

approval of the Sayreville Economic and Redevelopment Agency, if and to the extent required by an applicable redevelopment agreement, for such modifications, and (ii) provide notice to the Sayreville Economic and Redevelopment Agency of the Planning Board's approval of such modifications.

- f. Within a planned development, the Planning Board may permit minimal deviations from an approved general development plan and any applicable conditions, where necessitated by change of circumstances beyond the control of the developer occurring since the date of general development plan approval, without the developer being required to submit an application for formal amendment of such approved general development plan. Where such minimal deviations are permitted with respect to an approved general development plan involving property within an "area in need of redevelopment" designated in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the developer shall (i) first obtain the approval of the Sayreville Economic and Redevelopment Agency, if and to the extent required by an applicable redevelopment agreement, for such minimal deviations, or (ii) where such approval is not required, provide notice to the Sayreville Economic and Redevelopment Agency of such minimal deviations.

26-71.5[4] Enforcement and Modification of Planned Unit Developments [General Development Plans].

To further the mutual interest of the public, the residents and the owners of the planned unit development, in preserving the integrity of the approved plans, and to secure that modification in the plans, if any, shall not impair the reasonable reliance of the public, the residents or the owners upon the provisions of the plan, and to further assure that modification in the plans will not result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the plan as finally approved, whether said provisions are recorded by plat, covenant, easement or otherwise, shall be subject to the following provisions which shall not apply to a PUD which is or could be a component of a PCD:

- a. *Enforcement by the Borough.* The provisions of the plans relating to (1) the use of the land and the use, bulk and location of the buildings and structures, (2) the quality of use or the density of residential units, shall run in favor of the Borough and shall be enforceable in law or in equity by the Borough without limitation on any powers or regulations otherwise granted to the Borough by law.

- b. *Enforcement by the Residents and Owners.* All provisions of the plans shall run in favor of the residents and owners of the planned unit development, but only to the extent expressly provided in the plans and in accordance with the terms of the plans, and to that extent said provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced by law or equity by said residents and owners, acting individually, jointly or through an organization designated in the plans to act on their behalf. However, no provisions of the plans shall be implied to exist in favor of residents and owners of the planned unit development except those portions of the plans which have been finally approved and recorded.
- c. *Modification of the Plan by the Borough.* All those provisions of the plans authorized to be enforced by the Borough under paragraph a. above, may be modified, removed or released by the Borough (except grants or easements relating to the service or equipment of a public utility) subject to the following conditions:
1. No such modification, removal or release of the provisions of the plans by the Borough shall affect the rights of the residents and owners of the planned unit developments to maintain and enforce those provisions, at law or equity, as provided in above.
 2. No modification, removal or release of the provisions of a plan by the Borough shall be permitted except upon a finding by the Planning Board following a public hearing called and held in accordance with law, wherein the Planning Board determines that the same is not granted solely to confer a special benefit upon any person, is consistent with the efficient development and preservation, does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development nor does the same adversely affect the public interest.
- d. *Modification by the Residents.* Residents and owners of a planned unit development may, to the extent and in the manner expressly authorized by the provisions of the plan, modify, remove or release their rights to enforce the provisions of the plan, but no such action shall affect the right of the Borough to enforce the provisions of the plan.

26-71.6 [e-] General Development Plan Completion.

- a.[1-] Upon completion of each section of the development as set forth in the approved schedule of development of the general development plan, the developer shall notify the Borough Clerk and the

Secretary of the Planning Board, by certified mail, as evidence that the developer is fulfilling his obligations under the approved plan. For the purpose of this section, "completion" of any section of the development shall mean that the developer has acquired a certificate of occupancy for every residential unit or every non-residential structure, as set forth in the approved general development plan and pursuant to N.J.S.A. 52:27D-133. If the Borough Clerk and/or the Secretary of the Planning Board, do not receive such notification at the completion of any section of the development, the Borough Clerk and/or the Secretary of the Planning Board shall notify the developer, by certified mail, in order to determine whether or not the terms of the approved plan are being complied with. Failure of the Borough Clerk and/or the Secretary of the Planning Board to notify the developer shall impose no liability upon the Borough of Sayreville, the Planning Board or any of their agents, servants or employees.

- b. If a developer does not complete ~~[complete with]~~ any section of the development within eight (8) months of the date which is provided for in the approved plan, or if at any time the municipality has cause to believe that the developer is not fulfilling its ~~[his]~~ obligations pursuant to the approved [G]general [D]development [P]plan, the municipality shall notify the developer, by certified mail, to give evidence ~~[and show cause]~~ within ten (10) days ~~[of the date of the notice]~~ that the developer is fulfilling the obligations pursuant to the approved plan. The municipality thereafter shall conduct a hearing to determine whether or not the developer is in violation of the approved plan. If, after such a hearing, the municipality finds good cause to terminate the approval, it shall provide written notice of same to the developer and the approval shall be terminated thirty (30) days thereafter.
- c.~~[2-]~~ In the event that a developer who has general development plan approval does not make application for preliminary approval for the planned development which is the subject of that general development plan within five (5) years of the date upon which the general development plan has been approved by the Planning Board, the municipality shall have cause to terminate the approval in accordance with the provisions set forth in subsection b. of this section.
- d.~~[3-]~~ In the event that a development which is the subject of an approved general development plan is completed before the end of the term of the approval, the approval shall terminate with the completion of the development. For the purpose of this section, a development shall be considered complete on the date upon which the developer has fulfilled all of his obligations pursuant to the approval and a certificate of occupancy has been issued for the final residential or

non-residential structure in the last section of the development, and all amenities and required improvements have been completed and accepted by the Borough, in accordance with the schedule of development set forth in the approved general development plan [GDP].

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. All ordinances or parts of ordinances of the Borough of Sayreville heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately or as required by law.

/s/ Dave McGill

Dave McGill, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec

Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien

Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont

Michael R. DuPont, Borough Attorney

I, Theresa A. Farbaniec, RMC, Municipal Clerk of the Borough of Sayreville do hereby certify that the foregoing is a true copy of an Ordinance adopted at a Meeting of the Mayor and Borough Council held on the 8th day of April, 2013

Theresa A. Farbaniec
Municipal Clerk

ORDINANCE 214-13

**AN ORDINANCE AMENDING THE WATERFRONT
REDEVELOPMENT PLAN OF THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Sayreville Economic Redevelopment Agency ("SERA") designated O'Neill Properties Group, L.P. ("OPG") as the Conditional Redeveloper of a portion of the Sayreville Waterfront Redevelopment Area ("S.W.R.A.") by way of a Resolution dated October 29, 2007; and

WHEREAS, OPG created an entity known as Sayreville Seaport Associates, L.P. ("SSA") for the purpose of carrying out redevelopment activities in accordance with said designation; and

WHEREAS, the development proposed by SSA required an amendment (the "First SSA Amendment") to the Waterfront Redevelopment Plan (the "Redevelopment Plan") dated January 1999, as subsequently amended, including an amendment on August 21, 2006 by Ordinance No. 951-06; and

WHEREAS, the Borough Council of the Borough of Sayreville (the "Borough Council"), by Ordinance No. 76-09, on February 9, 2009, adopted on second reading the First SSA Amendment, which the Mayor then signed into law; and

WHEREAS, due to a variety of circumstances, including the evolution of the redevelopment project and the anticipated acquisition of additional property, the development proposed by SSA requires a further amendment (the "Second SSA Amendment") to the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE MAPS CONTAINED WITHIN THE REDEVELOPMENT PLAN SHALL BE AMENDED AS FOLLOWS (insertions are indicated with double underlining thus):

- A. The map titled "Sayreville Waterfront Redevelopment Area Redevelopment Parcels Map" dated 12/98, which follows page 5 of the Redevelopment Plan, be and hereby is deleted, and be and hereby is replaced by a map titled "Sayreville Waterfront Redevelopment Area Redevelopment Parcels Map" dated 2/13 which is annexed hereto as Schedule A. The purpose of this map revision is to (i) designate a portion of Block 257, Lot 3.05 (owned or formerly owned by the Middlesex County Utilities Authority), and the adjacent portion of Block 62.02, Lot 20 (owned or formerly owned by Conrail), as a new redevelopment parcel to be known as Parcel C4, and (ii) designate Block 275.02, Lot 2 as within Parcel C1.
- B. The map titled "Sayreville Waterfront Redevelopment Area Proposed Roadway Schematic" dated 12/98, which precedes page 10 of the Redevelopment Plan, be and hereby is deleted, and be and hereby is

replaced by a map titled "Sayreville Waterfront Redevelopment Area Proposed Roadway Schematic" dated 2/13 which is annexed hereto as Schedule B. The purpose of this map revision is to (i) designate a portion of Block 257, Lot 3.05 (owned or formerly owned by the Middlesex County Utilities Authority), and the adjacent portion of Block 62.02, Lot 20 (owned or formerly owned by Conrail), as a new redevelopment parcel to be known as Parcel C4, and (ii) designate Block 275.02, Lot 2 as within Parcel C1.

- C. The map titled "Sayreville Waterfront Redevelopment Area Proposed Water System" dated 12/98, which follows page 11 of the Redevelopment Plan, be and hereby is deleted, and be and hereby is replaced by a map titled "Sayreville Waterfront Redevelopment Area Proposed Water System" dated 2/13 which is annexed hereto as Schedule C. The purpose of this map revision is to (i) designate a portion of Block 257, Lot 3.05 (owned or formerly owned by the Middlesex County Utilities Authority), and the adjacent portion of Block 62.02, Lot 20 (owned or formerly owned by Conrail), as a new redevelopment parcel to be known as Parcel C4, and (ii) designate Block 275.02, Lot 2 as within Parcel C1.
- D. The map titled "Sayreville Waterfront Redevelopment Area Proposed Sanitary Sewer System" dated 12/98, which follows page 11 of the Redevelopment Plan and the map referenced in Paragraph C. of this ordinance, be and hereby is deleted, and be and hereby is replaced by a map titled "Sayreville Waterfront Redevelopment Area Proposed Sanitary Sewer System" dated 2/13 which is annexed hereto as Schedule D. The purpose of this map revision is to (i) designate a portion of Block 257, Lot 3.05 (owned or formerly owned by the Middlesex County Utilities Authority), and the adjacent portion of Block 62.02, Lot 20 (owned or formerly owned by Conrail), as a new redevelopment parcel to be known as Parcel C4, and (ii) designate Block 275.02, Lot 2 as within Parcel C1.
- E. The map titled "Sayreville Waterfront Redevelopment Area Land Use Plan" dated 12/98, which follows page 13 of the Redevelopment Plan, be and hereby is deleted, and be and hereby is replaced by a map titled "Sayreville Waterfront Redevelopment Area Land Use Plan" dated 2/13 which is annexed hereto as Schedule E. The purpose of this map revision is to (i) designate a portion of Block 257, Lot 3.05 (owned or formerly owned by the Middlesex County Utilities Authority), and the adjacent portion of Block 62.02, Lot 20 (owned or formerly owned by Conrail), as a new redevelopment parcel to be known as Parcel C4, and (ii) designate Block 275.02, Lot 2 as within Parcel C1.

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE TEXT CONTAINED WITHIN THE REDEVELOPMENT PLAN SHALL BE AMENDED AS FOLLOWS:

SECTION 1:

The provisions set forth in "Redevelopment Parcels", set forth on page 5 of the Redevelopment Plan, shall be amended to read as follows (insertions are indicated with double underlining thus):

The Redevelopment Area has been divided into Redevelopment Parcels (Parcels A through K) for purposes of this Plan (see Redevelopment Parcels Map). This division occurred due to the large size of the Redevelopment Area and the likelihood that different portions of the Area would be planned for different uses. With the use of Redevelopment Parcels, each subarea within the Redevelopment area is able to be comprehensively planned in terms of uses and development standards. It is anticipated that the site planning of Parcels A through C will be performed as a whole by the property's redeveloper(s), although, depending upon the development, subdivisions and phasing within each parcel may be necessary.

The Redevelopment Parcels are consistent with the parcels depicted in the Request for Qualifications/Solicitation of Interest (RFQ/SOI) previously issued to potential developer(s). The same delineation will also be used in the issuance of the Request for Proposals (RFP) by the Borough.

Following selection of a redeveloper for Parcels A through C, it became necessary, in order to facilitate development of those parcels, for a portion of the adjacent Middlesex County Utilities Authority (MCUA) parcel, designated as Block 257, Lot 3.05, which previously was designated as "in need of redevelopment" and therefore already is a part of the Redevelopment Area, to be included within Parcel C. The MCUA, SERA and the Redeveloper have entered into or will enter into an agreement concerning its inclusion. Accordingly, a portion of Block 257, Lot 3.05, and the adjacent portion of Block 62.02, Lot 20, as depicted in the annexed Schedule F, shall be designated as Parcel C4. Schedule F is intended to depict the limits of Parcel C4 in a more detailed manner than it is depicted on the larger scale exhibits designated as Schedules A through E. The Sayreville Economic and Redevelopment Agency will not use the power of eminent domain with respect to lands within Parcel C4 which are to be acquired from MCUA as depicted on Schedule F.

As a condition of the agreement with MCUA, the land area abutting the MCUA property comprised of the former NL Parcels C2 and C3, and newly created Parcel C4, within 1,000 feet of the new MCUA property line cannot be utilized for residential uses. This Redevelopment Plan amendment implements that requirement and further requires that the residential prohibition in this area cannot be modified without approval of both the Mayor and Council and the Board of Commissioners of the MCUA. The prohibited residential use area is depicted on Schedule G.

SECTION 2:

The section of the Redevelopment Plan titled "Relationship Of Plan To The Borough Land Development Regulations" set forth on page 13 of the Redevelopment Plan shall be amended to read as follows (insertions are indicated by double underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. In order to implement the Redevelopment Plan consistent with the goals and objectives herein, the Plan supersedes the use, bulk and design standards provisions of the Borough Land Development Regulations. Other Borough regulations affecting development that are in conflict are superseded by this Plan, however, existing engineering standards shall be complied with.

Any deviation from standards of this Plan that results in a "d" variance pursuant to NJSA 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Borough Zoning Board of Adjustment. Any other deviations from standards of this Plan, other than those cognizable under 40:55D-70d, shall be considered "c" ["C"] variance relief pursuant to section NJSA 40:55D-70c and may be addressed by the Planning Board through the development application process. All development must be approved by the Borough Planning Board and shall be submitted through (i) the general development plan procedures, if the redeveloper elects to seek approval of a general development plan, and (ii) normal site plan and subdivision procedures, in each instance as identified by NJSA 40:55D-1, et seq.

SECTION 3:

The standards for the redevelopment parcels with respect to Parcel A, Parcel B, Parcel C1, Parcel C2 and Parcel C3, set forth on pages 13-17, shall be amended

to include Parcel C4 and to read as follows (insertions are indicated by double underlining thus; deletions are indicated by brackets and strikethrough [thus]):

Parcel A: 59± acres; Parcel B: 51± acres; Parcel C1: 168± acres; Parcel C2: 35± acres; Parcel C3: 92± acres; Parcel C4: 6.8± acres

Redevelopment Objective: To provide an opportunity for a variety of development opportunities, including but not limited to large-scale retail development which may encompass big-box standalone retail stores, a regional mall and/or other retail uses; recreation; open space; water dependent and water related uses; corporate offices and centers; financial institutions; hotels and conference centers; entertainment and cultural uses; educational uses; restaurants; light industrial uses; manufacturing; accessory warehousing and distribution; age-targeted residential uses with required amenities; and other commercial uses as provided herein.

Principal Permitted Uses:

1. Retail sales, consisting of establishments engaged in the sale, lease or rental of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including but not limited to a regional mall, power centers, shopping centers, big-box and supermarkets, with or without drive-thru facilities, and which may include associated warehousing and distribution.
2. Hotels (full-service, limited service, suites hotels and extended stay hotels), which may include restaurants and banquet or catering facilities.
3. Conference centers, including restaurants and banquet or catering facilities.
4. Convention centers.
5. Banks, financial services and insurance offices, with or without drive-thru facilities.
6. Automobile dealerships selling new automobiles, either operated directly by a vehicle manufacturer or which have a franchise agreement with one or more vehicle manufacturers. No more than three such dealerships shall be permitted within the Redevelopment Area.
7. Restaurants, fast-food restaurants with or without drive-thru facilities, drive-in restaurants, cafes, and taverns which may provide entertainment consistent with the upscale mixed use development

approved for the Redevelopment Area, including but not limited to such restaurants as "House of Blues" and "Hard Rock Café."

8. Entertainment centers, whether associated with retail or developed independently.
9. Commercial recreation (indoor and outdoor).
10. Indoor amusement and entertainment, including but not limited to movie theaters, indoor rock climbing, paint ball and laser tag arcades, golf and miniature golf.
11. Exercise and health club facilities, spas, wellness centers, studios for dance, music, exercise or photography, and other similar facilities.
12. Age-targeted residential uses, which may include various housing unit types, including low, middle and high-rise facilities, and which shall encourage the residential over retail concept, not to exceed a maximum of 2,000 total residential dwelling units. All residential development shall be designed so as to minimize the generation of school age children. Age-targeted residential development shall comply with and provide the amenities and support facilities identified in the resolution of SERA dated October 29, 2007, designating OPG as redeveloper with respect to Parcels A, B, C1, C2 and C3, as such amenities and support facilities shall be approved by SERA.
13. Assisted living facilities, skilled care residential facilities and continuing care retirement communities, which shall count toward the limit on residential units.
14. Nursing homes, hospitals, surgical centers or other similar medical facilities, including urgent care centers and the offices of physicians and other medical practitioners.
15. Greenhouse, garden center or plant nursery.
16. Gasoline stations, which may include food stores but which shall not engage in the sale of used automobiles. No more than 1 shall be permitted within the Redevelopment Area and it shall be located in a location approved by SERA. SERA and the Planning Board shall review and approve of the exterior design and regulations relating to the exterior display of merchandise.
17. Water-related and water dependent uses such as but not limited to marinas, docks, watercraft[boat] repair and storage (including watercraft repair and storage conducted by a retailer which sells watercraft at a location elsewhere in the Redevelopment Area.

provided that there shall be no more than one such watercraft storage area associated with a principal retail use in the Redevelopment Area), bait and tackle shops, [boat storage,] dry docking, watercraft[boat] maintenance facilities and waterfront restaurants and banquet or catering facilities.

18. Offices and professional offices, which may include accessory retail, service, restaurant and fast-food restaurant uses.

19. Public and governmental uses.

20. Educational uses, private or public.

21. Park and Ride Facilities.

22. Radio, television and cellular communication transmission facilities. The location of such facilities shall be as recommended by SERA and as shall be approved in a comprehensive transmission facilities plan approved by the Planning Board.

23. Billboards, including electronic, video and digital signage, video and electronic walls, which may advertise goods or services provided on or off the premises on which they are located. The location of billboards shall be as recommended by SERA and as shall be approved in a comprehensive sign plan to be approved by the Planning Board. Such signs shall be subject to any dimensional, setback or other requirements set forth in any applicable State or Federal regulations based on proximity to State or Federal highways, respectively.

24. Open space.

25. Child care centers.

26. Museums.

27. Renewable energy facilities and structures, which shall means facilities and structures that engage in the production of electric energy from solar technologies, photovoltaic technologies, or wind energy.

28. Service uses, constituting establishments providing services to the general public for personal, retail or business use, including but not limited to laundry and dry cleaning establishments; salons, beauty shops and barber shops; tailoring and dressmaking; appliance service; shoe and watch repair; pet care facilities; printing and photographic services; video and media stores; advertising and mailing services; business, copy and shipping centers, including post offices; employment services; security services; management

and consulting services; realty offices; and health, educational and social services. Such services shall either be arranged for or take place on the premises. Service uses shall not include "sexually oriented businesses" as that term is defined in N.J.S.A. 2C:34-6.

Accessory Uses:

1. Parking and loading, both surface and in structures or underground.
2. Signs, including electronic facades consisting of electronic, video and digital signage.
3. Medical facilities and child care centers when located within a permitted retail or office use, exercise or health club facility, spa or wellness center, or any other non-residential use.
4. Restaurant, fast-food restaurant or other food consumption when located within a permitted retail use.
5. Bank, financial institution or insurance office when located within a permitted retail use.
6. Automated teller machines (ATM).
7. Auto repair, fuel sales and car washes, when associated with a permitted retail use. Used car lots shall be prohibited.
8. Outdoor dining which, notwithstanding any other provision in this Redevelopment Plan, may be provided by a facility which also offers drive-in or drive-through service.
9. Outdoor display and sale of merchandise associated with a permitted retail use, subject to site plan approval.
10. Uses which are customary, incidental and subordinate to the principal use, unless otherwise prohibited herein.
11. Light industrial and manufacturing uses, subject to compliance with the performance standards set forth in § 26-100 of the Borough Land Development Regulations.
12. On-premises facilities for the testing or sampling of goods offered for sale.
13. Aquariums, herpetariums and aviaries associated with a permitted principal use.
14. Renewable energy facilities and structures.

15. Electric vehicle charging stations.

16. Deviations with respect to the location or dimensional requirements of any accessory use shall be addressed by way of variance application submitted to the Planning Board pursuant to N.J.S.A. 40:55D-70.c.

Standards:

Minimum setbacks:

- 50 foot perimeter building setback, except:
 - Water-related and water dependent uses which shall be subject to no minimum building setback requirement;
 - Perimeter buildings that abut land owned by a public utility authority shall be subject to a 35 foot setback; and
 - A canopy associated with the sale of fuel shall be subject to a 35 foot perimeter setback.
- For purposes of determining the required perimeter building setback, Parcels A and B shall be considered a single lot, and Parcels C1, C2, [and] C3, and C4 shall be considered a single lot
- Parking areas and structures shall be subject to no minimum setback requirement

Minimum gross tract floor-area-ratio: Zero (0% percent)

Maximum lot coverage by site elements² (impervious coverage):
75%

- Maximum lot coverage shall be computed based on the total area located on Parcels A, B, C1, C2, [and] C3, and C4, on an overall basis, not based on individual Parcels or tax lots.
- Solar panels, which shall be defined as an elevated panel or plate, or a canopy or array thereof, that captures and

² Site elements include buildings, parking lots and pavement associated with site improvements. Maximum coverage limitations are not meant to include any site capping or cover that is necessary to remediate contaminated areas.

converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array, shall be excluded when computing lot coverage.

Open space. Parcel A, which comprises ±59 acres, shall remain open space consistent with its prior conveyance for open space purposes. Additionally, a public promenade along the waterfront adjacent to Parcels B, C1 and C3 shall also be dedicated for open space.

Number of buildings and uses. A single tax lot or parcel may contain multiple buildings and uses, and a single building may contain multiple uses.

Configuration of property. Redeveloper may consolidate, subdivide and condominiumize the property.

Approval Provisions and Process:

The Redeveloper may at its option utilize the general development plan (GDP) provisions and process set forth in N.J.S.A. 40:55D-45 through N.J.S.A. 40:55D-45.8 and Borough Code § 26-71 for approval of a "planned commercial development" as described below. Upon approval of a general development plan, the Redeveloper shall be vested with the benefits and burdened with the obligations applicable to general development plans pursuant to N.J.S.A. 40:55D-45 through N.J.S.A. 40:55D-45.8 and Borough Code § 26-71. Redeveloper may, following approval of a general development plan and in accordance with the review and approval procedures applicable to the initial approval of the general development plan, amend such general development plan to encompass additional area for which it is or becomes the designated redeveloper but which was not included in the initial general development plan.

SECTION 4:

Paragraph 1 of the standards for "Off-Street Parking and Circulation", set forth on page 21, shall be amended to read as follows (insertions are indicated by double underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

1. **Minimum Off-Street Parking Standards** - Each parcel and use is required to provide minimum off-street parking in accordance with the following schedule:

- Residential: as set forth in the Residential Site Improvement Standards (RSIS). Urban Land Institute (ULI), Institute of Traffic Engineers (ITE) or other alternative parking standards shall be accepted if the Redeveloper demonstrates that the ULI, ITE or other alternative standards better reflect the conditions within the redevelopment area. Factors affecting minimum number of parking spaces shall include, but shall not be limited to household characteristics, demographics, age-targeted housing, availability of mass transit, availability of local employment opportunities, urban versus suburban location and available off-site parking resources.
- Distribution/warehousing: 1 space per 5,000 square feet of building area.
- Hotel, conference center and convention center: 1 space per each room plus 1 space per 1,000 square feet of conference or similar space.
- Light industrial and manufacturing: 1 space per 1,000 square feet of building area.
- Marina: 1/2 space per boat slip plus one space per 1,000 square foot of retail or similar space.
- Office: 3 spaces per 1,000 square feet of building area.
- Retail; service uses; bank, financial institution, insurance offices; restaurants, fast-food restaurants, drive-in restaurant, bars, cafes, taverns; commercial recreation; entertainment center; indoor amusement and entertainment; exercise and health club facilities, spas, wellness centers, studios for dance, music, exercise or photography; gasoline stations; greenhouse, garden center or plant nursery: 4 spaces per 1,000 square feet of building area.
- Automobile dealership: 1 space for each 300 square feet of showroom area and sales office, plus spaces required for storage of vehicles and 5 spaces per service bay
- Assisted living facilities, nursing homes, skilled care residential facilities, continuing care retirement communities: 1 space[s] for each 4 beds, plus 1 space per each three staff on the largest shift.
- Hospitals, surgical centers or other similar medical facilities: 1.5 spaces for each bed.
- Offices of physicians and other medical practitioners: 1 space for each 150 square feet of building area; minimum of 10 spaces.

- Radio, television and cellular communication transmission facilities: 1 space for each tower or tower, or 1 space per other utility facility.
- Child care center: 4 spaces per 1,000 square feet of building area, except that the floor area occupied by a child care center in a building in which it is an accessory use shall be excluded from computing required parking.

The parking space requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Planning Board based upon that use enumerated herein which is most similar to the proposed use. If there is no use enumerated herein having sufficient similarity to the use proposed to enable the Planning Board to establish rational parking requirements, the Planning Board may, in its discretion, direct the applicant to furnish such data as may be necessary to enable the Planning Board to establish rational parking requirements.

For Parcels B, C1, C2, ~~and~~ C3 and C4, parking shall be computed on an overall basis, and individual buildings on individual lots shall not be required to satisfy any parking requirement on the lot on which located.

SECTION 5:

If any chapter, section, subsection or paragraph of this Ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section, subchapter or paragraph shall to the extent that it is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this Ordinance.

SECTION 6:

All other parts of the Redevelopment Plan be and hereby are ratified and confirmed, except where same are inconsistent with the terms of this Ordinance. As to such inconsistencies, the provisions of this Ordinance shall govern, and be given full force and effect.

SECTION 7:

This Ordinance shall take effect immediately upon final passage and publication, according to law.

/s/ Dave McGill

Dave McGill, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec

Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien

Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont

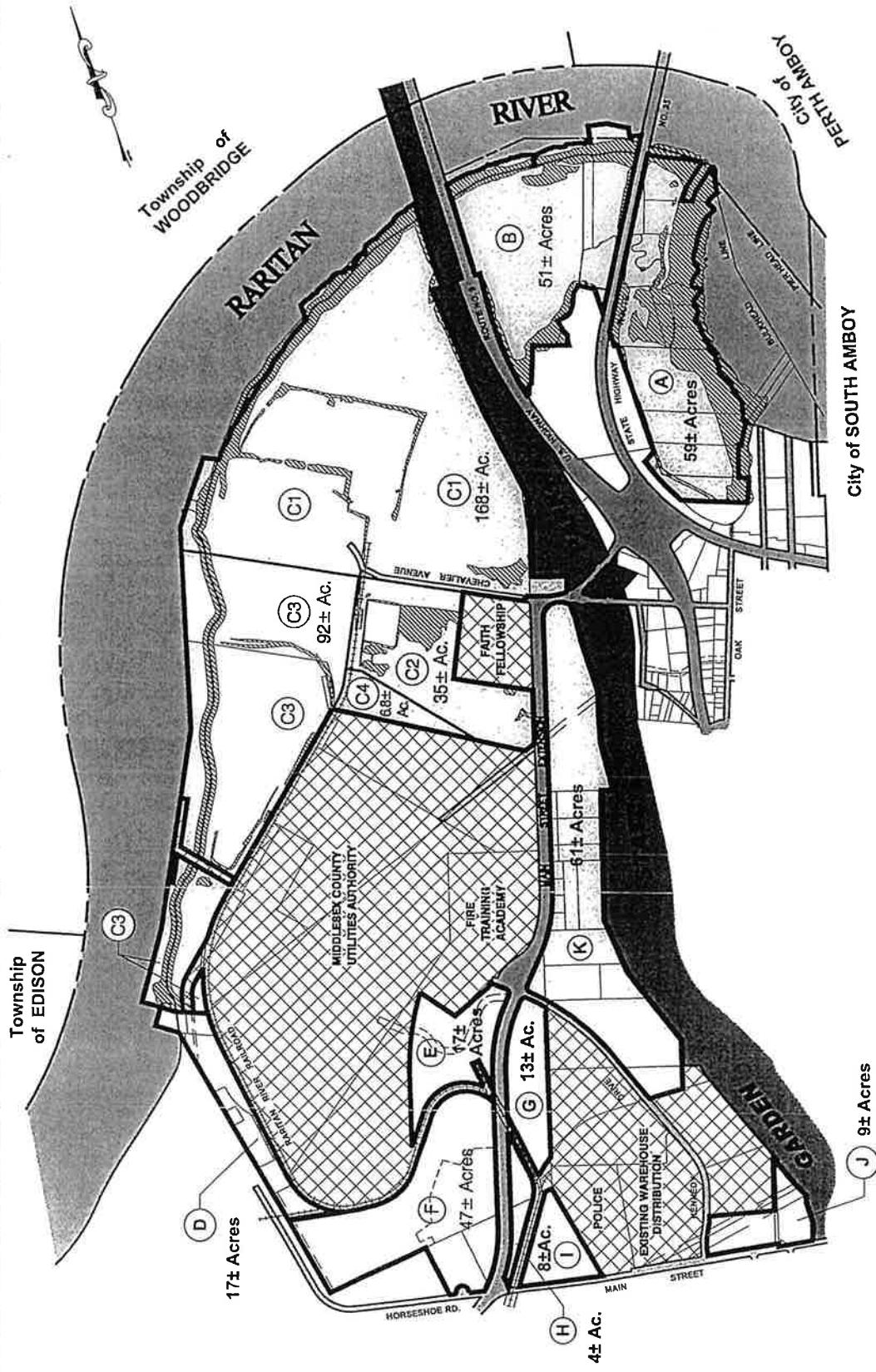
Michael R. DuPont, Borough Attorney

**I, Theresa A. Farbaniec, RMC, Municipal
Clerk of the Borough of Sayreville do hereby
certify that the foregoing is a true copy
of an Ordinance adopted at a Meeting
of the Mayor and Borough Council
held on the 8th day of April, 2013**


Municipal Clerk

SCHEDULE A

Map:
Sayreville Waterfront Redevelopment Area
Redevelopment Parcels Map



SAYREVILLE WATERFRONT REDEVELOPMENT AREA REDEVELOPMENT PARCELS MAP

SCALE : 1" = 1500' DATE : 2/13



LEGEND :

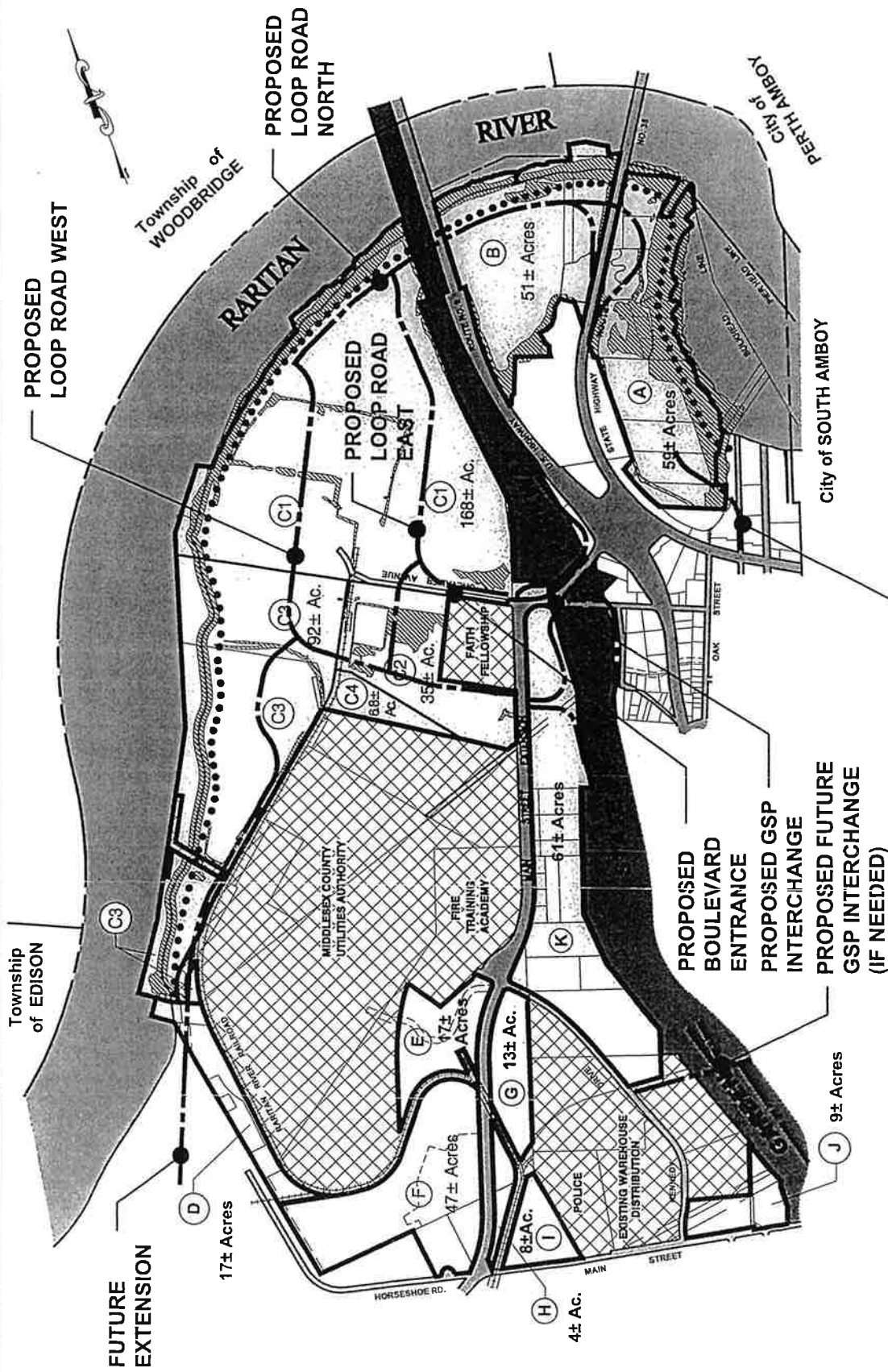
REDEVELOPMENT PARCEL BOUNDARY

DESIGNATED REDEVELOPMENT AREA

APPROX. LOCATION OF WETLANDS DELINEATED
BY B2A SURVSAT ON PARCELS A, B & C

SCHEDULE B

Map:
Sayreville Waterfront Redevelopment Area
Proposed Roadway Schematic



SAYREVILLE WATERFRONT REDEVELOPMENT AREA PROPOSED ROADWAY SCHEMATIC

SCALE : 1" = 1500'

DATE : 2/13



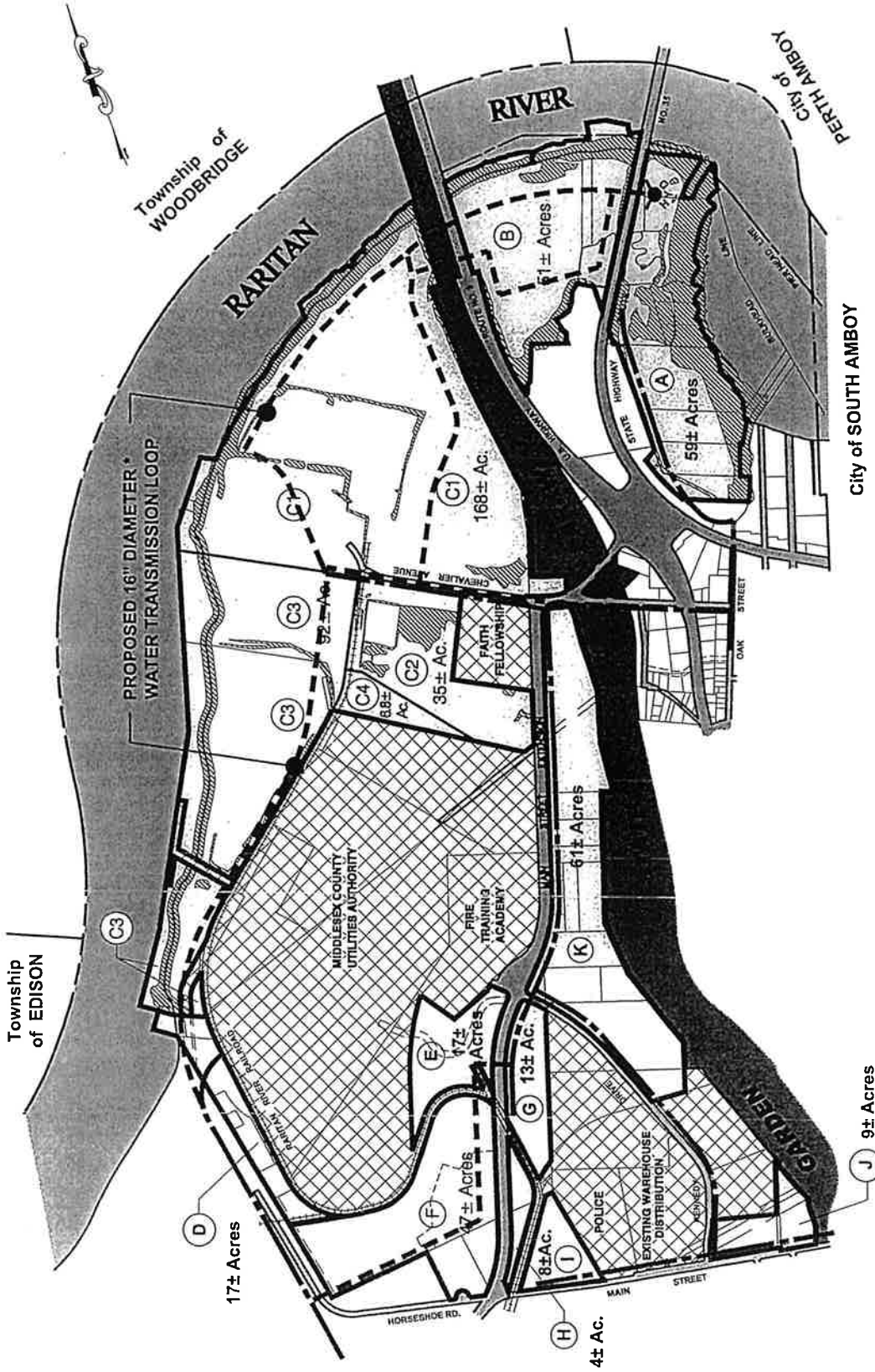
CONSULTING AND MUNICIPAL ENGINEERS

LEGEND :

- REDEVELOPMENT PARCEL BOUNDARY
- APPROX. LOCATION OF WETLANDS DELINEATED BY B2A SURVSAT ON PARCELS A, B & C
- APPROX. LOCATION OF PROPOSED ROADWAY * LOCATION DEPENDENT ON TYPE OF DEVELOPMENT
- WATERFRONT WALKWAY

SCHEDULE C

Map:
Sayreville Waterfront Redevelopment Area
Proposed Water System



SAYREVILLE WATERFRONT REDEVELOPMENT AREA PROPOSED WATER SYSTEM

SCALE : 1" = 1500'

DATE : 2/13



CONSULTING AND MUNICIPAL ENGINEERS

LEGEND :

REDEVELOPMENT PARCEL BOUNDARY

APPROX. LOCATION OF WETLANDS DELINEATED
BY B2A SURVSAT ON PARCELS A, B & C

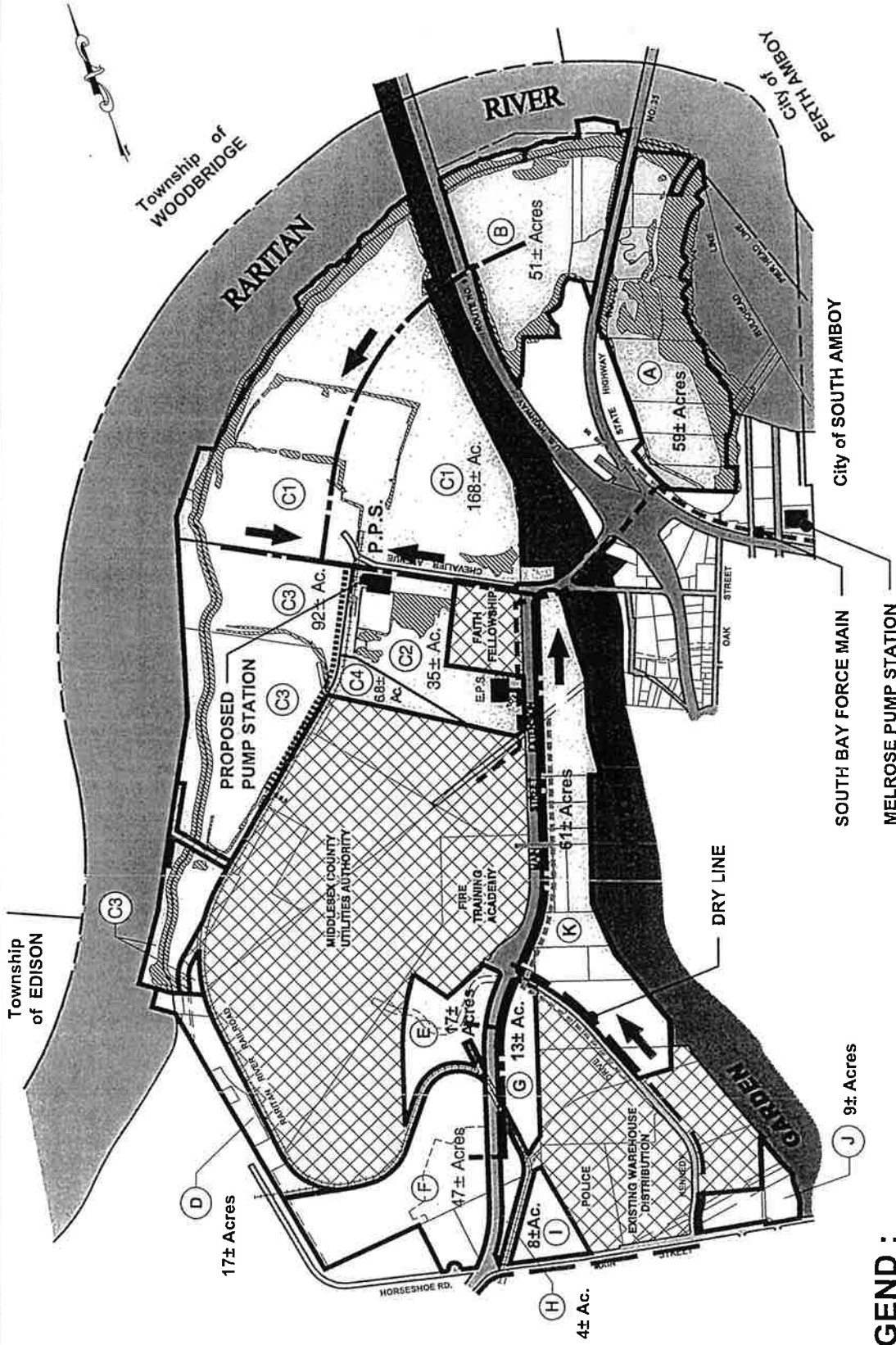
EXISTING WATER LINE

PROPOSED WATER LINE

* SIZE AND LOCATION DEPENDENT ON TYPE OF DEVELOPMENT

SCHEDULE D

Map:
Sayreville Waterfront Redevelopment Area
Proposed Sanitary Sewer System



LEGEND :

- REDEVELOPMENT PARCEL BOUNDARY
- APPROX. LOCATION OF WETLANDS DELINEATED BY B2A SURVSAT ON PARCELS A, B & C
- EXISTING SEWER FORCE MAIN
- EXISTING GRAVITY SEWER FACILITIES
- EXISTING LOW PRESSURE SEWER SYSTEM
- EXISTING PUMP STATION
- PROPOSED SEWER FORCE MAIN
- PROPOSED GRAVITY SEWER SYSTEM
- PROPOSED PUMP STATION

SAYREVILLE WATERFRONT REDEVELOPMENT AREA PROPOSED SANITARY SEWER SYSTEM

SCALE : 1" = 1500'

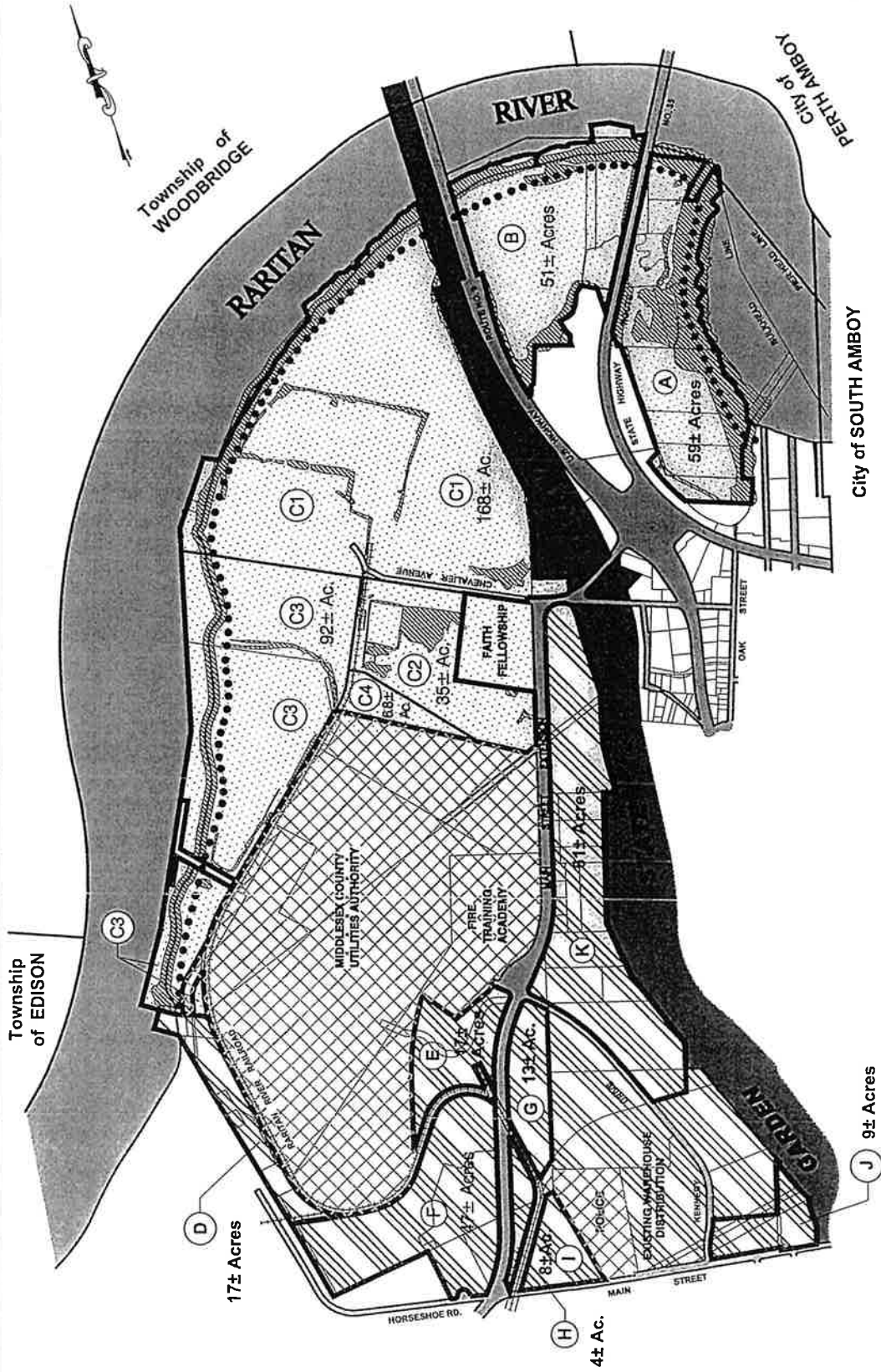
DATE : 2/13



CONSULTING AND MUNICIPAL ENGINEERS

SCHEDULE E

Map:
Sayreville Waterfront Redevelopment Area
Land Use Plan



LEGEND :

- REDEVELOPMENT PARCEL BOUNDARY
- APPROX. LOCATION OF WETLANDS DELINEATED BY B2A SURVSAT ON PARCELS A, B & C
- MIXED USE (RETAIL/OFFICE/HOTEL & RESIDENTIAL)
- GOVERNMENTAL
- LIGHT INDUSTRIAL
- WATERFRONT WALKWAY

SAYREVILLE WATERFRONT REDEVELOPMENT AREA LAND USE PLAN

SCALE : 1" = 1500'

DATE : 2/13



CONSULTING AND MUNICIPAL ENGINEERS

SCHEDULE F

Parcel C4

BLOCK 257.01

LOT 1.10

N/F: MIDDLESEX COUNTY UTILITIES AUTHORITY

BLOCK 62.02

LOT 20

N/F: CONSOLIDATED RAIL CORP.

PROPERTY TO BE ACQUIRED/
LOTS 1.10 & 30.12

0.38 AC.±

PROPERTY TO BE ACQUIRED/
PORTION OF LOT 3.05

6.8 AC.±

BLOCK 257

LOT 3.04

N/F: SAYREVILLE

ECONOMIC & REDEVELOPMENT AGENCY

BLOCK 257

LOT 3.06

N/F: FAITH FELLOWSHIP
MINISTRIES, INC.

BLOCK 257.01

LOT 30.12

N/F: MIDDLESEX COUNTY
UTILITIES AUTHORITY

BLOCK 257

LOT 1.08

N/F: MIDDLESEX COUNTY
UTILITIES AUTHORITY

**PROPOSED
PARCEL C-4**

BLOCK 257

LOT 3.05

N/F: MIDDLESEX COUNTY
UTILITIES AUTHORITY

BLOCK 257

LOT 1.05

N/F: MIDDLESEX COUNTY
UTILITIES AUTHORITY

CHEVALIER AVENUE

**SAYREVILLE WATERFRONT
REDEVELOPMENT AREA
REDEVELOPMENT PARCEL C-4**

MAIN STREET EXTENSION

LEGEND :



PROPERTY TO BE ACQUIRED FROM MCUA



DESIGNATES PARCEL C4

SCALE : 1" = 400'

DATE : 2/13

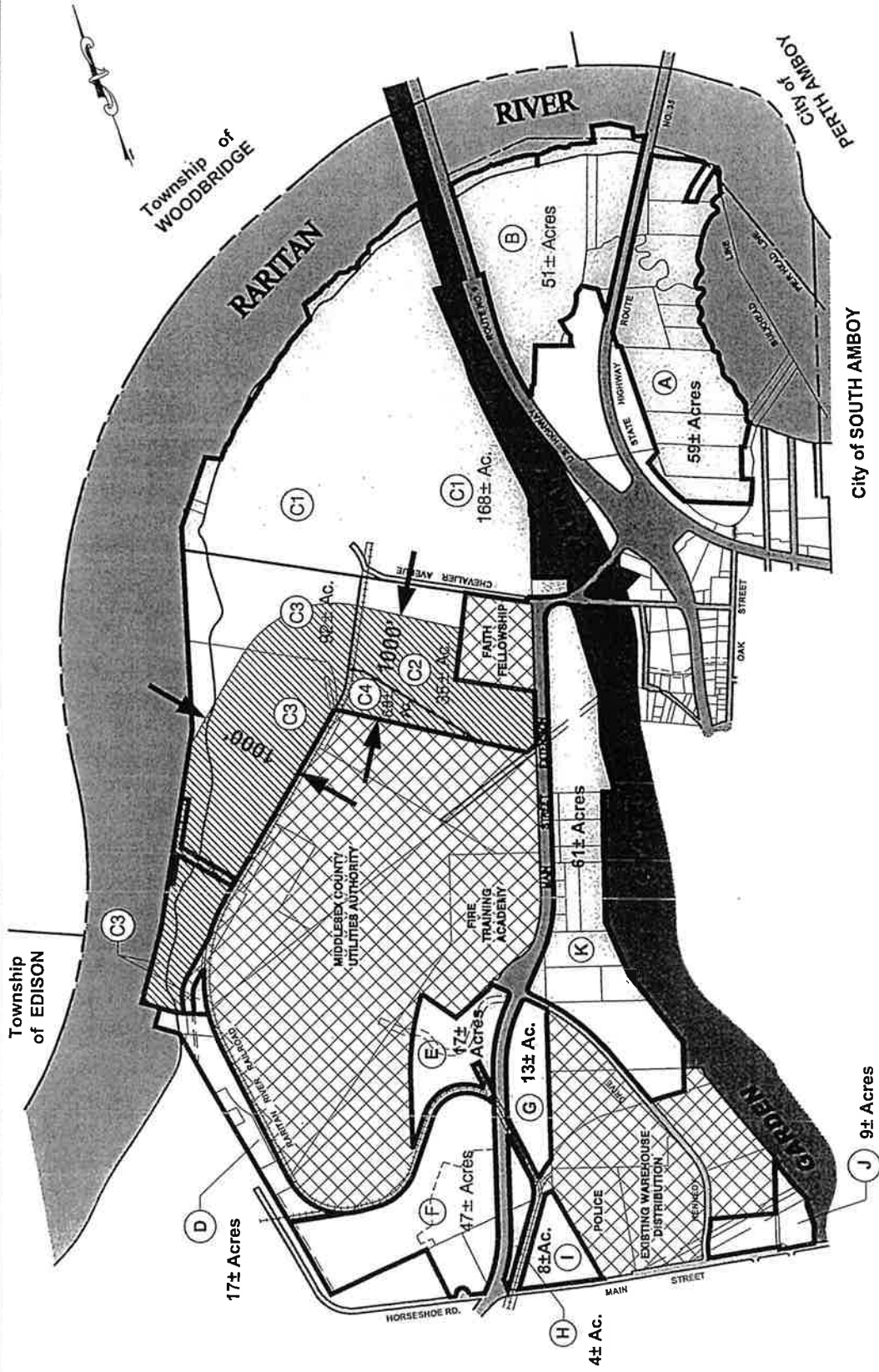
EXHIBIT F



CONSULTING AND MUNICIPAL ENGINEERS

SCHEDULE G

Prohibited Residential Use Area



SAYREVILLE WATERFRONT REDEVELOPMENT AREA RESIDENTIAL USE PROHIBITED AREA

SCALE : 1" = 1500' DATE : 2/13



EXHIBIT G

CONSULTING AND MUNICIPAL ENGINEERS

LEGEND :

- REDEVELOPMENT PARCEL BOUNDARY
- DESIGNATED REDEVELOPMENT AREA
- RESIDENTIAL USE PROHIBITED AREA

Intro 1-25-16
Public Hearing
2-8-16

ORDINANCE # 319-16

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AMENDING THE WATERFRONT REDEVELOPMENT PLAN
AND MASTER PLAN**

WHEREAS, at the June 8, 2015 Council Meeting correspondence from SERA (Sayreville Economic Redevelopment Agency) requesting a change in the minimum age requirement for block 330.04, Lot 1.01 in Parcel J was introduced and after discussions the Governing Body referred the request to the Planning Board of the Borough of Sayreville; and

WHEREAS, on July 15, 2015 the Planning Board of the Borough of Sayreville the Board voted unanimously to amend the Redevelopment Plan to change the minimum age requirement for Block 330.04, Lot 1.01 in Parcel J from 62 to 55; and

WHEREAS, the Mayor and Council have accepted the recommendation of the Planning Board; and

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Permitted Principal Uses, Accessory Uses, and Standards described on page 17 of the Waterfront Redevelopment Plan are hereby amended as follows:

SECTION 1. The Parcel Standards for Parcels D through K, specifically the Permitted Principal Uses, Accessory Uses, and Standards described on page 17 of the Waterfront Redevelopment Plan are hereby amended by deleting the text by way of a strikethrough and inserting the text marked in bold to read as follows:

Permitted Principal Uses:

- Office
- Warehousing and distribution
- Light Industrial and manufacturing use subject to compliance with performance standards
- Public Use
- Park and Ride Facility
- Market Rate rental senior housing for occupants aged 62 **55** and over shall be permitted on Block 330.04, Lot 1.01 in Parcel J.

SECTION 2. Severability Clause.

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not

INTRO & PASSED 1st READING

ADVERTISED ACCORDING TO LAW

ADPTED FOR 2nd & FINAL READING

ADVERTISED ACCORDING TO LAW

Theresa A. Forbues
MAYOR

CLERK

1/25/16

1/29/16

2/8/16

2/12/16

affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.


This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.



Steven Grillo, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:



Theresa A. Farbaniec, RMC
Municipal Clerk



Kennedy O'Brien, Mayor

APPROVED AS TO FORM:



Michael DuPont, Esq.
Borough Attorney

ORDINANCE #458-19 – Adopted version 7-22-19
**AN ORDINANCE AMENDING THE WATERFRONT
REDEVELOPMENT PLAN OF THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Sayreville Economic Redevelopment Agency (“SERA”) has designated Sayreville Seaport Associates Urban Renewal, L.P. (“SSA”) as the designated redeveloper of a portion of the Sayreville Waterfront Redevelopment Area (“S.W.R.A.”); and

WHEREAS, the Sayreville Borough Council adopted the Waterfront Redevelopment Plan (“the Redevelopment Plan”) dated January 1999 to guide the redevelopment of the S.W.R.A.; and

WHEREAS, the Redevelopment Plan was amended on August 21, 2006 by Ordinance No. 951-06 (which was subsequently repealed), on February 9, 2009 by Ordinance No. 76-09, and on April 8, 2013 by Ordinance No. 214-13; and

WHEREAS, as the vision for the S.W.R.A. has evolved over time due to a variety of circumstances, SSA has requested a variety of modifications to the Redevelopment Plan to facilitate the redevelopment of the S.W.R.A.; and

WHEREAS, SERA has reviewed and supports the proposed amendment of the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE MAPS CONTAINED WITHIN THE REDEVELOPMENT PLAN SHALL BE AMENDED AS FOLLOWS:

The following schematic maps, each dated 2/13 (collectively “Schematic Maps”), are annexed to Ordinance 214-13 (“2013 Amendment”):

- Schedule A: “Sayreville Waterfront Redevelopment Area
Redevelopment Parcels Map”
- Schedule B: “Sayreville Waterfront Redevelopment Area Proposed
Roadway Schematic”
- Schedule C: “Sayreville Waterfront Redevelopment Area Proposed
Water System”
- Schedule D: “Sayreville Waterfront Redevelopment Area Proposed
Sanitary Sewer System”
- Schedule E: “Sayreville Waterfront Redevelopment Area Land Use Plan”

The Schematic Maps shall be considered illustrative only, and where there are inconsistencies between the Schematic Maps and the text of the Redevelopment Plan, the text shall control. The Schematic Maps shall collectively be amended as follows:

1. Parcels C1, C2, C3, and C4 shall be considered a single parcel, known as "Parcel C";
2. No roadways or walkways shall be required to be constructed on Parcel A. However, a portion of Parcel A may be used to construct a jughandle or other road to facilitate connection from Route 35 to Parcel B;
3. Water service shall not be required to be extended to the existing domestic water line on Horseshoe Road nor to be extended to service Parcel A; and
4. Multiple lift stations for the disposal of sewage shall be permitted within the S.W.R.A.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE TEXT CONTAINED WITHIN THE REDEVELOPMENT PLAN SHALL BE AMENDED AS FOLLOWS:

- I. **The following paragraph on Page 9 of the Infrastructure Section shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough):

Improvements to the public roadways are required to facilitate circulation and increase roadway capacity and accessibility through the Area. It is anticipated that, at a minimum, a connector road between Parcels B and C will be constructed under the GSP and Route 9 to connect to Route 35. ~~[The continuation of the roadway from Parcel B to Parcel A under Route 35 will be encouraged, drawing together all tracts for a cohesive interconnected circulation pattern. This]~~ A second roadway will also extend along a route parallel to the rail alongside the MCUA and will be continued to a future extension ~~[beyond Parcel D.]~~ of the Main Street Bypass. Once a redeveloper has completed 500,000 square feet of commercial space on Parcel C, the redeveloper and SERA shall explore alternative designs for the final layout of this second roadway to connect to the Main Street Bypass. The redeveloper's obligation to construct this portion of the connection to the Main Street Bypass shall not be triggered until (1) the segment of the Main Street Bypass that will connect to the redeveloper's segment of the Main Street Bypass has been designed and funded; and (2) the redeveloper has constructed one million square feet of commercial space within the S.W.R.A.

- II. **The following Principal Permitted Uses for Parcel B and Parcel C, as last modified by the 2013 Amendment, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough ~~[thus]~~):

12. Age-Targeted Residential Uses, which may include various housing unit types, including low, middle and high-rise facilities, and which shall encourage the residential over retail concept, not to exceed a maximum of 2,000 total residential dwelling units. All residential development shall be designed so as to minimize the construction of units with more than two bedrooms, the generation of school age children. Age-Targeted Residential [development] Uses shall mean those residential uses that comply with and provide the amenities and support facilities identified in the resolution of SERA dated October 29, 2007, designating OPG as redeveloper with respect to Parcels A, B, C1, C2 and C3, as such amenities and support facilities shall be approved by SERA.] Master Redevelopment Agreement dated May 14, 2008, as may be amended. SERA's approval of any site plan prior to submission to the Planning Board shall constitute a conclusive determination that such proposed residential units comply with the requirements for Age-Targeted Residential Uses.

The design and construction of the Age-Targeted Residential Units must comply with the Federal Fair Housing Act, 42 USC 3601-19, the New Jersey Fair Housing Act, N.J.S.A. 52:27D-1 et seq., and the New Jersey Law Against Discrimination, N.J.S.A. 10:5-12.5, and any related Judgment of Repose for the Borough of Sayreville, if such a judgment is in effect.

13. Assisted living facilities[, ~~skilled care residential facilities~~] and continuing care retirement communities, which shall count toward the limit on residential units.

14. Nursing homes, skilled care facilities, hospitals, surgical centers or other similar medical facilities, including urgent care centers and the offices of physicians and other medical practitioners.

* * *

17. Water-related and water dependent uses such as but not limited to marinas, docks, watercraft repair and storage (including watercraft repair and storage conducted by a retailer which sells watercraft at a location elsewhere in the Redevelopment Area, provided that there shall be no more than one such watercraft storage area associated with a principal retail use in the Redevelopment Area), marina fueling stations, bait and tackle shops, dry docking, watercraft maintenance facilities and waterfront restaurants and banquet or catering facilities.

* * *

21. Park and Ride Facilities, ride sharing services, car sharing services, and car rental services.

III. The following new Permitted Principal Uses shall be permitted on Parcel B and Parcel C:

29. Self-Storage facilities, provided that the facility is in a multi-story format and offers climate-controlled storage options. No more than three such facilities shall be permitted within the Redevelopment Area.

30. Mid-rise Vehicle Sales, which shall be defined as a facility that includes a vehicle storage and display tower of three or more stories, with automated retrieval systems, for the display and sale of new or used vehicles (which may also be used for storage and customer pickup of vehicles purchased or reserved via the internet) and that has an associated land area of no more than one and a half (1.5) acres. No more than two such facilities shall be permitted within the Redevelopment Area.

31. Facilities producing alcoholic beverages for wholesale or retail distribution, including breweries, wineries, meaderies, and distilleries, which may include related ancillary activities such as tours, sampling, entertainment, and food service.

- IV. **The following Accessory Use for Parcel B and Parcel C, as last modified by the 2013 Amendment, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

7. Auto repair, fuel sales and car washes, when associated with a permitted retail use measuring at least 40,000 square feet (which accessory uses shall not be subject to the cap on Gas Stations). Used car lots, other than Mid-rise Vehicle Sales, shall be prohibited.

- V. **The following Standard as it applies to uses in Parcel B and Parcel C, as last modified by the 2013 Amendment, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

Configuration of property. Redeveloper may consolidate, subdivide and condominiumize the property. The redeveloper may also create one or more property associations for the management of common amenities and facilities.

- VI. **Standards 2, 7, and 9 for the construction of the Waterfront Walkway, presently found on Page 12 of the Redevelopment Plan, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

2. The walkway shall be a minimum of twelve (12) feet in unobstructed width, except that in limited areas, the walkway may be reduced to no less than eight (8) feet due to physical, environmental or development constraints or in areas with lower anticipated pedestrian traffic. The walkway shall be [and] an average of [twenty (20)] sixteen (16) feet throughout and shall be constructed of concrete or similarly durable material, subject to specific site conditions. It shall be constructed of the same types of materials throughout its entire length, except (i) in certain focal areas, where complementary higher quality or ornamental material may be used; and (ii) where the use of other materials is required due to physical, regulatory or environmental constraints. Additional width shall be provided in areas with additional amenities such as benches or planters. A walkway right-of-way width of twenty-five (25) feet is recommended.

* * *

7. The waterfront walkway shall be constructed by the redeveloper(s) in conjunction with the development of the adjacent property. No walkway shall be required on Parcel A or those portions of Parcel C3 between the Raritan River and property owned by the Middlesex County Utilities Authority where no vertical development is proposed to be constructed. Mechanisms to guarantee the timely completion of the walkway shall be imposed on the redeveloper(s) at the time of site plan approval.

* * *

9. Property owners ~~shall~~ be responsible for maintenance of the portion of the walkway on their property, provided that the maintenance obligation may be assumed by a property owners association, in which case the individual property owner shall not be responsible for such maintenance.

VII. **Paragraphs 5, 6, and part of 7 on Page 21 of the Redevelopment Plan, within the Off-Street Parking and Circulation Section, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~]):

5. ~~[All ninety (90) degree parking spaces that are long term in usage shall be a minimum of nine (9) feet in width by eighteen (18) feet in depth. Aisles shall be a minimum of twenty four (24) feet in width.]~~ All ninety (90) degree parking spaces in surface lots shall be a minimum of nine feet (9') in width by eighteen feet (18') in depth, provided that up to ten percent (10%) of required parking spaces may be compact spaces measuring eight feet six inches (8'6") in width by seventeen feet (17') in depth. All ninety (90) degree parking spaces in multi-level parking garages shall be a minimum of eight feet six inches (8'6") in width by eighteen feet (18') in depth, provided that up to ten percent (10%) of required parking spaces may be compact spaces, interspersed throughout the garage and not concentrated in adjacent bays, measuring eight feet (8') in width by sixteen feet (16') in depth. The above notwithstanding, compact spaces may be located in parking garages only where physical obstructions or anomalies (such as

structural components, utility lines or equipment, geometric irregularities, stairwells, elevator lobbies, pedestrian walkways) make full-size spaces impracticable, or to address turning radius considerations with respect to spaces located on aisle end-caps. Aisles in ninety-degree (90) parking fields shall be a minimum of twenty-four feet (24') in width. Diagonal parking fields are permitted, provided that the spaces shall have an angle of not less than sixty (60) degrees, and the aisles shall be one-way and not less than eighteen feet (18') in width. On street parallel parking spaces shall be seven feet (7') in width by twenty three feet (23') in length. The Borough agrees to seek a Special Area Designation under the Residential Site Improvement Standards, N.J.A.C. 5:21-3.5, to obtain formal approval of the standards within this paragraph from the Site Improvement Advisory Board.

6. All parking garages shall be designed using compatible or complementary materials as the principal buildings so that they blend in architecturally. ~~[All voids in structures shall be screened so that lights and vehicles are not individually visible.]~~

7. . . . Street names should be chosen from the list of Veterans maintained by the Borough.

VIII. **Paragraph 1 on Page 22 of the Redevelopment Plan, within the Screening of Exterior Mechanical Equipment Section, shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough ~~[thus]~~):

1. In areas where rooftops can be viewed from ~~[adjacent]~~ public roadways directly adjacent to the building, rooftop equipment shall be screened to commercially reasonable standards as approved by SERA ~~[the greatest extent possible, and/or shall be painted to match the roof. If such rooftop equipment is visible from the public road, it shall be finished to match the façade of the building].~~ This provision does not require rooftop equipment to be painted or screened from view from the Garden State Parkway, Route 9 or Route 35, as it is acknowledged that rooftops will be visible from such roadways and any attempts at screening or camouflaging would be impracticable.

IX. **Paragraph 3 on Page 23 of the Redevelopment Plan, within the Signage Section, shall be amended as follows** (insertions are indicated by

underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~]:

3. ~~[No rooftop signs shall be permitted.]~~ Rooftop signs shall be permitted for the identification of the proper name of the business or place where the sign is located or for the identification of an actual bona fide and principal activity, product or service, or for an event that is conducted, available, offered or produced on the property where the sign is located. In addition, rooftop signs may state the name of the overall development project (i.e. "Riverton"), a district within the project, or a geographic reference such as the name of the Borough, County or State. Rooftop signs must contribute to the overall aesthetic of the development and must be approved by SERA in its reasonable discretion and must be consistent with the scale of the buildings on which they are located.

X. **The following paragraph on Page 28 of the Redevelopment Plan shall be amended as follows** (insertions are indicated by underlining thus; deletions are indicated by brackets and strikethrough [~~thus~~):

The Redevelopment Plan, as amended, shall be in full force and effect for a period of thirty (30) years from the date of approval of this amendment to the Plan by Mayor and Council.

/s/ Kevin Dalina, Councilman
(Planning & Zoning) 6-10-19 Intro.

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

