcel C: 5 feet

5. Minimum yard setback from Vidas Park: 50 feet
6. Minimum yard setback from Factory Street, Block 70, Lots 71 & 80, and Oliver Street: 45 feet, with the exception of the northernmost portion of Factory Street public right-of-way, at which point the minimum yard setback shall be reduced to 15 feet

Permitted Projections

7. In addition to permitted projections contained in Section 5.4.F below, roofed porches, porte cocheres, entry enclosures and canopies may project up to 15 feet into the yard setback toward the Mid-Block Connector Roadway, and a bridge to accommodate a second-floor loading area may project without limitation into the yard setback toward Factory Street

Coverage Requirements

8. Maximum Building Coverage: 40%
9. Maximum Impervious Coverage: 90%

Height\* Requirements

10. Maximum Building Height in Stories: Five (5) stories
11. Maximum Building Height in Feet: 60 feet

\*Height is defined in Section 5.4.G below

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

Area Requirements

1. Minimum Area: 210,000 square feet

Building Setbacks

2. Minimum yard setback from Durham Avenue: 150 feet
3. Minimum yard setback from northern north-south segment of Mid-Block Connector Roadway: 15 feet
4. Minimum yard setback from Vidas Park: 25 feet

Permitted Projections

5. In addition to permitted projections contained in Section 5.4.F below, roofed porches, porte cocheres, entry enclosures and canopies may project up to 5 feet into any yard setback

Coverage Requirements

6. Maximum Building Coverage: 40%
7. Maximum Impervious Coverage: 90%

Height\* Requirements

8. Maximum Building Height in Stories: Two (2) stories
9. Maximum Building Height in Feet: 30 feet (for new construction); 45 feet (for existing Metuchen Sportsplex only)

\*Height is defined in Section 5.4.G below

#### F. Permitted Projections.

1. 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.
2. Belt courses, window sills and other similar ornamental features may project not more than nine (9) inches into any yard setback.
3. 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.
4. Awnings and canopies may project over a sidewalk and/or in the public right-of-way, provided that such structure has a minimum vertical clearance of eight (8) feet and is set back a minimum of four (4) feet from curb line along the street.

#### G. Definition of Height.

1. In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), 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. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.
2. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, cooling towers, condensers, exhaust fans and similar equipment), solar panels, stair enclosures, skylights or atrium structures, and roof-access stairwells, landmark signage structures, and architectural enhancements and appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements), provided that such shall not exceed applicable height requirements by greater than 15 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 Specific Standards for Temporary Uses and Events

Temporary uses and events within the Sportsplex facility may be permitted, subject to the

following specific standards:

- A. Temporary uses and events shall be limited to trade shows, retail/consignment sales, marketing open house events, non-sporting competitions, e-sports competitions, escape rooms, role-playing events, and private events/parties. For purposes of this Redevelopment Plan, “trade shows” shall mean events where organizers sell tables to individual vendors who usually pay an entrance fee into the event, to sell/trade products to customers.
- B. Restaurant week, food/beer/wine tasting events, health-care related uses and events and other similar temporary uses and events may be permitted, provided that such uses and events are coordinated with and specifically approved by the Borough Administrator and Chief of Police.
- C. Any other temporary uses and events not specifically listed above shall be coordinated with and specifically approved by the Borough Administrator and Chief of Police.
- D. Any temporary use or event that is anticipated to have an excess of 250 attendees at any given time or a total of 500 attendees in a single day shall be coordinated with and specifically approved by the Borough Administrator and Chief of Police. In no case shall the number of occupants at any given time exceed the maximum occupancy of the Sportsplex facility under the Uniform Fire Code.
- E. Temporary uses and events may occur over the course of a single day or multiple days, provided that such use or event does not exceed five (5) consecutive days and does not exceed a total of seven (7) days in calendar year.
- F. All temporary uses and events shall occur inside the Sportsplex facility; no portion of the exterior of premises may be utilized for any portion of the use or event. Temporary uses and events shall comply with all Borough Ordinances with respect to noise and the activities conducted within the Sportsplex facility shall not be audible outside the Sportsplex facility.
- G. All parking associated with temporary uses and events shall be accommodated on-site on Parcel E.
- H. For those temporary uses and events to be coordinated with and specifically approved by the Borough Administrator and Chief of Police, the person, entity, or group seeking to hold such use or event shall provide the following information:
  - 1. The name and address of the use or event organizer;
  - 2. The day(s) and hours for which the use or event is desired, and the type of use or event planned;
  - 3. A description of the temporary use or event;
  - 4. The estimated size and number of attendees of the use or event;
  - 5. Proof that all parking anticipated to be generated by the temporary use or event

can be accommodated on Parcel E; and,

6. Any other information which the Borough Administrator or Chief of Police shall find reasonably necessary to a fair determination as to whether the use or event should be permitted.
- I. The Borough Administrator and Chief of Police may approve the temporary use or event, may conditionally approve the temporary use or event and place special conditions as deemed necessary under the circumstances, or may deny the temporary use or event.

Some of the examples of the conditions that may be required at the organizer's sole cost and expense include but are not limited to the provision of: (i) a parking management plan; (ii) end-user information and marketing regarding access and parking; (iii) security coverage or traffic control which must be provided by the Metuchen Police Department; and/or (iv) portable bathrooms for the use or event. Additionally, the Borough Administrator and Chief of Police may, at their discretion, further limit attendance and parking for any temporary use and event.

Consideration of whether to approve, approve with conditions or deny a temporary use or event include, but are not limited to: (i) whether the proposed temporary use or event is contrary to the public health, safety, or general welfare of the municipality or its inhabitants; (ii) whether the proposed temporary use or event is inconsistent with or incompatible with the land uses on adjacent properties, including residential properties or the public recreational facilities; (iii) whether the anticipated parking for the proposed temporary use or event be accommodated exclusively on Parcel E; (iv) whether the temporary use or event can ensure preservation of the public peace and order, and prevent disturbances or disorderly assemblages and loitering; (v) whether the temporary use or event constitutes a nuisance or includes dangerous activities or hazardous substances.

- J. All temporary uses and events shall be subject to all applicable permits, department approvals, licenses, and inspections, as required by any applicable laws or regulations.

## 5.6 Site Development and Design Standards

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area, which shall be an overlay to current applicable regulations contained in Part IV of the Ordinance. All other regulations contained in Part IV of the Ordinance shall apply.

### 5.6.1 Overall Circulation, Parking & Off-Site Requirements

- A. Any development pursuant to this Redevelopment Plan shall provide a contribution for off-site improvements to the existing Trailhead Park located across Middlesex Avenue from the Project Area or other open space or public recreational facilities as determined by the Borough in lieu of providing on-site recreation facilities. Such contribution(s) shall be

addressed in accordance with any Redevelopment Agreement entered into between a Redeveloper and the Redevelopment Entity.

- B. The intersection of the Mid-Block Connector Roadway and Middlesex Avenue shall be improved with the installation of a traffic signal, together with pedestrian signal head and push button facilities, continental crosswalks utilizing thermoplastic paint and, to the extent practical, curb bump-outs, subject to all approvals required from Middlesex County. The portion of Middlesex Avenue upon which the Project Area has frontage is currently under the jurisdiction of Middlesex County and may require an interjurisdictional surface improvement and maintenance agreement strategy.
- C. The Mid-Block Connector Roadway shall be developed in accordance with the amended Developer's Agreement between the Borough and Metuchen I, LLC. More specifically, the Mid-Block Connector Roadway connecting the existing internal roadway on Parcel E with the existing stub street intersecting with Middlesex Avenue shall be developed with required street interconnections and a continuous public sidewalk on both sides. A roundabout shall be provided at the intersection of the north-south and east-west segments of the Mid-Block Connector Roadway. The roundabout shall be designed with texture-paved or similar special paving treatment, so as to create an overall sense of place, a sense of arrival, enhance the aesthetics of circulation area, and provide additional traffic calming through the Project Area. Any new driveways shall be designed to connect with the Mid-Block Connector Roadway and no new vehicular access points on Middlesex Avenue shall be permitted.
- D. The overall streetscape along the Mid-Block Connector Roadway shall be designed to enhance the public realm, by emphasizing pedestrian safety, accessibility and connectivity throughout the Project Area. All driveway aprons shall be designed with texture-paved or similar special paving treatment and accommodate a continuous public sidewalk. Parking areas shall be screened with masonry walls and landscaping. All such elements shall be designed with a unified design palette throughout the Project Area.
- E. A mid-block crosswalk shall be provided across the Mid-Block Connector Roadway between the main entrances of proposed buildings on Parcel B and Parcel D. The crosswalk 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 right of way. The shared space may be flush from building face to building face and separated by bollards, pedestrian amenities or other visual cues in the roadway. Within the planting strip along Parcel B, a small public parklet shall be provided and shall be designed with texture-paved or similar special paving treatment, benches, and ground-level landscaping.
- F. The Planning Board may permit potential secondary access to Factory Street, Adams Street or Oliver Street if the Board finds that such connections will result in an overall improvement to circulation both within and adjacent to the Project Area.
- G. Interconnected parking areas are encouraged on all Parcels. A required driveway

interconnection between the Mid-Block Connector Roadway and the driveway and/or surface parking lot on Parcel D as well as between the driveway and/or surface parking lot on Parcel D and the existing and proposed parking lots on Parcel E shall be implemented at the time when either Parcel D or Parcel E are developed. Cross-access easements shall be filed for both properties to ensure the continuance of these driveway interconnections.

### 5.6.2 Parking & Surface Parking Lot Standards

A. The following standards shall apply to Parcel A:

1. The circulation related to the existing drive-through bank may remain in between the building and Middlesex Avenue. Any new permitted drive-through facility shall be designed such that no portion of the facility may be located between a building and Middlesex Avenue or between a building and the Mid-Block Connector Roadway.
2. The existing off-street parking lot may remain in between the building and the Mid-Block Connector Roadway. Any new off-street parking lots shall not be located between a building and Middlesex Avenue or between a building and the Mid-Block Connector Roadway.
3. Any new development shall not be permitted to utilize the existing one-way ingress driveway from Middlesex Avenue. Such curb cut shall be eliminated and replaced with a full-height vertical curb, planting strip and sidewalk consistent with the existing Middlesex Avenue streetscape.
4. Minimum parking setback from Parcel B: one (1) foot; from any other Parcel line(s): five (5) feet.

B. The following standards shall apply to Parcel B:

1. A single row of angled off-street parking may be located between the building and the north-south segment of the Mid-Block Connector Roadway, provided that the parking lot is set back a minimum of 15 feet from the curb line of the north-south segment of the Mid-Block Connector Roadway.
2. The maximum drive aisle width shall be 20 feet; as the drive aisle approaches and intersects with the roundabout within the Mid-Block Connector Roadway, the drive aisle shall narrow to a maximum width of 15 feet.

C. The following standards shall apply to Parcel C:

1. Any new permitted drive-through facility shall be designed such that no portion of the facility may be located between a building and Middlesex Avenue or between a building and the Mid-Block Connector Roadway.
2. Off-street parking lots shall not be located between a building and Middlesex Avenue or between a building and the Mid-Block Connector Roadway.

3. Minimum parking setback from the curb line of the southern north-south segment of the Mid-Block Connector Roadway: 18 feet, subject to reduction as may be required as a result of the final geometry of the Middlesex Avenue approach, as approved by Middlesex County.
4. Minimum parking setback from any other Parcel line(s): five (5) feet.

D. The following standards shall apply to Parcel D:

1. A motor-court circulation area may be located between the building and the north-south segment of the Mid-Block Connector Roadway, provided that the circulation area is set back a minimum of 10 feet from the curb line of the north-south segment of the Mid-Block Connector Roadway, allowing for the public sidewalk to continue uninterrupted.
2. Off-street parking lots shall not be located between a building and Middlesex Avenue or between a building and the Mid-Block Connector Roadway.
3. Off-street parking lots and a bridge to accommodate a second-floor loading area may encroach into the northernmost portion of the Factory Street public right-of-way, provided that such encroachment is designed to the satisfaction of the Planning Board.
4. Minimum parking setback from any other Parcel line(s): five (5) feet, except for any drive aisles connecting Parcel D and Parcel E, for which there shall be no minimum setback.

E. The following standards shall apply to Parcel E:

1. Off-street parking lots, other than those currently existing on-site, shall not be located between a building on Parcel E and Durham Avenue or between a building on Parcel C or Parcel D and the Mid-Block Connector Roadway.
2. Minimum parking setback from any other Parcel line(s): five (5) feet, except for any drive aisles connecting Parcel D and Parcel E, for which there shall be no minimum setback.

F. The following standards shall apply to all Parcels:

1. The minimum parking requirements are as follows:

<u>Use</u>	<u>Parking Ratio</u>
Apartments	1.50 sp / dwelling unit
Age-Restricted & Independent Living	0.80 sp / dwelling unit
Assisted Living	0.40 sp / dwelling unit
Nursery Schools & Daycare Centers	1.00 sp / 3.0 children
Eating and Drinking Establishments*	1.00 sp / 3.0 seats



Indoor Recreational Sports Facilities	1.00 sp / 1,000 SF of GFA
All Other Uses	1.00 sp / 500 SF of GFA

\* Outdoor seating areas shall not count toward the required parking ratio

- 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).
- Parking requirements may be reduced, except for within Parcel E, where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute’s Shared Parking Analysis or other generally accepted standards applicable to shared parking.
- On-street parking along the frontage of the Project Area and the Mid-Block Connector Roadway within the Project Area may be included in the calculation of the required number of parking spaces and off-street parking facilities may be shared between uses throughout the Project Area.
- The minimum parking stall size 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).
- Compact parking shall be permitted to be no less than 8’ wide and no less than 16’ long, and shall be permitted in percentages of the total number of parking spaces provided on each Parcel as follows:

<u>Parcel</u>	<u>Maximum Percentage</u>
Parcel A	10%
Parcel B	0%
Parcel C	0%
Parcel D	10%
Parcel E	15%

- 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. On Parcel E, a minimum of two (2) parking spaces with fully operational EV charging stations shall be provided, which shall be made available to the public for free of

charge during daylight hours, and additional required parking spaces shall be pre-wired (including sufficient electrical capacity, installation of electrical conduit and appropriately sized subpanels) to accommodate EV charging stations to be connected in the future.

8. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every 10 parking spaces on each Parcel, with one or more of the following: bicycle storage rooms or appropriately sized storage area within the building, on wall-mounted hooks, ceiling hooks or closets within a dwelling unit, and/or covered exterior bicycle rack(s).
9. The Planning Board may reduce or waive the provisions for bicycle parking in the event that they determine that the use will not generate a need for such facilities, or where the anticipated need is less than what would be required under this section or can be accommodated on adjacent Parcel or property.

### **5.6.3 Streets & Sidewalks**

A. The following standards shall apply to all Parcels:

1. In order to accommodate the redevelopment on Parcel D which will include improvements within the northernmost portion of the Factory Street public right-of-way, the Borough shall vacate the southern portion of the northernmost portion of the Factory Street public right-of-way and provide the necessary easements to maintain adequate public utilities and public access.
2. Public sidewalks shall be provided along the frontage of the Project Area and the Mid-Block Connector Roadway within the Project Area. Where such public sidewalks along the street extend beyond any existing or created public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the public sidewalk located on private property.
3. The location and width of public sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Project Area to be developed.
4. Public sidewalks shall continue uninterrupted across all driveways with the apron design accommodating a continuous sidewalk.
5. Where public sidewalks intersect at corners and at mid-block crossings, accessible ramps and warning strips shall be provided.
6. Pedestrian crosswalks shall be provided across all street intersections and at mid-block crossing with “continental” or ladder striping.
7. Walkways providing pedestrian connection between public sidewalks and entrances to buildings within the Project Area shall be provided.
8. Within each Parcel, walkways shall be provided providing pedestrian connection

between entrances of buildings and parking areas, outdoor amenity spaces and other pedestrian accessible locations.

#### **5.6.4 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 screening devices 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. Shared facilities shall be permitted, either located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.

#### **5.6.5 Buffering & Screening**

- A. The following standards shall apply to Parcel A and Parcel C:
1. Any drive-through circulation area and parking area along Middlesex Avenue and the Mid-Block Connector Roadway shall be provided with a combination of landscaping and a masonry wall in order to suitably screen views of the drive-through circulation area and parking area.
  2. Such masonry wall shall be four (4) feet in height above grade and comprise of a regular rhythm of brick piers, shall be constructed of brick with a cast stone or brick cap, and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other masonry walls within the Project Area.
- B. The following standards shall apply to Parcel B:

1. Any fence or wall enclosing a yard for use by residents of the premises shall utilize a semi-open design combined with landscaping to screen views where such fence or wall will be exposed to public view from the Mid-Block Connector Roadway or the future Middlesex Greenway Extension.

C. The following standards shall apply to Parcel D:

1. Any motor-court circulation area along the Mid-Block Connector Roadway shall be provided with bollards generally located along the curblineline of the Mid-Block Connector Roadway in order to protect pedestrians as they traverse the public sidewalk within the circulation area.
2. Such bollards shall be spaced between three (3) to five (5) feet apart and shall be architecturally compatible with the style of the building.

### 5.6.6 Landscaping

A. The following standards shall apply to Parcel D:

1. Ground-level dwelling units may have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of intensive and extensive landscaping, including hedging and landscape edging, as well as decorative brick knee walls and fencing. The terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and partial screening above four (4) feet.

B. The following standards shall apply to all Parcels:

1. Street trees shall be provided at intervals of approximately 30 to 35 feet along the frontage of the Project Area and the Mid-Block Connector Roadway within the Project Area, whether existing or proposed. Any new tree shall be a minimum size of three (3) inches in caliper at time of planting.
2. Shade trees shall be provided within along yard areas, along the perimeter of parking areas, and within landscape islands within parking areas, to the extent practical. Any new 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 frontage of the Project Area and the Mid-Block Connector Roadway within the Project Area.
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 and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.

### **5.6.7 Lighting**

A. The following standards shall apply to all Parcels:

1. Street lighting shall be provided along the frontage of the Project Area and along the Mid-Block Connector Roadway within the Project Area, whether existing or proposed, in accordance with §110-157 of the Ordinance.
2. All pedestrian areas shall be provided with pedestrian-scale light fixtures.
3. Lighting may be provided by a combination of ground recessed lighting, bollard lighting, wall-mounted or recessed lighting.
4. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward. Soft ambient up-lighting shall be permitted.
5. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

### **5.6.8 Stormwater & Utilities**

A. The following standards shall apply to all Parcels:

1. 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.
2. 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 connect to the existing pipe within the future Middlesex Greenway Extension property.

### **5.6.9 Building Design**

A. The following standards shall apply to all Parcels:

1. The architectural design of the building shall incorporate building wall offsets, including projections (such as bay windows) and/or recesses, in order to provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
2. All sides of the building not along a street shall be architecturally compatible with

the street-facing facades in regard to style, materials, colors and details.

3. The building shall be composed of an articulated base, body, and cap across the entire façade. Each element shall be traditionally proportionate to the overall horizontal and vertical dimensions of the façade.
4. The ground floor shall be comprised of a regular rhythm of storefront bays and window treatments such that the ground floor façade along the street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with an articulated lintel composed of detailed layers of relief that create depth and shadow.
5. For buildings containing multiple stories, upper-floor windows shall be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.
6. 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.
7. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings within the Project Area. 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.
8. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and/or fiber cement siding and may include smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.
9. 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. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building.

#### **5.6.10 Sustainable Design**

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

##### **Renewable Energy**

1. Solar Photovoltaic (PV) Readiness & 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

#### **5.6.11 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. Within applicable residential projects, 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. Within applicable residential projects, 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. Within applicable residential projects, 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.

#### **5.6.12 Signage**

- A. In addition to any signs permitted under applicable Ordinance, and notwithstanding any signs prohibited under the Ordinance, the following signage regulations shall apply free-standing signs to all Parcels and all development under this Redevelopment Plan:
1. Two (2) free-standing identification signs are permitted, one at Middlesex Avenue and one at Durham Avenue, and subject to the following standards:
    - a. Free-standing identification sign along Middlesex Avenue:



- i) The maximum height from ground level to uppermost portion of sign, including any posts, brackets and other supporting elements, shall not exceed 10 feet.
  - ii) The maximum width of sign, including any posts, brackets and other supporting elements, shall not exceed 8'-6".
  - iii) The maximum area of the primary sign panel shall be 30 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed 18 inches.
  - iv) The maximum area of secondary sign panels shall be 12 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed 12 inches.
- b. Free-standing identification sign along Durham Avenue:
- i) The maximum height from ground level to uppermost portion of sign, including any posts, brackets and other supporting elements, shall not exceed 8 feet.
  - ii) The maximum width of sign, including any posts, brackets and other supporting elements, shall not exceed 6 feet.
  - iii) The maximum area of the primary sign panel shall be 20 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed 12 inches.
  - iv) The maximum area of secondary sign panels shall be 8 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed 8 inches.
- c. The minimum setback of any free-standing identification sign from any public right-of-way shall be 5 feet.
- d. Free-standing identification signs may identify or advertise any of the uses approved under this Redevelopment, regardless of whether such signs are situated specifically on the Parcel containing such use. For example, a sign situated upon Parcel A is permitted to identify or advertise a use on Parcel D.
2. Any additional signage for each end-user of the improvements constructed pursuant to this Redevelopment Plan shall be reviewed in accordance with applicable Ordinance provisions.

## 5.7 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 each Parcel as required in Section 5.6.2.

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 as required in Section 5.6.2. Additionally, any EV charging stations developed for private use on each Parcel are encouraged, but not required, to be made available to the public.

Any provisions for the development of public EV charging infrastructure and stations shall be addressed in accordance with any Redevelopment Agreement entered into between a Redeveloper and the Redevelopment Entity.

### 5.8 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, where applicable, shall be addressed in accordance with the Borough's Housing Element and Fair Share Plan or, if applicable, in accordance with any Redevelopment Agreement entered into between a redeveloper and the Redevelopment Entity.

### 5.9 Property Acquisition

The portion of the Project Area designated as Block 71, Lot 37.01 has been designated as a "Non-Condemnation Redevelopment Area" and the portion of the Project Area designated as Block 71, Lot 37.02 is part of the Borough-wide "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. 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).

### 5.10 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, and the Metuchen Sportsplex and Fulton Bank businesses will be incorporated as permitted uses and will otherwise remain within the Project Area for the foreseeable future. Therefore, there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan.

### 5.11 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: (1) the Mid-Block Connector Roadway has been constructed to the standard of a "Passable Road" (as defined below) with required street interconnections and sidewalks on both sides; and (2) 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. For purposes of this Redevelopment Plan, "Passable Road" shall mean construction of the Mid-Block Connector Roadway to a level which traffic can safely utilize the same (as determined in writing by the Borough Engineer), which at a minimum shall include paving of the Mid-Block Connector Roadway with a base coat to a smooth finish, the recording of temporary access easement to ensure appropriate access to the Property is provided ("Temporary Easements"), and all necessary agreements have been executed to ensure the provision of permanent access easements (where necessary) upon completion of the Mid-Block Connector Roadway ("Permanent Easements").

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## 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) (an entity wishing to avail itself of the opportunities set forth in N.J.S.A. 40A:12A-1 et seq.) will be required to contact the Redevelopment Entity to present its proposal.

### 6.4 Redevelopment Agreement

Once 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.

### 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.

## 7.0 Development Plan Review and Approval

### 7.1 Concept Plan Review

Any redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan 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 Applications for Development

Once the concept plan is approved by the Redevelopment Entity and found consistent with this Redevelopment Plan, the redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity. Execution of a Redevelopment Agreement shall be a mandatory checklist item for any application for development as the term is defined in N.J.S.A. 40:55D-3 and any such application shall not be deemed complete pursuant to N.J.S.A. 40:55D-10.3 until proof of an executed Redevelopment Agreement has been submitted as part of the application. Only upon execution of a Redevelopment Agreement may a redeveloper submit an application for development to the Planning Board for completeness review.

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 has imposed capping requirements on portions of the Project Area which control with respect to control of stormwater.

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 for individual Parcels. If a project is proposed to be undertaken in phases, 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.

### 7.3 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).

### 7.4 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)(1) through (d)(6); (ii) deviating from the phasing plan for public improvements or other contractual obligations of a Redeveloper to the Borough acting as the Redevelopment Entity; or (iii) 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 “Bulk Standards” or within Part III of the Borough Land Development Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from applicable “Development and Design Standards” or within Part IV of the Borough Land Development Ordinance. Consideration of such exceptions shall be undertaken 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.

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## 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 be an overlay to the underlying zoning within the Project Area. Any issues 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

This Redevelopment Plan applies to the Project Area located in the LI – Light Industrial District (the “LI District”) in the northwest quadrant of the Borough of Metuchen. Pursuant to Borough Ordinance No. 110-83, 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. Prohibited uses include residences of any type, except as permitted in the R-5 and R-6 Residential Overlay Districts. The Borough's R-5 Residential Overlay District was repealed on August 1, 2005 by Ordinance No. 2005-11. In accordance with Ordinance No. 110-73, the Borough's R-6 Residential Overlay District permits planned unit residential development pursuant to Ordinance No. 110-91; however, this Ordinance is limited to specific districts identified therein and does not include the LI District.

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 again expressed in 1988. The 1988 Master Plan Reexamination Report (the “1988 Reexamination”) recommended a redevelopment overlay, rezoning, or transfer of ownership of industrial properties in the northwest quadrant of Metuchen. The report specifically recommended land uses for portions of the Oakite Site stating “[s]hould the Oakite property ever terminate as an industrial site, the southern portion and the parking area opposite, on the south side of Middlesex Avenue, should be redeveloped for commercial/office purposes.” It further recommended that while rezoning was not recommended at that time, when rezoning does become appropriate the range of uses should be “carefully selected to ensure traffic impacts will be minimal.” (P. 51).

The 2006 Master Plan Reexamination Report (the “2006 Reexamination”) identified the Oakite Site in discussing the Borough's decision to remove the R-5 Residential Overlay District adjacent to the Project Area. According to the 2006 Reexamination, the R-5 overlay district was repealed for consistency with the Borough's Housing Element. The 1998 Master Plan Housing Plan Element identified the Oakite Site, recognizing “that environmental constraints might preclude residential development of the site,” but retained a ±2.68-acre portion of the Project Area in the Borough's vacant land inventory. The 2006 Reexamination noted that the residential overlay strategy at the

Oakite site failed because the contamination at the site “was greater than originally anticipated.”

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 vitality of the downtown business districts.

In 2015, Metuchen amended the Master Plan and established a mixed-use “downtown gateway” overlay zone along both sides of Middlesex Avenue, from Lake and Central Avenue to the Middlesex Greenway, but not extending as far as the Project Area. The downtown gateway was intended to integrate development of a supermarket anchor and “knit together” the pattern of redevelopment and infill that has been successfully implemented on the Suburban Square site (former Suburban Dodge car dealership), as well as providing a land use transition to the future extension of the Middlesex Greenway. This master plan amendment called for a “gateway” treatment along the entire Middlesex Avenue corridor in order to make it more inviting for the pedestrian shopping experience, safer for bicyclists accessing the Middlesex Greenway and more visually attractive for motorists passing through town. These context-sensitive improvements are intended to change the character, perception and function of Middlesex Avenue from a “highway that splits the town” to the feeling of entering a “town center” that allows all users to safely and comfortably access and use the heart of town.

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 Oakite Site[.]” Since then, various development projects implemented the vision of the mixed-use “downtown gateway,” and there is now renewed market interest to redevelop the Project Area.

This Redevelopment Plan is consistent with this vision for the Borough’s town center and the Project Area because it provides for uses that complement recent redevelopment in the adjacent “downtown gateway” and take advantage of this unique location across from Trailhead Park and adjacent to the Middlesex Greenway. This Redevelopment Plan stimulates economic development with the Borough while providing uses that do not detract from the downtown business districts. Therefore, the 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 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.” The Project Area is located near the center of Metuchen and does not abut Edison and the uses proposed in this Redevelopment Plan provide an appropriate transition to surrounding residential neighborhoods which are consistent with the nearest portion of this contiguous Municipality. 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, no conflict with the Middlesex County Comprehensive Plan is anticipated.

#### 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 the Planning Area 1 (“PA1”) designation of the SDRP. The purpose of the SDRP is to provide for much of the State’s redevelopment of the PA1 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. This Redevelopment Plan furthers the foregoing goal(s) of the PA1 designation by encouraging infill development of an underutilized, vacant parcel through strategic redevelopment and private investment.

This Redevelopment Plan furthers “Policy 1” of the SDRP’s public investment priorities by promoting environmental remediation of the Project Area in order to mitigate hazards to the public’s health, safety, and welfare. In addition, this Redevelopment Plan furthers two (2) of the SDRP’s economic development goals: the redevelopment and adaptive reuse of obsolete/underutilized facilities (“Policy 12”) and the balance of housing and employment (“Policy 22”). The Redevelopment Plan meets the SDRP’s Policy 12 objectives by providing financial and/or technical assistance for the redevelopment of a vacant, long-underutilized parcel. The SDRP’s Policy 22 objectives are met through the proposed senior living facilities and other supportive uses, which promote a balance between housing and job opportunities, and which complement the strong residential base within the Borough.

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