

ORDINANCE #10-24
AN ORDINANCE AMENDING THE BOROUGH OF SAYREVILLE
LANDFILL AND MELROSE REDEVELOPMENT PLAN

WHEREAS, the Sayreville Borough Council adopted the Borough of Sayreville Landfill and Melrose Redevelopment Plan (“the Redevelopment Plan”) in December of 2012 by way of Ordinance No. 239-13 and amended in 2015 by way of Ordinance No. 304-15; and

WHEREAS, the vision for the Redevelopment Plan has evolved over time due to a variety of circumstances; and

WHEREAS, the Sayreville Borough Council and the Sayreville Economic Redevelopment Agency have reviewed and support the proposed amendments of the Redevelopment Plan; and

WHEREAS, where language is modified in the Redevelopment Plan by deleting or adding specific words or phrases, deletions are bracketed and identified with italicized, strikethrough text (e.g. [~~deletions~~]), and additions are indicated by bold-face, underlined text (e.g. **additions**).

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 “Sayreville Landfill Site” table in Section 2.2, Page 2 of the Redevelopment Plan shall be amended as follows:**

Sayreville Landfill Site

~~[Block 56 — Lots 1.01, 2.01 and 2.02]~~

~~Block 57.02 — Lot 1~~

~~Block 57.04 — Lot 1~~

~~Block 57.05 — Lot 1~~

Block 58, [~~Lots 6 and 7~~] Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)

- II. The following language below Figure 2 titled “Aerial of the Subject Tract” on Page 3 shall be amended as follows:**

~~Block 56, Lots 1.01, 2.01 & 2.02; Block 57.02, Lot 1~~

~~Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, [~~Lots 6 and 7~~] Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)~~

- III. The following language below Figure 3A titled “Tax Map of the Landfill Tract” shall be amended as follows:**

~~[Block 56, Lots 1.01, 2.01 & 2.02; Block 57.02, Lot 1]~~

~~[Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 & 7]~~

Block 58 Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)

IV. The following Section 3.2 titled “Power Plan Technology and Development” on Page 7 shall be removed from the Redevelopment Plan as follows:

[3.2 Power Plan Technology and Development

Based upon past approved land uses and regional power supply needs, power generation is an appropriate land use in the redevelopment area. While principal permitted uses are outlined in Section 5.2 of this plan, it is specifically noted that power generation is permitted as a single business and conforming use by this Redevelopment Plan.]

V. The following language shall be added to Section 5.2 titled “Principal Permitted Uses” on Page 9 of the Redevelopment Plan as follows:

1. Aquaculture Operations/Facility
2. Brewing or Distilling
3. Construction and Building Trade Workshops
4. Greenhouse or Plant Nursery
5. Industrial Vehicle, Construction Equipment Sales or Materials Service Establishment
6. Industrial Service Establishments
7. Manufacturing, Processing, Packaging or Assembly of Goods, Chemicals or Materials / Large
8. Office
9. Paper Products Manufacturing
10. Petroleum and Fuel Products Storage and Wholesale
11. Power Plant - Gas Fired Combination Cycle or More Efficient Technology up to 1000MW
12. Processing, Assembly, Fabricating Operations, Manufacturing, Sales or Storage of Natural Resources
13. Recycling Depot
14. Transportation Service Provider
15. Warehouse, distribution centers, and light manufacturing facilities that support reuse, recycling, compost processing and manufacturing businesses
16. Wireless Telecommunications Facilities
17. Solar Panel Power Generation Facilities
18. Boat and Water Related Storage, Launching, and Maintenance Facilities
- 19. Cold Storage Warehouse**

VI. The following figure in a table under Section 5.4 titled “Bulk Standards” on Page 9 shall be amended from the Redevelopment Plan as follows:

For Bulk Standards of Height – Principal Building (feet) the [Minimum] **Maximum** Required/Permitted Height shall be amended from [60] to **75** feet **for a Cold Storage Warehouse Only.**

VII. The following language shall be added to be the third paragraph in Section 6 titled “Definitions” on Page 13 of the Redevelopment Plan as follows:

Building height: the vertical distance from the average finished grade as measured at the building corners to the level of the highest point of the roof surface for a flat roof. The term "finished grade," as used herein, shall not include grade recesses solely intended to accommodate truck loading docks, garage entrances or similar purposes; provided such recesses do not exceed four feet in depth below adjoining grade. Parapets up to 4 feet above the flat roof surface and roof-mounted mechanical equipment, bulkheads, solar panels and other appurtenances up to 7 feet above the flat roof surface shall be exempt from the calculation of building height.

Cold Storage Warehouse: a facility primarily engaged in the warehousing and storage of goods under refrigeration, which may include incidental processing, preparing or packaging of items for storage.

VIII. The following language shall be added in Subsection 8.2.1 titled "Off-Street Parking Requirements" under Section 8.2 titled "Parking/Loading" on Page 14 of the Redevelopment Plan as paragraphs (a) and (g), respectively, as follows:

(a) Cold Storage Warehouse (inclusive of any ancillary office floor area):

- i. **Warehouse Use: 1 parking space per employee plus 10%**
- ii. **Office Use: 1 parking space per 300 square feet of gross floor area**

(g) Up to 30% of the total required parking spaces may be banked until such time as the banked parking spaces are needed, as determined by the Borough.

IX. The following language in paragraphs (b) and (f) in Subsection 8.2.2 titled "Off-Street Parking Design Standards" under Section 8.2 titled "Parking/Loading" on Page 14 of the Redevelopment Plan shall be amended as follows:

(b) Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from the street right-of-way and sidewalks, avoid spill-over light, glare, **and** noise onto adjacent property. Parking lots visible from a public right-of-way shall be surrounded by a minimum of a two to three foot landscaped berm **or an existing mature landscaped buffer**. The height of the berm shall gradually decrease in size where driveways, walkways and sidewalks approach to provide adequate site triangles.

(f) Parking **spaces** for all structures shall be prohibited **within 50 feet of the front [yard] lot line.** [setback areas.]

X. The following paragraph shall be added as Section 8.3 and shall be titled "Lighting" to Page 14 of the Redevelopment Plan as follows:

8.3 Lighting

a. The Maximum height of freestanding lights should not exceed thirty-five feet (35').

b. A minimum of 0.5 footcandles shall be maintained throughout parking lots (exclusive of storage areas for light commercial vehicles and semi-trailer trucks) and maintained with established depreciation factor calculated into lighting level at a maximum to minimum illumination ratio not to exceed 15:1.

XI. The following language in paragraphs (d), (e) and (f) of Section 8.4 (formerly 8.3) titled "Landscape/Basin Design" on Page 15 of the Redevelopment Plan shall be amended as follows:

d. Walls that can be viewed from public streets shall be designed using landscaping (abutting the building) for at least 50% of the wall length. Other walls shall incorporate landscaping for at least 30% of the wall length. **Walls along loading dock areas shall be exempt from this standard.**

e. Retention areas **are encouraged to** ~~shall~~ be designed as amenities within the Redevelopment Area.

f. Retention areas ~~shall be accented with natural form edges, native landscaping, and water features~~ **shall be designed in accordance with N.I.A.C. 7:8.**

XII. The following language in paragraphs (c) and (e) of Section 8.7 (formerly 8.6) titled "Building Design" on Page 15 of the Redevelopment Plan shall be amended as follows:

c. Locate utility meters and exhaust vents on the side or rear of a building **to the extent allowed by utility service providers.**

XIII. The following language shall be added to the Redevelopment Plan as Section 11.6 on Page 18 as follows:

11.6 Building Lots and Subdivision

11.6.1 A project to be developed pursuant to this Redevelopment Plan may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances (such as for lot area) that would technically be required subject to the following:

- 1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.**
- 2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.**
- 3. A technical subdivision must not reduce, limit or modify parking or access to parking.**

4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.

11.6.2 Existing and proposed lots within the Redevelopment Area shall not be required to front on or to abut a public street, provided adequate access from a street is provided for vehicular access, stormwater management access, and utilities, through one or more other lots. This shall not be interpreted to provide exemption from N.J.S.A. 40:55D-35, however same shall be considered satisfied if adequate access from a street is provided for emergency vehicles, through one or more other lots via easement or other legal mechanism acceptable to the Borough.

XIV. The following language in paragraph 4 of Section 12 titled “Redeveloper Selection” on Page 17 of the Redevelopment Plan shall be amended as follows:

4. ~~[The redeveloper agreement shall include the provision of affordable units or payment in lieu of constructing affordable housing on site in accordance with the latest applicable State affordable Housing requirements for the number, size and cost of affordable units.]~~ All redevelopment projects shall be subject to the State of New Jersey Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 et seq.).

INTRODUCED/APPROVED ON FIRST READING

DATED: March 11, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

John Zebrowski, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: March 25, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

John Zebrowski, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024.

Kennedy O’Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney