ORDINANCE #20-22

AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #437-19 FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES FOR THE YEARS 2019 – 2022

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #437-19 and made part hereof.

Vehicle Inspectors - Stipend \$2,000.00, effective July 1, 2022

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED/APPROVED ON FIRST READING DATED: July 18, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville ADOPTED ON SECOND READING DATED: August 15, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2022. Victoria Kilpatrick, Mayor Borough of Sayreville APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

ORDINANCE #21-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 4-19.4 "PAYMENT FOR OFF-DUTY ASSIGNMENTS"

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

4-19.4 Payment for Off-Duty Assignments.

a. ***

b. Effective July 1, 2016, all police officers shall be paid an hourly rate of fifty-five (\$55.00) dollars per hour for Board of Education. For all other off-duty assignments, police officers shall be paid an hourly rate of sixty-five dollars (\$65.00) per hour and effective January 1, 2017 seventy-five (\$75.00) eighty-five (\$85.00) dollars per hour. All off-duty assignments shall be for four (4) hours at a minimum. All hours worked in excess of eight (8) hours shall be paid at one and one-half (1-1/2) times the applicable hourly rate for each officer.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Four, Section 4-19**, of the Revised General Ordinances of the Borough of Sayreville, shall be added to reflect said change.

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 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. (*** sections contain no changes and will remain in full force and effect).

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.

INTRODUCED/APPROVED ON FIRST READING DATED: July 18, 2022

Jessica Morelos, R.M.C. Clerk of the Borough of Sayreville	Mary J. Novak, Councilwoman (Admin. & Finance Committee) Borough of Sayreville
ADOPTED ON SECOND READING DATED: August 15, 2022	
Jessica Morelos, R.M.C. Clerk of the Borough of Sayreville	Mary J. Novak, Councilwoman (Admin. & Finance Committee) Borough of Sayreville
APPROVAL BY THE MAYOR ON THIS _	DAY OF, 2022.
APPROVED AS TO FORM:	Victoria Kilpatrick, Mayor Borough of Sayreville

BOND ORDINANCE #22-22

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$1,900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,805,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,900,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$95,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,900,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,805,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,805,000 are

hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

- Section 3. (a) The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are the acquisition of a fire truck for the Borough.
- (b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,805,000.
- (c) The estimated cost of said purposes is \$1,900,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of the down payment.
- Section 4. The following additional matters are hereby determined, declared, recited and stated:
- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.
- (b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond

ordinance by \$1,805,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail

of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,805,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

INTRODUCED/APPROVED ON FIRST READING

MICHAEL DUPONT, ESQ., Borough Attorney

DATED: July 18, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville ADOPTED ON SECOND READING DATED: August 15, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2022. Victoria Kilpatrick, Mayor Borough of Sayreville APPROVED AS TO FORM:

ORDINANCE #23-22

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN KNOWN AS 1970 ROUTE 35 REDEVELOPMENT PLAN IN CONNECTION WITH BLOCK 425, LOT 2.02 AS SHOWN ON THE MUNICIPAL TAX MAP IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING THE GENERAL ORDINANCES AND ZONING MAP OF THE BOROUGH OF SAYREVILLE

WHEREAS, the Borough Planning Board (the "Planning Board") was directed by the Borough Council, pursuant to Resolution No. 2021-269 dated October 12, 2021, to conduct a preliminary investigation in order to investigate whether the Club Pure property located at 1970 State Highway 35, Sayreville, New Jersey 08872 and identified as Block 425, Lot 2.02 on the Municipal Tax Map, inclusive of any and all streets, paper streets, private drives and right of ways (the "Study Area") should be determined to be a Non-Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL"); and

WHEREAS, on October 20, 2021, the Planning Board received Borough Council Resolution No. 2021-269 dated October 12, 2021, and directed Michael P. Fowler Associates, LLC ("Fowler") to perform a preliminary investigation as to whether the Study Area constitutes an "area in need of redevelopment" in accordance with the LRHL; and

WHEREAS, on February 16, 2022, the Planning Board held a public hearing, at which a report was presented by Fowler, that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment. The Planning Board made a recommendation to the Borough Council concurring with Fowlers' report and testimony; and

WHEREAS, at its March 14, 2022 meeting, the Borough Council adopted Resolution No. 2022-75 designating Block 425, Lot 2.02 (the "<u>Area</u>") as a noncondemnation area in need of redevelopment, and authorizing Heyer, Gruel & Associates of Red Bank, NJ ("<u>HGA</u>") to prepare a Redevelopment Plan; and

WHEREAS, HGA prepared a proposed a redevelopment plan entitled "1970 Route 35 Redevelopment Plan, Borough of Sayreville, Middlesex County, NJ, May 20, 2022" (the "Plan"), which Plan was referred by the Borough Council to the Planning Board for review in accordance with the provisions of N.J.S.A. § 40A:12A-7(e); and

WHEREAS, at its June 15, 2022 meeting, the Planning Board approved the aforementioned Plan, as amended, which is attached hereto as <u>Exhibit A</u>, and referred the same to the Borough Council for review and approval; and

WHEREAS, at its July 20, 2022 meeting, the Planning Board will memorialize its action approving the Plan which occurred at the aforementioned June 15, 2022 meeting; and

WHEREAS, the Borough Council has reviewed said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

<u>Section 1</u>. The Borough hereby approves and establishes the Plan, which is attached hereto as <u>Exhibit A</u>, pursuant to <u>N.J.S.A.</u> 40A:12A-7 of the Redevelopment Law.

<u>Section 2</u>. The Plan shall supersede all provisions of the Zoning and General Ordinances of the Borough of Sayreville regulating development in the area addressed by the Plan, unless otherwise noted in the Plan.

<u>Section 3</u>. Final adoption of the Plan by the Borough Council shall be considered an amendment of the Borough of Sayreville Zoning Map. The Zoning District Map in the Zoning Ordinances of the Borough shall be amended to include the boundaries described in the Plan and the provisions therein.

<u>Section 4</u>. All of the provisions of the Plan shall supersede the applicable development regulations of the Borough's Ordinances, as and where indicated, for the properties subject to said Plan. In the event of any inconsistencies between the provisions of the Plan and any prior ordinance of the Borough of Sayreville, the provisions of the Plan shall govern.

<u>Section 5</u>. Chapter XXIII entitled "Zoning" of *The Revised General Ordinances of the Borough of Sayreville*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in said Redevelopment Plan for lands known as Block 425, Lot 2.02.

<u>Section 6</u>. A copy of this Ordinance shall be forwarded to the Planning Board in accordance with <u>N.J.S.A</u> 40A:12A-7e.

<u>Section 7</u>. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

<u>Section 8</u>. The within Ordinance shall take effect in the time and manner provided by law.

Exhibit A is attached

INTRODUCED/APPROVED ON FIRST READING

DATED: June 18, 2022

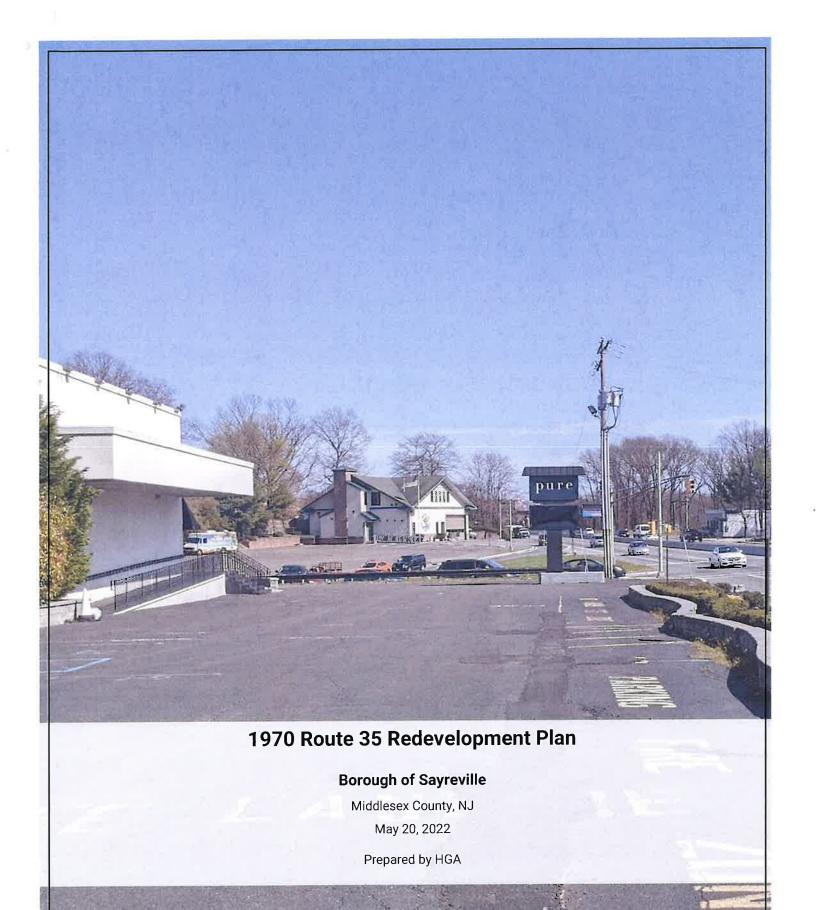
Jessica Morelos, R.M.C. Clerk of the Borough of Sayreville Christian Onuoha, Councilman (Planning & Zoning Committee) Borough of Sayreville

ADOPTED ON SECOND READING

DATED: August 15, 2022

Jessica Morelos, R.M.C. Clerk of the Borough of Sayreville Christian Onuoha, Councilman (Planning & Zoning Committee) Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS	DAY OF, 2022.
APPROVED AS TO FORM:	Victoria Kilpatrick, Mayor Borough of Sayreville
MICHAEL DUPONT, ESQ., Borough Attorney	= 3



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1970 Route 35 Redevelopment Plan

Borough of Sayreville

Middlesex County, New Jersey

Reviewed by the Sayreville Borough Planning Board: June 15, 2022

Adopted: _____

Prepared by



Heyer, Gruel & Associates

Community Planning Consultants 236 Broad Street Red Bank, New Jersey 07701 732-741-2900

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

John Barree, AICP, PP #6270, LEED Green Associate

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INTRODUCTION

The property at 1970 Route 35, known on the tax map of the Borough of Sayreville as Block 425, Lot 2.02 has been used for decades as a nightclub and event venue. Most recently, the property was the home of Pure, a club and event center. From 1992 to 2011, it was the home of Club Abyss one of several nightclubs along Route 35. In recent years, the character of the Route 35 corridor in Sayreville has evolved as new developments have begun to replace old nightclubs and other facilities.

To continue the growth and evolution of the corridor, the Borough directed the Planning Board to undertake an area in need of redevelopment investigation of the Club Pure property at 1970 Route 35. On February 16, 2022, the Planning Board held a public hearing, at which a report was presented by Michael Fowler, PP, that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment. The Planning Board made a recommendation to the Borough Council concurring with Mr. Fowler's report and testimony. At its March 14, 2022 meeting, the Borough Council adopted resolution 2022-75 designating Block 425, Lot 2.02 (the "Area") as a non-condemnation area in need of redevelopment, and authorizing HGA to prepare this Redevelopment Plan.

The purpose of this Redevelopment Plan is to establish standards under which the Club Pure facility can be redeveloped pursuant to the statutory requirements set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq) (the "LRHL"). The Plan envisions the development of a self-storage facility, which will serve as a more appropriate transitional use between the residential neighborhoods to the east of the Area and Route 35 than a nightclub and event venue. The Plan anticipates that the redevelopment of the Area will benefit the Borough and neighboring properties while limiting negative externalities.

STATUTORY REQUIREMENTS

The Redevelopment Plan is a formal planning document for the Redevelopment Area. According to the Local Redevelopment and Housing Law (NJSA 40A:12A-7), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
- 2. Proposed land uses and building requirements in the project area;
- 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;
- An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan;
- 5. Any significant relationship of the redevelopment plan to:
 - a. The master plans of contiguous municipalities;
 - b. The master plan of the County in which the municipality is located; and
 - c. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985, C398 (C52:18A-196 et al.).
- 6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate- income households, as defined pursuant to section 4 of P.L. 1985 c.222 (C.52:27D-304), that are to be removed as a result of the implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
- 7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing units that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the Redevelopment Plan.
- 8. Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

AREA AND SITE DESCRIPTION

The Redevelopment Area is Block 425, Lot 2.02, an approximately 138,000 square foot parcel along the east side of State Highway 35. The Area is developed with a single-story masonry building that housed Club Pure and several other structures at the north end of the property near the terminus of Olsen Street. The club / event center building is located near the Route 35 frontage just to the north of a jug-handle that provides the ability for northbound traffic to turn around and head southbound.

Access is provided by a one-way entrance driveway at the north end of the Area and a one-way exit driveway near the jug handle. There is also uncontrolled cross access at the south end of the Area where it abuts the Morgan Rescue Squad property on Lot 2.01. There is uninterrupted pavement between the two properties and parking spaces used by the Rescue Squad are located on Lot 2.02.

Most of the property is covered with impervious surfaces. The north end of the site has several grass lawn and gravel areas and there are some narrow strips of landscaping along the property frontage. Mature trees run along the common property line with the neighboring residences to the east.

The surrounding area is characterized by a mix of commercial uses along State Route 35 and residential neighborhoods set just off the highway. The commercial uses along the corridor include several auto repair, sales, and service businesses, contractor businesses, and other miscellaneous retail and wholesale businesses. The former Deko Lounge is located just across the Highway. The Borough Zoning Board of Adjustment approved an application to construct townhouses at that site, of which construction has not yet commenced.

The residential neighborhoods to the east of the property are characterized by a typical post-war suburban development style with modest lot and home sizes. The neighborhood blends seamlessly into South Amboy several hundred feet north of the Area. Both municipalities have similar residential zoning off the highway and similar commercial zoning along the Route 35 frontage.

The Area is not located in the Flood Hazard Area. Based on its nearly total impervious coverage and long history of development, there do not appear to be any environmental features of note, nor are there any known contaminated sites associated with the Area.

A 36" storm sewer pipe traverses the Area, generally from northeast to southwest through the middle of Lot 2.02.

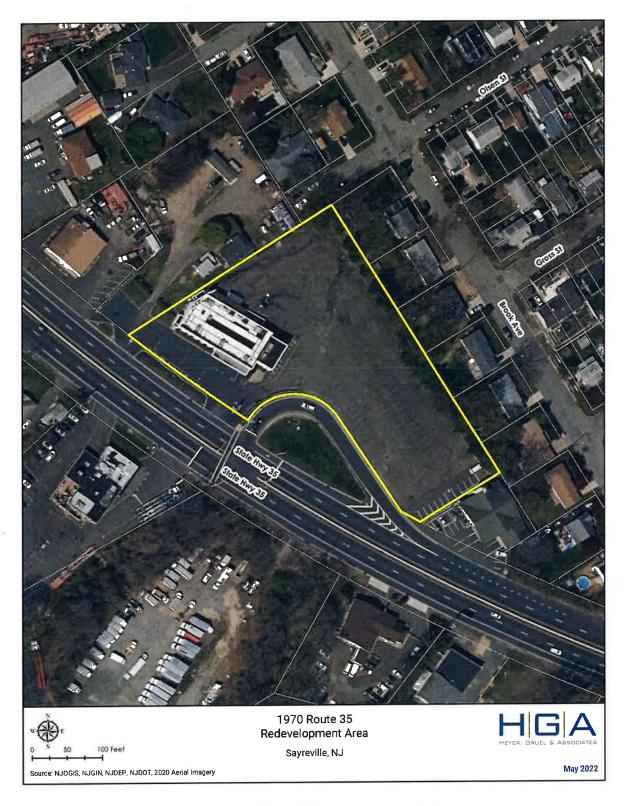


Figure 1 - Aerial Map (2020) of Redevelopment Area

EXISTING ZONING

The Area is in the B-3 Highway Business Zone. The B-3 Zone runs along portions of the Route 35 and Route 9 corridors in the Borough. The B-3 Zone permits a variety of commercial uses that benefit from highway frontages. The permitted principal uses include:

- Car Washes
- Auto repair and sales
- Bars
- Child Care
- Health Clubs / Gyms
- Theaters

- Nightclubs
- Nursing Homes
- Offices
- Restaurants
- Retail Sales and Service
- Wholesale Sales and Service

The minimum lot area for properties in the B-3 Zone is 20,000 square feet. Setbacks are required to be 50 feet to the front lot line, 10 feet to each side, and 25 feet to the rear. The maximum permitted building height is 35 feet. The maximum permitted building coverage is 25 percent, and the maximum permitted impervious coverage is 85 percent.

The neighboring R-7 Residential Zone permits single-family dwellings on lots with a minimum area of 7,500 square feet. The lot and development pattern on the nearby streets generally follows the prescribed lot size.



Figure 2 - Former Pure Nightclub Building

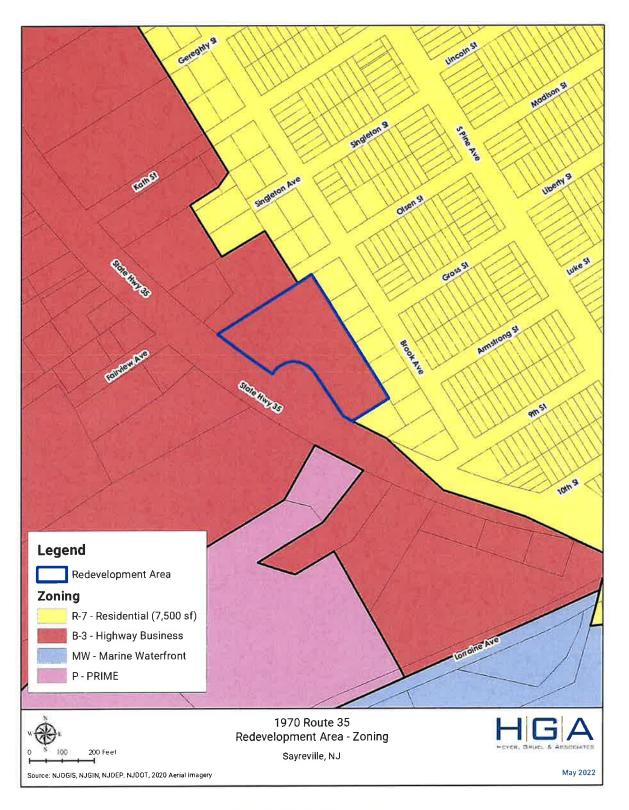


Figure 3 - Existing Zoning Map

PLAN PURPOSE, GOALS, AND OBJECTIVES

PURPOSE

The purpose of the 1970 Route 35 Redevelopment Plan is to permit the redevelopment of the former Club Pure site into a self-storage facility.

Self-storage has become an increasingly common use with steady annual growth for decades and an evolution in the built form of the facilities. Older self-storage facilities tend to occupy a larger footprint and have multiple single-story buildings with exterior access to each unit. Modern self-storage facilities typically

range from three to six stories in height and tend to require a building floor area of 100,000+ square feet to be economically attractive development opportunities. The facilities are climate controlled with multiple unit sizes and configurations. The properties tend to have cameras and controlled access to promote safety and security. Self-storage facilities tend to be relatively passive, especially after the initial period of construction and lease-up. Traffic volumes on a daily basis are low, and there are relatively few employees and visitors.



Figure 4 - Typical Modern Self-Storage Facility

The traffic, noise, and general activity impacts associated with the historic nightclub use of the property and potentially associated with other uses permitted by the current B-3 Zoning likely far exceed any potential impacts associated with a self-storage facility. Self-storage tends to be an excellent combination of commercial ratable with limited demand for municipal services and virtually no impacts on traffic patterns and neighboring properties.

GOALS AND OBJECTIVES

- 1. Provide for the comprehensive redevelopment of a former commercial property with an outdated nightclub use and other structures.
- 2. Implement modern stormwater management design while redeveloping a previously disturbed site.
- 3. Create improvements to the site access along Route 35.
- 4. Provide adequate fencing and landscape buffering to shield neighboring residential properties from the commercial use.

- 5. Promote the economic well-being of the Borough of Sayreville by attracting a strong commercial ratable that will have minimal impact on municipal services.
- 6. Maintain access to existing utilities for future maintenance.
- 7. Ensure that the Morgan Rescue Squad can use and access overflow parking that has historically been available to its members.

RELATIONSHIP OF THE PLAN TO THE BOROUGH LAND DEVELOPMENT REGULATIONS

The Area shall be redeveloped in accordance with the standards detailed in this Plan and will be coordinated through the Sayreville Economic Redevelopment Authority (SERA) which is responsible for redevelopment areas in Sayreville. SERA may use any and all redevelopment powers granted to it pursuant to the LRHL and consistent with resolutions adopted by the Borough Council, and any redevelopment agreement to effectuate this Plan. SERA may enter into agreements with a designated redeveloper or redevelopers in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

The Plan supersedes the regulations set forth in the Borough's Land Development Regulations (Chapter 26) for the Area, unless specifically referenced. Other Borough regulations affecting development that are in conflict are superseded by this Plan. However, existing engineering standards, performance standards, and definitions not provided in the Plan shall apply.

All applications for development and requests for deviations shall be submitted to SERA for review and recommendation prior to being submitted to the Planning Board.

No deviations may be granted which will result in permitting a use that is not a permitted use within this Plan. Any deviation from standards of this Plan that results in a "d" variance pursuant to N.J.S.A. 40:55D-70(d) shall be addressed as an amendment to the Plan rather than via variance relief through the Borough's Zoning Board of Adjustment. An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirement set forth in N.J.S.A. 40:55D-12a.&b. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

Any deviations from bulk standards shall require "c" variance relief. The Planning Board shall have the power to grant relief to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to N.J.S.A. 40:55D-70.c.

The Planning Board may grant exceptions or waivers from design standards for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within the Plan. The Board may grant exceptions or waivers if it is determined the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

Final adoption of the Plan by the Borough Council shall be considered an amendment to the Borough of Sayreville's Land Development Ordinance and Zoning Map.

LAND USE PLAN

The Land Use Plan provides for the redevelopment of the Area as a single development containing a self-storage facility. In addition to the self-storage facility, it is the Plan's intent to continue to permit certain uses that are permitted in the Borough's B-3 Zone. The following standards shall apply to the entire Redevelopment Area.

USE STANDARDS

Principal Permitted Use

- Self-storage facilities consisting of one or more buildings providing enclosed storage units for lease by the public.
- 2. The following uses currently permitted in the B-3 Zone:
 - a) Child Care Center
 - b) Essential Service
 - c) Health Club, Gym, or Recreational Facility
 - d) Institutional and Public Use
 - e) Office
 - f) Retail Sales and Service
 - g) Wholesale Sales and Service

Accessory Permitted Uses

- 1. Roof-mounted solar panels.
- 2. Outdoor storage of Recreational Vehicles and Boats within parking spaces designated on an approved site plan. No other outdoor storage shall be permitted.
- 3. Other customarily incidental uses accessory to a permitted principal use.

BULK STANDARDS

The height, area, yard, parking, loading, fence and wall, and utility easement requirements for the Redevelopment Area shall be as specified in the table and subsections below. Any deviation from these standards will require variance relief pursuant to the standard at *N.J.S.A.* 40:55D-70c.

Minimum Lot area	3 acres
Minimum front yard setback (measured to the NJ State Route 35 Right-of-Way)	35 feet
Minimum side yard setback	10 feet
Minimum rear yard setback	25 feet
Maximum building coverage	40%
Maximum lot coverage	85%
Maximum Height*	3 stories / 40 feet
Minimum Building Separation	5 feet

^{*}Building height shall be measured to the top of a flat roof or the peak of a sloped roof. Appurtenances such as stair towers, elevator overruns, and architectural features shall be permitted to exceed the maximum height by up to eight (8') feet provided they do not occupy more than 10% of the roof area.

Parking Standards

Parking Requirements

- One parking space shall be required for every 10,000 square feet of gross floor area associated with a self-storage facility. This requirement shall be inclusive of any square footage used for office or sales functions.
- 2. Five (5) parking spaces shall be provided for use by the Morgan Rescue Squad in a location near the common property line. Cross-access shall be maintained to allow movement between the properties, which shall be formalized in a recorded easement.
- 3. Parking for any use other than a self-storage facility shall be provided in accordance with the standards in the Borough Ordinance at 26-88.1 "Calculation of Required Off-Street Parking Spaces."

Parking Location

- 1. Parking spaces shall not be located closer than five (5') feet to any property line.
- 2. Parking spaces shall not be located within any required buffer area.

Electric Vehicle Charging

1. Electric vehicle charging infrastructure shall be provided in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-66.20).

- 2. For parking lots with 25 or fewer spaces, electric vehicle charging stations shall not be required.
- 3. Spaces designated for the storage of recreational vehicles or boats shall not be considered parking spaces for purposes of this calculation.

Loading Standards

1. One loading space, large enough to accommodate an SU-30 box truck, shall be provided in a location appropriate for loading and unloading items into the storage facility.

Fence and Wall Standards

- 1. A solid fence, 6 feet in height, shall be constructed along property lines abutting residential properties for screening and privacy purposes.
- Security fencing shall be permitted around the perimeter of the property at a maximum of 6 feet in height. Security fencing shall be at least 50% open in portions of the site within the required front yard setback. Security fencing shall not be uncoated chain link fence, nor shall it include barbed wire, razor wire, or similar features.
- Gates shall be provided to control access to the storage facility and grounds. Access control shall
 be provided to the Morgan Rescue Squad for the purpose of accessing parking spaces set aside
 for its members' use.
- 4. Retaining walls are permitted in any side or rear yard area without height limit when necessary for site grading subject to review and approval by the Board Engineer.

Utility Easement

1. A utility easement, a minimum of 20 feet in width centered on the existing 36" RCP storm sewer pipe that traverses the site, shall be established, and recorded. The easement shall provide the Borough of Sayreville with rights to access the pipe for maintenance, inspection, and other necessary activity. No structures shall be permitted to be constructed within the easement area.

DESIGN STANDARDS

The section details the design standards for architectural design and site layout within the Redevelopment Area. These standards are to be used in conjunction with the redevelopment district standards. Any deviation from these standards should be considered by the Planning Board and may be granted as a design exception pursuant to the standard for exceptions from site plan regulations at *N.J.S.A.40:55D-51.a.*

Where design or engineering standards are not specified in this Plan, the standards set forth in the Borough Ordinance shall apply. In some cases, specific sections of the Borough Ordinance are cited by number and title. If the Ordinance is re-numbered, the new section with the corresponding title shall apply for purposes of this Plan.

Architectural Standards

- 1. Buildings shall be designed to provide consistent finishes around all sides of the structure.
- 2. Where multiple buildings are proposed as part of a redevelopment project, the design and exterior finish of the buildings shall be consistent.
- 3. Durable materials shall be utilized including brick and stone veneer, cementitious panels, and similar materials. EIFS shall not be utilized on the ground floor, but may be utilized on upper stories with appropriate drainage membranes installed.
- 4. To the extent practicable, vertical and horizontal bands of color and / or material change shall be used to create architectural interest and disrupt the massing of large blank walls.
- 5. Windows are encouraged to the extent practicable. A prominent corner feature featuring glazing and articulation is encouraged to create visual interest along the Route 35 frontage.
- 6. Roof-mounted mechanical equipment shall be screened with parapet walls or other architectural features to limit visibility at the property line.

Landscaping, Buffers, and Screening Design

- 1. The existing mature trees along the northeastern property line abutting Lots 6-11 in Block 425 shall be preserved to the extent feasible (see figure 5).
- 2. Buffers shall be provided along common property lines with residential uses in accordance with the following standards:
 - a. The buffer area shall consist of a solid and continuous landscaped screen to be planted and maintained. The landscaping shall consist of lawns, evergreens and deciduous trees and shrubs of such species and density as will provide, within two (2) growing seasons, a

- continuous, year-long screen not less than six (6') feet in height. The proposed vegetation should be spaced according to industry standard to allow for the growth of the species.
- b. Where there is not sufficient space to provide for a healthy, mature evergreen screen, a six
 (6') foot tall solid fence shall be provided and supplement with landscaping to the extent possible.
- c. All trees shall be balled and burlapped and all planting shall be of specimen quality as established by the American Association of Nurserymen. All trees within the buffer area shall be watered weekly throughout the first growing season.
- d. Specimen trees located within the buffer area shall be saved whenever possible. Existing vegetation within buffer areas is encouraged to be retained, if appropriate. Trees should be retained in clumps. Existing vegetation should be saved by not varying the grade around trees by more than six (6") inches; construction of temporary tree wells and erection of protective fences around the drip line of the trees prior to construction.
- e. Buffers shall not obstruct required sight triangles.
- f. All buffer areas shall be maintained and kept free of all debris, garbage and weeds.
- g. No structure, activity, storage or materials or parking of vehicles shall be permitted within the buffer area except where permitted by the Board.



Figure 5 - Trees along the property line of Lots 6-11 in Block 425

- A landscape plan shall be provided for the front yard that includes ground cover and shrubs in an attractive, low-maintenance design to be reviewed and approved by the Board.
- Native plant species shall be used for all site landscaping to the extent feasible. If native species
 are unavailable, or inappropriate, a non-invasive replacement may be permitted subject to Board
 Approval.
- 5. Landscape design shall comply with the requirements of the Borough Ordinance at 26-96.7 except that a minimum of fifteen (15%) percent of the lot shall be landscaped, and foundation plantings around non-residential buildings shall not be required.
- 6. Street trees shall be provided to the extent feasible, and permitted by NJDOT, in accordance with Ordinance Section 26-97.2.c.

Lighting Design

- 1. Site lighting shall be provided in accordance with Borough Ordinance Section 26-96.8 "Lighting Design" except as noted in the following sections.
- 2. Lighting shall be reduced after operating hours by at least fifty (50%) percent throughout the site. Motion-sensor security lighting or other lighting needed for safety purposes shall be permitted to exceed this threshold if the redeveloper demonstrates that it is necessary.
- 3. All light fixtures shall be LEDs with a maximum color temperature of 4,000 degrees Kelvin.
- 4. All light fixtures shall be shielded to prevent off-site spillage and glare.
 - a. Lighting levels shall not exceed 0.1 foot-candles at the property line of any residential use.
 - b. Lighting levels shall not exceed 0.5 foot-candles at commercial or industrial property lines.
 - c. Lighting levels shall be permitted to exceed 0.5 foot-candles along Route 35 and the common property line with the Morgan Rescue Squad.

Parking and Circulation Design

- On-site parking and circulation design shall comply with the Borough Ordinance at 26-98 "Off-Street Circulation, Parking, and Loading" inclusive of sub-sections 98.1 "Off-Street Parking", 98.2 "Off-Street Loading", and 98.3 "Driveways" with the following exceptions:
 - a. Stalls designated for the storage of boats or recreational vehicles shall be exempt from the dimensions required for passenger vehicles. Spaces for storage shall be clearly delineated and dimensioned to accommodate the proposed storage.

- b. Due to the low volume of traffic and limited pedestrian activity associated with self-storage facilities, sidewalks or crosswalks between parking areas and building entrances shall not be required for self-storage uses.
- c. Parking spaces shall be permitted within a required front-yard setback area.
- d. The requirements of Ordinance Section 26-98.2 "Off-Street Loading" shall not apply to self-storage facilities. Loading requirements set forth elsewhere in this Plan shall apply.

Recycling and Refuse Collection

- 1. Site and architectural plans shall provide ample space for the collection of refuse and recyclable materials associated with the operation of the self-storage facility.
- 2. All outdoor recycling and refuse containers shall be screened with an enclosure constructed with durable fencing and/or masonry block.

Sidewalks

- 1. A sidewalk, a minimum of five (5') feet in width, designed to the engineering specifications in the Borough Ordinance shall be provided between the Area and the Morgan Rescue Squad.
- Sidewalks shall be provided along the Route 35 frontage subject to NJDOT requirements and approval.

Signage

Signs shall be used to identify the businesses located in the Redevelopment Area, as well as to provide direction when navigating the site. All signage shall conform with the standards set forth below and Section 26-89 "Signs" of the Sayreville Borough Revised General Ordinances. Where there is a conflict between the Plan and the Ordinance, this Plan takes precedence.

- 1. Freestanding signs
 - a) One freestanding monument sign shall be permitted in the Redevelopment Area.
 - b) Freestanding signs shall be no taller than 18 feet in height.
 - c) Freestanding signs shall be set back at least 15 feet from any property line.
 - d) The surface area of the freestanding sign shall not exceed 90 square feet.
 - e) Freestanding signs may be lit with internal non-glare lights, or illuminated by shielded floodlights

2. Wall signs

- a) Signs shall be mounted against the façade of the building and may project a maximum of 12 inches.
- b) A maximum of two wall signs shall be permitted.

- c) A maximum of three canopy signs shall be permitted
- d) Wall signs shall only be permitted on building facades facing State Route 35.
- e) The surface area of the primary (larger) wall sign shall not exceed 280 square feet and the surface area of the secondary (smaller) wall sign shall not exceed 100 square feet.
- f) No sign shall project above the roof line.
- g) Signs may be lit with internal, non-glare lighting, or illuminated by shielded floodlights.

Stormwater Management

1. All development shall comply with Section 26-99.6 "Stormwater Control" of the Borough Ordinance, applicable State regulations, and best management practices.

Sustainability

- 1. Installation of roof-mounted solar panels is encouraged, but not required.
- 2. Sustainability measures to reduce the development and operational environmental impacts are encouraged. Some measures include, but are not limited to:
 - a. Heating and cooling units should be energy-efficient and appropriately suited for the size of the facility.
 - b. Heat recovery ventilators (HRV) and energy recovery ventilators (ERV) should be utilized to improve indoor air quality while maintaining the energy efficiency of the building.
 - c. Occupancy sensors, timers, and other mechanisms should be utilized to optimize interior and exterior lighting usage.

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RELATIONSHIP TO OTHER PLANS

2013 MASTER PLAN

The Borough of Sayreville's most recent Master Plan was adopted in 2013. The Plan includes four general policies, from which flow more specific goals and objectives. The General Policies are:

- Social The primary residential character and community cohesiveness of the Borough should be maintained and where possible, reinforced.
- Aesthetic The quality and character of the Borough should be maintained and improved by emphasizing a desirable visual environment.
- 3. Economic A viable commercial community entity should be maintained and desirable business growth encouraged consistent with the social and aesthetic policies. It is necessary to maintain a stable tax and employment base while facilitating the Borough's strategic location within Middlesex County and the State.
- 4. Functional Maintenance, and where necessary, expansion of improvement of community services, facilities and other physical infrastructure should be encouraged in support of the social, aesthetic and economic policies.

The Plan is consistent with the Master Plan, but most specifically advances policies number 2 and 3. The following more specific Goals and Objectives are also relevant to, and advanced by the Plan:

- Goal 2 To continue to encourage aesthetic and site improvements in the Borough's major commercial and industrial areas.
 - Objective 2C Maintain strict limits on the location of nonresidential development, particularly high intensity uses, to discourage urban/commercial intrusion in residential areas.
- Goal 3 To encourage and promote an improved visual environment and the preservation of natural systems and environmentally sensitive areas.
 - Objective 3A Review development regulations with respect to height, coverage, setback, landscaping and similar items in order to achieve desirable development without artificial or arbitrary restrictions.
- Goal 4 Encourage the maintenance of the exiting business community and provide for desirable new commercial development.
 - Objective 4A Develop a growth strategy to properly position the Borough with regard to anticipated regional / county growth.

- Objective 4B Continue to encourage and promote economic reuse of existing structure.
- Objective 4E Prepared detailed redevelopment plans in coordination with SERA to provide design and priority guides for significant development and initiate programs to study the desirability of additional redevelopment initiatives.

ADJACENT MUNICIPALITIES

The Borough of Sayreville shares its borders with the City of South Amboy, Township of Old Bridge, Borough of South River, and the Township of East Brunswick. The Townships of Edison and Woodbridge are located across the Raritan River from the Borough.

The Redevelopment Area is within several hundred feet of the municipal border with South Amboy. The portions of South Amboy and Sayreville that abut each other in this location consist of residential neighborhoods with similar patterns of development and character.

MIDDLESEX COUNTY TRANSPORTATION PLAN ELEMENT, 2013

Middlesex County's most recent, relevant Master Plan Element is the 2013 Transportation Plan Element. Several improvements are noted for Sayreville including the Main Street Bypass and Main Street – Route 35 Interchange, which have been completed or are being completed. No specific recommendations apply to the portion of Route 35 on which the Redevelopment Area is located. None of the policies or recommendations in the County Transportation Plan Element has any direct relationship to the Redevelopment Area or this Redevelopment Plan.

NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The New Jersey State Development and Redevelopment Plan (SDRP) was adopted on March 1, 2001. This plan compared the planning policies among various government levels with the purpose of attaining compatibility among local, county and State plans. The SDRP allocates land into five (5) different categories called Planning Areas. The majority of Sayreville is located within Planning Area 1 (PA1), the Metropolitan Planning Area includes a variety of older, developed cities and towns that have a compact, close-knit development pattern. The SDRP is a unique document that, while not binding, guides State-level development and redevelopment policy as well as local and regional planning efforts. The Plan includes eight statewide goals and dozens of policies which are intended to implement the goals. The goals are as follows:

- 1. Revitalize the State's cities and towns.
- 2. Conserve the State's natural resources and systems.
- 3. Promote beneficial economic growth, development and renewal for all residents of New Jersey.
- 4. Protect the environment, prevent and clean up pollution.
- 5. Provide adequate public facilities and services at a reasonable cost.

- 6. Provide adequate housing at a reasonable cost.
- 7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
- 8. Ensure sound and integrated planning and implementation statewide.

This Plan is broadly consistent with the SDRP and specifically advances Goals 1, 3, and 8. The return of the former nightclub facility to a new, productive use that will minimize impacts on neighboring properties will promote the revitalization of the Route 35 corridor and the Borough of Sayreville. Self-storage facilities are an in-demand land use that will boost the Borough's ratable base with minimal demand for public services.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

REDEVELOPMENT ENTITY

The Sayreville Economic and Redevelopment Authority (SERA) shall serve as the Redevelopment Entity. The Redevelopment Entity shall designate a Redeveloper and enter into a Redeveloper Agreement prior to the submission of any application for approval to the Planning Board.

PROPERTY ACQUISITION

The Area has been designated as a "Non-Condemnation" Area in Need of Redevelopment. Property acquisition using eminent domain is not authorized.

RELOCATION ASSISTANCE

Eminent Domain is not authorized as part of this Plan. Any transfer of property and subsequent relocation are purely voluntary so no plan for relocation assistance is necessary.

AFFORDABLE HOUSING UNITS

There is no residential development currently on the site. Therefore, no affordable housing units are identified to be removed as part of the implementation of this Plan.

AMENDING THE REDEVELOPMENT PLAN

Upon compliance with the requirements of applicable law, the Borough of Sayreville may amend, revise or modify this Plan, as changing circumstances may make such changes appropriate.

DURATION OF REDEVELOPMENT PLAN

The Plan shall remain in effect for 30 years from the date of adoption of this Plan by the Borough Council. After that period, the Zoning Ordinance will regulate the development of the Area.

IMPLEMENTATION OF THE REDEVELOPMENT PLAN

REDEVELOPER(S) AGREEMENT

The following restrictions and controls on redevelopment are statutorily imposed by the Local Redevelopment and Housing Law in connection with the selection of a redeveloper or redevelopers and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. The restrictions and restraints shall be implemented by appropriate covenants or other provisions in the redeveloper agreements.

All agreements with redeveloper(s) shall contain the following provisions:

- 1. The redeveloper(s) will be obligated to carry out the specific improvements in accordance with the Plan.
- 2. The redeveloper(s), its successors or assigns shall devote land within the Redevelopment to the uses specified in the Plan.
- 3. The redeveloper(s) shall begin and complete the development of said land for the use(s) required in the Plan within a period of time which the Redevelopment Entity fixes as reasonable.
- 4. The redeveloper(s) will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Area without prior written consent of the Redevelopment Entity.
- 5. Upon completion of the required improvements, the conditions determined to exist at the time the Area was determined to be in need of redevelopment shall be deemed to no longer exist.
- 6. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Redevelopment Entity, or the successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.
- 7. Neither the redeveloper(s) nor the Redevelopment Entity, nor the successors, lessees, or assigns of either of them shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Area.
- 8. Any other provisions as may be deemed necessary to effectuate the purposes of the LRHL.

ORDINANCE #24-22

AN ORDINANCE AMENDING CHAPTER VIII, "GENERAL LICENSING", TO DELETE SUBSECTION 8-18, "MISCELLANEOUS SCHEDULE OF FEES" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

8-18 MISCELLANEOUS SCHEDULE OF FEES.

Except as otherwise provided, the Miscellaneous Schedule of Fees shall be established as follows:

a. Dumpster bond	\$200.00
b. Dumpster (30-day license)	\$ 15.00
c. Dumpster renewal license	\$10.00

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 8-18 "Miscellaneous Schedule of Fees" be deleted in its entirety and the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

INTRODUCED/APPROVED ON FIRST READING DATED: July 18, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville ADOPTED ON SECOND READING **DATED:** August 15, 2022 Mary J. Novak, Councilwoman Jessica Morelos, R.M.C. (Admin. & Finance Committee) Clerk of the Borough of Sayreville Borough of Sayreville APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2022. Victoria Kilpatrick, Mayor Borough of Sayreville APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney