

HERCULES REDEVELOPMENT PLAN



Borough of Sayreville, NJ



DATE: DECEMBER 13, 2017

Block 14, Lot 3; Block 25.01, Lot 1; Block 43, Lot 1; Block 43 Lot 1.01; Block 40, Lot 1; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lot 1; Block 48.01, Lot 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02 Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01 and Block 83.04, Lot 1

CME#: PSA00027.43

Table of Contents

1.0 Description of the Plan.....	1
1.1 Introduction	1
1.2 Site Description	1
1.3 Environmental Constraints	3
1.4 Statutory Basis of Plan	5
1.5 Statutory Requirements.....	5
1.6 Purpose of The Plan	6
1.7 Goals of the Plan	6
2.0 Land Use Plan.....	7
2.1 Land Use and Building Requirements	7
A. Definitions.....	7
B. Land Use.....	9
C. Bulk Requirements.....	12
D. Design Requirements.....	13
E. Infrastructure Phasing.....	15
3.0 PLANNING RELATIONSHIP	17
3.1 Master Plan Recommendation	17
3.2 Contiguous Municipalities	17
3.3 State Development and Redevelopment Plan.....	17
3.4 Middlesex County Master Plan	17

1.0 Description of the Plan

1.1 Introduction

The following Redevelopment Plan, now termed as “Hercules Redevelopment Plan” is the regulating plan for the properties identified as Block 14, Lot 3; Block 25.01, Lot 1; Block 43, Lot 1; Block 43 Lot 1.01; Block 40, Lot 1; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lot 1; Block 48.01, Lot 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02 Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01 and Block 83.04, Lot 1. The area consists of a total acreage of 590.17 acres. The aerial map outlining the boundary of the subject site is shown in Map on the next page.

The site was previously developed as an industrial site and was used for manufacturing of various chemical components. The site was active approximately to the late 1960's. The industrial operations across much of the site have been dismantled prior to 1990's. Much of the site today is vacant and in need of redevelopment with the exception in the northeastern portion of the property which is still an active production facility, operated by Ashland Specialty Ingredients.

As a result on November 14, 2016 which was later amended on June 26, 2017, the Borough Council and Mayor adopted a Resolution to authorize the Borough Planning Board to undertake a preliminary investigation to determine whether the above noted properties in part or as a whole are “In need of Redevelopment” pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq (LRHL). A planning report evaluating the statutory criteria and the

map for the area was prepared. This report is titled “Preliminary Investigation for Determination of an Area in need of Redevelopment”, prepared by John Leoncavallo, P.P., dated May 31, 2017.

The Borough Planning Board held a public hearing on July 19, 2017, and based on the findings of the report the Board determined that the entire area is to be determined an area in need of redevelopment and recommended the same to the Borough Council. Following which, on September 11, 2017, the Borough Council adopted a resolution designating the entire area as a non-condemnation area in need of redevelopment.

1.2 Site Description

This redevelopment plan is for the following lots:

Block	Lot	Additional Lots	Area
14	3	B 51 L 2; B 51.02 L 1	138.4
25.01	1		1.39
43	1	B 43 L 1.01, B 40 L 1, B 44 L 1, B 45 L 1, B 46 L 1, B 47 L 1, B 48.01 L 1, B 48.01 L 2, B 50 L 1, B 53.01 L 1, B 83.04 L 1	425.36
51.01	1		10.13
53	1		6
53.02	1		8.5
57.01	1.01		0.39
Total Acreage (ac.)			590.17

The site is located in the south eastern portion of the Borough and is bounded by the Jernee Mill Road to the south, the Cheesequake Road to the east. To the north of the property is a Conrail Railroad Line.

The site has developed and evolved over the years with respect to the extent and nature of industrial land use. The former industrial operations/ facilities across much of the property have been dismantled and/ or demolished. The area to undergo demolition most recently is the former Nitrocellulose (NC) manufacturing area in the central and northern portion of the property. The southwest portion of the property (former B-Line manufacturing) area was active from approximately 1940 to the late 1960's and its industrial facilities were dismantled prior to the 1990's. The northeastern portion of the property houses an active production facility, operated by Ashland Specialty Ingredients (ASI).

Uses in the vicinity of the redevelopment area consist of commercial, industrial, utilities power plant and warehouse uses. To the north of the site are residential uses. In addition, the site is bisected by a 150 foot wide J.C.P. & L. easement traversing south to north of the site.

1.3 Environmental Constraints

The preliminary assessment, site investigation (SI) and remedial investigation (RI) for Areas of concerns (AOC's) have been completed, as required by the New Jersey Department of Environmental Protection (NJDEP). The RI report was submitted in May 2016 and covers the entire property.

There are some wetlands located to the north and central western portion of the site. The site is relatively flat with no steep slopes located on site. There are three streams traversing through the site from west to east, however none of them have been classified as C (1) streams.

The Map on the next page, shows the constraints located on the site.

1.4 Statutory Basis of Plan

The Hercules Redevelopment Plan was prepared pursuant to the Borough Council of the Borough of Sayreville's determination on September 11, 2017 by Council Resolution #2017-261 that the area meets the statutory criteria for designation as an Area in Need of Redevelopment, pursuant to Redevelopment Law.

1.5 Statutory Requirements

The Hercules Redevelopment Plan provides regulations for the Redevelopment Area that implement the Borough's vision for the economic growth of this area.

A. This Plan addresses the following issues as required pursuant to the Redevelopment Law:

1. The Plan's relationship to definite local objectives regarding land uses, population density, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. The proposed land uses and building requirements in this 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. The identification of any property that may be acquired in accordance with the Plan;

5. Any significant relationship of the Redevelopment Plans 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 (the SDRP) adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18 A-196 et al.).

6. As of the date of 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, if any, that are to be removed as a result of implementation of the redevelopment plan.

7. A plan for the provision of affordable replacement housing units of each affordable housing unit that has been occupied at any time within the last 18 months, if any, that is subject to affordability controls and that is identified to be removed as a result of implementation of the redevelopment plan.

The LRHL provides that "a redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act", P.L. 1985, c.222 and the housing element of the municipal master plan". Finally, the Plan is required to describe its relationship to pertinent municipal development regulations, and must note whether the provisions of the Plan supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district.

2.0 Land Use Plan

In order to implement the Plan consistent with objectives herein, the Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. This Plan supersedes the underlying use, bulk and design standards of the Borough's Land Use Ordinance as they relate to the area governed by this Redevelopment Plan, except as otherwise noted.

The Redevelopment Area shall be divided into five (5) sections: Section 1, Section 2, Section 3, Section 4 and Section 5.

2.1 Land Use and Building Requirements

A. Definitions

Datacenters- An establishment primarily involved in compiling, storage and maintenance of documents, records and other types of information in digital form utilizing a mainframe computer. This term does not include general business offices, computer related sales establishments and business and personal services.

Flex Commercial Space: A building that provides a flexible configuration of office or showroom space combined with for example, manufacturing, laboratory, warehouse, distribution.

Offices – A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government, and

generally furnished with desks, tables, files and communication equipment.

Power Plant/ Energy Centers – An electrical power generation facility that, regardless of fuel or energy source is operated by a public utility or independent power producer and whose primary function is the provision of electricity to the electrical distribution system or transmission grid.

Warehousing and Distribution Centers – A building used primarily for the storage of goods and materials. Establishments of places of business primarily engaged in selling merchandise to retailers: industrial, commercial, institutional, or professional business users: other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. Up to 10,000 square feet of the building area may be used as an accessory use for a retail showroom/warehouse outlet store to definition. The portion of the building allocated to retail use shall be parked in accordance with Section 26-88 of the Borough Ordinance.

B. Land Use

In all Sections, more than one principal permitted use shall be permitted within a single structure or building provided that each of the uses meets the parking requirements set forth within Section 26-88 of the Ordinance. Shared parking may be permitted, provided requirements per section 2.1D 1(iv) of this Redevelopment Plan are met.

In addition, in all sections remediation activities and structures and facilities associated therewith shall be considered permitted uses and may take place on one or more lots, alone or in connection with other uses.

Section 1

Permitted Principal Uses

1. Warehousing, shipping and distribution and receiving excluding bulk fuel storage provided that such uses meet the infrastructure phasing requirement per section E of this plan. A total warehousing use of 1.2 million square foot is permitted. Truck traffic generated by these facilities shall be directed towards Cheesequake Road with no access to S. Minisink Ave. Further, after completion Section 3 roadway (Green and Blue Roadway as shown in the Overall Concept Plan), truck traffic will be directed onto Jernee Mill Road.
2. Research laboratories or other experimental testing or research establishments, such as product development or quality control, which may include ancillary manufacturing.
3. Manufacturing, including finishing and assembly of products.

4. Technology centers for research, design and testing or manufacturing of computers, computer components, electronic devices or components or similar products.
5. Office and Office buildings including Medical office.
6. Flex Industrial/ Commercial Space.
7. Datacenters.
8. Equipment Repair and Retail facilities.
9. Wholesale landscaping business including retail component.
10. Wireless Telecommunication facilities per section 26-87 of the ordinance.
11. Indoor and Outdoor Recreational Use including but not limited health clubs, gym and specialty indoor sports.
12. Self-Storage facilities.
13. Lumberyards.
14. Railroad Right of way and related infrastructure and improvements
15. Utility, whether public or private including but not limited to commercial radio and communication towers, water/wastewater treatment facilities, steam generation, water intake facilities, pumping stations, electrical substations, outfall structures, pipelines, utility lines and structures and all necessary infrastructure and transmission facilities typically associated with utility users.
16. Municipal Uses.
17. Breweries and Distilleries.

loading dock). Trailer storage shall not store goods for longer than two weeks.

2. Off Street Parking in accordance with the parking requirement of Section 26-88 of the Borough of Sayreville Ordinance.

3. On site Solar Renewable Energy Production. This plan envisions solar energy production via solar panels on the roofs of structures or ground mounted solar arrays within the redevelopment area.

4. Stacks for Power Plants and Energy Centers.

5. Outdoor Storage for contractor/landscaping business, raw or finished materials related to permitted principal uses provided it has extensive buffer/ fencing for visual screening from public right of way and that it complies with Section 26-100 of the Borough Ordinance.

Section 4

Principal Permitted Use

1. All Manufacturing uses as permitted in I Zone, provided it meets the standards set forth within section 26-100.

2. Existing Chemical Manufacturing Plant and all existing accessory uses, including existing accessory Warehouse Use, shall be considered permitted uses.

3. Railroad Right of Way and related infrastructure and improvements, including but not limited to the existing railroad spur.

4. Utility uses, whether public or private, including but not limited to commercial radio and communication towers, water/wastewater treatment facilities, steam generation, water intake facilities, pumping stations, outfall structures, pipelines, utility

lines and structures and all necessary infrastructure and transmission facilities typically associated with utility users.

5. Power Plants and Energy Centers whether public or private, including but not limited to, electric substations, electric generation or co-generation facilities.

6. Alternative Energy utilities, whether public or private, including all solar arrays, wires, transmission stations, substations, energy production facilities, storage facilities and necessary infrastructure.

7. Municipal Uses.

Permitted Conditional Uses

1. None.

Permitted Accessory Uses

1. Uses that are customary and incidental to the principal permitted use.

2. Off Street Parking in accordance with the parking requirements of Section 26-88 of the Borough of Sayreville Ordinance.

3. On site Solar Renewable Energy Production. This plan envisions solar energy production via solar panels on the roofs of structures or ground mounted solar arrays within the redevelopment area.

4. Stacks for Power Plants and Energy Centers.

5. Outdoor Storage for contractor/landscaping business raw or finished materials related to permitted principal uses provided it has extensive buffer/ fencing for visual screening from public right of way and that it complies with Section 26-100 of the Borough Ordinance.

D. Design Requirements

Unless specifically addressed in this redevelopment plan, the design of all improvements shall be in compliance with the Borough Zoning Ordinance Article V- Development Requirements and Standards.

1. Circulation Parking and Loading:

- (i) The overall parking and loading requirements for the permitted uses shall comply with the requirements as required per section 26-88 of the Borough Zoning Ordinances. For uses not specified, a complete traffic impact analysis and study of similar uses should be submitted at the time of site plan.

- (ii) Redevelopment of Section 1, Section 2 and Section 3 shall be required to address any traffic concerns related to or stemming from said redevelopment. A full traffic impact and circulation study shall be submitted at the time of the site plan. The submitted traffic study shall consider any known tenant's actual operational characteristics including shift times, employee projections and truck traffic projections in addition to ITE standards. The traffic study shall account for unique operations of the site such as shift workers including arrival, dismissal and any overlap of shift workers that may impact traffic intensity. The traffic study should discuss the circulation patterns of truck traffic and other heavy/ oversize vehicles. At the time any redevelopment has been constructed and is fully operational, an additional post construction traffic study shall be submitted with appropriate operational data taken into consideration to ensure the newly operating use is not overburdening the capacity of existing infrastructure and intersections.

- (iii) The redeveloper shall be responsible for its pro-rata share of any needed off-site improvements. It is recommended that the redeveloper should work with NJ Transit to potential extend bus routes and review other transportation options to provide adequate transportation to commuters.

- (iv) Shared Parking for mixed-use development has been recognized to improve efficiency with respect to the utilization of parking spaces. Several of the land uses within Section 1, 2 and 3 maybe able to share parking depending on their peak hours of operation. The efficiency created through a blend of land uses tend to reduce automobile dependency below that which is precipitated by a single use, standalone development. As a result, a shared parking study should be submitted as part of site plan.

- (v) Pedestrian routes between uses shall be separated from vehicular and truck traffic where appropriate. Sidewalks should use complementary materials and design elements. Where necessary, pedestrian protection devices such as bollards or buffer vegetation shall be provided. Clear and identifiable pedestrian pathways to mass transit locations shall be provided.

- (vi) In case of special events held at Indoor or Outdoor Recreational Uses, applicants are required to submit a Parking Management Plan at the time of Site Plan. This plan shall address parking demand resulting from patrons, occupants, team members, employees and spectators, parking management and traffic management related to the operation of the event. The Parking Management Plan shall be subject to Board's review and approval.

6. Utilities

(i) Sanitary Sewerage service shall be provided by constructing a collection system throughout the site and extending same to the Borough of Sayreville's sewerage collection system where capacity allows. If capacity is not available adjacent to the site, the collection system shall be either improved to accept the flows or extended to where the capacity is available.

(ii) A 16 inch water main must run through the site to connect to the existing 16 inch main in the private road adjacent to the Florida power plant at the southern end of the site and the existing 16 inch main in Cheesequake Road east of the DuPont warehouse.

7. Any redevelopment must have proper circulation for emergency vehicles to access the site and have an appropriate fire suppression system that is subject to the review of the Borough Fire Marshall consistent with the applicable fire sub-codes.

8. Consideration shall be given to storm water management as required by the Borough Land Use Ordinance at the time of site plan submission.

9. A security management plan should be submitted for uses that are to be gated.

E. Infrastructure Phasing

The Redevelopment Plan contemplates the construction of roadways within the redevelopment area to connect Cheesequake Road with Hartle Street and Jernee Mill Road. The construction of the roadways

shall be phased and proceed on an as needed basis based on the sequencing and density of development or as otherwise required by the Redevelopment Agreement. The roadways shown in Orange, Blue, Red and Green on the Overall Concept Plan are conceptual in nature and may be altered during site plan review process subject to approval by SERA (Sayreville Economic and Redevelopment Agency).

All of these proposed roads shall be a minimum width of 36 feet with a 60 feet ROW (right of way) width.

Section 1 Infrastructure (Orange Roadway)

Site access in Section 1 is proposed via improvements to South Minisink Avenue and Cheesequake Road that will monitor and reduce the heavy industrial traffic into residential neighborhood. The Orange Roadway (as shown in the Overall Concept Plan) should be completed contemporaneously with the development as far as needed to service buildings in Section 1. Any Redevelopment Agreement contemplating development within Section 1 shall specify timing, phasing and financing of the construction of the Orange Roadway relative to Section 1 development.

Section 2 Infrastructure (Red Roadway)

Access to the development in Section 2 is proposed via full movement site driveway from Jernee Mill Road (CR 675). The Red Roadway (as shown in Overall Concept Plan) is currently conceptual in nature. The final design and whether extension into property is necessary to accommodate development will be determined by the designated redeveloper in conjunction with SERA, prior to Site Plan Review. The final roadway alignment is subject to approval by SERA, prior to submission to Planning Board. Any Redevelopment

3.0 PLANNING RELATIONSHIP

3.1 Master Plan Recommendation

The Borough of Sayreville adopted its last Master Plan in February 2013. The plan identifies the property as SED-3 (Special Economic Development 3) in its future land use plan. Per the Master Plan, this land use classification has been included to provide a range of land uses to meet the Borough's economic development objectives. The Plan area itself was identified as a site to be designated as a Foreign Trade Zone (FTZ). Several land uses are proposed for this zone, including data centers, offices and solar farms. The location of site and the established infrastructure makes this site suitable to reach Borough's economic development goals. The proposed Redevelopment Plan is consistent with the economic development objective of the Borough. The redeveloper may consider applying to designate this area for a FTZ status at their own accord.

3.2 Contiguous Municipalities

Borough of Sayreville is surrounded by several municipalities including, South River Borough and East Brunswick Township on the west separated by South River in between, and Old Bridge Township to the south. The Borough is bounded by Raritan River to the north, beyond which is the Edison Township and Woodbridge Township. To the east of the Borough is the City of South Amboy. The Redevelopment Area is not in close proximity to any of these municipalities, except for Old Bridge Township, and would have negligible effect on their master plan or zoning ordinance.

As mentioned previously, the Redevelopment Area is in close proximity to Old Bridge Township to the south. The portion west of

Cheesequake road has been zoned SD-3 – Special Development Zone. The purpose of this zone is to provide development opportunities for large scale service and light manufacturing uses with appropriate supporting facilities. Old Bridge Township therefore allows for similar large scale and light manufacturing uses similar to what is being proposed in the Redevelopment Area.

3.3 State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was adopted in March 2001 and places most of the Borough of Sayreville in the Metropolitan Planning Area (PA-1). Most of the communities within PA-1 are fully developed or almost fully developed with much of the new growth occurring through redevelopment. According to the SDRP, the intent of PA1 is to provide for much of the State's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburb; redesign areas of sprawl and protect the character of the existing stable communities. The SDRP calls for focusing growth in areas with existing infrastructure and investments and away from environmentally sensitive areas. One of the goals of the PA-1 area is to promote economic development by encouraging redevelopment efforts such as infill and land assembly, private/public partnerships and infrastructure improvements. The Redevelopment Plan is consistent with the goals and objectives of SDRP's PA1 Metropolitan Planning Areas.

3.4 Middlesex County Master Plan

Middlesex County's last master plan was adopted in 1960's and therefore is not applicable in terms of consistency with the Redevelopment Plan.

5.0 REDEVELOPER SELECTION

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper(s) or master redeveloper (s) for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

- Any references within this section to “redeveloper” apply equally to redeveloper or master redeveloper, as same may be designated by SERA (Sayreville Economic and Redevelopment Agency).
- The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
- The redeveloper, its successors or assignees shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed on any redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.
- No development of the Plan Area may be undertaken unless and until the developer is designated as the Redeveloper by SERA, and the Redeveloper and SERA enter into a Redevelopment Agreement.
- The Redevelopment Agreement(s) shall contain provisions to assure the timely construction of the redevelopment project and any other provisions necessary to assure the successful completion of the project.

5.1 Redevelopment Entity Review

The Sayreville Economic and Redevelopment Agency (SERA), shall review all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant Redeveloper Agreement(s). Such review and the execution of a Redevelopment Agreement shall occur prior to the hearing on the redevelopment project(s) by the Planning Board.

5.2 Land Use Review Process

- A. Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Sayreville Land Use Ordinance and Zoning Map.
- B. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Sayreville Economic and Redevelopment Agency (“SERA”) and the Planning Board. Routine maintenance and repair shall not require review by SERA or the Planning Board.
- C. All development applications (except for routine maintenance and repair) shall first be submitted to SERA prior to submission to the Planning Board. SERA shall review the development applications for consistency with the Redevelopment Plan and applicable Redevelopment Agreement.

reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."

G. The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.

H. The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution thereto, shall, whether on-site or off-site, be subject to a redeveloper's agreement with SERA, as the municipal redevelopment agency.

I. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

5.3 Amendment to Zoning Map and Development Regulations

The Borough Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area in its entirety. Additionally, the listing of zoning districts in the Borough of Sayreville Zoning Ordinance is hereby amended to include a reference to this Redevelopment Plan constituting such substitute zoning district. Where specifically

provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the development regulations of the Borough of Sayreville. In all other instances, the development regulations of the Borough shall remain in full force and effect.

5.4 Other Provisions

In accordance with N.J.S.A. 40A:12A-1 et seq., known as the Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- Adequate provision for the temporary and permanent relocation of residents is not necessary because there are no residents in the Redevelopment Area.
- The Redevelopment Plan does not require the acquisition of privately-owned property.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Sayreville. The Plan also complies with the goals and objectives of the Middlesex

ORDINANCE # 410-18

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY, ADOPTING THE HERCULES
REDEVELOPMENT PLAN AND AMENDING THE ZONING MAP**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12-1 et. seq.* (the “Redevelopment Law”) provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, Hercules owns property in the Borough of Sayreville located at 50 South Minnisink Avenue, Block 14, Lot 3; Block 25.01, Lot 1; Block 40, Lot 1; Block 43, Lots 1 and 1.01; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lots 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01; and Block 83.04, Lot 1 (the “Property”); and

WHEREAS, on September 11, 2017, the Borough of Sayreville Council adopted a resolution pursuant to the Redevelopment Law designating the property as a Non-Condensation Area in Need of Redevelopment (“Hercules Redevelopment Area”); and

WHEREAS, by that same resolution, the Council appointed the Sayreville Economic and Redevelopment Agency (“SERA”) as the redevelopment entity for the Hercules Redevelopment Area; and

WHEREAS, SERA engaged CME Associates to prepare a draft Redevelopment Plan for the Hercules Redevelopment Area; and

WHEREAS, CME presented the “Hercules Redevelopment Plan,” dated December 13, 2017 (“Redevelopment Plan”), to SERA on January 25, 2018, which is annexed hereto as **Exhibit A**; and

WHEREAS, SERA adopted a resolution on February 22, 2018, recommending that the Council and Planning Board review the Redevelopment Plan; and

WHEREAS, at the invitation of the Mayor and Council, CME Associates presented the Redevelopment Plan at a special meeting on March 26, 2018; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7(f)*, the Council adopted a resolution on April 9, 2018, directing the Planning Board of the Borough of Sayreville (“Planning Board”) to consider the Redevelopment Plan and, upon completion of its review, transmit the proposed plan to the Council for adoption; and

WHEREAS, on April 18, 2018, the Planning Board reviewed the Redevelopment Plan and voted to transmit the Redevelopment Plan to Council for the Council's consideration and adoption; and

WHEREAS, the Planning Board previously adopted a Master Plan providing for the appropriate use and development of lands in the Borough in a manner that will promote the public health, safety, morals, and general welfare, and the Redevelopment Plan, for the reasons detailed therein, is consistent with that Master Plan; and

WHEREAS, the Redevelopment Plan meets all of the criteria set forth in *N.J.S.A. 40A:12A-7* and will facilitate the clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area in a manner that will promote the general welfare and advance the community's interests.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey directs as follows:

1. The Council does hereby adopt the Redevelopment Plan in accordance with *N.J.S.A. 40A:12A-7*, as the redevelopment plan for the Hercules Redevelopment Area.
2. In accordance with *N.J.S.A. 40A:12A-7(c)*, the Zoning Map, as included in the Land Development Ordinance of the Borough of Sayreville is hereby amended to designate the Hercules Redevelopment Area as the "HR – Hercules Redevelopment Area."
3. In accordance with *N.J.S.A. 40:55D-16*, the Clerk is hereby authorized and directed to file a copy of this ordinance, the Redevelopment Plan, and the updated Zoning Map with the Middlesex County Planning Board.
4. The Sayreville Economic and Redevelopment Agency remains designated as the Redevelopment Entity under the Redevelopment Plan and may proceed with clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area to effectuate the purposes of the Redevelopment Law.
5. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

6. If any section, subsection or part, clause or phrase of this ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.
7. This Ordinance shall take effect immediately after final passage and publication as required by law.

/s/Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney