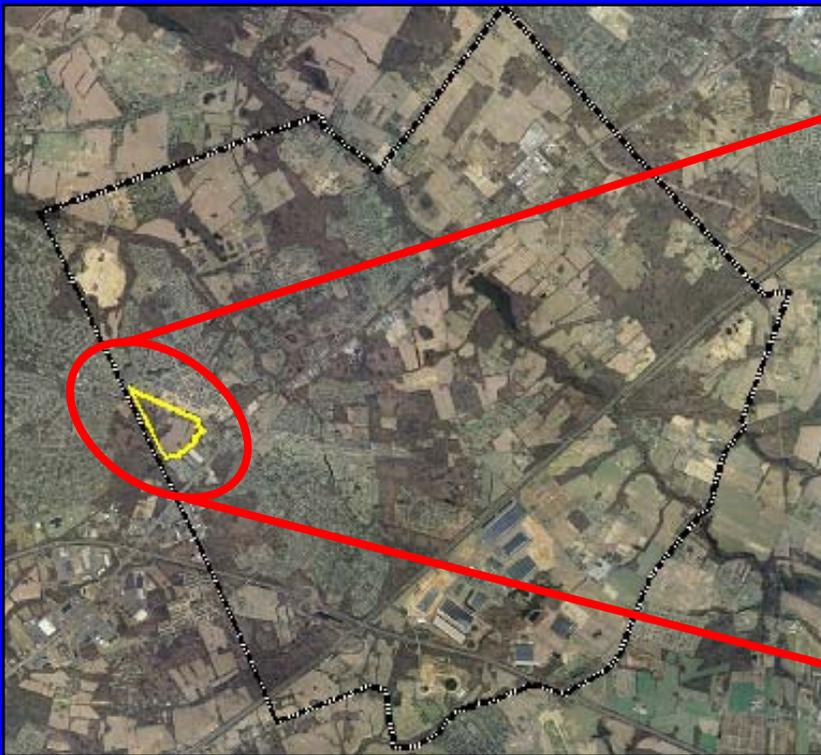


REDEVELOPMENT PLAN

TOWN CENTER SOUTH REDEVELOPMENT AREA

Robbinsville Township, Mercer County, New Jersey



Prepared by:



February 27, 2012

Prepared for:





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The original of this document has been signed and sealed pursuant to N.J.S.A. 45:14A-12.

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1.0 INTRODUCTION

1.1 Background

There exists in the Township of Robbinsville, Mercer County, New Jersey (“Township”), an approximately 90-acre, 70-lot area located between State Highway 33 (“Route 33”) and the Township’s municipal boundary with Hamilton Township; known locally as Town Center South.¹ Town Center South consists of a mix of small businesses and modest residences along Route 33, undeveloped vacant lands to the south / southwest of Route 33, and associated rights-of-way.

In 2007, the [then Washington²] Township Council (“Governing Body”) expressed concern³ about the “physical conditions and lack of economic activity” in a portion of the Township including Town Center South (referred to herein as the “2007 Study Area”⁴) caused by a “lack of resources to create and provide certain regional improvements and infrastructure”. The Governing Body cited “delays in the creation of said infrastructure” as causing the area “to become blighted”, and noted that the Township’s attempts to resolve these delays “through traditional means [had] been unsuccessful”.

In 1992, the New Jersey Legislature empowered municipalities to address conditions as existed in the 2007 Study Area by adopting the *Local Redevelopment & Housing Law*⁵; the purpose of which is to provide municipalities with the tools and powers necessary to replan and *redevelop* such areas in order to transform them into productive assets for the community. Utilizing a comprehensive set of planning tools and techniques afforded municipalities *only* under the *Redevelopment Law*, municipalities may reprogram lands and buildings for specific desired uses, provide for the clearance of said lands, install infrastructure and/or other site improvements, provide favorable tax and other financial incentives for *redevelopment*, acquire real property deemed necessary to effectuate such *redevelopment* and solicit for, negotiate with and transfer lands to private entities in order to promote *redevelopment* that will accomplish certain defined municipal goals and objectives.

On July 14, 2007, the Governing Body directed the Township’s Planning Board to undertake what the *Redevelopment Law* terms a ‘Preliminary Investigation’ to determine whether or not the 2007 Study Area met the statutory criteria under which an area may be determined to be In Need of Redevelopment.

¹ Exhibit 1, Exhibit 2, Exhibit 3, Exhibit 4 & Exhibit 5

² Washington Township was formally renamed Robbinsville Township on January 1, 2008.

³ via Resolution 2007-114 (Exhibit 6)

⁴ Exhibit 7

⁵ N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”)



The Planning Board assigned Remington, Vernick & Arango Engineers (“RV&A”), licensed Professional Planners in the State of New Jersey and the Board’s Engineer and Planner of Record, to undertake this Investigation on its behalf.

RV&A completed its assignment and submitted its Report of Findings (dated December 12, 2007).⁶

1.2 Pertinent Legal Decisions

Shortly before the Township adopted Resolution No. 2007-114, the New Jersey Supreme Court issued its decision in Gallenthin Realty Development, Inc. v. Borough of Paulsboro,⁷ in which the Court (re)interpreted certain of the procedures and legal standards for the designation of areas as being In Need of Redevelopment.

In February 2008, the Superior Court ~ Appellate Division issued its decision in Harrison Redevelopment Agency (Harrison Township) v. DeRose et al.,⁸ in which the Court mandated an increased level of public notice to property owners in areas determined to be In Need of Redevelopment before the power of eminent domain may be exercised to acquire private property.

⁶ Preliminary Investigation for Determination of an Area in Need of Redevelopment for Town Center South. Block 1: Lots 17, 18, 19, 20, 65, 21, 22, 32, 24, 32, 62, 41, 33, 31, 30, 29, 28, 27, 26 & 25 (“2007 Preliminary Investigation” ~ on file with the Township Clerk).

⁷ 191 N.J. 344 (2007). (“Gallenthin”)

⁸ 398 N.J. Super 361 (App. Div. 2008) (“Harrison”)

In light of the uncertainty injected into the redevelopment process by the rapid-fire issuance of these and other decisions and the declining Real Estate market at the time, the Township prudently stayed the redevelopment process until the Redevelopment Community (planners and land use attorneys) could digest these rulings and determine how to proceed; and until the economic climate improved.

1.3 Present Activities

1.3.1 Since the Township’s decision to halt the Redevelopment process:

- the condition and ownership of several of the properties in the 2007 Study Area has changed;
- the effects of the so-called “Great Recession of 2009” have appeared to have ~ at least ~ ebbed if not begun to slowly reverse themselves; and
- the Redevelopment community has had time to digest Gallenthin, Harrison and other decisions; thereby reducing the uncertainty regarding municipal Redevelopment actions.

1.3.2 Recognizing these changes in conditions, the Governing Body expressed an interest in resuming the Redevelopment process. However, the referenced court decisions rendered the 2007 Preliminary Investigation unreliable.



1.3.3 After reevaluating the 2007 Study Area and surrounding properties within the context of current conditions, the Governing Body, in January 2010, adopted Township Resolution No. 2010-11; thereby directing the Planning Board to undertake a (fresh) Preliminary Investigation to determine whether a “Study Area” consisting of following properties as well as the intervening streets ~ or any portion thereof ~ met the statutory criteria for designation as an Area in Need of Redevelopment under N.J.S.A. 40A:12A-5:

BLOCK	LOT(S)
1	1.01, 2 - 4, 7, 8, 11.01 - 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17 - 27, 32 & 65 – 74;
10.1	1;
1.03	1-8;
1.04	1-8;
1.05	1-11; and
1.06	1.

1.4 Preliminary (Redevelopment) Investigation

1.4.1 In January 2010, the Governing Body, as required by the *Redevelopment Law*⁹, adopted Township Resolution No. 2010-11;¹⁰ thereby directing the Robbinsville Planning Board to undertake what the

⁹ N.J.S.A. 40A:12A-5.

¹⁰ Amended in April 2010. On file with the Township Clerk.

Redevelopment Law terms a “Preliminary Investigation” to determine if the aforementioned lands met any one (1) of the eight (8) Statutory Criteria under which an area may be determined to be “In Need of Redevelopment”.

1.4.2 On January 20, 2010, the Planning Board, via Resolution No. PB2010-01, accepted the directive embodied in Township Resolution No. 2010-11.¹¹

1.4.3 On April 8, 2010, Township Resolution 2010-11 was amended via Township Resolution No. 2010-64,¹¹ which corrected certain inadvertent omissions in Resolution No. 2010-11.

1.4.4 On April 21, 2010, Planning Board Resolution No. PB2010-01 was amended via Planning Board Resolution No. PB2010-05¹² in response to the Township’s April 2010 corrective Resolution.

1.4.5 In a separate but related action, the Planning Board, on April 21, 2010 via Resolution No. PB2010-06¹³, assigned RV&A to undertake the Preliminary Investigation on the Board’s behalf.

1.4.6 RV&A conducted its analysis and submitted its Report of Findings.¹⁴

¹¹ Exhibit 8

¹² Exhibit 9

¹³ Exhibit 10

¹⁴ Report of Findings, Preliminary (Redevelopment) Investigation, Town Center South Study Area, Robbinsville Township, Mercer County, New Jersey (September 8, 2010).



Pursuant to N.J.S.A. 40A:12A-6b (2) and (3), the Planning Board scheduled the public hearing on this matter for October 5, 2010 and mailed notices of the hearing to all persons whose names appear on the Township's Tax Assessment records for each parcel within the Study Area, as well as all those within 200' of such area. Such notices informed the recipients that the Planning Board hearing on this matter would "provide an opportunity... to appear and be heard with respect to the consideration of the redevelopment designation of the Study Area" and further included a statement informing the recipients that a "redevelopment designation operates as a finding of public purpose and authorizes the municipality (upon the adoption of a redevelopment plan for the Area) to acquire properties within the designated area against the owner's will through the exercise of eminent domain", and advised that property owners who choose to take legal action with respect to the redevelopment designation must do so within forty-five (45) days of the date of notice of the designation or risk being precluded from raising a challenge to the designation if and when the municipality files a condemnation action to acquire the property through eminent domain.

On October 5, 2010, the Planning Board held a duly-noticed public hearing on this matter, at which time it reviewed the Report of Findings, heard a presentation of the Report from RV&A, and heard from all persons in attendance who elected to speak.

At the end of the public hearing, the Planning Board, after careful consideration of the Report of Findings, the testimony of RV&A and comments from the members of the public in attendance who elected to speak, and after due and careful deliberation, adopted Resolution No. PB2010-11,¹⁵ thereby finding and determining that the Town Center South Study Area exhibits conditions which conform with, Criterion 'b', Criterion 'c', and 'h' of the *Local Redevelopment & Housing Law*. Such Resolution further included the Planning Board's recommendation that the Township Council designate the Town Center South Study Area as an Area In Need of Redevelopment.

The Township Council received the Resolution and recommendations of the Planning Board, along with the Report of Findings and all relevant exhibits and materials. After carefully considering the analyses, findings and recommendations of the Planning Board embodied in Resolution No. PB2010-11, the Township Council, on October 14, 2010, after due and careful deliberation, adopted Township Resolution No. 2010-202,¹⁶ thereby declaring the Town Center South Study Area to be an Area In Need of Redevelopment.

As required by N.J.S.A. 40A:12A-6, Township Resolution No. 2010-202 was transmitted to the Commissioner of the New Jersey Department of

¹⁵ Exhibit 11

¹⁶ Exhibit 12



Community Affairs for approval of the designated Redevelopment Area. By letter dated October 29, 2010,¹⁷ the Township received such approval.

1.5 Authorization & Purpose

1.5.1 Having declared the Town Center South Study Area to be In Need of Redevelopment, and acknowledging that the conditions which caused the Township to make such a declaration are amenable to correction and amelioration by the concerted effort of responsible public bodies ~ and are not likely to be corrected or ameliorated solely by private effort ~ the purpose of this Redevelopment Plan is to provide a mechanism for the orderly (re)planning and (re)development of the Town Center South Redevelopment Area consistent with the Municipal Goals & Objectives established herein.

1.5.2 This Redevelopment Plan satisfies all statutory requirements under the *Local Redevelopment & Housing Law* and, upon adoption by the Governing Body, shall constitute the legal prerequisite for the Redevelopment Actions outlined herein.

¹⁷ Exhibit 13



2.0 DEFINITIONS

For the purpose of this Redevelopment Plan, and in addition to any terms defined within the body of this document, the following terms shall have the meaning as set forth in this section.

Terms not defined herein shall have the meaning set forth in the Township Code and the Town Center Plan.

Terms presented as singular or plural, masculine or feminine, shall be construed within the context in which they occur.

- 2.1 “Accessory Use” or “Accessory Building” shall mean an Accessory Use or Building as defined in the Township Code, except that an Accessory Use or Building need not be on the same lot as the Principal Use it supports. A building containing living space shall never be considered an Accessory Use or Building.
- 2.2 “ADA” shall mean the Americans with Disabilities Act along with all rules and regulations promulgated therefor.
- 2.3 “Age-Targeted Housing” shall mean market rate, independent living units designed for, but not limited to, active-seniors as defined by applicable Federal Housing legislation.
- 2.4 “Apartment / Condominium Building” shall mean a multistory building having no more than 4½ stories and a maximum height of 48’ (plus architectural features), and having one or more common entrance(s), a common area lobby and elevator(s) to service the Urban Apartments therein.
- 2.5 “Belt Course” shall mean a projecting horizontal band on an exterior wall marking the separation between floors or levels.
- 2.6 “Blank Wall” shall mean an undifferentiated exterior building wall with no openings, generally constructed of a single material and uniform texture, and constructed on a single plane.
- 2.7 “Buffer” shall mean an area within a property or site, generally adjacent to and parallel with a property line, either consisting of existing natural vegetation or created by the use of trees, shrubs, berms and/or fences, and designed to limit views and sounds to or from the subject property.
- 2.8 “Build-To Line” shall have the same meaning as “Setback Line”
- 2.9 “Building Coverage” shall mean the area of a lot or Redevelopment Tract upon which the principal structure, garage, and any other structure requiring foundations are located.



2.10 “Building Envelope” or “Envelope” shall mean the area of a lot or Redevelopment Tract within which a building may be sited. The building need not fill the Envelope, and, unless otherwise indicated, may be placed anywhere within the Envelope.

2.11 “Building Scale” shall mean the relationship between the mass of a building and its surroundings, including the width of street, open space and mass of surrounding buildings.

2.12 “Bus Stop” shall have the same meaning as “Transit Stop”.

2.13 “Common Open Space” shall mean a general plot or amount of land, an area of water or combination of land and water, including floodplains and wetland areas, within a development site designed and intended for the use and enjoyment of residents of the development and, where designated, the community at large. Common open space shall not include:

A. The land area of lots allocated for Single-Family Detached, Single-Family Semi-Detached, Duplex, Townhouse and Apartment dwelling units; or Front, Side and Rear Yards and, for Townhouse and Apartment development, Interior Yards and off-street parking facilities.

B. The land area of lots allocated for Commercial uses, including Front, Side and Rear Yards, and parking facilities.

C. The land area of lots allocated for Public uses, including open space for accessory playgrounds and athletic fields, Front, Side and Rear Yards, parking facilities, and other open space around the buildings.

2.14 “Context” shall mean the character of the buildings, streetscape and neighborhood which surround a given building or site.

2.15 “Cornice” shall mean the top part of an Entablature, usually molded and projecting.

2.16 “Cupola” shall mean a small roof tower, usually rising from the roof ridge.

2.17 “Detached Garage” shall mean a garage constructed on a lot which is not attached to the principal structure except by a pergola, indoor or outdoor connecting corridor or similar construction.

2.18 “Directional Emphasis” shall mean the combination of building height and width, together with the placement of fenestration, structural elements and architectural details, which convey a predominant horizontal or vertical directional emphasis to a building facade.

2.19 “Downtown Apartment” shall have the same meaning as “Urban Apartment.”

2.20 “Elevation” shall mean an exterior facade of a structure, or its head-on view, or representation thereof drawn with no vanishing point.



- 2.21 “Encroachment” shall mean the area of a building or building element outside the Building Envelope.
- 2.22 “Entablature”¹⁸ shall mean an elaborated horizontal band along the exterior of a building, used primarily just beneath the roofline or on a building façade between floors.
- 2.23 “Environmental Constraints” shall mean features, natural resources or land characteristics that are sensitive to improvements and many require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.
- 2.24 “Façade” shall mean a building face or wall.
- 2.25 “Fascia” shall mean a projecting flat horizontal member or molding, also part of a classical Entablature.
- 2.26 “Fenestration” shall mean window and other openings on a building facade.
- 2.27 “Front Yard” shall mean the area between the front property line and the front facade of a building.
- 2.28 “Gable” shall mean the part of the end wall of a building between the eaves and a pitched or gambrel roof.
- 2.29 “Garage Linkage” shall mean a structural link between the primary wall of a structure and a detached garage which shall be constructed as a one-story breezeway or conditioned space with a maximum width of 24’ and made of materials compatible with the exterior wall of the house and the garage at the points of connection.
- 2.30 “Garden Apartment” shall mean a residential unit within a corporately-managed Garden Apartment Building as defined in 2.31 herein, containing one (1) and two (2) bedroom units, with a minimum unit size of 650 s.f. and a maximum unit size of 1,900 s.f. The ratio of one and two bedroom units shall be determined within the context of the Redevelopment Agreement to be negotiated between the Redeveloper Candidate and the Township.
- 2.31 “Garden Apartment Building” shall mean a multistory building having no more than 4½ stories and a maximum height of 48’ (plus architectural features). Garden Apartment Buildings shall be similar in scale and massing to the multi-story buildings fronting Route 33 in the Town Center North development, but shall have their common entrance(s) designed around courtyard feature(s).
- 2.32 “Governing Body” shall mean the Robbinsville Township Council.¹⁹

¹⁸ Originally defined as an elaborated beam supported by columns.

¹⁹ Within the context of the various sections of this Redevelopment Plan, the terms “Robbinsville”, Robbinsville Township”, “Township” and “Governing Body” shall mean the Governing Body of Robbinsville Township, acting in its capacity as Redevelopment Entity for the Town Center South Redevelopment Area.



- 2.33 “Home Office” shall mean an office that exists within a residential unit and is primarily used by persons living in that residence.
- 2.34 “Horizontal Course” shall have the same meaning as “Belt Course”.
- 2.35 “Impervious Coverage” shall mean that area of a lot upon which all structures, inclusive of permitted setback encroachments, are located.
- 2.36 “Independent Component of a Project” shall have the same meaning as “Redevelopment Project”.
- 2.37 “Lane” shall mean a narrow right-of-way located through the interior of blocks and providing vehicular and service access to the side or rear of properties.
- 2.38 “Linkage” shall mean a line of communication, such as a pathway, arcade, bridge, lane, etc., linking two areas or neighborhoods which are either distinct or separated by a physical feature (e.g., a railroad line, major arterial) or a natural feature (e.g., a river, stream).
- 2.39 “Lintel” shall mean a structural or decorative horizontal beam over an opening in a masonry wall.
- 2.40 “*Local Redevelopment & Housing Law*” shall mean N.J.S.A. 40A:12A-1 et seq.
- 2.41 “Masonry” shall mean a wall or building material, such as brick or stone, which is laid up in small units.
- 2.42 “Massing” shall mean the three-dimensional bulk of a structure (i.e., its height, width and depth).
- 2.43 “Mixed-Use Building” shall mean a building containing more than one use, e.g., retail on ground floor and offices and/or housing above.
- 2.44 “*Municipal Land Use Law*” shall mean N.J.S.A. 40:55D-1 et seq.
- 2.45 “Neighborhood Park” shall mean a component of Common Open Space comprised of one or more lots of a distinct geometric shape, and adjoining a public right-of-way on at least one side.
- 2.46 “Neighborhood-Oriented Retail & Service Activities” shall mean uses designed to provide the routine needs of the citizens of Robbinsville and include, without limitation: grocery stores; specialty food stores; pharmacies with or without drive-through facilities; convenience stores without fuel dispensing facilities; banks and financial institutions, with or without drive-through facilities, excluding Check Cashing businesses; video rental and sales; non-“big box” retail or hardware stores; fabric stores; gift shops; barber, beauty and nail salons; tailor shops; retail dry cleaners; shoe repair; and like and similar activities. Neighborhood-Oriented Retail & Service Activities explicitly exclude uses requiring storage or display of goods outside a fully enclosed building; Motor Vehicle Sales or Service operations; Lumberyards; Adult Bookstores and/or Peep Shows; Auction Markets; and Pawn Shops.



- 2.47 “Neo-Traditional Neighborhood” shall mean a pedestrian-oriented neighborhood with variable lot widths and sizes, a mix of dwelling unit types, on-street parking and nonresidential uses generally, but not exclusively located in the center core of the neighborhood. Such an area may contain Main Street commercial district or front on a community green. The maximum size of the neighborhood is intended to be a five-minute walk from the core.
- 2.48 “NJDCA” shall mean the New Jersey Department of Community Affairs, and shall include all divisions and agencies thereof.
- 2.49 “NJDEP” shall mean the New Jersey Department of Environmental Protection, and shall include all divisions and agencies thereof.
- 2.50 “NJDOT” shall mean the New Jersey Department of Transportation, and shall include all divisions and agencies thereof.
- 2.51 Office of Planning Advocacy (“OPA”) shall mean the former Office of Smart Growth, successor to the Office of Smart Growth (“OSG”) and the Office of State Planning (“OSP”), operating out of the office of the Secretary of State under the Lieutenant Governor.

As part of its Business Action Center, the OPA is charged with helping to spur economic growth in New Jersey.

- 2.52 “Open Space, Internal” shall have the same meaning as “Neighborhood Park.”
- 2.53 “Parkway” shall mean a planting area located within the public right-of-way, typically between the curb and sidewalk, and planted with ground cover and trees.
- 2.54 “P.I.L.O.T.” shall mean a program of Payment-In-Lieu-of-Taxes as permitted under applicable law.
- 2.55 “Pitch” shall mean the angle of slope of a roof or berm.
- 2.56 “Planning Board” shall mean the Robbinsville Township Planning Board, established pursuant to section 23 of the *Municipal Land Use Law* and operating pursuant to the various regulations of the Township Code and other relevant statutes, including the *Local Redevelopment & Housing Law*.
- 2.57 “Port Cochere” shall mean a cover roof extending from a building facade which allows a vehicle to park under and passengers to access the structure via a side stair.
- 2.58 “Portico” shall mean an open-sided structure attached to a building sheltering an entrance or serving as a semi-enclosed space.
- 2.59 “Principal Use” or “Principal Building” shall mean the Use which is the main or primary activity on the Property or the Building in which such Use takes place.



- 2.60 “Project” shall have the same meaning as “Redevelopment Project”.
- 2.61 “Project Concept(s)” shall mean the preliminary depiction of a proposed Redevelopment Project, or individual Phase or Subphase thereof, and shall include, at a minimum, a conceptual site plan, color renderings of all building elevations, floor plans, budgetary information and associated narrative Description of Project Elements sufficient to provide the Township with an understanding of the proposed Project, or Phase or Subphase thereof.
- 2.62 “Project Elements” shall mean any component of a Redevelopment Project.
- 2.63 “Project Plan(s)” shall mean a detailed depiction of a Redeveloper’s proposed Project, or individual Phase or Subphase thereof, and shall include all submission requirements for making application to the Planning Board pursuant to the Township’s existing Subdivision and Site Plan application procedures and this Redevelopment Plan.
- 2.64 “Proportion” shall mean the relationship, or ratio, between two dimensions, e.g., width of street to height of building wall, or width to height of window.
- 2.65 “Public”: When applied to a use or facility, shall mean a use or facility that is constructed, owned and/or operated by a governmental or quasi-governmental agency and is available for use to all

members of the general public with or without payment of a membership fee or other charge.

- 2.66 “Public Sidewalk” shall mean a paved path provided for pedestrian use and usually located at the side of a road within a right-of-way.
- 2.67 “Publication” shall mean the date printed on the cover of this Redevelopment Plan, which shall signify the date this Redevelopment Plan was finalized for printing.
- 2.68 “Redeveloper”²⁰ shall mean the corporation, partnership or other entity or entities designated by the Township as Redeveloper pursuant to N.J.S.A. 40A:12A-1 et seq., and having entered into a Redevelopment Agreement with the Township for the purposes of advancing this Redevelopment Plan. Nothing herein shall prohibit the Township from acting as Redeveloper if and when appropriate or convenient.
- 2.69 “Redeveloper Candidate”²⁰ shall mean the corporation, partnership or other entity or entities selected by the Township to pursue negotiations leading a Redevelopment Agreement with the municipality for the purposes of advancing this Redevelopment Plan, but whose Redevelopment Agreement has yet to be executed.

²⁰ References to “Redeveloper” / “Redeveloper Candidate” shall apply to “Alternate Redeveloper Candidate” pursuant to section 5.4 herein.



2.70 “Redevelopment Agreement” shall mean a contract made by and between a designated Redeveloper and the Township, which shall detail the specific rights, responsibilities and obligations of both parties related to the development of a Redevelopment Project under this Redevelopment Plan.

Subject to the provisions of a Redevelopment Agreement, nothing in this Redevelopment Plan shall be construed to prohibit a Redevelopment Project from being developed as multiple buildings constructed in phases over time, and nothing herein shall limit an entity from being designated Redeveloper for more than one (or all) Redevelopment Tract created hereunder.

2.71 "Redevelopment Area" shall have the same meaning as “Town Center South Redevelopment Area”.

2.72 “Redevelopment Entity” shall mean Robbinsville Township, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12A-1 et seq.²¹

2.73 “*Redevelopment Law*” shall have the same meaning as *Local Redevelopment & Housing Law*.

2.74 “Redevelopment Plan” shall mean this instant document entitled *Redevelopment Plan for the*

Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey, prepared by Remington, Vernick & Arango Engineers (date indicated on cover).

Upon adoption by the Governing Body, this Redevelopment Plan shall satisfy all statutory requirements of the *Local Redevelopment and Housing Law* and shall constitute a Redevelopment Plan under N.J.S.A. 40A:12A-3 and 12A-7.

2.75 “Redevelopment Project” shall mean the construction of buildings and/or other improvements in the Redevelopment Area by the designated Redeveloper in accordance with this Redevelopment Plan.

Subject to the provisions of a Redevelopment Agreement, nothing in this Redevelopment Plan shall be construed to prohibit or in any way limit a Redevelopment Project from being developed in Phases or Subphases over time. Accordingly, the term “Redevelopment Project” shall be construed to include any Phases or Subphases thereof.

For the purposes of issuing a Certificate of Completion & Compliance (section 14.0 herein), an “Independent Component of a Redevelopment Project” shall mean any portion of a Redevelopment Project, or Phase or Subphase thereof, which can stand alone and be considered complete without completion of any connecting or non-connecting portion of such Project, Phase or Subphase thereof.

²¹ Within the context of the various sections of this Redevelopment Plan, the terms “Robbinsville”, Robbinsville Township”, “Township” and “Governing Body” shall mean the Governing Body of Robbinsville Township, acting in its capacity as Redevelopment Entity for the Town Center South Redevelopment Area.



- 2.76 “Redevelopment Tract” shall mean any of the two (2) designated sections of the Redevelopment Area created pursuant to section 7.3 herein.

- 2.77 “Regionally-Oriented Retail & Service Activities” shall mean uses designed to provide the needs of the citizens of Robbinsville and the surrounding communities and include, without limitation: supermarkets, furniture stores; “big-box” retail, appliance or home improvement stores; sporting goods shops; hobby shops; book stores; clothing stores; pet shops; specialized day spas; fitness centers; stationary stores; jewelry stores; retail dry cleaning (no commercial cleaning on the premises), appliance repair, shoe repair shops, upholsterers; and like and similar activities. Regionally-Oriented Retail & Service Activities explicitly exclude uses requiring storage or display of goods outside a fully enclosed building; motor vehicle sales or service operations; lumberyards; adult bookstores and/or peep shows; auction markets; and pawn shops.

- 2.78 “Relevant Permitting Agencies” shall mean any combination of Federal, State and/or County agencies having jurisdiction over the Redevelopment Area or Redevelopment Project.

- 2.79 "Respondent" shall mean an entity submitting an Expression of Interest in accordance with section 5.1 herein.

2.80 “Retail”: Webster’s²² defines “Retail” as:

n. the sale of goods or articles individually or in small quantities directly to the consumer.

v. to sell individually or in small quantities; sell directly to the consumer.

Further, Webster’s defines “Service” as:

v. work done or duty performed for another or others

adj. providing services, rather than goods.

The generality of non-residential, non-public uses permitted by the Town Center Plan may be described as ‘designed to provide for a “cash-and-carry”²³ economy for this section of Robbinsville’.

In light of Webster’s definitions and the types of uses permitted under the Town Center Plan, it is clear that Township Policymakers have made a public policy decision to support a “cash-and-carry”²³, traditional Main Street economy for this section of the municipality.

Accordingly, this Redevelopment Plan shall use the generic term “Retail” to refer to any number of uses whereby individuals are able to purchase goods and

²² Second College Addition, 1982. (“Webster’s”)

²³ Defined to include Restaurant services



services directly from establishments in a “cash-and-carry” manner.²³ See also “Neighborhood-Oriented Retail and Service Activities” and Regionally-Oriented Retail and Service Activities.

- 2.81 “Retail Sale” shall mean the sale of goods, merchandise or services which are marketed inside of a building and, unless otherwise permitted by this Redevelopment Plan, exclusive of the sale of goods or merchandise which are displayed or stored outdoors.
- 2.82 “Review & Approval” shall mean the review and approval by the Planning Board of an application for Site Plan Approval, Subdivision Approval and/or Redevelopment Plan Conformance as may be required to effectuate a Redevelopment Project.
- 2.83 “Rhythm” shall mean the effect obtained through repetition of architectural elements such as building footprints, height, roof lines or side yard setbacks; of streetscape elements such as decorative lamp posts; or of natural elements such as street trees.
- 2.84 “Right-of-Way (“ROW”)” shall mean private or publicly owned land comprised by a street and sidewalk, including everything up to the front property line of lots fronting on a given street.
- 2.85 “Robbinsville” and “Robbinsville Township” shall mean the Township of Robbinsville, a body corporate and politic, and unless otherwise

indicated, includes its Governing Body, elected officials, officers and staff.²⁴

- 2.86 “Route 33” shall mean State Highway 33.
- 2.87 “R.S.I.S.” shall mean the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
- 2.88 “Setback” shall mean clear, unoccupied and unobstructed space (unless otherwise specified) measured at right angles between a lot line, right-of-way line or Redevelopment Tract boundary line²⁵ and a building envelope; and extending from grade to sky.
- 2.89 “Setback Line” shall mean the alignment which dictates the front yard primary facade setback from the street or public or private right-of-way, to be followed by buildings or structures fronting thereon. For the purposes of this Redevelopment Plan, a minimum of 50% of the facades effected must be constructed at the Setback Line.
- 2.90 “Shared Parking” shall mean the concept of parking which recognizes that uses in proximity to one another may have parking demands which permit such uses to share the same marginal parking spaces provided to accommodate peak parking conditions in a common parking facility.

²⁴ Within the context of the various sections of this Redevelopment Plan, the terms “Robbinsville”, Robbinsville Township”, “Township” and “Governing Body” shall mean the Governing Body of Robbinsville Township, acting in its capacity as Redevelopment Entity for the Town Center South Redevelopment Area.

²⁵ Which may or may not coincide with a lot line.





2.91 “Signable Area” shall mean the area or areas on a commercial building facade where signs may be placed without disrupting facade composition.

Signable Area will often include panels at the top of store windows, transoms over storefront doors and windows, sign boards on fascias and areas between the top of the storefront and the sills of 2nd story windows.

2.92 “Sign, Fascia” shall mean the vertical surface over a storefront which is suitable for sign attachment.

2.93 “Sign, Icon” shall mean a sign that illustrates, by its shape and graphics, the nature of the business conducted within.

2.94 “State Plan” shall mean the New Jersey *State Development and Redevelopment Plan*, authorized via the State Planning Act of 1985 and last adopted in March, 2001.

2.95 “Street Furniture” shall mean the functional elements of the streetscape, including, but not limited to, benches, trash receptacles, planters, kiosks, sign posts, streetlights and bollards.

2.96 “Streetscape” shall mean the built and planted element of a street which define its character.

2.97 “String Course” shall have the same meaning as “Belt Course.”

2.98 “Texture” shall mean the exterior finish of a surface, ranging from smooth to coarse.

2.99 “Town Center Master Plan” shall have the same meaning as “Town Center Plan”.

2.100 “Town Center North” shall mean the existing development constructed under the Town Center Plan north of Route 33.

2.101 “Town Center South” shall have the same meaning as Town Center South Redevelopment Area”.

2.102 “Town Center South Redevelopment Area” shall mean the approximately 90-acre, 70-lot area portion of Robbinsville Township located between State Route 33 and the Township’s municipal boundary with Hamilton Township, as further described in section 1.0 and Exhibit 4 herein; such Area being designated as an Area In Need of Redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq. via Township Resolution No. 2010-202.

2.103 “Town Center Plan” shall have the same meaning as “Town Center Zoning & Design Regulations”.

2.104 “Town Center Zoning & Design Regulations” shall mean the regulations adopted via Ordinance 97-9, which, before adoption of this Redevelopment Plan, regulated land use and design of the Town Center.



- 2.105 “Townhouse” shall mean a side-by-side attached group of single-family units having a minimum of three (3) and a maximum of eight (8) units per building. In the case of an end unit, a Townhouse is attached on one side to a series of units of the same type.
- 2.106 “Township” shall have the same meaning as Robbinsville.
- 2.107 “Township Code” shall mean, unless otherwise cited, Chapter 142 of the Robbinsville Township Municipal Code,²⁶ as modified through this Redevelopment Plan and as may be amended from time-to-time.
- 2.108 “Township Clerk” shall mean the municipal Clerk for Robbinsville Township, who is the statutorily-mandated custodian for the Township’s records.
- 2.109 “Tract” shall have the same meaning as “Redevelopment Tract”.
- 2.110 “Transit Stop” shall mean an identifiable location with adequate pedestrian amenities where a bus, train or other means of mass transit can safely stop to load or discharge passengers.
- 2.111 “Typical Residential Amenities” shall mean such Accessory Structures and Uses which are normal and customary to a residential use, including, but

not limited to; private automobile garages for the exclusive use of the residents or guests thereof; greenhouses; tool sheds; playhouses or play sets; fences and walls, satellite dish antennae; solar energy systems; tennis, basketball or similar court games and residential swimming pools, provided:

- A. Such uses are incidental to the residential use of the premises and are not operated for gain;
 - B. Such uses shall be located in the Side or Rear Yard, and then, except for fences and walls, shall conform to the setbacks required hereby for Accessory Structures. In the case of a Corner Lot, the regulations regarding Front and Side Yards shall apply;
 - C. Any machinery used in connection with such use shall be housed in a soundproofed structure;
 - D. Any safety or other lighting to illuminate any such use shall be designed and located so that it does not project any light or glare on contiguous properties. All bare incandescent light sources shall be shielded from view.
- 2.112 “Urban Apartment” shall mean a residential unit within an Apartment / Condominium Building as defined in 2.4 herein, whether leased or sold under a condominium, cooperative or similar arrangement, and limited to a minimum of 650 s.f. and a maximum of 1,900 s.f.

²⁶ On file with the Township Clerk or available via <http://www.robbinsville-twp.org/>





Urban Apartments shall be limited to one (1) and two (2) bedroom units. The ratio of such units shall be determined within the context of the Redevelopment Agreement to be negotiated between the Redeveloper Candidate and the Township.

Urban Apartments fronting Route 33, Liberty Street, Lake Drive, Park Street, Commerce Street and the Robbinsville-Edinburg Road shall be located above ground floor commercial space.

2.113 “Urban Apartment Building” See “Apartment / Condominium Building” and “Urban Apartment”.

2.114 “Zoning / Administrative Officer” shall mean the municipal official assigned to administratively approve land use applications not rising to the level of Review & Approval under this Redevelopment Plan and which would otherwise not require approval by the Planning Board or Zoning Board of Adjustment under the Township Code.



3.0 TOWN CENTER SOUTH REDEVELOPMENT AREA

3.1 Background²⁷

3.1.1 In the mid-1980s, [then] Washington Township commenced discussions with various State, county and local officials regarding the creation of a Town Center²⁸ in the Robbinsville section of the Township, with the objective of containing suburban sprawl in the face of unprecedented growth in the Township and surrounding communities and thereby preserving the character of the rural and agricultural areas within the municipality.

It was (and continues to be) the Township's vision to utilize the [then] emerging Smart Growth planning theories of New Urbanism / Neo-Traditional Design to transform unutilized lands in this once-rural area into a community that ~ albeit new ~ was rooted in yesteryear. Specifically, the Town Center Plan envisioned a walkable community that would free its residents and workforce from dependence on the automobile by:

- making better use of available lands by integrating residential, commercial, retail and service needs;
- balancing residential and commercial growth in a manner that does not overwhelm taxpayers; and
- creating a traffic network that supports a thriving business district while creating outlets for modern commuting and regional traffic needs.

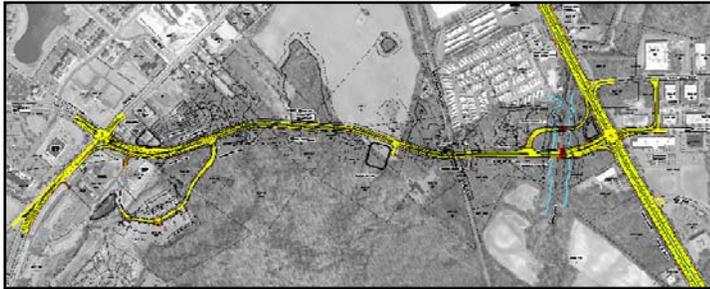
3.1.2 As part of it's planning in support of this vision, the Township commissioned planning, traffic and other studies to determine the viability of a Town Center in Robbinsville, and what public improvements might be required to support such a Center.

The result of these studies was the concept of a mixed-use neighborhood with a central core of development surrounding a traditional "Main Street" on existing Route 33. In order to insure the walkable community consistent with Smart Growth principles (and thereby insure safe and efficient pedestrian and vehicular circulation within the Town Center area), Route 33 traffic would be diverted away from the Town Center via a new Route 33 Bypass, designed as a limited-access roadway linking (existing) Route 33 at Washington Boulevard with State Route 130 at South Gold Drive.

²⁷ Information derived in part but not exclusively from a *Report on Status of Town Center for Washington Township, Mercer County*. Peter G. Sheridan, Esq. (Graham, Curtin & Sheridan) July 2005 (on file with the Township Clerk), augmented by Mary Caffrey of the Charleville Company.

²⁸ A "Center" is a designation conferred by NJDCA after an extensive planning process known as Plan Endorsement, a process whereby municipal, county, regional and State entities responsible for land use and other pertinent planning work in a coordinated effort to increase the degree of consistency among their individual "plans" in order to facilitate the implementation of these plans.

A "Town Center" is one of several type of Centers designation.



3.1.3 At every step of the process, agencies of State government charged with promoting sound land use planning not only encouraged, but actually funded the Township's efforts.

3.1.4 After extensive negotiations with a litany of pertinent State and County agencies as well as affected property owners, Robbinsville's Washington Town Center designation was unanimously approved by the State Planning Commission in April 1998; the first such designation in New Jersey.

The approved Center encompassed a 330-acre section of Robbinsville surrounding the intersection of Route 33 and State Route 130, and envisions:

- Approximately 1,200 residential units, including townhouses, duplexes, single family detached homes and assisted living facilities;
- Approximately 250,000 s.f. of retail and office space situated along Route 33 in a true "Main Street" configuration, with sidewalk cafes, stores and community activities;

- Approximately 30 acres of public gardens, parks, lakes and village squares;
- Off-road paths connecting the Town Center to adjacent neighborhoods, schools and public amenities; and
- Up to 365 acres of preserved greenbelt around Town Center and adjacent development.

3.1.5 A Memorandum of Understanding by and between the State Planning Commission, NJDCA, NJDEP, NJDOT, Mercer County and the Township was executed in July 2000.

3.1.6 While the north side of Route 33 within the Washington Town Center has been substantially developed into a *nationally-recognized and award winning*²⁹ mixed-use, compact, pedestrian-oriented community, the south side of Route 33 has remained virtually unchanged; a mix of small businesses and modest residences along Route 33 with a significant amount undeveloped vacant land.

3.2 Redevelopment Area Delineation

The Redevelopment Area consists of the following Blocks and Lots, along with internal rights-of-way.³⁰

²⁹ Most recently, the 2010 Smart Growth Award from N.J. Future

³⁰ Exhibit 4 & Exhibit 5



BLOCK	LOT(S)
1	1.01, 2 - 4, 7, 8, 11.01 - 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17 - 27, 32 & 65 - 74;
10.1	1;
1.03	1-8;
1.04	1-8;
1.05	1-11; and
1.06	1.

The Redevelopment Area contains 79.35 acres in the form of Tax Lots and approximately 11.25 acres in the form of municipal and other rights-of-way for a total of 90.59 acres.³¹

3.3 Redevelopment Area Zoning

The Redevelopment Area is located in the Township's TC-2 Town Center (2) Zoning District.³² The Purpose, Permitted Uses and Bulk Standards for this Zone are included in Chapter 142 of the Township Code.

³¹ Area calculations were developed from the attribute data appended to the Township's electronic Tax Maps (Exhibit 4) and Township Tax Assessment records (Exhibit 14). Information is therefore deemed accurate to the level of the scale. A Property Survey of the Redevelopment Area and the individual parcels therein, performed by a licensed Land Surveyor, is required for precise measurements.

Where discrepancies between the Tax Map and the Assessor's data exist, the Assessor's records are utilized unless a Property Survey was used to create the Tax Map.

³² Exhibit 15

3.4 Redevelopment Area Land Uses

The Report of Findings detailed the following Land Uses in the Town Center South:

LAND USE	PARCELS	% TOTAL
RESIDENTIAL	3	8.8%
COMMERCIAL	7	10.3%
MUNICIPALLY-OWNED VACANT LAND	11	16.2%
PRIVATELY-OWNED VACANT LAND	44	64.7%

LAND USE	ACRES	% TOTAL
RESIDENTIAL	2.6	3.3%
COMMERCIAL	4.2	5.3%
MUNICIPALLY-OWNED VACANT LAND	52.4	66.1%
PRIVATELY-OWNED VACANT LAND	20.1	25.3%

3.5 Regulatory Environment

The New Jersey Office of Smart Growth³³ has promulgated the equivalent of a master plan to guide development in the state. Entitled the *New Jersey State Development and Redevelopment Plan*, this document is an outline of the State's

³³ Reconstituted under Governor Christie as the "Office of Planning Advocacy"

policies related to Smart Growth and planning principles. Prepared as an interdepartmental effort between various State offices charged with managing growth in New Jersey³⁴, the *State Plan* is the controlling policy guide regarding growth-related issues on a statewide level.

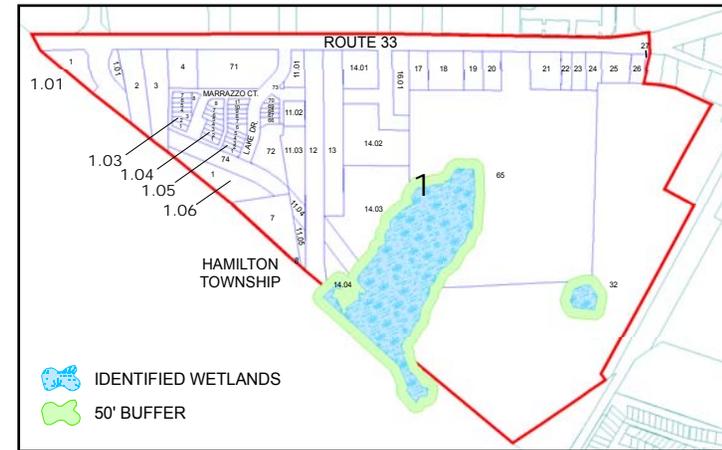
The *State Plan* classifies the section of the Township which includes the Study Area as a Center (specifically a 'Town Center') in a 'PA~2 (Suburban) Planning Area'.³⁵

Planning Area designations have the potential to impact the extent of Governmental Approvals necessary for development projects. Issues related to such PA~2 designation on the Redevelopment Area are addressed in section 12.7.4 herein.

3.6 Environmental Considerations

NJDEP wetlands mapping has identified Deciduous Scrub/Shrub Wetlands and Deciduous Wooded Wetlands within the Redevelopment Area.

As part of a series of planning efforts that predated this Redevelopment Plan, the Township has delineated such wetlands (and associated 50' wetland buffers):



3.7 Governmental Approvals

Based on the information available to the Township at Publication, Governmental Approvals known or believed to be applicable to the Redevelopment Area include, but may not be limited to:

- A. Robbinsville Township Council for determination of Redevelopment Plan Conformance. A review and recommendation will be made by the Township's Technical Review Committee prior to Council action;
- B. Robbinsville Planning Board for Subdivision and Site Plan approvals. Determination of Completeness shall be made by the Township's Technical Review Committee in accordance with standard operating procedure;

³⁴ Principally, but not exclusively, NJDCA and NJDEP.

³⁵ Exhibit 16



- C. Robbinsville Environmental Commission in accordance with standard operating procedure;
- D. Robbinsville Office of Code Enforcement for a Construction Permit;
- E. Mercer County Conservation District for Soil Erosion and Sediment Control Plan certification;
- F. Mercer County Planning Board for Subdivision approval (if applicable) and Site Plan approval or exemption;
- G. Mercer County Utilities Authority and Robbinsville Municipal Utilities Authority for sanitary sewer permitting;
- H. NJDOT for Highway Access Permitting, traffic signalization, roadway geometry and other issues related to Route 33 and the Route 33 Bypass;
- I. NJDEP for wetlands and other environmental permitting, sewer and water extension permitting, and such other permitting as may be required; and
- J. United States Army Corps of Engineers, the U.S. Environmental Protection Agency and/or the U.S. Fish & Wildlife Service for Federal regulations which may be applicable.

3.8 Pre-Existing Approvals³⁶

Since the adoption of the Town Center Plan, the Robbinsville Planning Board has approved the following development applications. Treatment of these approvals under this Redevelopment Plan are addressed in section 6.4 and 7.2.3 herein:

3.8.1 Washington Village LLC^{37,38}

In 2004, Washington Village LLC received approval for the development of a mixed-use project consisting of a 104,000 s.f. Route 33-fronting retail, office and apartment building, 31 townhouses to the south of the mixed-use building, public open space and related amenities.³⁹ In accordance with the Town Center Plan, the approval included dedication of 4.5 acres of Marrazzo-owned land for the Route 33 Bypass, which the Board found necessary given the density of the project.

In 2006, the Board approved a request by Marrazzo to amend its approvals to permit the phasing of the project.⁴⁰

³⁶ All referenced Resolutions are on file with the Planning Board Secretary.

³⁷ A.k.a. "Marrazzo"

³⁸ Former Block 1, Lots 5, 6, 9, 10 & 11

³⁹ Planning Board Resolution No. PB2003-37. Amended in December 2004 via Resolution No. PB-2004-43 and May 2005 via Resolution No. PB-2005-19.

⁴⁰ Planning Board Resolution No. PB2006-10.



In 2006 and 2007, the Board approved requests by Marrazzo for one (1) year extensions of the prior approvals.⁴¹

Also in 2007, the Board approved a request by Marrazzo to delete 36 residential units and increase the amount of office space by approximately 18,000 s.f. for Phase 1 of the project (with any subsequent amendments to Phase 2 requiring separate approvals).⁴²

3.8.2 Kings Interest LLC: Robbinsville Commons I⁴³

In 2004, Kings Interest LLC received approval for the development of a mixed-use project consisting of two (2) Route 33-fronting buildings containing 13,535 s.f. of office space, a 6,000 s.f. restaurant and 34 apartment units, with an additional 55 apartment / condominium units to be constructed in a third building to the south.⁴⁴ In accordance with the Town Center Plan, the approval included the dedication of Kings Interest-owned land for the Route 33 Bypass, which the Board found necessary given the density of the project.

In 2006, the Board approved a request by Kings Interest to amend its approvals to permit the phasing of the project.⁴⁵

3.8.3 Kings Interest LLC: Robbinsville Commons II⁴⁶

In 2007, Kings Interest LLC received approval for the development of a mixed-use project consisting of approximately 13,535 s.f. of retail space with 36 apartments above.⁴⁷ Again, the approval included the dedication of Kings Interest-owned land for the Route 33 Bypass.

3.8.4 Kushner⁴⁸

In 2005, a subsidiary of the Kushner Companies received approval for a 267-unit market-rate housing project. The project was unable to obtain a NJDOT Highway Access Permit. As a result, Kushner sold its lands to the Township in 2007.

⁴¹ Planning Board Resolutions No. PB2006-27 & PB2007-04.

⁴² Planning Board Resolution No. PB2007-07.

⁴³ Former Block 1, Lots 14, 15 & 16.

⁴⁴ Planning Board Resolution No. PB2004-42, with conditions approved in June 2005 via Resolution No. PB-2005-30.

⁴⁵ Planning Board Resolution No. PB2006-12

⁴⁶ Block 1, Lots 12 & 13.

⁴⁷ Planning Board Resolution No. PB2006-28 (on file with the Planning Board Secretary)

⁴⁸ Block 1, Lots 32 & 65.



4.0 MUNICIPAL GOALS & OBJECTIVES

4.1 General Statements

4.1.1 This document constitutes a Redevelopment Plan under the provisions of the *Local Redevelopment and Housing Law*.

The purpose of this Redevelopment Plan is to provide the mechanism, via a public / private partnership, for the creation of one or more single-use or mixed-use Project(s) within the Town Center South Redevelopment Area; thereby advancing the Goals & Objectives detailed herein.

4.1.2 The Goals & Objectives articulated herein shall constitute the guiding principles for the activities anticipated under this Redevelopment Plan. Such activities may be undertaken by the Township or by one or more designated Redevelopers.

Township Policymakers recognize that it may be necessary to subordinate a particular Goal or Objective, or certain aspects of a particular Goal or Objective, in order to achieve other, more imperative, Goals or Objectives. Within this context, the quantitative or qualitative value of any of the stated Goals & Objectives, as well as their relative importance to the Township and thus this Redevelopment Plan, shall be determined exclusively by the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

Readers should attach no importance to the order in which these Goals and Objectives are presented.

4.1.3 This Redevelopment Plan does not attempt to anticipate every possible Project Concept or land use solution. The provisions of this Plan have been crafted to provide qualified Redevelopers the flexibility necessary to develop Project(s) which advance(s) these Goals & Objectives.

4.1.4 Township Policymakers recognize the financial and planning realities related to the redevelopment of the Town Center South, and are in a position to make available such assistance as may be at the Township's disposal ~ through the powers of the *Redevelopment Law* and/or other pro-development agencies and programs ~ should a particular Project so require.

Such assistance may include, but need not be limited to, endorsing and/or ~ with the designated Redeveloper ~ making joint application for state and federal grant funds; endorsing and/or ~ with the designated Redeveloper ~ making joint application for state / federal environmental / other permits required to advance a Project, negotiating favorable property tax mechanisms,⁴⁹ and amending the provisions of this Redevelopment

⁴⁹ i.e., the granting of tax abatement, Payment-In-Lieu-of-Tax (PILOT) Agreements, Economic Redevelopment & Growth Grant (ERGG) funding and Redevelopment Area bonds under applicable programs.



Plan should such actions, in the sole opinion of the Township, be reasonably necessary to produce a superior product.

Any such assistance shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate.

- 4.1.5 Township Policymakers further recognize that certain environmental issues may exist within, on, under or adjacent to the Redevelopment Area. Such issues may include, but need not be limited to, wetlands, threatened or endangered species, underground storage tanks and/or subsurface contamination.

Other than the identification of wetlands as detailed in section 3.6 herein, the Township makes no warrants regarding these or other conditions.

Responsibility (financial or otherwise), for the remediation of any conditions found within, on or under any Redevelopment Area property, or for compliance with any State or Federal requirements related thereto, shall be addressed between the Redeveloper and the current property owner in accordance with applicable laws and regulations.

To the extent pertinent, such issues shall be recognized and addressed within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate.

4.2 **Town Center Plan**

This Redevelopment Plan has been crafted to be consistent with and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan.

While remaining supportive of the Town Center Plan, Township Policymakers recognize that such Intent and Policies were adopted in 1997, and therefore reflect very different economic times and municipal priorities. As such, there is a general concern that the Town Center Zoning & Designed Regulations may be overly burdensome, economically unachievable in today's climate.

Accordingly, such Intent and Policies are herewith revised for the Redevelopment Area as follows:

4.2.1 Legislative Intent

Institute standards, requirements and guidelines for the TC-2 Zone in order to create a mixed use district comprised of a variety of housing stock; commercial; public and quasi-public uses; and open space areas designed to serve as both passive and active amenities for the community.

4.2.2 Policy Statements

- A. Develop a Town Center which reflects the traditional character of the Township as it transitions from a rural to suburban community.



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

- B. Encourage innovative mixed-use / multiple-use plans in order to accommodate housing demand for varying age groups and income levels via a variety of unit type, design and layout. Toward this end, provide for smaller lots than presently exist in the Township to accommodate single-family detached units, duplexes, townhouses and apartments / residential flats.
- C. Provide for the conservation and more efficient use of open space.
- D. Require, where practicable, the interconnection of existing and proposed uses so as to create integrated neighborhoods and a greater sense of community by using design techniques that provide for modified deflected street patterns with radial and axial streets.
- E. Provide a layout of streets and open space edges which encourage pedestrian interconnections to the Town Center's civic and commercial uses.
- F. Provide a clearly articulated and rationally designed open space system which consists of both integrated and peripheral active and passive parks and which advances items C. D. and E. above.
- G. Extend greater opportunities for housing, commercial and recreation facilities to all residents of the Township.
- H. Encourage a more efficient use of land and public services by directing development in a pattern that resembles traditional mixed-use, multiple-use Town Center.
- I. Institute Review & Approval procedures to ensure that Redevelopment Projects relate type, design and layout to the context of their environs; and to the Township's goal of encouraging neo-traditional mixed-use development.
- J. Establish policies and procedures intended to promote flexibility in development while maintaining the integrity of the Town Center Plan.
- K. Direct development to the Town Center in an effort to preserve the remaining rural, historic and agricultural character of the larger community.
- L. Institute land development practices which will promote the public health, safety and welfare by creating a Town Center as an alternative to conventional, modern, use-segregated developments such as larger lot suburban subdivisions and strip commercial development.
- M. Establish a street and path network which accommodates an integrated multi-modal transportation system with the intent of providing safe pedestrian connections as set forth in item B.(5) above.



- N. Alleviate undue traffic congestion by reducing excessive sprawl and the segregation of land uses which result in the inefficient use of land and which necessitates the use of private vehicles.
- O. Discourage uses and design patterns which contribute to traffic congestion through the dependence on private automobiles.
- P. Promote the creation of places which are oriented to the pedestrian and promote citizen security and social interaction.
- Q. Establish community "greens" which act as focal points of activity and interaction for both commercial and residential neighborhoods and the community at large.
- R. Promote development with visual and spatial characteristics as expressed in the Town Center's Design Regulations.
- S. Promote development where physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible site and architectural design elements which relate the design characteristics of an individual structure or development to other existing and/or planned structures or developments in a harmonious manner; thereby resulting in a coherent overall development pattern and streetscape.

- T. Promote the creation of neighborhoods and districts that are identifiable in the landscape, surrounded by open space and sensitive in the preservation of natural features.
- U. Develop a plan that addresses the fiscal imbalance of current zoning and provides a phasing of development of the Town Center in a fiscally responsible manner.

4.2.3 To achieve these ends, this Redevelopment Plan retains the underlying planning and design philosophy of the Town Center Plan applicable to the TC-2 Zoned lands within the Redevelopment Area, and invites potential Redevelopers to submit Project Concept(s) which embody such philosophy.

4.3 **Municipal Land Use Law**

In addition to the Intent and Policies of the Town Center Plan as detailed above, this Redevelopment Plan has been crafted to advance the following purposes of the New Jersey *Municipal Land Use Law* (N.J.S.A. 40:55D-2):

- a. Constituting municipal action to guide the appropriate use and redevelopment of lands in a manner which will promote the public health, safety, morals and general welfare;
- b. Providing for Redevelopment Projects in a manner which will secure safety from fire, flood, panic and other natural and man-made disasters;



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

- c. Ensuring that the Redevelopment Projects will provide adequate light, air and open space;
- d. Ensuring that redevelopment in Robbinsville does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. Establishing appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions while preserving the environment;
- f. Encouraging the appropriate and efficient expenditure of public funds by the coordination of public [and private] development with land use policies;
- g. Providing sufficient space in appropriate locations for agricultural, residential, and commercial uses, and open space, according to their respective environmental requirements in order to meet the needs of Township citizens;
- h. Locating and designing transportation routes which will promote the free flow of traffic and avoid congestion and blight;
- i. Promoting a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. Promoting the conservation of open space, energy resources and valuable natural resources while preventing [sub]urban sprawl and degradation of the environment through improper use of land;
- k. Encouraging planned unit development which will incorporate the best features of design and relate the type, design and layout of residential, commercial and other development to the Town Center;
- m. Encouraging coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. Promoting the utilization of renewable energy resources; and
- o. Promoting the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

4.4 Redevelopment Plan Goals & Objectives

- 4.4.1 Reverse or remove the conditions documented during the Preliminary Investigation (section 1.4 herein) which led the Township to designate Town





Center South as being In Need of Redevelopment under the *Local Redevelopment and Housing Law*.

- 4.4.2 Stabilize the Town Center by eliminating negative and/or blighting influences. Prevent the spread of such influences by the application of comprehensive Redevelopment Plan controls.
- 4.4.3 Renovate and/or rehabilitate substandard and/or underproductive buildings or improvements in the Redevelopment Area which, singularly or in combination, represent conditions detrimental to the safety, health and welfare of the community.
- 4.4.4 Remove and replace substandard buildings or improvements where renovation / rehabilitation is not practicable or desirable, including where such buildings or improvements do not lend themselves to reuse in a manner consistent with this Redevelopment Plan.
- 4.4.5 Remove substandard dwelling units within the Redevelopment Area and replace such units with decent, safe and sanitary housing; including both rental and ownership housing, and housing for a variety of age groups and affordability ranges. Where necessary and appropriate, such replacement housing may be located outside of the Redevelopment Area.
- 4.4.6 Generate revenue for the municipality by introducing to productive use, undeveloped Township-owned and other lands which, for reasons identified in the

Preliminary Investigation (section 1.4 herein), are not likely to be developed solely through the instrumentality of private capital, and which therefore represent a lost opportunity for valuable contribution to the welfare of the community.

- 4.4.7 Stimulate private development by allowing maximum flexibility in land use, project design and building regulations while protecting, to the maximum extent practicable, the Town Center Plan as well as the natural environment both within and adjacent to the Redevelopment Area.
- 4.4.8 Provide for the creation ~ by the Township alone or in partnership the designated Redeveloper ~ of appropriate recreation and community facilities which will serve as amenities not only for the Redevelopment Area, but for the greater Town Center area and Robbinsville as a whole.
- 4.4.9 Reorganize and replan the Redevelopment Area via a combination of land consolidation, subdivision and other mechanisms in order to create Redevelopment Tracts of appropriate size and shape to facilitate market-driven Projects designed to advance and achieve the Municipal Goals & Objectives detailed herein.

Within this context, and in light of the financial realities of developing Projects in the current economic climate, such replanning necessitates the relaxation of certain Town Center Plan regulations as relate to the Redevelopment Area.



4.4.10 Permit flexibility in the Town Center Plan TC-2 regulations in order to maximize the development potential of Town Center South in a manner that is mutually supportive with Town Center North. Within this context:

- A. Provide for an appropriate mix of commercial, office, residential and other uses as necessary to achieve these Municipal Goals & Objectives.
- B. Encourage and promote Redevelopment Projects which are consistent with Smart Growth / New Urbanism Principles⁵⁰ and Neo-Traditional design.
- C. Create as seamless a linkage as possible
 - 1. among and between the individual Redevelopment Tracts within the Redevelopment Area; and
 - 2. between the Redevelopment Area and the balance of the Town Center; thereby using the Redevelopment Project(s) as a unifying anchor for achieving the Town Center Plan.

Within this context:

- 1. work with NJDOT and other Relevant Governmental Agencies, as appropriate, to create the Route 33 Bypass;

- 2. ensure appropriate external access to and internal circulation within the Redevelopment Area for passenger vehicles, delivery vehicles, recreational users⁵¹ and pedestrians; and
- 3. provide for adequate (surface and/or structured) parking to support the Redevelopment Project(s) anticipated.
- D. Promote the efficient and effective provision of necessary infrastructure and related services for the Redevelopment Area while addressing economic, regulatory and permitting issues which have heretofore impeded the development of common infrastructure elements.
- E. Provide for appropriate aesthetics, visibility and security while remaining consistent with similar elements established in Town Center North.

4.4.11 Minimize, to the maximum extent practicable and appropriate, fiscal and operational impacts to Township residents which may result from a substantial Project(s) in the Redevelopment Area. Such impacts may include, but are not limited to, provision of municipal services and increase in school district taxes related to an increase in the number of students enrolled in the Township's school system arising from a Redevelopment Project.

⁵⁰ Exhibit 17

⁵¹ Bicycles, rollerbladers and like and similar uses.



4.4.12 Maximize tax revenue, generate new tax ratables or otherwise⁵² provide for substantial return to the public sector by the (re)development and active (re)use of unutilized or underutilized lands, which, singularly or in combination, represent a lost opportunity for valuable contribution to the welfare of the community.

4.4.13 Utilize zoning, tax abatement and other financial and non-financial incentives and programs where appropriate, to achieve these Goals & Objectives.

4.4.14 Stimulate, strengthen and enhance the Township's economic base and provide for increased employment and business opportunities resulting from development and operation of a significant Redevelopment Project(s) in the Redevelopment Area which will:

- A. Attract new businesses in (to) the Township;
- B. Retain and expand existing businesses in the Township; and
- C. Create jobs targeting the full spectrum of skill-levels; thereby supporting the widest possible employment base for Township and non-Township residents during construction and (as applicable) operation of the Redevelopment Project(s).

4.4.15 Provide for the reorganization, consolidation and, where necessary and practicable, relocation of existing land uses to suitable locations ~ either within the Redevelopment Area or, where appropriate, elsewhere in the Township; thereby coordinating form and function to ensure that uses are compatible with the built environment.

4.4.16 Protect and enhance lands and buildings which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which under this Redevelopment Plan is necessary, with or without change in their condition, for the effective revitalization of the Redevelopment Area.⁵³

4.4.17 Provide, in accordance with applicable law, for the relocation of residents, businesses and occupants within the Redevelopment Area which may be required to effectuate this Redevelopment Plan.

4.4.18 To the extent reasonably practicable, work with the designated Redeveloper to minimize disruption of the residential and business communities both within and adjacent to the Redevelopment Area during and after construction.

4.4.19 To the maximum extent reasonably practicable during and after construction, avoid and protect the undisturbed lands that may exist within or adjacent to the Redevelopment Area.

⁵² via P.I.L.O.T. or other appropriate mechanisms.

⁵³ As permitted under N.J.S.A. 40A:12A-3 & 14



4.4.20 Establish, where required by the Relevant Permitting Agencies, such Environmental Protection Measures as may be necessary and appropriate to allow for, to the maximum extent practicable within the context of the Redevelopment Project(s) proposed:

- preservation of high quality undisturbed lands as may exist within the Redevelopment Area.
- restoration of formerly environmentally sensitive lands which have been disturbed or spoiled by previous activity.
- provision of open space and recreation areas of appropriate size and function to compliment the Redevelopment Project(s) proposed.



5.0 REDEVELOPER SOLICITATION, SELECTION & DESIGNATION

Upon adoption of a Redevelopment Plan, and pursuant to N.J.S.A. 40A:12A-8 f. & g., designated Redevelopment Entities are empowered to solicit for and negotiate and enter into Redevelopment Agreements with one or more designated Redevelopers for the purposes of advancing the Goals & Objectives detailed in such Redevelopment Plan. Accordingly, the following actions are not subject to compliance with the *Local Public Contract Law*⁵⁴ or the *Local Lands and Buildings Law*.⁵⁵

Upon adoption of this Redevelopment Plan, the Township will be statutorily empowered to undertake such actions for the purposes of advancing the Goals & Objectives detailed herein.

5.1 Redeveloper Solicitation & Selection

5.1.1 It is the intention of the Township, upon adoption of this Redevelopment Plan, to immediately advertise the Redevelopment opportunity described herein in one or more regional publications and to accept Expressions of Interest from entities interested in developing in the Redevelopment Area.

The Township, at its discretion, may solicit Redevelopers for all or any part or parts of the Redevelopment Area, and may include in its solicitation the opportunity to phase a Project over time. The portion(s) of the Redevelopment Area to be marketed, the order in which such portion(s) are marketed and the timing of such solicitation(s) shall be determined by and at the sole discretion of the Township.

- 5.1.2 Expressions of Interest shall address and will be evaluated upon each Respondent's:
- A. Financial capability and ability to obtain the financing required for the Project(s) proposed.
 - B. Proposed financial return to the Township and its taxpayers in the form of tax ratables, P.I.L.O.T. payments, in-lieu-of contributions, facilities and/or other appropriate mechanisms.
 - C. Organizational strength, business reputation, professional capability and demonstrated success in developing, marketing and, as appropriate, managing / operating Project(s) similar to that proposed; including, but not limited to organizational & management structure and experience of the Project Team.

⁵⁴ N.J.S.A. 40A:11-1 et. seq.

⁵⁵ N.J.S.A. 40A:12-1 et. seq.



- D. Project Concept(s) and Description of Project Elements.
- E. Ability to comply with (extent to which the proposed Project achieves) the Goals & Objectives and other provisions of this Redevelopment Plan.
- F. The anticipated development schedule (with project milestones).
- G. Additional information as may be deemed by the Respondent as necessary or appropriate to convey its qualifications.

Candidates for Redeveloper designation shall be selected from among those submitting Expressions of Interest.

5.1.3 A Redevelopment Steering Committee consisting of the Mayor, the Redevelopment Subcommittee of the Township Council, the Township Engineer, the Zoning Officer and a member of the Planning Board, assisted by the Township’s professionals as necessary, shall evaluate and rank each Expression of Interest received based upon Selection Criteria contained in section 5.1.2 herein. From such ranking, a limited number of entities representing one or more of the best qualified Respondents (“Short-List”) will be generated. Short-Listed Respondents shall be asked to submit additional information and make a presentation to the Committee; and may be asked to make a presentation to the Township Council.

Short-Listed Respondents shall be those whose Expression(s) of Interest, in the sole opinion of the Steering Committee, best reflect Project(s) which are designed to achieve the Municipal Goals & Objectives of this Redevelopment Plan AND provide the Township with demonstrated evidence of the Respondent’s superior ability, experience and qualifications in developing and, as appropriate, operating the type, size and scope of the Project(s) proposed.

Responses will not be judged solely on economic terms.

5.1.4 Upon completion of the Short-List / presentation process, the Governing Body, at its sole discretion, may select a Redeveloper Candidate⁵⁶ from among such Short-Listed entities. The Redeveloper Candidate shall be an entity whose Expression of Interest, in the sole opinion of the Governing Body, offers ***the greatest net advantage*** to the Township.

Along with such designation, the Governing Body shall authorize a specific period of time for the Township to negotiate a Redevelopment Agreement with such designated Redeveloper Candidate. The Redevelopment Agreement will define the rights and responsibilities of each party relating to the proposed Project.

⁵⁶ “Redeveloper” designation shall be conferred by the Township only upon execution of a Redevelopment Agreement.





5.1.5 ***The Redevelopment Steering Committee and the Governing Body, respectively, reserve the right to interpret the components of an Expression of Interest at their discretion, and to rank Respondents and select the Redeveloper Candidate accordingly based on the Municipal Goals & Objectives (section 4.0) of this Redevelopment Plan.***

NOTHING HEREIN SHALL BE CONSTRUED TO IMPLY THAT THE REDEVELOPMENT STEERING COMMITTEE SHALL BE REQUIRED TO SHORT-LIST, OR THAT THE TOWNSHIP COMMITTEE SHALL BE REQUIRED TO DESIGNATE, ANY RESPONDENT AS REDEVELOPER CANDIDATE.

5.2 **Redeveloper Designation / Redevelopment Agreement**

Upon designation of a Redeveloper Candidate, the Steering Committee shall commence negotiations leading to a Redevelopment Agreement with such entity.

The Redevelopment Agreement shall include, at a minimum:

- A. The Project Concept(s) and Description of Project Elements for the undertakings proposed;
- B. Statements regarding compliance with the Municipal Goals & Objectives (section 4.0) of this Redevelopment Plan;

- C. Statements regarding compliance with the Post Selection requirements of this Redevelopment Plan (section 5.3) herein;
- D. Anticipated schedule for the commencement and completion of improvements, including design, permitting and construction;
- E. Environmental indemnification and insurance requirements;
- F. Provisions for termination of Redeveloper status in the event of default by the Redeveloper;
- G. Issues identified within the body of this Redevelopment Plan as being subject to such an Agreement;
- H. Provisions to address the Mayor’s Executive order 2008-70 (on file with the Township Clerk) regarding negotiations and execution of a Project Labor Agreement with the Mercer County Building and Construction Trades Council; and
- I. Such other provisions as may arise during the negotiations or which may be required by law.

5.3 **Post Selection Requirements**

5.3.1 **Redevelopment Administration Fee**

The Township shall condition the execution of any Redevelopment Agreement on the simultaneous





payment by the Redeveloper (Candidate) of a Redevelopment Administration Fee as follows:

FOR ANY PROJECT WITH AN ESTIMATED TOTAL PROJECT COST OF	FEE PAYMENT
Up to \$1 million	\$5,000.00
\$1 million or greater, but less than \$2 million	\$10,000.00
\$2 million or greater, but less than \$10 million	\$25,000.00
\$10 million or greater, but less than \$20 million	\$50,000.00
\$20 million or greater, but less than \$30 million	\$75,000.00
\$30 million or greater	\$100,000.00

5.3.2 Redevelopment Administration Escrow

A. In addition to any Application Fees the Township may elect to require of Expression of Interest Respondents and the Redevelopment Administrative Fee detailed in section 5.3.1 herein, and without limiting any terms or conditions to be negotiated as part of the Redevelopment Agreement, the Redeveloper Candidate shall, within one (1) month of such designation, deposit with the Township, a Redevelopment Administration Escrow in the amount \$15,000.00.

Such Escrow shall function analogous to an escrow associated with an application before a municipal Planning Board or Zoning Board of Adjustment under the New Jersey *Municipal Land Use Law*⁵⁷, and shall be used to reimburse the Township for in-house staff time and as-invoiced costs for such outside professionals⁵⁸ as the Township, in its sole discretion, may find necessary and convenient during the Redeveloper Candidate Selection and Redevelopment Agreement negotiations.

If at any time the balance of the Redevelopment Administration Escrow is reduced below 33% of the required posting, the Redeveloper Candidate shall replenish the account in an amount sufficient to pay all submitted invoices outstanding at that time plus an additional \$15,000.00.

Should the Township and Redeveloper Candidate fail to enter into a Redevelopment Agreement within the time period allotted, the Township reserves the right to rescind Redeveloper Candidate designation from such entity; whereby, after a final accounting of all costs incurred by the Township, any unused balance in such Redevelopment Administration Escrow shall be returned.

⁵⁷ N.J.S.A. 40:55D-53.1

⁵⁸ including, but not limited to, planning and engineering services, environmental specialists, legal advisors, financial consultants, real estate appraisers and other third party professional costs.



B. It is anticipated that this Redevelopment process will generate the need for some form of Redevelopment Administration funding between execution of a Redevelopment Agreement and completion of the subject Project. Accordingly, any unspent funds in a Redevelopment Administration Escrow on account at time of execution of the Redevelopment Agreement shall be rolled into a similar escrow to be negotiated as part of such Agreement.

Any unused Escrow balance shall be returned to the Redeveloper upon issuance of the final Certificate of Completion & Compliance for the final component of the Project associated with such Escrow in accordance with section 14.0 of this Redevelopment Plan.

C. The Redevelopment Administration Escrow shall not serve as a substitute for any fees or escrows required by the Township's Planning Board as part of the land use approval process, or by any other municipal or outside agency. Within this context, fees and other responsibilities arising after execution of the Redevelopment Agreement shall be specified within such Agreement.

5.4 While it is the Township's intention to negotiate in good faith with the Redeveloper Candidate to address all planning, financial and other issues which may become part of the Redevelopment

Agreement, the Township reserves the right ~ should a Project Concept evolve to the point where, in the sole opinion of the Township, it no longer meets the Goals & Objectives of this Redevelopment Plan, or should the Township and Redeveloper Candidate otherwise not be able to consummate a mutually-acceptable Agreement ~ to rescind Redeveloper Candidate status from such entity and to identify and enter into negotiations with an Alternate Redeveloper Candidate.

In the event the Township must designate an Alternate Redeveloper Candidate, the Township reserves the right, at its sole discretion, to:

- A. designate such Alternate from among those parties who submitted an Expression of Interest pursuant to section 5.1 herein;
- B. undertake an additional competitive, public solicitation process as detailed under section 5.1 herein; or
- C. negotiate directly with a known development entity.



6.0 ANTICIPATED REDEVELOPMENT ACTIONS

The Redevelopment Actions comprising this Redevelopment Plan consist of:

- A. (re)planning the lands within the Town Center South Redevelopment Area into distinct Redevelopment Tracts (section 7.3 herein);
- B. establishment of land use, building and other controls governing the form and function of the Project(s) anticipated thereon (sections 7.4 through 10.0 herein);
- C. identification of infrastructure improvements anticipated to be required for the Redevelopment Area (sections 8.0 and 9.0 herein);
- D. conveyance of the Township-owned lands to the designated Redeveloper (section 6.1.1 herein);
- E. acquisition and conveyance of the privately-owned lands as required for the Project(s) (section 6.1.2 herein);
- F. design, permitting and construction of the approved Redevelopment Project(s); and
- G. Such other Actions as may be necessary and convenient to achieve the Goals & Objectives (section 4.0) of this Redevelopment Plan.

6.1 Acquisition & Conveyance

Upon adoption of this Redevelopment Plan, the Township will be statutorily permitted⁵⁹ to:

- 6.1.1 Convey, via sale or lease, its lands in the Redevelopment Area to the designated Redeveloper in furtherance of an approved Redevelopment Project; and/or
- 6.1.2 Acquire privately-owned lands within the Redevelopment Area and convey such lands to the Redeveloper in furtherance of an approved Project. Such acquisition, if at all, shall be determined by Project necessity pursuant to the Redeveloper's Expression of Interest and the terms and conditions of the Redevelopment Agreement, and by the success of the private negotiations between the Redeveloper and the owners of such lands. ***Such negotiations shall precede any involvement by the Township.***
- 6.1.3 The Township shall not so acquire or convey any lands unless and until a Redeveloper has been designated and a Redevelopment Agreement therewith executed. All costs associated with any such acquisition and conveyance shall be born by the Redeveloper; ***it being the intent that no Township / taxpayer funds be used for such purposes.***

⁵⁹ N.J.S.A. 40A:12A-8b, c & g and 40A:12A-15



6.1.4 Details related this section 6.1 shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate.

6.1.5 Upon acquisition of any lands within the Redevelopment Area, and subject to the provisions of the negotiated Redevelopment Agreement addressing same, the designated Redeveloper shall be responsible for all taxes which become due and owing on all property acquired; for all demolition and site work; and for all planning, engineering, permitting and other activities necessary for the development of the Redevelopment Project in accordance with this Redevelopment Plan.

6.1.6 Subject to the provisions of the negotiated Redevelopment Agreement, the Township may agree to provide tax abatement, a P.I.L.O.T. arrangement and/or other financial assistance should a particular Project merit and require such assistance.

6.1.7 Additional Acquisition

The *Redevelopment Law*⁶⁰ permits a municipality to pursue Redevelopment activities **ONLY** within a designated Redevelopment Area. Accordingly, the Township is not in a position to acquire any property outside of the Redevelopment Area without first undertaking the public process described in section 1.4 herein.

However, nothing herein shall prohibit a Redeveloper, on his own account, from pursuing the **voluntary acquisition** of lands outside of the Redevelopment Area and developing such lands as a component of or complement to a Redevelopment Project proposed under this Redevelopment Plan.

6.1.8 **It is expressly understood that the Township SHALL HAVE NO RESPONSIBILITY, financial or otherwise, in relation to any acquisition and SHALL NOT BE FINANCIALLY RESPONSIBLE for any relocation of persons, businesses or public utilities resulting therefrom. All costs related thereto shall be born BY THE REDEVELOPER.**

6.1.8 Regardless of the method of acquisition, all property within the Redevelopment Area shall be subject to the provisions of this Redevelopment Plan. All property outside of the Redevelopment Area shall remain subject to the zoning and land use provisions of the Township Code.

6.2 **Property Designated Not-To-Be-Acquired**

As Township-owned land, Block 1, Lots 11.03, 11.04, 11.05, 32, 65, 72, 73 & 74; Block 1.01, Lot 1; Block 1.03, Lot 8; Block 1.06, Lot 1; and all municipally-owned rights-of-way within the Redevelopment Area need not be “acquired” to effectuate this Redevelopment Plan.

⁶⁰ N.J.S.A. 40A:12A-8b & 8c



All remaining lands within the Redevelopment Area as designated by Township Resolution No. 2010-202⁶¹ are subject to acquisition pursuant to section 6.1.2 herein.

6.3 Pre-Existing Approvals

As detailed in section 3.8 herein, the Planning Board has approved several development applications for lands located in what is now the Redevelopment Area. Such Pre-Existing Approvals reflect development that is not consistent with the Goals & Objectives of this Redevelopment Plan, and may not be achievable in the current economic climate. As such, it is unlikely if they would be proposed and/or approved if proposed today ~ **at least in their current form.**

While it is not within the Township's power to negate ~ or even compel modifications to ~ the approvals previously granted, the Township can ~ and does ~ encourage those entities who received Pre-Existing Approvals to explore new concepts and designs that would be consistent with this Redevelopment Plan, and to seek amendments to their current approvals accordingly.

Township Policymakers recognize the investments made in obtaining the project approvals as granted, as well as the investments required to generate new concepts and amend

their approvals accordingly. While the Township is limited as to how it might be able to defray such costs, it is open to discussing these issues within the context of the Expression of Interest and Redevelopment Agreement processes detailed in section 5.0 herein.

Upon adoption of this Redevelopment Plan, each holder of a Pre-Existing Approval is invited to immediately submit an Expression of Interest to be designated Redeveloper Candidate for the area of such Approval. Within this context, while Expressions of Interest shall conform with the requirements of section 5.0, they will not be subject to the competitive process as described.

It is anticipated that the Review Procedures specified in section 7.1 of this Redevelopment Plan and the way that this Plan addresses Variances, Departures, Deviations and Design Waivers from the requirements of the Town Center Plan (section 7.2.4 herein) will reduce the costs otherwise involved in the approval process and thereby provide some relief in this regard. Additionally, as a show of good faith, the Township herewith commits to waiving the Application Fees (but not Escrow deposits for Township professionals) otherwise required of submissions to the Planning Board for any such amended approvals.

⁶¹ Exhibit 12



7.0 REDEVELOPMENT PROVISIONS

The Redevelopment Provisions of this Redevelopment Plan consist of the Review Procedures; Standards & Controls of General Applicability; Parcelization Plan; Development Regulations; Circulation, Parking & Loading Plan; Utility & Easement Controls; and the Open Space, Landscaping & Streetscaping Provisions.

All activities within the Redevelopment Area shall be governed by such Provisions, which were crafted to promote the redevelopment of the Redevelopment Area in accordance with the underlying philosophy ~ if not the specific provisions ~ of the Town Center Plan and the Goals & Objectives of this Redevelopment Plan. As such, they are intended to provide a setting within which the Redeveloper and his designers are encouraged to generate detailed plans to produce Projects of outstanding design and superior quality.

7.1 Review Procedures, Responsibilities & Authority

7.1.1 As the Redevelopment Entity, the Governing Body shall review and approve the Project Concepts and Description of Project Elements proposed for each Redevelopment Project. Such approval shall both accept the Project for the community and insure that the Project is consistent with this Redevelopment Plan.

7.1.2 Understanding that Project(s) of the magnitude envisioned for the Redevelopment Area necessarily evolve from concept to final design, the following approval process is established:

- A. The action of designating a Respondent under the Expression of Interest process as Redeveloper Candidate shall serve as the Governing Body's approval of such Respondent's Project Concepts and Description of Project Elements, and as conditional certification of the Project's consistency with this Redevelopment Plan.
- B. The action of entering into a Redevelopment Agreement with a Redeveloper Candidate shall serve as the Governing Body's final approval of the Project Concepts and Description of Project Elements, and as its final certification of the Project's consistency with this Redevelopment Plan.

7.1.3 Consistent with its responsibilities under the *Redevelopment Law*⁶², the Planning Board shall review and approve the Project Plans for each Redevelopment Project in accordance with the requirements for review and approval of subdivisions and site plans set forth by the Township Code and the *Municipal Land Use Law*.

⁶² N.J.S.A. 40A:12A-13



No Project Plans shall be heard by the Planning Board unless and until the Governing Body has granted final approval of the Project Concepts and Description of Project Elements in accordance with section 7.1.2 B. herein.

7.1.4 Within the context of sections 7.1.1, 7.1.2 and 7.1.3 herein, and subject to the requirements of the Relevant Permitting Agencies, as applicable:

A. The Governing Body shall retain sole authority for the interpretation or clarification of this Redevelopment Plan, including the permissibility of any use proposed for the Redevelopment Area. Such authority shall include whether or not any proposed use conforms with or falls under any of the several categories of Permitted or Prohibited Uses enumerated in this Redevelopment Plan.

B. Consistent with standard operating procedure, the Township’s Technical Review Committee shall review all Project Plans prior to such Plans being released for Planning Board Review & Approval.

In addition to Completeness under section 142-80 of the Township Code, such review shall include a determination on behalf of the Governing Body that the Project Plans are in conformance with the Project Concept and Description of Project Elements agreed upon under the Redevelopment Agreement.

Appeal of a Technical Review Committee finding that the Project Plans are not in conformance with the Project Concept and Description of Project Elements agreed upon under the Redevelopment Agreement shall be made to the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

Appeal of a Technical Review Committee finding related to Completeness shall be made to the Planning Board.

The Planning Board shall retain authority for the review and approval of all site plans and subdivisions proposed for the Redevelopment Area.

Appeal of any interpretation or clarification made by the Planning Board during the course of the Review & Approval process shall be made to the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan; or to the Relevant Permitting Agencies, as applicable.

7.1.5 The Planning Board shall retain the right, at time of Review & Approval, to require such off-site and/or off-tract improvements as may be lawful, necessary and proportionate to ensure the free flow of traffic, to mitigate other possible impacts to the public safety and welfare arising from a particular Redevelopment Project, and to otherwise ensure the effective implementation of



this Redevelopment Plan consistent with the Goals & Objectives specified herein.

Appeal of a Planning Board interpretation of “necessary” and “proportionate” shall be made by the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

7.1.6 Unless Planning Board approval is required by this Redevelopment Plan or by applicable sections of the Township Code, administrative land use approvals shall be governed by the procedures established in the Township Code.

7.2 Standards & Controls of General Applicability

7.2.1 Governing Regulations

A. All activities within the Redevelopment Area shall be governed by the Redevelopment Provisions detailed herein, which were crafted to provide for multiple, complimentary Projects within the Redevelopment Area in order to advance the Goals & Objectives of this Redevelopment Plan.

B. The provisions of this Redevelopment Plan are those of Robbinsville and do not substitute for any law, code, rule or regulation established by any County, State or Federal agency.

All development within the Redevelopment Area shall comply with such laws, codes, rules and regulations as applicable.

C. The development regulations and design elements contained in this Redevelopment Plan are grounded in the Town Center Zoning & Design Regulations for the TC-2 Zone. Collectively, they are intended to guide the massing and aesthetics of various building types in order to provide for multiple, complimentary Projects within the Redevelopment Area.

However, as detailed in section 4.2 herein, Township Policymakers recognize that the Town Center Zoning & Design Regulations were adopted in 1997 and reflect very different economic times and municipal priorities. Accordingly, while this Redevelopment Plan has been crafted to be consistent with and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan, this Plan permits the relaxation of certain Town Center Plan regulations in order to permit the flexibility required to develop significant projects in the current economic climate.

D. Except where otherwise modified by this Redevelopment Plan ~ and specifically including subsection E. hereinbelow, the Redevelopment Area shall be governed by the standards and regulations contained in the Township Code. By reference herewith, such provisions are included in and adopted by this Redevelopment Plan.



Should a County, State or Federal code or regulation contain comparable but less restrictive provisions than set forth in this Redevelopment Plan, the standards set forth herein shall govern.

Interpretation or clarification of any conflicts or inconsistencies between provisions of the Township Code and this Redevelopment Plan shall be made by the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan. Unless clearly dictated by the circumstances involved, any such conflict or inconsistency shall be resolved in favor of the provisions of this Redevelopment Plan.

- E. The Ordinance adopting this Redevelopment Plan shall repeal the Town Center Zoning & Design Regulations **as applied to the Redevelopment Area**. Upon adoption of this Redevelopment Plan, such Zoning & Design Regulations shall be interpreted not as **standards** or **requirements** but as **guidelines**; the intent being to ensure that the controls governing Redevelopment Project(s) within the Redevelopment Area maintain the quality and integrity of the Town Center Plan while permitting the flexibility necessary for development in the current economic climate.

Within this context:

1. The Introduction (section 1A) and How to Use This Document section (1B) of the Zoning & Design Requirements are eliminated in favor of the provisions of this Redevelopment Plan.
2. Unless specifically modified by this Redevelopment Plan, the Definitions (section 1C) of the Zoning & Design Regulations shall apply.
3. The concepts embodied in the Street Regulating Plan (section 2) and the Block Layout section (4D) of the Zoning & Design Regulations are retained as examples of the types of circulation elements to be employed. Redevelopers designers are encouraged to maximize the use of these concepts within the context of section 8.0 herein.
4. The Town Center Zone Plans (section 3A) contained within the Zoning & Design Regulations are eliminated in favor of the provisions of this Redevelopment Plan.
5. The Housing Unit Count (section 3B 1) of the Zoning & Design Regulations are eliminated in favor of the controls established in sections 7.4.1 C. and 7.4.2 C. of this Redevelopment Plan.
6. The Transfer of Development Rights regulations (section 3B 2) of the Zoning & Design Regulations are eliminated. Credits



for transfer of development rights, if any, shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Redeveloper Candidate and the Township.

7. The concepts embodied in the General Residential Standards (section 3B 3) and the Design Regulations (section 5) of the Zoning & Design Regulations are retained as examples of the types of building design elements to be employed. Redevelopers and their designers are encouraged to maximize the use of these concepts within the context of sections 7.4.1 C., 7.4.2 C. and 7.5 herein.
8. Similarly, the concepts embodied in the Commercial Standards (section 3C) and the Design Regulations (section 5) of the Zoning & Design Regulations are retained as examples of the types of building design elements to be employed. However, Redevelopers and their designers shall employ a land use and design vocabulary consistent with and designed to complement the existing Town Center development north of Route 33.
9. The Public and Semi-public Uses and Community Facilities section (6A) of the Zoning & Design Regulations are eliminated in favor of the Community Center detailed in section 12.3.5 herein.
10. The Open Space concepts embodied in the Site Planning Regulations (section 4A) of the Zoning & Design Regulations are retained as examples of the types of site design elements to be employed. Redevelopers and their designers are encouraged to maximize the use of these concepts within the context of section 10.1 herein.
11. The Floodplain and Wetlands Control concepts (section 4B) and the Detention Basin concepts (section 4C) of the Zoning & Design Regulations are retained as examples of the types of site design elements to be employed. Redevelopers and their designers are encouraged to maximize the use of these concepts within the context of sections 9.0, 10.1 and 10.2 herein, as well as such any other requirements of the NJDEP.
12. The regulations for loading, service and off-street and on-street parking embodied in sections 4E and 4F of the Zoning & Design Regulations are eliminated in favor of the requirements of sections 8.2 and 8.3 herein.
13. The landscaping concepts embodied in sections 4G and 4H of the Zoning & Design Regulations are retained as examples of the types of elements to be employed. Redevelopers and their designers are encouraged to maximize their use within the context of section 10.0 herein.



F. Township Policymakers recognize that certain environmental issues may exist on, in or under Redevelopment Area properties. Such issues may include, but may not be limited to, underground (fuel) storage tanks and soils or groundwater contamination.

Property-owners and Redevelopers, at their sole cost and expense, shall comply with all State and Federal regulations for the treatment and/or remediation of such issues, if at all, and shall be responsible for all actions and costs related thereto.

While the Township is not in the position to provide direct financial assistance for the remediation of any environmental (or other) issues found to exist in the Redevelopment Area, Policymakers shall cooperate with and support Redevelopers in their efforts to obtain such assistance as may be available through appropriate State and Federal Brownfield and/or related programs. Such cooperation and support shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate.

7.2.2 Permitted & Prohibited Uses

A. Permitted Uses within the Redevelopment Area are designed to provide for a critical mass of diverse yet complementary activities in order

to achieve the Goals & Objectives of this Redevelopment Plan.

1. Other than as specified under section 6.2 herein, Permitted Uses shall be limited to the Permitted Principal or Accessory Uses enumerated under section 7.4.1 A. & B. and section 7.4.2 A. & B. herein. Redevelopers may engage in such uses themselves, or may lease or sell a portion or portions of a Project to a third-party operator who will undertake such uses.
2. Multiple Permitted Uses are allowed as Principal or Accessory uses within a Redevelopment Project, provided that each such use is a Permitted Use under section 7.4.1 A. & B. and section 7.4.2 A. & B., and further provided that each such Use is located within an independently-leased and separately-identifiable space (it being the Township's intention to prohibit a lessee from subleasing a portion of an office or other commercial space within a larger leased area).

B. Prohibited Uses ensure that activities within the Redevelopment Area are appropriate for the widest possible patron-base, and are instituted by this Redevelopment Plan to maximize the market attractiveness of the Redevelopment Area to the development community.





Within this context, Tattooing, Body Piercing and Sexually-Oriented Land Uses, including, but not limited to, parlors, salons, arcades, the sale of books and videos, cabarets, motels, motion-picture or live-performance theaters (or booths or kiosks), commercial displays, non-therapeutic massage, modeling and like and similar uses, as specifically defined in the Township Code or, if not so defined, then meeting the spirit of this section, are **EXPRESSLY PROHIBITED.**

C. Subject to interpretation or clarification as permitted under section 7.1.4 A. herein, uses not specifically enumerated herein as Permitted are prohibited.

7.2.3 Pre-Existing Uses / Structures

A. As detailed in the Report of Findings, the Redevelopment Area contains certain privately-owned buildings that are in active operation. This Redevelopment Plan acknowledges these as Pre-existing Uses / structures.

Some of these buildings are in excellent condition while others are in various states of disrepair. Similarly, land uses at these Pre-Existing Structures vary, with some uses being acceptable in the Town Center while others are incompatible with such an environment.

While all privately-owned properties within the Redevelopment Area are subject to acquisition⁶³, this Redevelopment Plan recognizes that the economics of development in the Redevelopment Area may permit certain Pre-Existing Use / Structures to remain.

B. Township Policymakers further recognize that the Redevelopment Actions anticipated by this Redevelopment Plan are likely to be accomplished in multiple phases, over the course of several years.

Rather than acquire property, demolish buildings *and then* seek Redevelopers to undertake Projects, sound redevelopment planning counsels the approach outlined in section 5.0 of this Redevelopment Plan; namely the solicitation of qualified Redevelopers *prior* to the acquisition of property.

As a result of this approach, certain properties within the Redevelopment Area may remain unacquired for an unspecifiable period of time.

Rather than allowing such buildings to sit idle until a Redeveloper is designated and the land acquired, the Township will permit existing buildings in the Redevelopment Area to continue to be used until acquired.

⁶³ Section 6.1.2 herein



C. In regulating such Pre-Existing Uses / Structures, and subject to the provisions of section 6.4 herein, the requirements of Township Code Chapter 142 ~ existing prior to the adoption of this Redevelopment Plan ~ shall remain in place.

The provisions of this section 7.2.3 shall apply only to Pre-Existing Uses / Structures and to remedial construction required to insure public safety or to cure code-related deficiencies. All new construction shall be in accordance with this Redevelopment Plan.

Nothing herein shall be construed to limit a property-owner's ability to perform normal maintenance on an existing structure.

7.2.4 Variances, Departures, Deviations & Design Waivers

The Provisions of this Redevelopment Plan flow from the Township's power to (re)plan designated Redevelopment Areas under the *Local Redevelopment and Housing Law*⁶⁴ and not from the Township's power to zone under the *Municipal Land Use Law*.⁶⁵ It is therefore within the context of the *Local Redevelopment and Housing Law* and not the *Municipal Land Use Law* that the Township has adopted the Redevelopment Provisions (section 7.0) and

other regulations of this Redevelopment Plan and further incorporates specific components of the Township Code into this Plan.

Accordingly:

A. This Redevelopment Plan does not recognize the 'use ('d') variance' process under the *Municipal Land Use Law*⁶⁶. Uses proposed but not permitted by this Redevelopment Plan shall require formal Plan amendment pursuant to law.

Certain Accessory Uses, or specific elements or components of a Principal Use, proposed by a Redeveloper but not envisioned by this Redevelopment Plan may be permitted upon petition to the Governing Body and the Governing Body's determination, in its sole and absolute discretion, that such use is consistent with the Municipal Goals & Objectives of this Redevelopment Plan.

B. This Redevelopment Plan does not recognize the 'bulk ('c') variance' process under the *Municipal Land Use Law*⁶⁷. The processes for deviating from specific Building Limit Controls and other design regulations of this Redevelopment Plan follow:

⁶⁴ N.J.S.A. 40A:12A-8

⁶⁵ N.J.S.A. 40:55D-62

⁶⁶ N.J.S.A. 40:55d-70d

⁶⁷ N.J.S.A. 40:55d-70c



1. Deviation Allowance

- a. The Planning Board may, at time of Site Plan Review & Approval and without formal amendment to this Redevelopment Plan, approve departures from the Building Limit Controls (sections 7.4.1 C. and 7.4.2 C.) and the quantifiable requirements of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), Open Space, Landscaping & Streetscaping Provisions (section 10.0) of this Redevelopment Plan as may be requested by the Redeveloper ~ to a maximum of twenty percent (20%) Deviation Allowance from the subject regulation, for a Project whose totality of architecture exhibits, in the sole opinion of the Governing Body, superior design and quality, and further provided that such departure(s) are, in the opinion of the Planning Board, consistent with the intent of this Redevelopment Plan.

Requests for such relief shall require clear justification as to why the standard should be relaxed. Such justification shall generally conform with the requirements for Variance relief under N.J.S.A. 40:55D-70c., which otherwise would be required were the Project not developed under this Redevelopment Plan.

In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits and not on the rigid requirements of the Positive and Negative Criteria required for Variances.

- b. Requests beyond 20% shall require a formal Plan amendment pursuant to law.
- c. Requests of 20% or less ~ but which are deemed by the Planning Board to be inconsistent with the intent of this Redevelopment Plan ~ shall not be approved by the Board and shall require formal Plan amendment.

2. Design Waivers

- a. The Redeveloper Candidate may petition the Governing Body for departure(s) from the non-quantifiable provisions of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), and Open Space, Landscaping & Streetscaping Provisions (section 10.0) of this Redevelopment Plan in the form of Design Waivers requested either along with submission of an Expression of Interest or as part of the Redevelopment Agreement negotiations process.



Any Design Waiver accepted by the Governing Body shall explicitly be included as an exhibit to the executed Redevelopment Agreement, upon which it shall be treated as being consistent with this Redevelopment Plan. Waivers not so included shall be considered invalid.

- b. The Redeveloper may petition the Planning Board for departure(s) from the non-quantifiable provisions of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), and Open Space, Landscaping & Streetscaping Provisions (section 10.0) of this Redevelopment Plan in the form of Design Waivers requested at time of Review & Approval. Requests for such relief shall require clear justification as to why the standard should be relaxed.

In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits.

3. Departures Required by Relevant Permitting Agencies

The provisions of this subsection B. notwithstanding, departure(s) from the requirements of this Redevelopment Plan

necessitated to bring a Redevelopment Project into conformance with the regulations of any Relevant Permitting Agency may be permitted without formal Plan amendment, regardless of the percentage departure required, provided that such departure(s) are reviewed and accepted by the Planning Board within the context of the affected Project element.

Departure(s) not accepted by the Planning Board shall require formal Plan Amendment.

- C. Pre-Existing Structures may retain, but shall not expand, any use or structural⁶⁸ nonconformity existing prior to the adoption of this Redevelopment Plan. New uses, new structures, and expansions of existing uses and structure shall respect the Permitted Uses and Building Limit Controls established herein.

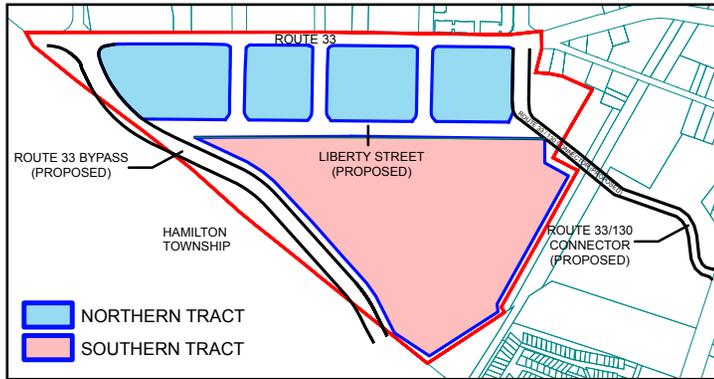
7.3 **Parcelization Plan**

This Parcelization Plan divides the Redevelopment Area into an approximately 26 gross acre⁶⁹ Northern Tract and an approximately 36.8 gross acre⁶⁹ Southern Tract as depicted; with each Tract programmed for specific land uses and building controls detailed in section 7.4 herein.

⁶⁸ Space, bulk, yard, coverage, height, etc.

⁶⁹ Acreage calculations are approximate. A Property Survey, performed by a licensed Land Surveyor, is required for precise measurements.





Lake Drive, Park Street, Commerce Square and the Robbinsville-Edinburg Road to the interior of the Redevelopment Area. The Northern Tract is therefor divided into four (4) blocks as depicted.

The need for any or all of such rights-of-way shall be addressed by the Redeveloper as part of the Project Concept(s) submitted under the Expression of Interest process (section 5.1 herein).

The Development Regulations (section 7.4) of this Redevelopment Plan provide standards for the physical (re)development of each Redevelopment Tract. Within this framework, Redevelopers and their designers are encouraged to exercise maximum ingenuity and creativity in order to achieve the Goals & Objectives (section 4.0) of this Plan.

7.3.1 Northern Tract

The Northern Tract is bound (generally) by Route 33, the proposed Route 33 Bypass, the proposed Liberty Street and the proposed extension of the Robbinsville-Edinburg Road.⁷⁰

This Redevelopment Plan assumes that circulation requirements through and around the Northern Tract will necessitate the extension of the existing

7.3.2 Southern Tract

The Southern Tract is bound (generally) by the proposed Liberty Street, the proposed Route 33 Bypass, the Township's municipal boundary line and the existing United NJ Railroad & Canal railroad tracks.⁷⁰

In order to maximize the flexibility described throughout this Redevelopment Plan, the Southern Tract has not been divided into blocks and no roadway network has been overlain. Further, the geometry of the Southern Tract does not exclude the wetlands known to exist in this section of the Township. The final geometry of the Southern Tract shall be addressed by the Redeveloper as part of the Project Concept(s) submitted under the Expression of Interest process (section 5.1 herein).

7.3.3 Consistent with the Goals & Objectives (section 4.0) of this Redevelopment Plan, the intent of this Parcelization Plan is to provide various areas within which specified land uses and building

⁷⁰ Details related to the proposed Route 33 Bypass, Liberty Street, the extensions of the existing Lake Drive, Park Street, Commerce Square and the Robbinsville-Edinburg Road, as well as access into the interior of the Redevelopment Area are addressed in the Circulation Plan (section 8.0 herein).

types may be situated in order to master plan a vibrant mixed-use community with such commercial and recreational amenities as may be appropriate while remaining sensitive to the environmental conditions surrounding the area.

7.3.3 Tract Lines following existing, improved rights-of-way shall be assumed to be fixed. Tract Lines following proposed rights-of-way or geographic features shall be flexibly interpreted, and may be adjusted by a Redeveloper at time of Review & Approval to more accurately coincide with the desired geometry of a cartway and/or the physical features of the land as determined by (topographic or boundary) surveys, wetlands delineations or other similar mapping. In cases where environmental mitigation requirements result in a relocation of certain wetlands or wetlands buffers, the boundary line for an impacted Redevelopment Tract may be adjusted to follow such mitigation.

7.3.4 Permitted Uses and Building Limit Controls applicable to each Redevelopment Tract shall follow any adjusted Parcel Line.

7.3.5 Nothing herein shall prohibit a Redevelopment Tract from being developed in Phases as conditions dictate. Such phasing shall be determined within the context of the Redevelopment Agreement.

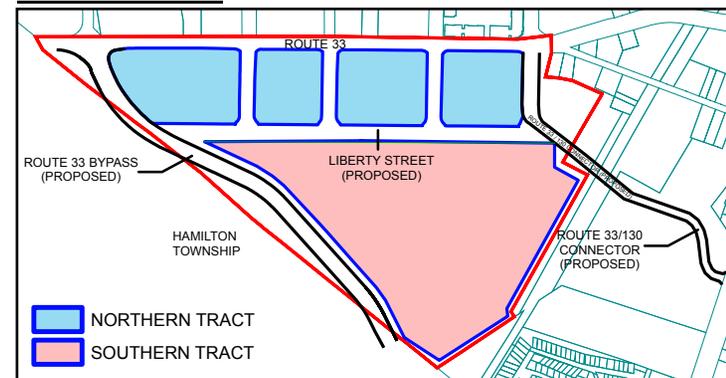
7.3.6 The Township reserves the right to permit an Alternate Parcelization Plan should a particular Expression of Interest merit such action.

7.4 Development Regulations

These Development Regulations contained herein are based on the Zoning & Design Regulations for the TC-2 Zone. Collectively, they are intended to guide the massing and aesthetics of various building types in order to provide for multiple, complimentary Projects within the Redevelopment Area.

As detailed in section 4.2 herein, Township Policymakers recognize that the Town Center Zoning & Design Regulations reflect very different economic times and municipal priorities. Accordingly, while this Redevelopment Plan has been crafted to be consistent with and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan, these Development Regulations permits the relaxation of certain Town Center Plan regulations in order to permit the flexibility required to develop significant projects in the current economic climate.

7.4.1 Northern Tract





The intent of this Northern Tract is to complement the development on Town Center North and thereby complete the Town Center Commercial Core, which is envisioned by the Town Center Plan as the area with the highest density and the most activity within the Town Center. Permitted uses may be integrated to form mixed-use facilities.

A. Permitted Principal Uses

1. Commercial / Office / Retail / Urban Apartment Buildings as multistory, mixed-use structures with:

a. Neighborhood- & Regionally-oriented Retail & Service Activities,⁷¹ limited to the ground floor, except that multi-story Retail uses may extend above the ground floor where appropriate;

Fully-enclosed or open-air eating and drinking establishments⁷² and specialty food and beverage outlets, including those which may serve alcoholic beverages,⁷³ permitting service in a dine-in or take-out manner but excluding fast-food and drive-through facilities. Limited to the ground and 2nd floors;

- b. Retail liquor stores under an appropriate license from the New Jersey Division of Alcoholic Beverage Control, limited to the ground floor;
- c. General Business, Professional, Medical, Administrative or Consulting service offices and like and similar facilities. limited to the ground and 2nd floors; and
- d. Urban Apartments,⁷⁴ limited to Age-Targeted housing.⁷⁵

Non-residential uses are mandatory and shall receive Certificate(s) of Occupancy for the entirety of such spaces prior to the issue of Certificate(s) of Occupancy for final 25% of the dwelling units in the building.

If build-out is phased, non-residential space shall be developed in proportion to the number of residential units approved for that phase. For such purpose, each Urban Apartment shall be counted as one (1) dwelling unit.

- 2. Museums (cultural or popular), art galleries; artist, musician & photographer studios; and like and similar activities.
- 3. Motion Picture or live performance Theaters.

⁷¹ Defined in 2.46 & 2.77 herein.

⁷² Including Bars, Taverns and Nightlife Establishments (provided that food is served)

⁷³ Coffee houses / coffee bars, ice cream parlors and like and similar facilities.

⁷⁴ Defined in 2.112 herein

⁷⁵ Defined in 2.3 herein





4. Public Community Centers, including performing and fine arts space, meeting / multi-purpose rooms, auditoriums [sic] and like and similar uses. Details related thereto are addressed in section 12.3.5 herein.
5. Public, Semi-Public and/or Private Utility Facilities as may be required to service this section of the Township.
6. Administrative offices and related facilities as may be necessary and convenient to the provision of municipal services by the Township.

B. Permitted Accessory Uses

1. Limited Retail and food & beverage sales and non-Retail Amenities as are normally and customarily associated with a Principal Use permitted on the Northern Tract.
2. Home-Based Businesses as permitted and regulated via the township Code.
3. Automated Teller Machines (ATMs), provided that, if accessed from the exterior of a building, such machines shall be installed within the wall of the building; it being the intent not to permit free-standing exterior ATM kiosks.
4. Internal Maintenance and Storage Areas.

5. Subject to the provisions of the Circulation, Parking & Loading Plan (section 8.0) herein, surface parking lots or structured parking garages to support uses within the Redevelopment Area.

C. Building Limit Controls

The following Building Limit Controls are designed to work in concert with the existing and proposed rights-of-way detailed under the Circulation Plan (section 8.1 herein).

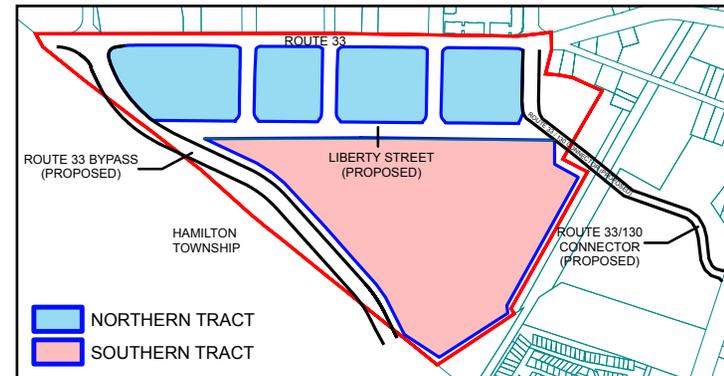
Building shall be oriented toward Route 33 and shall consist of multistory, mixed-use structures with commercial / retail uses on the ground level and apartment dwellings or offices on the upper levels (generally, office on the 2nd story and dwelling units above). While such buildings may vary in terms of footprint and architectural elevations, they shall generally be compatible, in scale, style and detailing, to the buildings fronting the north side of Route 33.

Site and building design shall employ mass, scale, layout, materials and architectural and other distinguishing features in order to establish a traditional civic character and prominence for the Redevelopment Area. Within this context, the following site and building controls shall be flexibly interpreted in order to achieve the design as desired.

CATEGORY	REGULATION
Minimum Parcel Size	No Minimum Established Each Block in the Northern Tract shall be developed as a single development site, with Parcel Area being the product of multiplying the Parcel Width by the Parcel Depth.
Minimum Parcel Width	No Minimum Established The geometry of each Block in the Northern Tract shall constitute the Minimum Parcel Width.
Minimum Parcel Depth	No Minimum Established The geometry of each Block in the Northern Tract shall constitute the Minimum Parcel Depth.
Route 33 Setback	0'
Setback from Liberty Street	20'
Setback from any other Right-of-Way	15' (each)
Maximum Building Height	4½ Stories & 48' + architectural features
Maximum Impervious Surface Coverage	80%
Minimum Dwelling Unit Size	650 s.f.

CATEGORY	REGULATION
Maximum FAR	1.3
Maximum Residential Density	No Maximum Established Density shall be a product of the number of units achievable in the space permitted based on the minimum permitted unit size.

7.4.2 Southern Tract



The intent of the Southern Tract is to create a community focal-point / gathering area (what Planners call a Sense of Place) for the residents of Robbinsville (and others), with a central core of civic facilities surrounded by residences and specialized Retail, cultural and food & beverage uses.



A. Permitted Principal Uses

1. Age-restricted and non-age-restricted but Age-Targeted Housing⁷⁶ as follows:⁷⁷
 - a. Residential Duplex Structures.
 - b. Residential Townhouse Structures.
2. Garden Apartments within Garden Apartment Buildings, as defined herein.
3. Public Community Centers, including performing and fine arts space, meeting / multi-purpose rooms, auditoriums [sic] and like and similar uses.

Details related thereto are addressed in section 12.3.5 herein.

Where enclosed, the following uses shall be located within the Structural Types permitted under section 7.4.2 A. 1 and 2 herein.

4. Neighborhood- & Regionally-oriented Retail & Service Activities,⁷⁸

5. Fully-enclosed or open-air eating and drinking establishments and specialty food and beverage outlets,⁷⁹ including those which may serve alcoholic beverages, permitting service in a dine-in or take-out manner but excluding fast-food and drive-through facilities;
6. Non-Retail commercial⁸⁰ and Service uses;
7. Museums (cultural or popular), art galleries; artist, musician & photographer studios; and like and similar activities.
8. Bed-and-breakfast establishments.
9. Administrative offices and related facilities as may be necessary and convenient to the provision of municipal services by the Township.
10. Active & Passive Public Open Space, including parks, playgrounds, programmed recreation areas; and like and similar uses.
11. Solar or other form of Renewable / Alternative Energy Production Facilities, but specifically excluding windmills, wind turbines or other facilities requiring towers.

⁷⁶ Defined in 2.3 herein.

⁷⁷ Nothing herein shall be construed to limit the Redeveloper from designing a project that contains all of the aforementioned structural types. Accordingly, this Redevelopment Plan encourages the flexibility in unit-mix and design necessary to create a superior Project.

⁷⁸ Defined in 2.46 & 2.77 herein.

⁷⁹ Coffee houses / coffee bars, ice cream parlors and like and similar facilities.

⁸⁰ General Business, Professional, Medical, Administrative or Consulting service offices and like and similar facilities.



12. Public, Semi-Public and/or Private Utility Facilities as may be required to service this section of the Township.

B. Permitted Accessory Uses

The following shall be located within the Structural Types permitted under section 7.4.2 A. or shall be screened from view from the public right-of-way or adjoining private property.

1. Typical Amenities as are normally and customarily associated with the Principal Uses permitted on the Southern Tract, including, but not limited to, surface parking pads and/or traditional detached residential parking garages.
2. Home-Based Businesses as permitted and regulated via the township Code.
3. Limited Retail and food & beverage sales and non-Retail Amenities as are normally and customarily associated with a Principal Use permitted on the Southern Tract.
4. Automated Teller Machines (ATMs), provided that, if accessed from the exterior of a building, such machines shall be installed within the wall of the building; it being the intent not to permit free-standing exterior ATM kiosks.

5. Maintenance and Storage sheds.
6. Subject to the provisions of the Circulation, Parking & Loading Plan (section 8.0) herein, surface parking lots or structured parking garages to support uses within the Redevelopment Area.

C. Building Limit Controls

Site and building design shall employ mass, scale, layout, materials and architectural and other distinguishing features in order to establish a traditional civic character and prominence for the Redevelopment Area. Within this context, the following site and building controls shall be flexibly interpreted in order to achieve the design as desired.

All uses, except for Public Community Centers shall be located within the Structural Types permitted under section 7.4.2 A. 1 herein. Building Limit Controls for Public Community Centers are addressed section 12.3.5 herein).

CATEGORY	REGULATION
Minimum Block Size	No Minimum Established The concepts embodied in the Street Regulating Plan (section 2) and the Block Layout section (4D) of the Zoning & Design Regulations are retained as examples of the types of block geometry desired.
Minimum Block Width	
Minimum Block Depth	



**Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.**

CATEGORY	REGULATION	
Minimum Block Size	Redevelopers and their designers are encouraged to maximize the use of these concepts while creating an efficient and effective site layout for the Southern Tract.	
Minimum Block Width		
Minimum Block Depth (cont.)		
Minimum Lot Area	Duplexes	3,500 s.f.
	Townhouses	2,300 s.f.
	Garden Apartment Buildings	10,000 s.f.
Minimum Lot Width	Duplexes	35'
	Townhouses	23'
	Garden Apartment Buildings	100'
Minimum Lot Depth	Duplexes	100'
	Townhouses	
	Garden Apartment Buildings	100'
Minimum Front Yard Setback	Duplexes	15'
	Townhouses	5'
	Garden Apartment Buildings	Applicable Setbacks from Liberty Street & Other Rights-of-Way as detailed.

CATEGORY	REGULATION	
Minimum Side Yard Setbacks	Duplexes	Interior: 0'
		Exterior: 8'
	Townhouses	Interior: 0'
Garden Apartment Buildings		Exterior: 5'
		15'
Minimum Rear Yard Setback	35', but in all cases sufficient room to permit on-site parking for the entirety of the building.	
Setback from Liberty Street regardless of Front, Rear or Side Yard	Duplexes	Applicable Minimum Front, Side or Rear Yard Setback
	Townhouses	
	Garden Apartment Buildings	20'
Setback from any other Right-of-Way	Duplexes	Applicable Minimum Front, Side or Rear Yard Setback
	Townhouses	
	Garden Apartment Buildings	15'
Maximum Building Height	Duplexes	2½ Stories & 25'
	Townhouses	
	Garden Apartment Buildings	4½ Stories & 48' + architectural features



CATEGORY	REGULATION	
Permitted Roof Types & Pitch	See 7.5.4 herein	
Maximum Building Coverage	Duplexes	50%
	Townhouses	68%
	Garden Apartment Buildings	75%
Maximum Impervious Surface Coverage	Duplexes	70%
	Townhouses	80%
	Garden Apartment Buildings	
Maximum Area for Accessory Structure	48 s.f.	
Minimum Setbacks for Accessory Structures	1/3 of the lot depth or lot width, as the case may be (excluding rights-of-way)	
Minimum Dwelling Unit Size	Garden Apartment Buildings	650 s.f.
Maximum FAR	Garden Apartment Buildings	1.3
Maximum Residential Density	No Maximum Established Density shall be a product of the number of units achievable in the space permitted based on the minimum lot sizes and required setbacks.	

D. Construction Staging & Sales Trailers

Subject to the jurisdiction of all Relevant Permitting Agencies, staging for the construction of a Redevelopment Project, including materials storage, construction trailers for office use, sales trailers, parking and all other activities normally associated with development shall be permitted on the Southern Tract.

In addition to any conditions placed on a Construction Staging Area by any Relevant Permitting Agency, or any terms or conditions addressed within the context of the Redevelopment Agreement, any such use shall be conditioned upon the following:

1. Construction Staging Areas shall be enclosed by a lockable construction fence, which shall be removed upon completion of the Project, or Phase or Subphase thereof, for which the Staging Area is intended;
2. Any and all property belonging to any contractor shall be removed upon the completion of the work by said contractor, regardless of whether the totality of construction is completed;
3. Unless to be used for an immediately subsequent Phase or Subphase of a Redevelopment Project, all Construction



Staging Areas shall be returned to their pre-construction condition upon completion of the Project, or Phase or Subphase thereof, for which Construction Staging Area is intended;

4. In no case shall a Construction Staging Area, construction fence or the storage of equipment or materials remain in place for longer than one (1) week after issue of the last Certificate of Completion & Compliance (section 14.0 herein) for the last Phase or Subphase of the Project for which the Area, fence, equipment or materials are intended.
5. To effectuate the foregoing, the Redeveloper or other entity responsible for a Construction Staging Area shall post a bond, performance guarantee or other surety with the Township, in an amount to be established by the Township Engineer, sufficient to compensate the Township for any costs incurred by the Township in returning the area to its pre-development condition.

In the event that the entity responsible for removing the Construction Staging Area and returning such Area to its pre-development condition fails to do so as required herein, the Township shall claim payment under the bond, performance guarantee or other surety, as the case may be, for the cost of the actions required to remove the Construction Staging Area and

return the Area to its pre-development condition, including all legal and administrative costs related thereto.

6. Staging for construction of an off-tract improvement (i.e. construction outside the Redevelopment Area) shall be permitted on the Southern Tract, provided such construction directly relates to the Redevelopment Area, including, but not limited to, traffic, infrastructure or parking-related improvements. Staging for construction of an off-tract improvement not related to the Redevelopment Area shall require approval of the Governing Body, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.
7. Unless Planning Board approval is required by this Redevelopment Plan or by the Township Code, Construction Staging activities shall be approved by the Zoning Officer (in consultation with the Township Engineer or other officials as may be necessary), who may impose such restrictions and/or conditions as may be deemed reasonable and appropriate for the protection of Township infrastructure, the environmentally sensitive lands within or adjacent to the Redevelopment Area, and adjacent properties and land uses ~ both within and outside of the Redevelopment Area.



Such conditions may include, but need not be limited to, buffering and screening, provisions concerning hours of operation, vehicular and delivery access and site lighting.

8. Interpretation of any provision of this section shall be made by the Zoning Officer, which shall be exercised in accordance with the standards set forth herein for the protection of the public and the natural environment.

7.5 Architectural Controls

- A. In conceptualizing their Redevelopment Projects, Redevelopers and designers shall recognize the significance of this development opportunity for the Township and shall generate designs which will achieve the Goals & Objectives of this Redevelopment Plan.
- B. As detailed throughout this Redevelopment Plan, Township Policymakers recognize the public resources (human and financial) that were invested the Town Center planning process and the success of the Town Center North, and are committed to maintaining the quality of development for the Redevelopment Area.

Township Policymakers also recognize that economic factors necessarily influence project design, that the economic climate for (Re)development projects is considerably less

attractive than it was when the Town Center Plan was adopted and the Town Center North developed, and that this condition is likely to continue into the foreseeable future.

- C. As such, the following Architectural Controls are grounded in Design Regulations and Design Vocabulary of the Town Center Plan, but have been modified in order to provide the level of flexibility described herein.
- D. These Architectural Controls address the overall detailing of the buildings within the Redevelopment Area, and are intended to work in conjunction with the Design Vocabulary of the Town Center Plan⁸¹ in order to provide a framework for development ~ while encouraging sufficient diversity in design to avoid a monotonous, cookie-cutter aesthetic. As such, they are intended to serve as **guidelines** for the designers, builders and residential and non-residential occupants of the Area.

The following written controls are enhanced by the pictorial Design Vocabulary, whose images were selected to illustrate building and architectural designs which are reflective of the overall design intent for the Town Center. Within this context, building designs may vary in terms of footprint, architectural elevations, window placement, type of roof, height, front

⁸¹ "Design Vocabulary"



entrance and porch locations. Colors, materials and architectural details should be compatible and repeated throughout the neighborhood.

- E. The process from seeking design waivers from these Architectural Controls is addressed in section 7.2.4 herein.

7.5.1 General Design Philosophy

- A. New construction located in the Northern Tract shall relate and be architecturally and aesthetically compatible with the Route 33-fronting buildings in Town Center North. New construction in the Southern Tract should generally relate to the Design Vocabulary.
- B. As a general rule, buildings should reflect a continuity of treatment by maintaining building scale, or by subtly graduating changes; by maintaining base courses; by continuous use of front porches on residential-style buildings; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by echoing architectural styles and details, design themes, building materials and colors recommended in the Design Vocabulary or in location designated on the plan as requiring special architectural treatment.
- C. Buildings should be architecturally emphasized through fenestration, entrance treatment and detailing. Buildings with more than one facade

facing a public street or internal open space should be designed to provide for enhanced facade treatments on those sides of said buildings which are not the front of the building.

- D. No two (2) detached homes with the same basic floor plan and style should be constructed adjacent to one another unless there is substantial differentiation in the front elevation consisting of at least three (3) of the following:
 - 1. Porch and window configuration;
 - 2. Varied roof styles;
 - 3. Variation of exterior materials of at least 50% of the front facade; and
 - 4. The width of lot and/or house varies.
- E. Blocks consisting of between one (1) and 10 lots should be developed with the minimum of three (3) different base model type homes. Blocks consisting of between 11 and 30 lots should be developed with a minimum of four (4) base types. Each base model type home in any block should have at least two (2) alternative front elevations containing different design features as enumerated in subsection C. above. To insure conformance with this provision:
 - 1. The Governing Body, as part of the Expression of Interest / Redevelopment



Agreement processes, shall approve the building elevations available to the various blocks within the Redevelopment Area.

2. Upon commencement of construction of the 1st dwelling in any block, the Redeveloper shall provide the Construction Official with a map of the block indicating the base model type and elevations of homes proposed to be built in said block.

This map shall be updated by the Redeveloper upon each subsequent building permit application for the block when said permits are sought.

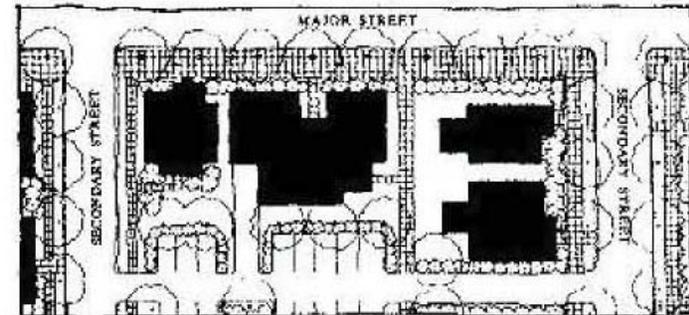
3. The Planning Board shall have the authority to grant deviations to the building plans and block locations under the procedures established in section 7.2.4 herein.
- F. Exterior public and semi-public spaces, such as courtyards or plazas, should be designed to enhance surrounding buildings, and provide amenities for users, in the form of textured paving, landscaping, lighting, street trees, benches, trash receptacles and other items of street furniture, as appropriate. Courtyards should have recognizable edges defined on at least three (3) sides by buildings, walls, elements of landscaping and elements of street furniture, in order to create a strong sense of enclosure.

7.5.2 Building Orientation

- A. Spatial relationships between buildings and other structures should be geometrically logical and/or architecturally formal. Multiple buildings—located on the interior of a site should front towards and relate to one another functionally and visually.

Multiple buildings may be organized around features such as courtyards, greens or quadrangles which encourage pedestrian activity and incidental social interaction.

Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access.



- B. Buildings shall be located to front towards and relate to public streets, both functionally and visually. Buildings shall not be oriented to front toward a parking lot.

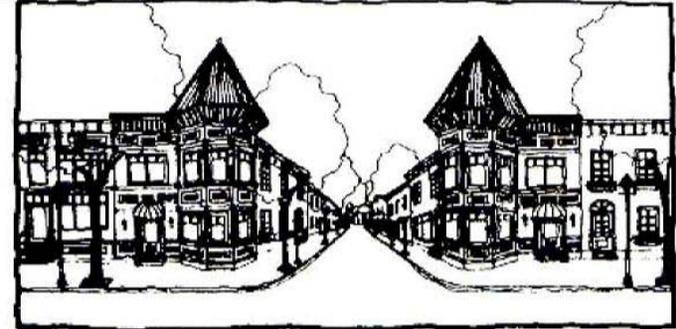


- C. Buildings should define the streetscape through the use of setbacks and massing. The streetscape should be generally continued across side yard setbacks between buildings by landscaping.

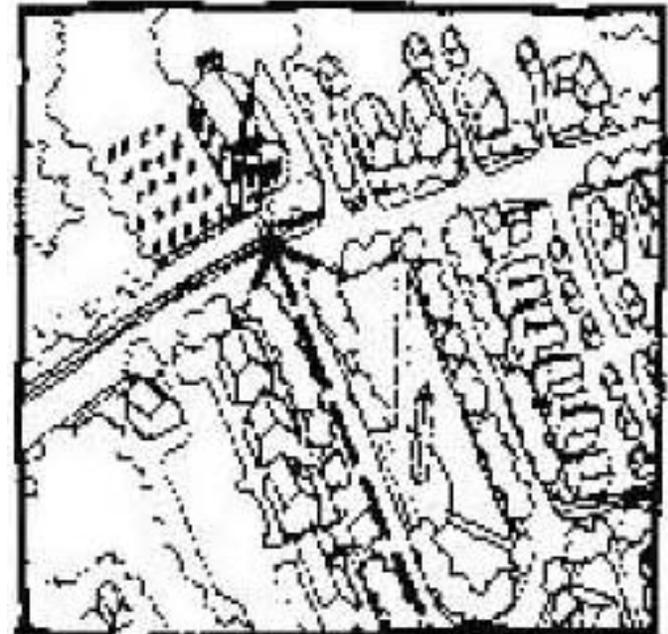
The streetscape should also be reinforced by lines of uniformly spaced shade trees, and may be further reinforced by walls, hedges or fences to define front yards.

- D. Buildings on corner lots should be considered significant structures, since they have at least two facades visibly exposed to the street. Such buildings should be designed with architectural embellishments to emphasize their location.

Additional height is permitted at the discretion of the Governing Body.



- E. Buildings located at gateways to or within the Redevelopment Area may mark the transition via massing, height, materials and/or architectural embellishment to obtain the gateway effect.



- F. Focal points or points of visual termination should generally be occupied by more prominent, monumental buildings and structures that employ enhanced height and/or massing, distinctive architectural treatment or other distinguishing features.

7.5.3 Building Massing & Style

- A. Building designs may vary in terms of footprint, architectural elevations, window placement, type of roof, height, front entrance and porch locations. Colors, materials and architectural details should be compatible and repeated throughout the neighborhood.
- B. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections, recesses and changes in floor level, should be used in order



to add architectural interest and variety, and to relieve the visual effect of a simple, long wall.

Roofline offsets should be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

Duplexes may be designed to appear as a single building, such as large single-family home.

- C. Balconies, stoops, open porches, decks, bay windows, raised doorways, chimneys and awnings projecting from the front facade may project into the Front Yard Setback to a maximum of 3' and, except for Townhouses, should be no closer than 10' from the property line.

Such elements projecting from the side facade may project 3' into the Side Yard Setback no closer than 3' from the property line.

Front steps may project into the Front Yard Setback no closer than 5' from the property line.

Garages, decks, Port Cocheres, pergolas, porches, patios, arbors and balconies may project into the Side and Rear Yards no closer than 3' from the side property line and 7' from the rear property line.

Swimming pools must maintain a minimum 5' setback from side and rear property lines.

Permitted setback encroachments must be included in the maximum impervious coverage calculation for any lot.

7.5.4 Roofs & Roof Materials

A. Roof types should be front or side gable, gambrel, mansard, hipped, salt box, or combinations thereof. The recommended pitch for the principle roof should be 9/12. The principal pitch may be lowered if there are overhanging eaves that are either bracketed or have exposed rafters.

B. Roofline orientation should vary to the highest extent possible.

C. Shed roofs are permitted only when attached to a principal roof or parapet wall.

Flat roofs should be limited to 4-story buildings abutting Route 33, provided that such roofs have an articulated cornice line that generally corresponds to a consistent cornice line on neighboring buildings.

D. Mansard roofs are discouraged on buildings less than three (3) stories in height. Other roof types should be appropriate to the building's architecture.

E. Architectural embellishments that add visual interest to roofs (e.g. dormers, belvederes,

masonry chimneys, cupolas, clock towers and like and similar elements) are encouraged.

F. Permitted roof materials for pitched roofs:

- Slate;
- Cedar Wood Shingles;
- Dimensioned Asphalt (complementary colors);
- Composite Tile;
- Standing Seam Copper; or
- Anodized Aluminum

G. Recommended minimum roof pitch for hipped roofs is 6/12.

H. Both gable and hipped roofs should provide overhanging eaves on all sides that extend a minimum of 1' beyond the building wall.

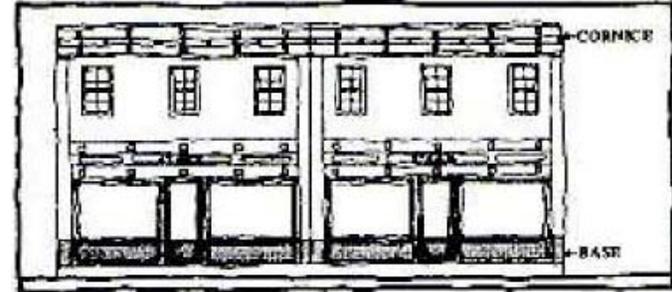


7.5.5 Façade Treatment & Materials

- A. Major features of the architectural treatment for the front facades of buildings should be continued around all visibly-exposed sides of such buildings. All building elevations should be designed to be consistent with regard to style, materials, colors and details.



- B. All visibly exposed sides of a building should have an articulated base course and cornice. The base course should align with either the kickplate or sill level of the 1st story. A cornice which terminates or caps the top of a building wall may project horizontally from the vertical building wall plane and may be ornamented with moldings, brackets and other details. The middle section of a building may be horizontally divided at the floor, lintel or sill levels with belt or string courses.



- C. Solid, blank, windowless walls or service areas visible from the public view are discouraged. Where the construction of a blank wall is necessitated, the effected facades should be articulated by false windows, architecturally articulated masonry, or, if the building is occupied by a commercial use, by recessed or projecting display window cases.



Intense landscaping may also be appropriate.



- D. All visible facades should have an articulated base. The above-grade foundation-to-sill height should be covered with either brick, fieldstone, split face CMU, brick pattern concrete or other masonry solution appropriate to the architecture.
- E. Facade treatment and materials for the Southern Tract
- Wood or simulated clapboard;
 - Wood or simulated wood shingles
 - Indigenous stone;
 - Synthetic stucco (EIFS); and
 - Brick (English, Common or Flemish Bond).

Townhouse buildings should have a unified, coherent architectural style, vocabulary and color scheme for all elevations.

- F. Facade treatment and materials for the Northern Tract
1. Buildings should be clad in brick, stucco, stone or a combination thereof.
 2. Buildings and all display windows should be adequately lighted at night so as to insure pedestrian attention.

3. Brick mortar joints should be struck and should not exceed 0.5". Colors should be in the brown and red range. Bricks should be laid in English or Flemish bond.
4. Stucco should be white, off-white or golden brown in color.
5. In mixed-use buildings, the difference between ground floor commercial uses and entrances for upper level commercial or residential uses should be reflected by differences in facade treatment. Storefronts and other ground floor entrances should be accentuated through cornice lines. Further differentiation can be achieved through distinct, but compatible, exterior materials, signs, awnings and lighting.
6. Storefronts are an integral part of a building and should be integrally designed with the upper floors to be compatible with the overall facade character. Ground floor retail, service and restaurant uses should have large pane display windows framed by the surrounding wall, and should not exceed 75% of the total ground level facade area.

Buildings with multiple storefronts should be unified through the use of architecturally compatible materials, colors, details, awnings, signage and lighting fixtures.



G. Siding

1. Buildings using clapboard or simulated clapboard should have between 3.5" to 6" exposure (reveal). German siding should not exceed 8" exposure.
2. Corner boards should not be less than 4" or more than 8" and should protrude from the siding surface to create a shadow line.
3. Wood surfaces should be painted with colors from the Benjamin Moore Historic Color Collection or equivalent. Trim and shutters should be painted a contrasting color (or colors) from the main body.

7.5.6 Entryways & Doors

- A. All entrances and doors to a building should be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, over-hangs, railings, balustrades, fanlights, transoms and

sidelights where appropriate. All such elements should be architecturally compatible with the style, materials, colors, and details of the building as a whole, as should the doors.

- B. Secondary doors should not be located on the primary street facade. Such doors should be architecturally consistent with the building's style.
- C. Second floor balcony doors should be French doors. Sliding doors are discouraged.



- D. Sidelights, where employed, should not be less than 12" in width. Fanlights or transom windows may be placed above doors.

Transoms, fanlights and sidelights are encouraged to have true divided lights.

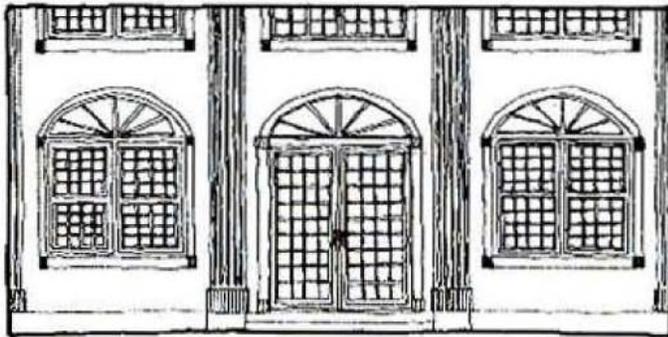
- E. Garage doors should not exceed 8' in width unless such wider door is articulated so as to reduce its scale. Doors may be overhead, sliding or hinged-carriage doors. Front facade garage doors should be individually framed.

The number of individual garage doors that may be on any single lot is two.

7.5.7 Windows

- A. Fenestration should be architecturally compatible with the style, materials, colors and details of the building.

Windows should be vertically proportioned or square. To the extent possible, upper story windows should be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.



B. *Windows for the Southern Tract*⁸²

1. Glazing on the primary facade should not exceed 30% of that facade. No more than three windows may be grouped together on the primary facade.

2. First and second story primary facade windows should be proportioned vertical to square, except for gable windows which may be shaped.
3. The outer glazing of the interior window should be set back 1" to 2" from the outer plane of the wall (actual dimension). At minimum, there should be a face frame, decorative lintel and drip mold around windows.
4. Windows may have wood interior divided lights or wood inserts, either interior or exterior. Casement windows and non-divided windows are permitted.
5. Shutters should be either louvered or paneled, with format to fit actual window size.

C. *Windows for the Northern Tract*

1. Windows should be between 26" and 36" off the ground and should be architecturally compatible to and in proportion with the facade treatment. Aluminum framed plate glass "Storefronts" are prohibited.
2. Primary display windows should occupy a minimum of 60% and a maximum of 75% of the ground floor facade.

⁸² Appropriate to the architecture of the building.

3. Transoms above the ground floor display windows are recommended and may be elevated above awnings.
4. Primary facade windows on the 2nd floor should be a minimum of 24" from the corner.
5. Outer window glazing should be set back a minimum of 3" from the outer plane of the wall. At minimum, there should be a decorated lintel, face frame and drip mold over the doors and windows.
6. Divided lights should be a minimum two over two and should have wood interior, true divided lights, or wood inserts, either interior or exterior. Casement windows are permitted.
7. Solid, blank, windowless walls or service areas visible from the public view are discouraged. Where the construction of a

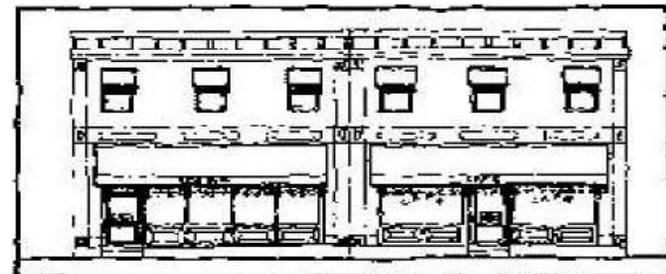
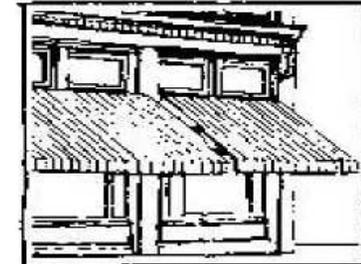


blank wall is necessitated, the effected facades should be articulated by false windows, architecturally articulated masonry, or, if the building is occupied by a commercial use, by recessed or projecting display window cases.

Intense landscaping may also be appropriate.

- D. Solid metal security gates or solid roll-down metal windows are prohibited. Link or grill-type security devices are permitted if installed from the inside, within the window or door frames. Security grilles should be recessed and concealed during hours of operation. Models which provide a sense of transparency, in light colors, are encouraged.

- E. Fixed or retractable awnings are permitted at ground floor level and on upper levels where appropriate, provided they complement a





building's architectural style, materials, colors and details; do not conceal architectural features, such as cornices, columns, pilasters or decorative details; do not impair facade composition; and are designed as an integral part of the facade.

Canvas is the preferred material, although other waterproofed fabrics may be used. Metal or aluminum awnings are prohibited in buildings with multiple frontages. Compatible awnings should be used as a means of unifying the structure.

7.5.8 Porches, Stoops & Arcades

All residential units, excluding urban apartments, should have clearly defined front yards using landscaping, hedging, fencing or a brick or stone wall, none of which (except for trees) should exceed 3.5' in height. All such units should have either a porch, covered portico or decorated entrance on the street facade of the building.

A. *Porches*

1. Front porches should be located on the facade facing the sidewalk and may be wrapped around the side wall of a dwelling. Porches should be a minimum of 6' from the front wall of the dwelling to the enclosing porch rail, and should be a minimum of 10' long.

2. Porch superstructures should be faced with wood, rusticated- (rough-) faced stone, stucco or brick.
3. Porches may include chamfered posts or more complex styles, with elaborate spindle work, frieze and spandrel carving.
4. Porch roofs should be supported by posts, piers or columns. Posts should be a minimum of 5"x5". Columns should be of classic proportions and correct entablature. Stone piers should be rough faced. Balusters should have a minimum diameter of 2" and should not be greater than 6" on center. Railing should be wood or wrought iron. All porch railing components should be painted.
5. Optional Porte Cocheres are permitted as an extension of the porch.
6. Porches may be enclosed with screens, provided the screen framing is architecturally compatible with the style of the porch.
7. Covered porticoes (small decorated roofs on front columns over a raised stoop) are permitted in order to provide surface texture. Styles may range from a simple shed roof to an ornate Italianate design.



B. Patios / Terraces, Decks & Rear Yards

1. All dwelling units, except Urban Apartments, should have a private yard or patio having a minimum of 400 s.f. in area. Rear steps and landings are permitted, but may not encroach into the minimum required yard or patio area by more than 20 s.f.
2. Decks in rear yard areas are permitted, provided they are constructed no more than 21" above grade. In no case should rear steps and landings in excess of 21" high be closer than 15' to side and rear property lines.
3. The yard or patio should be within an area enclosed by a masonry wall, wooden fence, trellis or lattice, evergreen hedge, vines or combination thereof.
4. Property owners may not alter existing property grade without Township approval.

C. Open or covered stoops are recommended on Townhouses⁸³ ~ although porches are permitted.

Stoops and steps should be faced in masonry, brick, slate, stucco or stone. Brick should be used for walls and risers, with concrete or stone treads. Railings and banisters should be

painted decorative wood or wrought-iron, with architectural corners and newel posts.

Steps should be a minimum of 36" wide and can be fronted on the front or side of the stoop platform.

7.5.9 Trim / Eaves & other Decorative Building Elements

A. Building Trim

1. Buildings should be, at a minimum, trimmed with gable and eave boards all around. Trim ornamentation may be elaborated to any of the following:
 - Plain or decorated frieze;
 - Overhanging eaves;
 - Boxed cornice;
 - Denticulated cornice; and/or
 - Ornate Italianate bracketed cornice.
2. Tight eaves should be finished by molding. Windows should have decorative lintel with sill and side trim. Doors should be trimmed with decorative lintel and side edge.

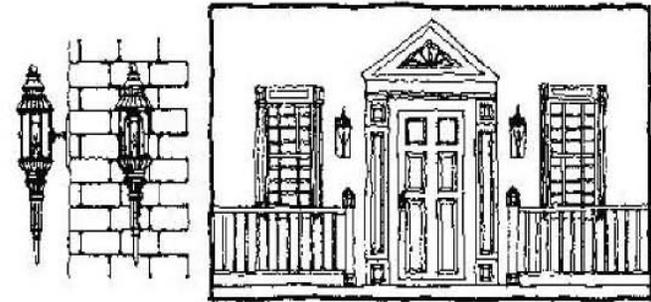
Non-masonry structures should have corner boards.

⁸³ If appropriate to the architecture of the building.

- B. Decorative elements such as pergolas, cupolas and belvederes are encouraged as elements to provide architectural emphasis / embellishment.
- C. Towers are recommended on buildings located in prominent positions requiring special architectural treatment. Towers should not extend more than 15' above the roof ridge line, and should be in character with the architectural style of the building. Towers should not exceed 15'x15'.

D. Building Lighting

- 1. Exterior, building-mounted light fixtures should be architecturally compatible with the style, materials, colors and details of the building and shall comply with local building codes.
- 2. Lighting should be adequate to the use while minimizing adverse impacts (glare, overhead sky glow) on adjacent properties. Light shields shall be provided to minimize light pollution on adjacent properties.
- 3. Residential garages facing lanes should employ elevated lighting on the garage facade facing the lane or a post lamp.
- 4. Porch light and yard post lighting is encouraged to augment streetlighting (section 10.4 herein).



- 5. The type of light source used, and the light quality produced, should be the same or compatible. Facades shall be lit from the exterior, with lighting concealed through shielding or recessed behind architectural features. The use of low-pressure sodium, fluorescent or mercury vapor lighting, either attached to buildings or to light the exterior of buildings, is prohibited.

Mounting brackets and associated hardware should be inconspicuous.

7.5.10 Cross Gables & Dormers

Cross gables and dormers should be used to distinguish one building from its neighbor. Dormers may be hipped, gabled, shed, pediment or eyebrow. The architectural features should be used to give various plans distinctive architectural quality.



7.5.11 Gutters

Gutters should be architecturally compatible with the style of the building. Discharge spouts shall have splash parts or be discharged underground to the street.

7.5.12 Chimneys

Fireplace chimneys should be clad in either brick, stone, stucco or clapboard, and should be located at gable ends or centrally. Chimney tops should have decorative details (e.g., corbelling). Flues should be painted the color of the roof.

7.5.13 Colors

- A. Color combinations should be from the Benjamin Moore Historical Color Collection or equivalent.
- B. Trim and shutters should be painted a contrasting color(s) from the main body.
- C. Brick should be in the brown and red ranges. Stucco, stone and masonry veneer should be earthtones.
- D. Simulated clapboard shall match the paint colors as closely as possible.
- E. Roof colors shall be compatible with the color scheme used for the other building element.

F. Detached garages and other accessory structures shall be of the same colors as the principal structure.

G. Driveways which directly access the street, except those which have access from a residential lane, should be constructed of colored asphalt (in the same tonality as roof tiles ~ green or red), scored concrete or decorative stamped concrete paving blocks.

7.5.14 Heating, Air Conditioning & Telecommunications

Air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be screened from the public right-of-way view and from adjacent properties by use of walls, fencing, roof elements, penthouse-type screening devices and/or landscaping.

7.5.15 Fire Escapes

External fire escapes are prohibited on a building's front facade. Internal stairs or other routes of egress are required where the Building Code mandates a second means of egress.

7.5.16 Accessory structures

A. All Accessory structures shall be architecturally compatible with the Principal Structure and screened from view from the public right-of-way.



- B. Garden sheds shall be limited to the rear yards of residential properties. Sheds shall not exceed 50 s.f. and 6' in height for homes with two-car garages or 30 s.f. and 6' in height for homes with one-car garages.

Sheds should be of wood or cement-board siding with roof materials similar to that of the principal structure, and should be architecturally attached to the garage structure. Sheds should not encroach in required minimum yard areas.

7.5.17 Signage

- A. A Signage Plan shall be submitted as part of the Site Plan Review & Approval process. Such Plan shall be in sufficient scale and detail to clearly depict the size, placement, height, style, lettering, color, illumination and method of installation for all signage proposed.

The Signage Plan shall include all text and iconographic elements proposed for all buildings, as well as the entirety of the site surrounding each building.

- B. While the Signage Plan shall generally conform with the requirements of Town Center Plan section 5A19, this Redevelopment Plan recognizes that such signage regulations have not proven adequate for the type of development constructed on Town Center

North and may not provide adequate for the needs of the Redevelopment Area.

Accordingly, the requirements of Town Center Plan section 5A19 are expressly intended to serve as a guide. The Redeveloper shall feel free to propose a signage package that is considered appropriate to the Project as envisioned, and may petition the Planning Board for relief from Town Center standards during the Site Plan Review & Approval process.

When requesting such relief, the Redeveloper shall provide clear justification as to why such standards should be relaxed.

The Planning Board reserves the right to require modifications to the Signage Plan if necessary to balance the signage needs of the individual Projects with the aesthetic and other needs of the Redevelopment Area and the Town Center as a whole.

- C. Once the Redevelopment Project has been completed and the sign vocabulary for the Redevelopment Area established, the Zoning Officer shall produce a set of signage regulations based on the signage then existing in Town Center North and Town Center South. Such regulations shall be incorporated into Chapter 142 and shall serve as the ordained signage regulations for these respective areas.



- D. Exterior signage shall identify uses, activities or functions of the Subject. No advertising of any product, use or activity outside of the Redevelopment Area shall be permitted.
- E. To the extent practicable, signage for similar Project elements should be coordinated and similarly themed to provide a unifying style. This regulation shall not be construed to mean that all signs must be identical or to prohibit unique sign designs where necessary and appropriate, but rather that, absent specific justification,⁸⁴ sign design should be complimentary and consistent.
- F. No vacant signs or sign boxes shall be permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general Project or other appropriate signage. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.
- G. All signs shall be professionally designed and constructed. Homemade-type plywood or cardboard signs or home-computer generated-type signs are expressly prohibited.
- H. Signage featuring color and the use of dramatic corporate icons is encouraged, as is the use of neon lighting or similar material to create sculptural logo or iconographic images.

- I. No restrictions are established for Interior Project Signage.⁸⁵ The Redeveloper is encouraged to establish a creative interior sign package consistent with the type and scope of Redevelopment Project proposed.
- J. No exterior real estate sales or rental signs or sales or rental equipment⁸⁶ are permitted within the Redevelopment Area.
- K. *Mid-Rise (Urban Apartment, Mixed-Use & Commercial) Buildings*
 - 1. Each elevation may have one (1) Project Identification Sign showing the name of the Project as well as appropriate branding iconography (i.e., logo). While the size, location and configuration of such signage shall be appropriate to the elevation on which such sign is located, such sign shall be located at the upper-most section of the building, but shall be no higher than the roofline of the wall supporting such sign, and shall have a total sign area not exceeding 25% of the total surface area of the building elevation on which it is affixed.
 - 2. Each Permitted Principal Use (i.e. operation) in the building, including the host use (e.g., the name of the Urban

⁸⁴ e.g., branding / theming requirements for themed retail outlets or food & beverage outlets.

⁸⁵ Defined as the interior areas of a Redevelopment Project, whether within an enclosed structure or on the inward-facing facades of a building internal to the Project.

⁸⁶ e.g., flier stands, lock boxes or related items



Apartment in a mixed-use building), may have one (1) Identification Sign mounted above the storefront of such use (or the entryway to the host use), containing the name of the operation, the logo or corporate icon of the operation and any specialty information for such use. Such signage may be building mounted or may be part of an awning or canopy.

3. Building-mounted directional signage indicating entrances to porte-cocheres, parking garages, loading and delivery areas and other locations as required may be cantilevered from the building if necessary for visibility.



8.0 CIRCULATION, PARKING & LOADING PLAN

8.0.1 The Town Center Plan⁸⁷ establishes 11 Right-of-Way Types for the Town Center, with design specifications for each. The intention of this scheme is to promote the greatest flexibility in developing the character of each block within the Town Center. Design elements include the following components, to be employed in conjunction with one another:

- A. A street grid with varying block configurations designed to accommodate a variety of lot sizes and types;
- B. Varying lot sizes, with no more than three (3) contiguous lots being of the same size (whenever possible);
- C. Varying setbacks and/or position of structures where adjacent lots are of identical size in order to avoid uniformity of appearance;
- D. Curvilinear streets that bend at strategic locations to promote flexibility and character by creating varied site vistas while maintaining the integrity of the street grid;
- E. Maximize existing topography to provide added interest and character to the street layout; and
- F. Pedestrian walkways, small urban parks and green edges abutting residential homes and

common open spaces at the edges of some blocks intended to create a sense of neighborhood and provide the opportunity for active and/or passive recreational activities.

8.0.2 Utilizing the concepts detailed above, the Town Center Plan established a Street Regulating Plan, specifying the locations, widths and design standards for the 11 right-of-way Types.

8.0.3 The Township's experience with the Town Center North development reveals certain shortcomings in the Street Regulating Plan as to cartway width and parking requirements. Additionally, the intricate network of rights-of-way required by the Street Regulating Plan is viewed as impracticable given current economic conditions.

Accordingly, this Circulation, Plan, while not abandoning the Town Center's Street Regulating Plan, establishes the circulation grid for the Northern Tract but defers roadway geometry for the Southern Tract to the Redeveloper.

The above notwithstanding, circulation within the Redevelopment Area shall be subject, as applicable, to the New Jersey Residential Site Improvement Standards (R.S.I.S.), the requirements of all Relevant Permitting Agencies and Review & Approval by the Planning Board. Parking and loading requirements shall be as detailed herein.

⁸⁷ Section 2: Street Regulating Plan



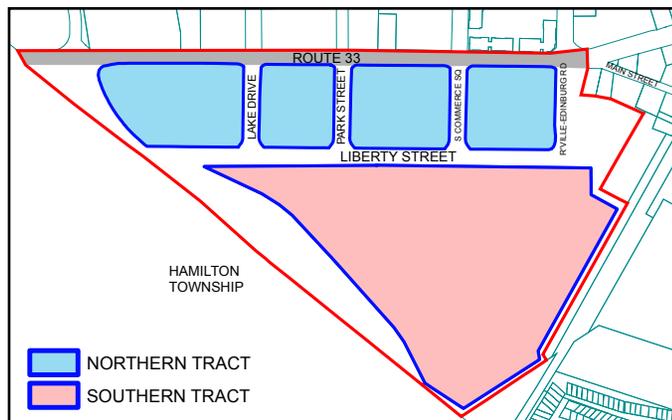


8.0.4 The process of seeking design waivers from this Circulation, Parking & Loading Plan is addressed in section 7.2.4 herein.

8.1 Circulation

8.1.1 Route 33

- A. This Circulation Plan maintains the existing Route 33 right-of-way in its current geometry, although certain improvements on the southerly side of the right-of-way may be required by the Redevelopment Project(s) proposed.
- B. The southern curbline of Route 33 may be relocated to widen the cartway, but in any case shall be maintained as a uniform curbline throughout the Redevelopment Area.

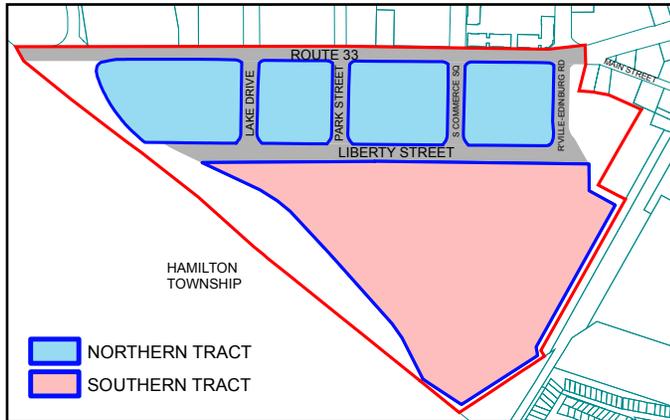


- C. Curb-cuts on Route 33 shall be minimized. A centralized system of ingress and egress points to the Northern and Southern Tracts is established as detailed below. Resultant excess curb cuts shall be eliminated.
- D. While it is not anticipated that any Project in the Redevelopment Area will require substantial modifications to Route 33, certain improvements may be required to permit access to a Project from west-bound travel lanes, to permit safe pedestrian crossing and/or to otherwise facilitate vehicular traffic on Route 33. Such improvements may include, but need not be limited to, the widening of the cartway along the southern side of the street; modifications in pavement striping and traffic signage; mechanisms to regulate left-turn movements; and installation of at-grade pedestrian crosswalks, traffic signals and/or other physical and/or mechanical elements to regulate pedestrian and traffic movement.

While this Redevelopment Plan recognizes that such improvements are beyond the control of the Township and therefore beyond the scope of this Redevelopment Plan, Township Policymakers will provide Redevelopers such assistance (other than financial) as may be necessary to negotiate such improvements with NJDOT.

8.1.2 Northern Tract

- A. Circulation in and around the Northern Tract shall be provided from Route 33 by way of extensions of the rights-of-way servicing Town Center North. While this graphic depicts 4 such extensions,⁸⁸ the Redeveloper shall be free to utilize any combination of such rights-of-way based on the needs of the specific Project(s) proposed.



Additionally, it is assumed that a new Liberty Street will be constructed between the Northern and Southern Tracts.

- B. Rather than adopting the prescriptive design specifications of the Town Center Plan's Street Regulating Plan, this Circulation Plan permits the Redeveloper the latitude in design as may be

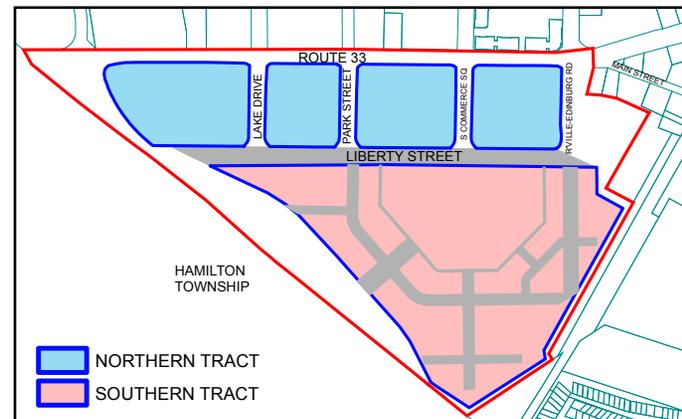
⁸⁸ Lake Drive, Park Street, South Commerce Square and the Robbinsville-Edinburg Road

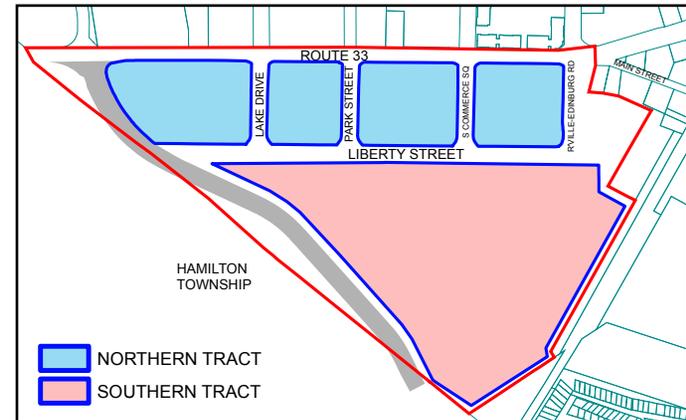
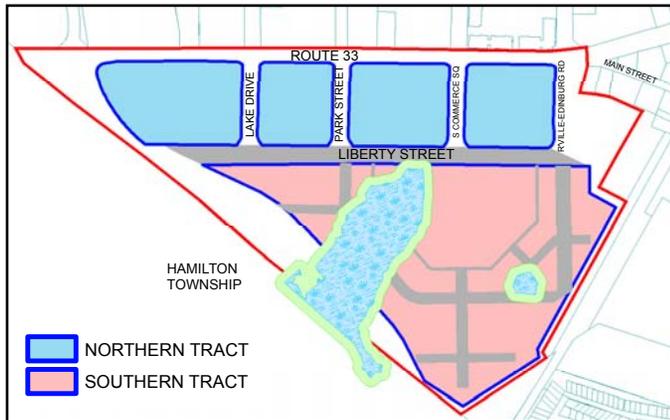
necessary to ensure the free flow of pedestrian and vehicular traffic based on actual conditions in Town Center North as well as projected traffic demand in and around the Project(s) proposed.

- C. The provisions of subsections A. and B. notwithstanding, the Redeveloper shall be responsible to construct Liberty Street as part of the Redevelopment Project on the Northern Tract. Where a Northern Tract Project does not encompass the entire Northern Tract, or where a Northern Tract Project is developed in phases, the Redeveloper shall only be responsible for the construction of that portion of Liberty Street abutting the Project or the specific phase thereof.

8.1.3 Southern Tract

- A. **Conceptually**, utilizing the Town Center Plan's Street Regulating Plan for the Southern Tract **might** produce a roadway network resembling:





- B. Rather than mandate a specific street network and design specifications for the Southern Tract, this Circulation Plan permits the Redeveloper the latitude to design a system that links to one or more of the roadways providing access from Route 33 to Liberty Street in a manner that ensures the free flow of pedestrian and vehicular traffic based on projected traffic demand in and around the Project(s) proposed.

Such a Bypass was endorsed by the State Planning Commission, NJDCA, NJDEP, NJDOT, Mercer County and the Township under the July 2000 Memorandum of Understanding.

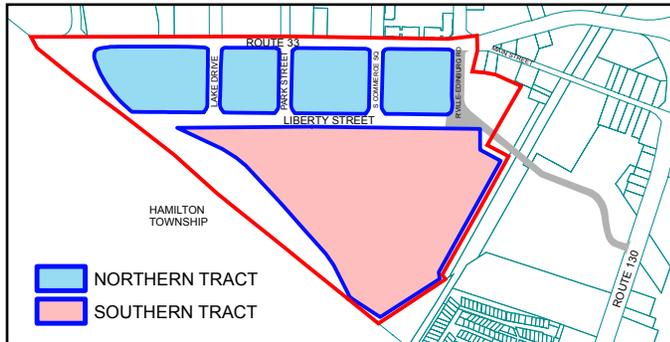
- B. While the Bypass has been designed and right-of-way has been acquired, the road has yet to be constructed.
- C. This Circulation Plan assumes that the Bypass will eventually be constructed. Redevelopment Project(s) shall be designed accordingly.

8.1.4 Route 33 Bypass

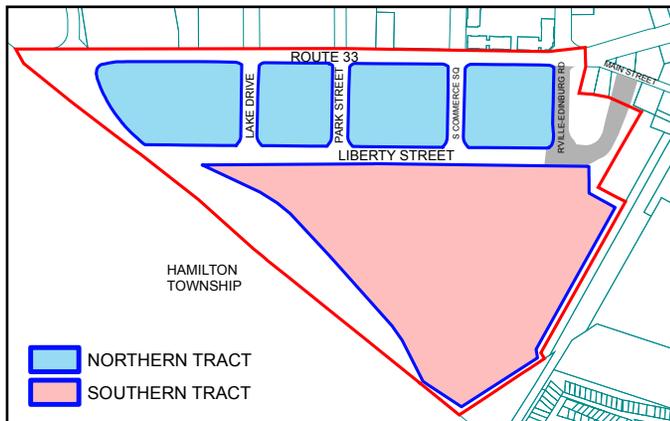
- A. As detailed in section 3.1.2 herein, the Township's early planning for the Town Center included a new Route 33 Bypass, designed as a limited-access roadway linking (existing) Route 33 at Washington Boulevard with State Route 130 at South Gold Drive.

8.1.5 Route 33 / 130 Connector & Route 33 / Main Street Jug-handle

- A. The Town Center Plan's Street Regulating Plan includes the concept of a connector linking Route 33 and Liberty Street with Route 130 via the Robbinsville-Edinburg Road.



- B. An alternative concept introduces a jug-handle connecting Route 33 with Main Street via the Robbinsville-Edinburg Road.



- C. This Redevelopment Plan retains both concepts and permits the Redeveloper to execute either or both as necessary to create an efficient and effective Circulation Plan for the Redevelopment Area, or to develop an

alternative to these concepts should a particular Project so require.

8.1.6 Additional Guidelines

- A. Residential sidewalks shall have a minimum width of 5'.
- B. Commercial sidewalks on the south side of Route 33 shall be consistent in width and treatment as on the north side of the right-of-way.

Elsewhere, commercial sidewalks shall have a minimum width of 10'.

- C. Commercial sidewalks shall be continued across street surfaces using contrasting paving materials to delineate crosswalks.
- D. All sidewalks shall have accessible curb ramps at corners and elsewhere where appropriate.
- E. Curbing is required on all streets. Curb radii is specified in the individual street type descriptions of the Street Regulating Plan.
- F. Curbing shall not extend more than 6" above the finished pavement.
- G. Granite (or equivalent) block, exposed 6" gray concrete in a square section or Belgian Block curbing material is recommended.



8.2 Parking

8.2.1 General Requirements

- A. All parking within the Redevelopment Area shall be governed by the New Jersey Residential Site Improvement Standards and the schedules contained in Parking Generation, 4th Edition published by the Institute of Transportation of Engineers (I.T.E.).⁸⁹

The overall intent for the provision of parking in the Redevelopment Area is to balance use-mix with available parking opportunities both on- and off-street.⁹⁰ A Parking Analysis pursuant to subsection 8.2.12 herein is required of all Redevelopment Projects in order to insure the adequacy of parking without, wherever possible, overdeveloping off-street parking areas.

- B. Consistent with the intent of this Redevelopment Plan to utilize Smart Growth / New Urbanism Principals, said regulations and analyses are expressly intended to serve as a guide. To the extent permitted by the Planning Board and other Relevant Permitting Agencies, Redevelopers shall include provisions for such parking as may reasonably be necessary for a

particular Project, and may increase parking supply beyond R.S.I.S. and I.T.E. Standards or may petition the Planning Board (and other Agencies) for relief from R.S.I.S. and I.T.E. standards at time of Review & Approval.

- C. Redevelopers requesting relief from R.S.I.S. and I.T.E. standards shall provide clear justification as to why such standards should be relaxed.
- D. The total parking requirement for the Redevelopment Area shall be the sum total of the number of spaces required for each individual use. Where the calculation of total parking requirement results in a fraction of a parking space, such fraction shall be rounded to the higher number.
- E. Off-street parking for commercial uses shall be sufficient to provide parking for the employees of all proposed uses as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage.
- F. Redevelopers are encouraged to utilize shared parking and other innovative parking solutions as part of their Parking Plans, provided that such arrangements do not result in a reduction of parking to the detriment of the residents and businesses within the Town Center.

⁸⁹ commonly referred to as the "ITE Parking Manual".

⁹⁰ This intent notwithstanding, this Redevelopment Plan **DOES NOT PERMIT** on-street parking spaces to count toward a Project's parking requirement.



Where necessary, the Planning Board may, in its discretion, permit parking spaces to be reserved either for residential or specified commercial uses; or may restrict the hours that certain spaces are to be used for commercial uses.

In exercising its discretion to allow any limitations to be placed on the use of any parking spaces, the Board shall do so with the intent to limit such restrictive use in order to advance the objective of encouraging shared parking.

- G. No vehicle parked in a driveway or parking area shall encroach into the public right-of-way.
- H. On-street parking shall be provided as curbside parallel, or angle parking located along both or alternating sides of the streets.

Diagonal head-in parking may be permitted along the front of commercial uses and/or public open space.

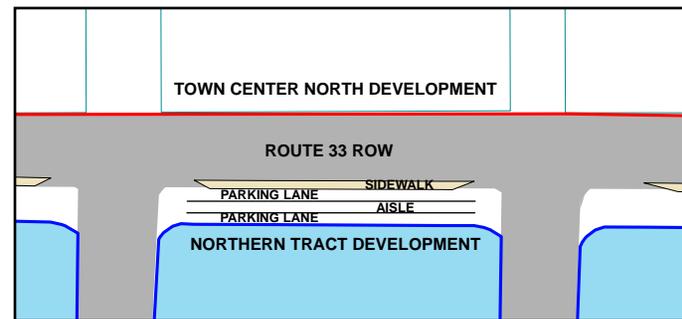
Curbside parking shall not be permitted within 25' of an intersection.

- I. Consistent with subsection H. above, this Parking Plan encourages on-street (parallel) parking on the south side of Route 33 in order to accommodate the needs of the commercial uses programmed for this frontage.

Given the current cartway width of Route 33 within the Redevelopment Area, the introduction of such parking is likely to impact the free flow of traffic ~ if such parking is possible at all.

While widening of the cartway would be a traditional solution to this problem, the extensive set of overhead utility lines at this location and the expense required for their relocation is likely to make such cartway widening economically impracticable.

In such a case, Redevelopers and their engineers are encouraged to develop creative alternatives to address this issue. One such mechanism is a pull-in parking alley along Route 33 outside of the cartway / right-of-way (as depicted).



- J. Parking for the Redevelopment Project may be accomplished via any combination of surface parking lot(s) or structured parking garage(s).



8.2.2 Off-Street Parking: Individual Unit (Single-Family, Duplex & Townhouse)

- A. Off-street parking is prohibited in the Front Yard Setback.
- B. Garages shall be located toward the rear of the dwelling.
- C. Parking access from the rear of the dwelling is encouraged so that driveways and driveway access is not visible from any Front Yard, except in the case of corner lots, wherein driveways are permitted direct access to the side street. In such case, the entrance to the garage must be setback 10' further than the side wall of the dwelling.
- D. Parking areas shall be set back a minimum of 20' from the rear of dwelling units.
- E. Driveways that are accessed through the Front Yard shall be no wider than 10'.

The maximum width of a driveway throat shall not exceed 12' for a single-vehicle drive and 24' for a two-vehicle drive. There shall be no more than one driveway apron per lot.

- F. Garages, driveways and parking areas shall have a minimum setback of 3' from any side property line or side of a dwelling, except where the garage, driveway or parking area is

shared by dwellings on two adjacent lots (i.e., townhouse and duplex lots), in which case the garage, driveway or parking area may be located with the driveway center line on the common side lot line.

- G. Driveways may be constructed of grass or brick pavers, 2'-wide concrete to wheel tracks or stone pavers.
- H. For Townhouse Projects, individual unit driveways and associated parking garages, common building (multi-car) surface parking lots and/or structured parking garages shall be located to the rear of or internal to the site(s) and shall therefore not be visible from the public right-of-way.

To the extent applicable, internal circulation aisles, loop-roads accessed by end-unit driveways or other similar accessways shall be employed.

- I. Cross-access easements for adjacent lots with interconnected parking are encouraged. The language of such easement shall be submitted to the Planning Board Solicitor as part of the Review & Approval process.

8.2.3 Off-Street Parking: Mid-Rise (Urban Apartment, Mixed-Use & Commercial) Building

- A. Required parking may be located in common parking lots or structured parking garages located on the same lot as the Principal



Building or on a lot other than that containing the Principal Building. In case of the latter, parking shall be located within 300' of the entrance to the Principal Building.

- B. Off-street parking is prohibited in the Front Yard Setback, shall be located at the rear of buildings on interior of lots when possible, and shall be accessed by means of common driveways, preferably from side streets or lanes.
- C. It is the intent of this Redevelopment Plan not to permit traditional, open parking decks. With the exception of ground-floor garage entry- and exit-ways, the ground-floor facades of parking structures shall be devoted to active Permitted Uses. Above the ground-floor, elevations should present the illusion of an active Permitted Use⁹¹ if such actual use is not practicable.
- D. To the extent practicable, entry- and exit-ways to structured parking garages shall be from the side or rear of the garage so as not to be visible from the public right-of-way. Unless made part of the Principal Building, the garage shall be set back a minimum of 3' from the Side and 5' from Rear property line.

Where vehicular access must be provided from a street, front accessways shall be set back 10' further than the front wall of the building.

8.2.4 Surface Parking Lots

- A. Shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping and street furniture.
- B. Parking lot layout, landscaping, buffering and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks; avoid spillover light, glare, noise, or exhaust fumes onto adjacent properties; and provide the parking area with a reasonable measure of shade.

In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of a 4½'-high, year-round visually impervious screen, hedge or wall, the height of which shall decrease where driveways approach sidewalks or walkways in order to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.

- C. The interior of all parking lots shall be landscaped to provide shade and visual relief by way of protected planting islands or peninsulas within the perimeter of the lot.

⁹¹ Window-like cutouts and/or other architectural elements so as to resemble offices or residential uses while providing for necessary garage ventilation.



Parking lots with 10 or fewer spaces may not require interior landscaping if the Planning Board determines that there is adequate perimeter landscaping.

Parking lots with 11 or more spaces require one (1) deciduous shade tree per five (5) parking spaces. A 6' planting diamond, or equivalent planter, is required for each tree. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be appropriate to the architecture of the Project to which the parking lot is intended to serve.

- D. Parking lot layout shall include pedestrian crosswalks, distinguished by textured paving or similar material, and shall be integrated into the wider network of pedestrian walkways.
- E. Cross-access easements for adjacent lots with interconnected parking are encouraged. The language of such easement shall be submitted to the Planning Board Solicitor as part of the Review & Approval process.

8.2.5 Parking Analysis

As part of the Review & Approval process, the Redeveloper shall submit a Parking Analysis, conducted in accordance with I.T.E. standards, to determine the number of on-street and off-street parking spaces required to accommodate peak parking demand for the Redevelopment Project.

(Recognizing that changes in use occur over time, any Applicant proposing a change in use within the Redevelopment Area that is viewed by the Planning Board as increasing the intensity of the use of the subject space shall submit a Parking Study in accordance with this Redevelopment Plan.)

In calculating peak parking demand, the Parking Analysis shall, at a minimum:

- A. Project the peak number of occupied parking spaces using formulas and procedures presented in the I.T.E. Parking Manual.
- B. Calculate the number of parking spaces needed by expanding the number of occupied parking spaces by an accepted factor to assure a reasonable number of vacant parking spaces to permit turnover of the parking supply.
- C. Identify how these parking spaces will be assured to future occupants and customers of the proposed land uses.
- D. Where shared parking is proposed, the Parking Analysis shall utilize the procedures presented in the most recent version of the report Shared Parking published by the Urban Land Institute (“ULI”) and shall use the most current shared parking methodology published by the ULI or I.T.E.



E. The Parking Analysis may also adjust projected parking demand based on an analysis of captured parking using procedures presented in the most recent version of the Trip Generation Handbook published by the ITE, calculating:

1. The projected peak parking demand for each land use that will be sharing the available parking supply.
2. The extent to which parking demand will be mitigated as a result of trips captured from adjoining land uses and therefore occurring without the use of a vehicle.
3. The peak parking accumulation for the Project, making use of traditionally-accepted shared parking procedures.
4. Expand the peak parking accumulation by an accepted factor to determine the needed supply of parking spaces.
5. Determine the number of on-site parking spaces that will be supplied.
6. Determine whether additional parking spaces will be needed and if so how they will be supplied.
7. Propose additional methods for additional parking, as necessary, including, but not limited to, the use of satellite parking lots

(with or without shuttle bus service), the provision of transit sub-sites to employees in-lieu-of assurance of a parking space or the establishment of a valet parking service making use of an identified off-street parking lot.

8.3 Loading

- 8.3.1 All loading and deliveries for the Redevelopment Area, including removal of refuse and recycling material, shall be accommodated via loading areas of such size and number of spaces as may be appropriate for the uses such spaces are intended to serve.
- 8.3.2 Loading areas shall be oriented in such a fashion as to create the least possible interference with traffic movement, both internal and external to the Redevelopment Project.
- 8.3.3 Loading areas shall be totally within the Project site such that the vehicle(s) being loaded / off-loaded shall be off of the public right-of-way.
- 8.3.4 At-grade loading areas and their driveways or other access points shall be appropriately screened and landscaped from view so as to be aesthetically pleasing and minimize direct views from adjacent properties or from the public right-of-way, and to minimize spill-over glare, noise, exhaust fumes or other nuisance.



Screening and buffering shall be achieved through walls, fence, and landscaping. Screening shall be a minimum of 5' feet tall and shall be visually impervious.

8.3.5 No external loading docks or at-grade storage structures are permitted. Delivery, loading and storage facilities shall be physically incorporated into the Redevelopment Project as necessary and shall not be visible from the public right-of-way or adjoining property.

This regulation shall not be interpreted to prohibit cabanas, food & beverage refrigerators, supply sheds or other similar facilities designed to service outdoor swimming pools, outdoor cafés or other amenities.

8.3.6 Specific delivery, loading and trash and recycling removal programs for each portion of the Redevelopment Project shall be determined within the context of the site constraints existing for such at time of Review & Approval.

8.4 Final Circulation, Parking & Loading Plans

8.4.1 A Final Circulation, Parking & Loading Plan, addressing all pertinent issues, shall be more fully developed as the Redeveloper refines his Project Concepts and designs.

8.4.2 Each such Plan shall be approved by the Planning Board at time of Review & Approval for the subject

portion of the Redevelopment Project, and shall address, as appropriate:

- Municipal dedications and vacations;
- Parking for residents, patrons and visitors;
- Internal circulation of vehicles and pedestrians; and
- Other actions related to improved traffic and pedestrian circulation to, from and through the Redevelopment Area.

8.4.3 Nothing herein shall prohibit the Redeveloper from pursuing circulation, parking or other improvements as off-tract improvements for the Redevelopment Project. Any such improvements will be, by definition, on lands outside of the Redevelopment Area. Land use requirements will therefore fall under the jurisdiction of the Township Code and not this Redevelopment Plan. However, all such improvements shall be consistent with and designed to augment this Circulation, Parking & Loading Plan.

8.4.4 Details related to specific actions shall be included in the Redevelopment Agreement between the Township and the Redeveloper Candidate. Said Agreement shall condition any municipal action related thereto upon Planning Board approval under the Site Plan Review & Approval process.



9.0 UTILITY & EASEMENT CONTROLS

9.1 Utility services⁹² to the Redevelopment Area are available from Route 33. A Utilities Survey, performed by a licensed Land Surveyor, is required for precise locations of subsurface elements and to locate at-grade or overhead lines. While it is believed that there is available capacity in each system to accommodate the intensity of development anticipated by this Redevelopment Plan, the Township makes no warrants as to the adequacy of any existing utility service vis-à-vis any proposed Project.

9.2 The exact locations for utility lines and easements shall be established at time of Planning Board Site Plan Review & Approval.

9.3 Distribution lines for all utility systems feeding the Redevelopment Area shall be placed underground. Existing above ground utilities shall be incorporated into the underground systems at the boundaries of the Redevelopment Area as improvements are undertaken.

The Redeveloper and his engineers are herewith put on notice that many, if not all, of the utilities servicing the Redevelopment Area feed from existing lines servicing the Town Center north of Route 33 as well as other sections of the Township.

THIS REDEVELOPMENT PLAN WILL PERMIT NO INTERRUPTION OF SERVICE to this community. The Redeveloper shall comply with the requirements of each individual utility to insure UNINTERRUPTED SERVICE.

9.3 All infrastructure improvements and related easements shall comply with Township standards. All such improvements shall be inspected by the Township Engineer for compliance with such standards and shall be certified as compliant prior to municipal acceptance of same.

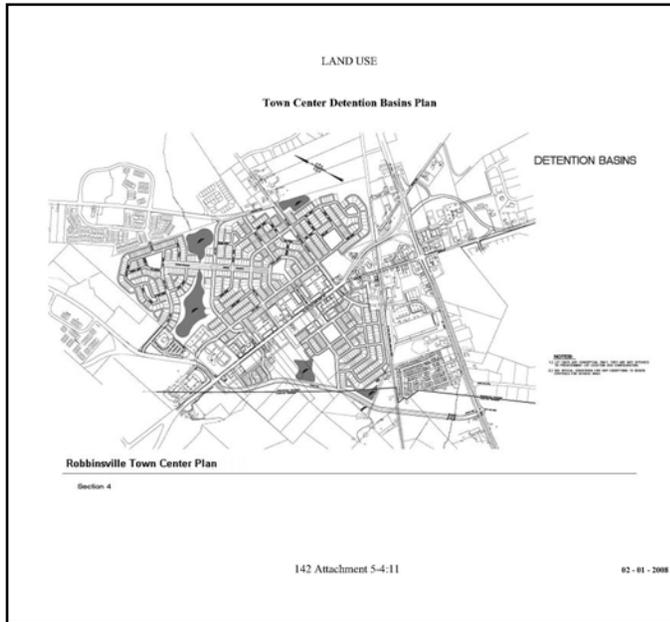
9.4 Floodplain & Wetlands Provisions

All designated floodplain areas and delineated wetlands shall comply with NJDEP requirements. Floodplain areas may be utilized to satisfy the Open Space requirements of section 10.1 herein.

9.4.1 Detention Basins

A. The Town Center Plan requires common detention facilities be designed and installed for the entirety of the Town Center under a “Master Drainage Plan”, with costs to be prorated to each developer based on the calculated amount of runoff generated by each development.

⁹² Including electric, gas, water, communications (telephone) and cable television systems.



Unfortunately, the timing of Town Center projects necessary to make such common facilities economically practicable (i.e., financeable) and certain pre-conditions related to NJDEP permitting has not occurred.

Accordingly, this Redevelopment Plan permits storm water facilities to be constructed individually ~ on a project-by-project basis ~ as is traditional development practice. Design of all such systems shall comply with the requirements of all Relevant Permitting Agencies.

- B. Detention basins, headwalls, outlet structures, concrete flow channels, rip rap channels and other drainage improvements shall be screened with plant material and/or berms. Such facilities, as appropriate, shall be situated in the least visible location or, if visible, incorporated into the natural topography of the land.
- C. Basin embankments and the basins themselves shall be extensively landscaped with wet-site tolerant plant materials ~ it being the intention to recreate a seasonal and high-water wet ecosystem. The detention facility shall be sized to accommodate the future growth of vegetation planted in the basin.
- D. In lieu of peripheral fencing, basin edges shall be contoured and shaped to form low angles at the primary water line, thereby insuring greater pedestrian safety.

9.5 Final Utility & Easement Plan

A Final Utility & Easement Plan for each component of the Redevelopment Project, depicting exact locations for utility lines and easements, and specifically addressing storm water management, sanitary sewer, potable water and solid waste, shall be approved by the Planning Board at time of Site Plan Review & Approval.



10.0 OPEN SPACE, LANDSCAPING & STREETSCAPING PROVISIONS

10.0.1 An Open Space, Landscaping & Streetscaping Plan, prepared by a New Jersey Licensed Landscape Architect,⁹³ shall be submitted as part of the Site Plan Review & Approval process. Such Plan shall be in sufficient scale and detail to clearly depict the location, placement, size, scope and quantity of all landscaping / streetscaping elements and materials, and shall address the aesthetic treatment for all publicly-visible portions of the Redevelopment Area (whether public access is permitted or not), including all open space, sidewalks, parking lots and drainage basins.

10.0.2 All lands within the Redevelopment Area shall either retain their natural features or be extensively landscaped and/or streetscaped with such natural and manmade materials as may be appropriate to the type and scale of the Redevelopment Project proposed. Such landscaping / streetscaping shall be provided in all areas not covered by buildings, parking lots or other improvements.

Landscaping elements may include, but need not be limited to, street and shade trees, shrubbery, hedges, ground covers and/or grasses, perennial and annual flowers and other plant materials.

Streetscaping elements may include, but need not be limited to such functional and ornamental elements as decorative (textured) paving materials; benches and other street furniture; fountains or other water features; trellises, pergolas, gazebos; fences and walls; decorative lighting (both pedestrian and architectural); and like and similar features. Recreational facilities, paths and walkways and public art are also encouraged.

Landscape Architects shall consider suitability, maintenance and compatibility with site and construction features when establishing their landscape design. Features should be compatible with those installed in Town Center North in order to unify the different sections of the Town Center, but may be sufficiently different to denote Town Center South as a distinct development.

Planting shall be designed with repetition, structured patterns and complimentary textures and colors, and shall reinforce the overall character of the Redevelopment Area.

Details related to specific Open Space, Landscaping and Streetscaping requirements shall be determined within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate as well as the Planning Board under the Review & Approval process.

⁹³ Augmented by a New Jersey Licensed Civil and/or Electrical Engineer, as appropriate.





10.1 Open Space

10.1.1 Town Center Plan

- A. The Town Center Plan establishes an Open Space Network designed to connect the Town Center to Mercer County Park and the Assunpink Wildlife Management Area.⁹⁴ The Town Center Plan views this network as crucial to link the Town Center with a larger park and open space network beyond the boundaries of Robbinsville.

The Town Center Plan further identifies “critical areas” connecting Town Center to the rest of the open space network, with “critical points” (existing wetlands) to serve as trail head(s) for pedestrian / bicycle paths.

- B. The open spaces, parks and boulevards established by the Town Center Plan were envisioned to remain open *in-perpetuity*, and were to be deed restricted to prohibit future development.

The nature of these open spaces⁹⁵ was to be appropriate to the character of the space⁹⁶ and dwellings⁹⁷ served.

⁹⁴ Reference Open Space Network diagram (Section 4 of the Town Center Plan).

⁹⁵ social, recreational and/or environmental preservation

⁹⁶ topography, size and vegetation

⁹⁷ size, density, population characteristics and number and type

- C. Internal Open Space was to be spatially enclosed by buildings or streets, heavily landscaped as active gathering places for residents of the Town Center, and designed for strolling, sitting, social interaction and informal recreation by various age groups. Formal gardens, walkways, monuments, statues, gazebos, fountains, benches and pedestrian-scale lighting were envisioned.

- D. Small ‘greens’ were planned for either side of Route 33, and one or more larger parks in the TC-2 Zone were included as community space for concerts, outdoor exhibits and public gatherings (with rest rooms and other public amenities provided).

Planted Parkways were to be provided throughout the Town Center.

- E. As a general principle, the preservation of undeveloped open space in its natural state was encouraged. Toward this end, open space containing existing attractive or unique natural features such as streams, creeks, ponds, wetlands, woodlands, specimen trees and other areas of mature vegetation worthy of preservation were to in their natural state (although certain limited improvements⁹⁸ are permitted).

⁹⁸ including, but not necessarily limited to, walking or jogging trails and picnic areas



- F. Peripheral open spaces were to be retained for public and semi-public recreation to serve the anticipated needs of the residents. Recreation facilities included soccer, baseball, football and other field sports that require open, unlit fields.
- G. Walkways, jogging and bicycle paths were to be continuous and connect with the sidewalks and paths of adjacent streets.
- H. Buildings, structures and improvements permitted in the open spaces were to be appropriate to the authorized uses and designed to conserve and enhance the amenities of the open space with regard to its topography and unimproved condition.

10.1.2 This Redevelopment Plan

This Redevelopment Plan generally retains the philosophy and regulatory scheme of the Town Center's Open Space Plan, but permits the modification of such regulations in order to provide the flexibility and economy of development detailed in the Goals & Objects (section 4.0) herein.

Details related to the specific areas of Open Space to be provided and the regulatory scheme for such spaces shall be determined within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper Candidate.

10.2 **Landscaping**

This Redevelopment Plan retains the general philosophy of the Town Center Plan's Landscaping provisions, but permits the modification of specific regulations in order to provide the flexibility and economy of development detailed in the Goals & Objects (section 4.0) herein.

Within this context, issues related to landscaping within the Redevelopment Area shall be as detailed in the Town Center Plan⁹⁹ as well as sections 44 and 48 of the Township Code. The process of seeking design waivers from these provisions is addressed in section 7.2.4 herein.

10.2.1 Plant Species

- A. To the extent practicable, natural vegetation shall be preserved, and may be augmented with new plant material. New material shall consist of native species as well as those species traditionally found in the Mercer County region. Non-native species may be employed to enhance aesthetic appeal.
- B. Plant selection shall be varied to avoid a monoculture.

⁹⁹ Specifically, but not exclusively:

- sections 4G and 4H for Landscaping Elements; and
- section 5A12 for Walls, Fences and Hedges;



- C. Only nursery-grown plant materials are acceptable. Trees, shrubs and ground cover shall be planted according to accepted horticultural standards.
- D. Species selected should be hardy for the Robbinsville climatic zone and shall be appropriate in terms of function and size.

In addition to the provisions of Town Center Plan 4G and H, schedules for acceptable and discouraged plant species are contained in Appendix C to Chapter 142.

10.3 Streetscaping¹⁰⁰

- 10.3.1 Shall address the decorative treatment of all impervious surfaces, both internal to a Redevelopment Project and within the public right-of-way adjacent to a Project.
- 10.3.2 Shall consist of decorative paving,¹⁰¹ street furniture and related items to demarcate public spaces and to help the Project blend in with the surrounding natural and built environment. Elements shall be

¹⁰⁰ Reference Town Center Plan:

- section 5A12 for Walls, Fences and Hedges;
- section 5A16 for Paving Materials;
- sections 5A20 and 5A21 for Street and Park Furniture

¹⁰¹ Including, but not be limited to, a combination of scored concrete, paver accents and such non-traditional / New Urbanist landscape design as curvilinear or meandering sidewalks with enhanced planting beds, rain gardens and other similar aesthetic treatment.

appropriate to the Project proposed and shall be constructed of non-reflective materials.

- 10.3.3 Curbing and sidewalks shall be provided along all public rights-of-way and are encouraged along all internal circulation-ways.
- 10.3.4 Sidewalks shall be pedestrian friendly and shall be lined with street trees to provide shade, aesthetics and cohesion.
- 10.3.5 Café seating (where restaurants are permitted) and open-air gathering places are encouraged throughout the Redevelopment Area.
- 10.3.6 Consistent with 10.3.5, and as a goal in-and-of-itself, all accessible open space areas, including flat rooftops, may be developed as café seating, pedestrian promenades and/or active or passive recreation areas. Treatment may include gardens or other decorative elements to create an attractive setting. Such areas may be common open space or may be proprietary to a Permitted Use within the Redevelopment Project.

- 10.3.7 The exposed surface of all flat roofs, including the rooftop decks of parking structures and decks and balconies when accessible as public open spaces ~ which are less than the Maximum Building Height within the Redevelopment Area and therefore visible from taller buildings ~ shall be treating with decorative materials in order to create an aesthetic appearance from above.



Where said surfaces are pedestrian accessible, a minimum of 35% of the total exposed surface area not developed as an active use (i.e., outdoor café area) shall be landscaped as roof gardens. Treatment may or may not include live vegetation.

10.3.8 The balance of all accessible flat roofs shall be treated so as to blend with the roof gardenscape in an aesthetically acceptable manner. Said areas shall be constructed of non-reflective material in order to secure an agreeable visual condition.

10.3.9 Pergolas, trellises or other screening above parked vehicles is required where exposed flat roofs are used as parking decks.

10.4 Lighting

10.4.1 A comprehensive Lighting Plan, generally consistent with Town Center Plan section 5A18, shall be submitted for each portion of the Redevelopment Project, addressing all public areas, parking lots, open spaces and building illumination in order to provide security and safe movement of pedestrians and vehicles as well as to illuminate aspects of the building, landscaping and other Project elements to provide for an aesthetically-pleasing environment.

The Lighting Plan shall depict the location, type and wattage of all luminaries, with i.s.o. footcandle radii and light cutoff angles indicated. Where pole mounted lighting is employed, pole design, height, foundation and support information is required.

10.4.2 Site and building lighting shall be designed to blend with the architecture of the element such lighting serves.

10.4.3 Lighting shall be shielded, buffered and directed to prevent light spillover, glare or reflection from impacting adjoining properties, including wetlands.

10.4.4 Security lighting shall illuminate all windows, doors, access drives to parking areas and other public spaces as required.

10.5 Final Open Space, Landscaping & Streetscaping Plan

A Final Open Space, Landscaping & Streetscaping Plan for the Redevelopment Project shall be approved by the Planning Board at time of Site Plan Review & Approval.

10.6 Environmental Protection Measures

10.6.1 It is the goal of this Redevelopment Plan to maximize build-out in the Redevelopment Area in order to create the most productive Redevelopment Project(s) possible; thereby achieving the Municipal Goals & Objectives established herein. Within this context, Township Policymakers recognize that environmental regulations outside the jurisdiction of this Redevelopment Plan will likely govern certain aspects of the Project(s).



10.6.2 It is anticipated that the various governmental agencies with jurisdiction over the Project may require certain Environmental Protection Measures as a condition of their approvals. Such Measures may include, but need not be limited to:

- A. acquisition, conservation and preservation of wetlands and associated protective buffering as public open space; and/or
- B. acquisition of undeveloped uplands for open space preservation and/or active or passive recreation purposes; conversion of such uplands to wetlands for mitigation purposes;

10.6.3 The design of such Environmental Protection Measures, if required at all, shall be determined within the context of the governmental approvals granted by the Relevant Permitting Agencies.

10.6.4 Such mandated Environmental Protection Measures notwithstanding, areas at or near wetlands or wetlands buffers shall be sensitively treated. Any disruption of or damage to the natural vegetation system caused during construction or operation of a Redevelopment Project shall be repaired / replaced as required by the Relevant Permitting Agencies.

The foregoing does not relieve a Redeveloper or his contractors of any requirement related to environmental preservation and mitigation measures which may be imposed by any Relevant Permitting Agency during the permitting process.



11.0 EQUAL OPPORTUNITY

All activities in furtherance of this Redevelopment Plan, whether by the Redevelopment Entity, a respondent to a Redeveloper Solicitation, a Redeveloper Candidate, any contractor or subcontractor to a Redeveloper Candidate, a designated Redeveloper or any successors in interest to any of the foregoing¹⁰² shall conform with all mandatory Equal Employment Opportunity language pursuant to N.J.S.A. 10:5-31 et seq. and/or N.J.A.C. 17:27.

In furtherance thereof, and without limitation:

11.1.1 No Responsible Party engaged in activities under this Redevelopment Plan shall discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

11.1.2 Responsible Parties shall ensure that equal employment opportunity is afforded to applicants in recruitment and employment, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal

employment opportunity shall include, but not be limited to: employment, promotion, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training (including apprenticeship).

11.2 No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Entity or by a Redeveloper (or any successors in interest) whereby the land or improvements in the Redevelopment Area are restricted, either by the Redevelopment Entity or such Redeveloper (or any successors in interest) upon the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex in the sale, lease, use or occupancy thereof.

11.3 The provisions of this section 11, as well as the provisions of N.J.S.A. 40A:12A-9, shall be implemented by appropriate covenants or other provisions in the Redevelopment Agreement and/or disposition instruments as covenants running with the land.

¹⁰² collectively referred to herein as "Responsible Party"



12.0 PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS

12.1 Redevelopment Area Designation

The Robbinsville Township Council, via Resolution No. 2010-202 (adopted October 14, 2010)¹⁰³ declared the Town Center South Redevelopment Area to be an "Area in Need of Redevelopment" pursuant to the *Redevelopment Law*.

Redevelopment Area designation is a prerequisite for the promulgation of a Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

12.2 Redevelopment Plan

Upon adoption by the Governing Body, this document shall constitute a Redevelopment Plan under the provisions of the *Local Redevelopment and Housing Law*. It includes an outline for the (re)planning and (re)development of the Redevelopment Area as follows:

12.3 Relationship to Definite Local Objectives¹⁰⁴

This Redevelopment Plan has been crafted to achieve the Municipal Goals & Objectives detailed under section 4.0 herein.

12.3.1 Appropriate Land Uses

Permitted and Prohibited land uses for the Redevelopment Area are detailed in sections 7.2.2, 7.4.1 A. & B. and 7.4.2 A. B. & D. herein.

12.3.2 Density of Population

Residential Density for the Redevelopment Area is addressed in sections 7.4.1 C. and 7.4.2 C. herein.

12.3.3 Public Transportation and Traffic

- A. New Jersey Transit's bus route 606 provides regional service to (from) Robbinsville to (from) various locations throughout Mercer County and, via connections, various points north, south and west. N.J.T. bus route 606 runs on Route 33 for the length of the Redevelopment Area.
- B. New Jersey Transit's Northeast Corridor Line provides passenger / commuter light rail service linking western New Jersey via various points north and south of Robbinsville. The N.J.T. rail station closest to the Redevelopment Area is the Hamilton Station, approximately 5.6 (vehicular) miles (13 minutes) from the Town Center.¹⁰⁵

¹⁰³ Exhibit 12

¹⁰⁴ N.J.S.A. 40A:12A-7a(1)

¹⁰⁵ 1 Washington Boulevard
(http://www.njtransit.com/rg/rg_servlet.srv?hdnPageAction=TrainStationLookupFrom&selStation=32905)



C. Issues related to traffic circulation for the Redevelopment Area shall be addressed as the Redeveloper refines the Final Circulation, Parking & Loading Plan (section 8.4 herein) for the Redevelopment Project.

12.3.4 Public Utilities

Utility service and the Redeveloper's requirements relating thereto are outlined in the Utility & Easement Controls (section 9.0) herein.

12.3.5 Recreational and Community Facilities

A. There are no recreation or community facilities located or operating within the Redevelopment Area. The activities detailed in this Redevelopment Plan will therefore not negatively impact recreation or community facilities within the Township.

Accordingly, this Redevelopment Plan causes no change to the Recreational and Community facilities servicing the Township from those which existed prior to the adoption of this Plan.

B. The intent of this Redevelopment Plan is to create a community focal-point / gathering area (what Planners call a Sense of Place) for the residents of Robbinsville as well as others in the region, consisting of a central core of civic facilities surrounded by specialized Retail, residential, cultural and recreation uses.

To create such a 'Place', this Redevelopment Plan permits Public Community Centers¹⁰⁶ on the Northern and Southern Tracts and active and passive public open space on the Southern Tract.¹⁰⁷

At Publication, programming for the Community Center was in its evolutionary stages. More detailed facility and space requirements will be developed by the Township over the next several months. While not fully programmed, it is anticipated that the Community Center might consist of:

- A community building of 20,000 - 24,000 s.f.;
- An Olympic-sized swimming pool with water slide;
- An outdoor area sufficient for four (4) sand volley ball courts;
- Three (3) basketball courts;
- Two (2) Tennis Courts; and
- An outdoor Pavilion / Gazebo area with additional playgrounds, multi-purpose fields and similar recreation areas.

¹⁰⁶ including performing and fine arts space, meeting / multi-purpose rooms, auditoriums [sic] and like and similar uses.

¹⁰⁷ including parks, playgrounds, programmed recreation areas and like and similar uses.



C. While it is not possible to project Building Limit Controls for the Community Center at this time, it is anticipated that such controls might reflect:

1. The location and other issues related to the Community Center shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Redeveloper Candidate and the Township.

Within this context, Redevelopers are asked to provide recommendations as to the location of the Community Center as part of their Project Concepts submitted under the Expression of Interest process.

2. It is anticipated that this facility can be accommodated within the Block and Lot geometry permitted by this Redevelopment Plan. However, the Block and Lot sizes required to accommodate the Community Center as ultimately designed shall govern.
3. Setbacks shall be proportionate to the architecture and scale of the facility as designed and shall provide public open space and aesthetics appropriate to a significant civic building and use.
4. Building height shall be appropriate to the needs of the facility, but shall not overpower surrounding uses (based on the Building Limit Controls of this Redevelopment Plan).

D. The Township recognizes that while such a facility will certainly be an amenity to the Redevelopment Project, it is not likely to be a revenue generator for the Redeveloper. Accordingly, this Redevelopment Plan permits the Township to:

- develop the Community Center on its own;
- negotiate with the Redeveloper to construct the facility as a turnkey for the Township; or
- negotiate with the Redeveloper to participate in the development of the Community Center in some other, creative manner.

Details related to participation by the Redeveloper in the development and/or operation of the Community Center, if at all, shall be addressed within the negotiations of the Redevelopment Agreement between the Redeveloper Candidate and the Township.

12.3.6 Other Public Improvements

- A. Public improvements contemplated by this Redevelopment Plan include improvements related to extension of the roadway and utility networks into the Redevelopment Area and any Environmental Protection Measures as may be required by the Relevant Permitting Agencies.



Such utility improvements may have the added benefit of providing upgraded service to properties outside ~ but in the vicinity of ~ the Redevelopment Area.

To the extent that such improvements benefit parties other than Redeveloper, they may be considered *Other Public Improvements*.

- B. While no other public improvements are contemplated, this Redevelopment Plan permits such improvements as may be necessary to support a Redevelopment Project.
- C. Consistent with section 7.1.5 herein, the Planning Board shall retain the right, at time of Site Plan Review & Approval, to require such off-site and/or off-tract improvements as may be necessary for the effective implementation of this Redevelopment Plan.

12.4 Proposed Land Use & Building Requirements¹⁰⁸

The Review Procedures; Standards & Controls of General Applicability; Parcelization Plan; Development Regulations; Circulation, Parking & Loading Plan; Utility & Easement Controls; and the Open Space, Landscaping & Streetscaping Provisions; are detailed in sections 7.0 through 10.0 of this Redevelopment Plan.

¹⁰⁸ N.J.S.A. 40A:12A-7a(2)

12.5 Provision for Temporary & Permanent Relocation¹⁰⁹

12.5.1 Upon adoption of a Redevelopment Plan, municipalities are statutorily permitted¹¹⁰ to acquire real property in a Redevelopment Area through good-faith negotiations with the owners of such property or, upon failure of such good-faith negotiations, through condemnation (eminent domain), and to convey such lands to a Redeveloper in furtherance of an approved Redevelopment Project.

The *Redevelopment Law*¹¹¹ requires that a Redevelopment Plan include “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”.

The Housing Element and Fair Share Plan adopted by the Township in December of 2008 contains information similar to that required under the *Redevelopment Law*. Accordingly, this Redevelopment Plan shall rely on the Township’s Fair Share Plan in satisfaction of this requirement.

¹⁰⁹ N.J.S.A. 40A:12A-7a(3)

¹¹⁰ N.J.S.A. 40A:12A-8b, c & g and 40A:12A-15

¹¹¹ N.J.S.A. 40A:12A-7a(3)



12.5.2 The above notwithstanding, pursuant to applicable New Jersey Statutes regarding the use of eminent domain,¹¹² owners of properties taken by such action are entitled to Fair Market Value for their property. Full-time, permanent occupants of such properties are entitled to certain Relocation Assistance or Moving Expenses.

Prior to displacing any occupants as a result of eminent domain action, a Workable Relocation Assistance Plan¹¹³ must be filed with and approved by the New Jersey Department of Community Affairs. Accordingly, if and when the Township is in a position to exercise its powers of eminent domain in such a way as to affect an eligible occupant of a property to be acquired, a WRAP will be prepared and filed with NJDCA.

No action to displace any such eligible occupant shall occur until such WRAP has been approved.

12.6 Identification of Property-To-Be-Acquired¹¹⁴

As Township-owned property, Block 1, Lots 11.02, 11.03, 11.04, 11.05, 72, 73 & 74; Block 1.01, Lot 1; Block 1.03, Lot 8; and Block 1.06, Lot 1 and all rights-of-way within the Redevelopment Area except for Route 33 need not be “acquired” for the Redevelopment Project.

¹¹² C. 20:3-1 et seq.

¹¹³ “WRAP”

¹¹⁴ N.J.S.A. 40A:12A-7a(4)

All remaining properties within the Redevelopment Area, except for Route 33, are subject to acquisition in order to achieve the Municipal Goals & Objectives of this Redevelopment Plan.

12.7 Significant Relationships to Other Plans¹¹⁵

A. Prior to the adoption of this Redevelopment Plan, the lands and buildings within the Redevelopment Area were subject to:

- The Robbinsville Master Plan & Township Code, including the relevant provisions of the Town Center Plan;
- The Mercer County Master Plan;
- The State Plan; and
- The regulations of all Relevant Permitting Agencies.

D. Upon adoption of this Redevelopment Plan, the lands and buildings within the Redevelopment Area shall be subject to:

- This Redevelopment Plan;
- The Robbinsville Master Plan & Township Code, including the relevant provisions of the Town Center Plan, as amended via this Redevelopment Plan;

¹¹⁵ the master plans of contiguous municipalities, the County Master Plan and the State Development and Redevelopment Plan [N.J.S.A. 40A:12A-7a(5)]



- The Mercer County Master Plan;
- The State Plan; and
- The regulations of all Relevant Permitting Agencies.

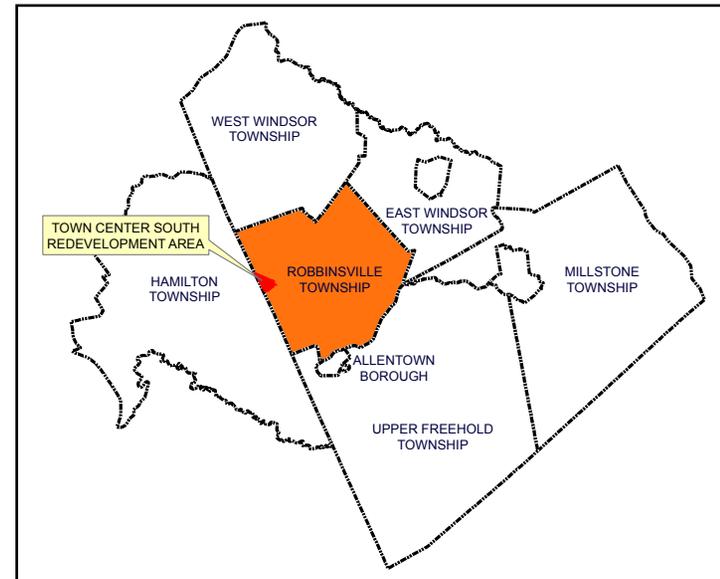
12.8.1 Proposed Zoning Changes

- A. Prior to the adoption of this Redevelopment Plan, the Redevelopment Area was located in the TC-2 portion of the Town Center. Land Use regulations for the TC-2 zone are contained in §142-19E of the Township Code and the Town Center Master Plan.
- B. Upon adoption of this Redevelopment Plan, the Redevelopment Provisions (section 7.0); detailed herein shall govern all land use and structural form within the Redevelopment Area.
- C. While certain specific uses permitted under the Town Center Plan are not permitted under this Redevelopment Plan and certain specific uses permitted under this Redevelopment Plan are not permitted under the Town Center Plan, the overall character the of uses permitted under this Redevelopment Plan do not materially differ from the overall character of uses permitted in the Redevelopment Area under TC-2 zoning prior to the adoption of this Redevelopment Plan.

- D. Similarly, while certain site and building design regulations under the Town Center Plan differ from the Building Limit Controls, Architectural Controls and other provisions of this Redevelopment Plan, the overall character the of development regulations under this Redevelopment Plan do not materially differ from the overall character of the development regulations under TC-2 zoning prior to the adoption of this Redevelopment Plan.

12.8.2 Master Plans of Contiguous Municipalities

Municipalities continuous to Robbinsville are Allentown Borough, East Windsor Township, Hamilton Township, Millstone Township, Upper Freehold Township and West Windsor Township.





Given the location of the Redevelopment Area and the geometry of the Township, as a practical matter, the activities anticipated under this Redevelopment Plan may only be expected to have a material impact on Hamilton Township.

As detailed in section 12.7.1 herein, while certain specific uses and development regulations of this Redevelopment Plan differ from those of the Town Center Plan, the overall character of development proposed for the Redevelopment Area does not materially differ from the overall character of development envisioned for this section of the Township under TC-2 zoning, which has been in place since 1997.

Accordingly, there is no change in the relationship of this Redevelopment Plan to the Master Plan of Hamilton Township beyond that which existed prior to the adoption of this Plan.

12.8.3 Mercer County Master Plan

As detailed in the Report of Findings and sections 3.1.5 and 8.1.4 A. of this Redevelopment Plan, Mercer County was a signatory to the July 2000 Memorandum of Understanding endorsing the Town Center concept

Again, while certain specific uses and development regulations of this Redevelopment Plan differ from those of the Town Center Plan, the overall character of development proposed for

the Redevelopment Area does not materially differ from the overall character of development envisioned for this section of the Township under TC-2 zoning.

Accordingly, there is no change in the relationship of this Redevelopment Plan to the Mercer County Master Plan beyond that which existed prior to the adoption of this Plan.

12.8.4 State Development & Redevelopment Plan¹¹⁶

A. The New Jersey Office of Smart Growth¹¹⁷ promulgated the State Plan as the equivalent of a statewide Master Plan. Prepared as an interdepartmental effort between various offices charged with managing development in New Jersey¹¹⁸, the State Plan is the controlling policy guide regarding growth-related issues on a statewide level.

The current version of the State Plan was adopted in March 2001. At Publication, the State was undertaking, but had not completed, a reexamination of the Plan. The 2001 version of the State Plan is therefore the active planning tool and development guide for the State of New Jersey.

¹¹⁶ "State Plan"

¹¹⁷ now the "Office of Planning Advocacy"

¹¹⁸ Principally, but not exclusively, NJDCA and NJDEP.





B. The State Plan classifies the section of Robbinsville which includes the Study Area as a PA~2: Suburban Planning Area¹¹⁹ and a Town Center.

Suburban Planning Areas are designed to provide for much of the State's future development; promote growth in Centers and other compact forms; protect the character of existing stable communities; protect natural resources; redesign areas of sprawl; reverse the current trend toward further sprawl; and revitalize cities and towns.¹²⁰

Centers are compact forms of development that consume less land, deplete fewer natural resources and are more efficient in the delivery of public services. The concept of Centers is the key organizing principle for development and redevelopment.¹²¹

Town Centers are traditional Centers of commerce or government, with diverse residential neighborhoods served by a mixed-use core offering locally oriented goods and services.¹²²

To accomplish these goals, the following Policy Objectives¹²² are established:

Land Use:

Guide development and redevelopment into more compact forms: Centers and former single-use developments that have been retrofitted or restructured to accommodate mixed-use development, redevelopment, services and cultural amenities. Plan and zone for a wide range of land uses and users, in order to achieve more balanced communities. Seek to better integrate different land uses, and remove or mitigate physical barriers between them. Encourage densities capable of supporting transit. Preserve the Environs as parkland, farmland, or partially developed low-density uses without compromising the Planning Area's capacity to accommodate future growth.

Housing:

Provide a full range of housing choices primarily in Centers at appropriate densities to accommodate the area's projected growth. Ensure that housing in general ~ and in particular affordable, senior citizen, special needs and family housing ~ is developed with

¹¹⁹ Exhibit 16

¹²⁰ State Plan: pp. 162-163

¹²¹ State Plan: p.10

¹²² State Plan: pp. 165-166



maximum access to a full range of commercial, cultural, educational, recreational, health and transportation services and facilities. Focus multi-family and higher density single-family housing in Centers.

Economic Development:

Guide opportunities for economic development into Centers or existing pedestrian- and transit-supportive single-use areas and target new jobs to these locations.

Transportation:

Maintain and enhance a transportation system that links Centers and existing large single-use areas to each other, to Metropolitan Planning Areas and to major highway and transit corridors. Emphasize the use of public transportation systems and alternative modes of transportation where appropriate and feasible, and maximize circulation and mobility options (including pedestrian and bicycle connections between developments) throughout. Encourage significant redevelopment and intensification around existing and planned rail stations along transit corridors and ferry stations along waterfronts. Promote flexible (variable route) transit and

support employer-operated shuttle services. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development, transportation intermodal hubs, and complementary uses for airport property such as business centers.

Natural Resource Conservation:

Conserve continuous natural systems, strategically located open space and buffer Critical Environmental Sites. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link into other Planning Areas.

Agriculture:

Guide development to ensure the continued viability of agriculture and the retention of productive farmland in strategically located agricultural areas and in other adjacent Planning Areas. Actively promote more intensive, new-crop agricultural enterprises and meet the needs of agricultural industry for intensive packaging, processing, adding value operations, marketing, exporting and other shipping through development and redevelopment.



Recreation:

Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects. In the undeveloped portions of this Planning Area, acquire and improve neighborhood and municipal parkland within Centers, and regional parkland and open space either in or within easy access of Centers.

Redevelopment:

Encourage redevelopment efforts in existing Centers and single-use areas which can be redeveloped into mixed-use areas, and areas within walking distance of train stations or other major public transit facilities. Redevelop at transit-supportive densities, while creating pedestrian-oriented environments. Take full advantage of the opportunities available under the State's redevelopment statutes to promote new Centers and retrofit existing areas with mixed uses and higher densities.

Historic Preservation:

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation with tourism efforts.

Public Facilities and Services:

Phase and program the extension of public facilities and services to support development in Centers and ensure adequate levels of public and private services. Encourage jurisdictions to locate all public and private community facilities ~ schools, libraries, municipal buildings, government offices, post offices, civic, cultural and religious facilities, fire stations, etc. ~ in Centers or in proximity to (within walking distance of) Centers. Central facilities serving a wide population should be located in or near Cores.

Intergovernmental Coordination:

Establish regional approaches to the planning and provision of facilities and services. Create public/public and public/private partnerships to locate, facilitate, coordinate and implement new development and redevelopment in Centers.



C. The State Plan¹²³ recognizes the Township's efforts in creating and developing the Town Center as follows:

Washington Township has utilized a continuing, cooperative and comprehensive planning process in developing a Town Center for its Robbinsville section.

Continuing

- *Town Center idea first conceived in 1985 as a goal of the Washington Township Master Plan.*
- *Concept reiterated in the 1990 Master Plan update.*
- *Town Center Development Plan developed and incorporated into the Township Master Plan in 1992.*
- *Township ordinances are amended in 1997 to incorporate the Town Center.*
- *Ground was broken for the Town Center in 2000 and initial sales have been brisk.*

Cooperative

- *The Town Center plan has been the subject of numerous meetings of the*

township planning board and governing body, as well as many public hearings.

- *Landowners and developers have been involved in the planning process and have indicated support for the Town Center concept.*
- *Visioning workshops were held to develop a community consensus of what the Town Center should be and what it should look like.*
- *State agencies have also been involved in the planning process. NJDOT and NJDEP have partnered with Washington Township, particularly with regard to roadway proposals.*
- *The Town Center concept has been discussed with, and endorsed by, Hamilton Township and the Mercer County Division of Planning.*
- *Office of State Planning staff has provided technical assistance and interagency coordination to promote the Town Center.*
- *The State Planning Commission designated the town center in 1998.*

Comprehensive

- *The master plan has been amended to incorporate the Town Center concept.*

¹²³ State Plan: p. 78



- *The zoning ordinance has been amended to incorporate a Town Center zone.*
- *The location of development in the Town Center will be guided by a street regulating plan.*
- *Compact, mixed-use design guidelines specific to the Town Center have been developed.*
- *Traffic impacts have been addressed through the study funded by NJDOT.*
- *Growth management mechanisms, such as density transfers into the Town Center, are being established.*

As detailed, while certain specific uses and development regulations of this Redevelopment Plan differ from those of the Town Center Plan, the overall character of development proposed for the Redevelopment Area does not materially differ from the overall character of development envisioned for this section of the Township under TC-2 zoning.

Accordingly, there is no change in the relationship of this Redevelopment Plan to the State Plan beyond that which existed prior to the adoption of this Plan, and, in fact, the activities proposed herein fully support and advance the Policy Objectives of the State Plan.

12.8 Inventory of Existing¹²⁴ Affordable Housing Units¹²⁵ to be Removed¹²⁶

12.8.1 Pursuant to the Township’s 2008 Housing Element and Fair Share Plan.¹²⁷

Units are affordable to low and moderate income households if the maximum sales price or rent is set within a COAH¹²⁸ specified formula. A moderate income household is a household whose gross family income is more than 50 percent of median income, but less than 80 percent of median income for households of the same size within the housing region. A low income household is a household whose gross family income is equal to or less than 50 percent of median gross household income for a household of the same size within the housing region for Robbinsville Township. Robbinsville is in Region 4, which encompasses Mercer, Monmouth and Ocean Counties.

Using current regional income limits adopted by COAH, a four person Mercer

¹²⁴ as of October 14, 2010 (the date of adoption of Resolution No. 2010-202)

¹²⁵ as defined pursuant C.52:27D-304

¹²⁶ N.J.S.A. 40A:12A-7a(6)

¹²⁷ Section I E (pp. 7-8)

¹²⁸ “New Jersey Council on Affordable Housing”





County median household income is estimated at \$84,566. A moderate income four person household would earn a maximum of \$67,653 (80 percent of regional median) and a four person low income household would ear a maximum of \$42,283 (50 percent of regional median).

The Housing Element and Fair Share Plan found the no low and moderate income housing in the Redevelopment Area.

12.8.4 The Report of Findings found residential uses in the Redevelopment Area on Block 1, Lots 11.01, 17 and 19.

The *Redevelopment Law* requires that the Inventory include “affordability level, “number of bedrooms and “tenure”.

A. Affordability

The *Redevelopment Law* does not define “Affordability Level”. This Redevelopment Plan therefore assumes that the term refers to the COAH low and moderate income levels detailed above.

Since none of the residential lots were included in the Housing Element and Fair Share Plan, this Redevelopment Plan assumes that they are Market Rate units.

B. Bedrooms

The Township Tax Assessor’s records includes the following information.

- Lot 11.01: 3 bedrooms
- Lot 17: Dwelling demolished since Preliminary Investigation.
- Lot 19: 2 bedrooms.

C. Tenure

The *Redevelopment Law* does not define “Tenure”. This Redevelopment Plan therefore assumes that the term refers to the length of time the current occupants have resided in the units.

Such information is not available for Lots 11.01 and 17. The photograph of Lot 19 included in the Report of Findings depicts a rental sign for the property. It is therefore assumed that the dwelling was vacant at that time.

12.8.5 Plan for Affordable Replacement Housing¹²⁹

The *Redevelopment Law* requires a Redevelopment Plan to include “[a] plan for the provision of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time

¹²⁹ N.J.S.A. 40A:12A-7a(7)



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”. [***emphasis added***]

Since none of the residential units identified are subject to affordability controls, this provision is not applicable to this Redevelopment Plan.

12.8.6 Provision of Affordable Housing¹³⁰

At Publication, the State’s regulations regarding affordable housing were under court review, and the concept of affordable housing, and municipal obligations related thereto, are the subject of intense political debate at the State level.

While Township Policymakers recognize that some form of affordable housing regulations are likely to result from current review, it is not possible to know, at this point in time, the form that such regulations might take.

In light of the foregoing, issues related to the provision of affordable housing in the Redevelopment Area shall be negotiated within the context of the Redevelopment Agreement between the Township and the Redeveloper Candidate.

The above notwithstanding, nothing herein shall prohibit, nor be interpreted as a signal to deter, the

Redeveloper Candidate from voluntarily including affordable housing within his Project Concept submitted as part of his Expression of Interest.

12.9 **Relationship to Pertinent Municipal Development Regulations**¹³¹

12.9.1 The relationship of this Redevelopment Plan to pertinent municipal development regulations is outlined in sections 7.0, 12.7.1, 12.7.2, 12.7.3, 12.7.4 and 12.10 herein.

12.9.2 Any Ordinance adopting this Redevelopment Plan shall contain language indicating that this Plan is an explicit amendment to the Township’s Zoning District Map and the land use and development provisions of the Township Code, including the sections of the Town Center Plan applicable to the Redevelopment Area.

Upon adoption, the Township’s Zoning Map shall be immediately modified to reflect this Redevelopment Plan.

12.10 **Consistency with Municipal Master Plan**¹³²

12.10.1 The *Redevelopment Law* provides that “All provisions of [a] redevelopment plan...be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but

¹³¹ N.J.S.A. 40A:12A-7c

¹³² N.J.S.A. 40A:12A-7d

¹³⁰ N.J.S.A. 40A:12A-7b



the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan”.

12.10.2¹³³The Township’s original Master Plan was adopted in 1971. A Growth Management Plan was adopted in 1980 and a Master Plan Reexamination was adopted in 1982.

A new Master Plan was adopted in 1985, with amendments adopted in 1986. Zoning regulations based on these efforts were adopted in 1987.

The Master Plan was reexamined in 1988 and 1990, and amended in 1997. Significantly, this 1997 effort included the Town Center.

A Master Plan Update was adopted in 2000,¹³⁴ with a Reexamination¹³⁴ adopted in 2007 and amendments thereto adopted in 2008 and 2009.¹³⁵

12.10.3 While certain specific uses and development regulations of this Redevelopment Plan differ from those of the Town Center Plan, the Redevelopment Provisions included herein retain the overall character of development proposed for the Redevelopment Area by the Town Center Plan.

Accordingly, this Redevelopment Plan is fully consistent with and designed to effectuate the Township’s 2000 Master Plan, the 2007 Periodic Master Plan Reexamination, the 2008 / 2009 Periodic Reexamination Amendment and the Town Center Plan (if not certain specific Town Center Zoning & Design Regulations).

¹³³ Washington Township, Mercer County, New Jersey: 2000 Master Plan by Brown & Keener Urban Design (December 2000)

¹³⁴ Washington Township, Mercer County: Periodic Reexamination of Master Plan Pursuant to N.J.S.A. 40:55D-89 & Land Use Plan Element (March 2007) by the Washington Township Master Plan Subcommittee with assistance from Remington, Vernick & Arango Engineers.

¹³⁵ Washington Township, Mercer County: Periodic Reexamination of Master Plan Amendment (October 2008, Revised January 2009) by the Robbinsville Township Master Plan Amendment Subcommittee with assistance from Remington, Vernick & Arango Engineers.



13.0 EFFECTIVE DATE, DURATION OF PROVISIONS & AMENDMENT PROVISIONS

13.1 Effective Date

The Effective Date of this Redevelopment Plan shall be the date the Ordinance adopting this Plan becomes effective.

13.2 Duration of Provisions

13.2.1 Subject to the provisions of section 12.0 herein, this Redevelopment Plan, as it may be amended from time-to-time, shall be in effect for a period of ten (10) years from the Effective Date; unless however, there is a portion of a Redevelopment Project or Independent Component thereof which has commenced construction but has yet to receive a Certificate of Completion & Compliance. In such case, this Redevelopment Plan shall remain in effect for any such area until the issuance of said Certificate of Completion & Compliance.

10.3.2 Nothing shall be construed to limit the ability of the Governing Body to extend the duration of this Redevelopment Plan beyond that described herein upon adoption of an Ordinance authorizing same.

13.3 Procedures for Amending the Approved Redevelopment Plan

13.3.1 This Redevelopment Plan may be amended from time-to-time upon compliance with all applicable

laws and statutes and upon approval of the Governing Body.

13.3.2 In addition to any other requirements, including but not limited to those imposed by N.J.S.A. 40A:12A-13, and any applicable provisions of a Redevelopment Agreement, mutual agreement between the Township and a Redeveloper is required where a Redevelopment Agreement is in place and where any amendment thereto would change the controls governing the use of lands under said Agreement.



14.0 CERTIFICATE OF COMPLETION & COMPLIANCE

14.1 Upon completion of construction of the Redevelopment Project or any Independent Component thereof, and at the request of the Redeveloper, the Township¹³⁶ shall issue the Redeveloper a Certificate of Completion & Compliance for said Project or said Independent Component thereof, certifying that the Project, or the Independent Component thereof, was completed in accordance with this Redevelopment Plan, the Redevelopment Agreement and the Project Plans approved by the Planning Board as part of the Site Plan Review & Approval process;¹³⁷ and further certifying that all applicable provisions of the Redevelopment Agreement, including provisions related to N.J.S.A. 40A:12A-9a, have been satisfied.

Each such request made by the Redeveloper shall be accompanied by as-built plans of the Redevelopment Project or Independent Component thereof which is subject of the request, prepared, signed and sealed by the appropriate design professional, depicting the final constructed configuration of the Redevelopment Project or Independent Component thereof.

14.2 Upon the issuance of the final such Certificate of Completion & Compliance for the final Component of the Redevelopment Project, the conditions determined to exist at the time the specific portion of the Redevelopment Area was declared to be In Need of Redevelopment shall, by definition, no longer exist. At such time, the controls contained in this Redevelopment Plan for such portion of the Redevelopment Area, with the exception of the Development Regulations (section 7.4), Architectural Controls (section 7.5) and the Equal Opportunity provisions (section 11.0), shall terminate and the subject portion of the Redevelopment Area shall revert to such Township Zoning as may be adopted at that time pursuant to N.J.S.A. 40:55D-1 et seq.

14.3 Similarly, upon the issuance of the final such Certificate of Completion & Compliance for the final Component of the Redevelopment Project, or at the expiration of this Redevelopment Plan pursuant to section 13.2 herein, whichever shall occur last, the conditions determined to exist at the time the entirety of the Town Center South Redevelopment Area was declared to be In Need of Redevelopment shall, by definition, no longer exist. At such time, the controls contained in this Redevelopment Plan, with the exception of the Development Regulations (section 7.4), Architectural Controls (section 7.5) and the Equal

¹³⁶ acting in its capacity as Redevelopment Entity

¹³⁷ Including, but not limited to, improvements not covered by the Certificate of Occupancy, e.g., public improvements, landscaping, etc.



Opportunity provisions (section 11.0), shall terminate and the entirety of the Redevelopment Area shall revert to such Township Zoning as may be adopted at that time pursuant to N.J.S.A. 40:55D-1 et seq.

- 14.4 The Redeveloper, at his discretion, may waive the procedure described in section 14.2 in favor of the procedure described in section 14.3.
- 14.5 Unless otherwise addressed by an affirmative action of the Governing Body, the appropriate sections of the Township Code and the Town Center Plan shall hereby be amended to include the Redevelopment Provisions (section 7.0) of this Redevelopment Plan, which shall survive the expiration of this Plan.
- 14.6 The Certificate of Completion & Compliance process shall be independent of, and shall not substitute for, the standard municipal Certificate of Occupancy process. Within this context, the Township¹³⁸, at its discretion, may issue a Certificate of Completion & Compliance either before, simultaneous with or after issue of a Certificate of Occupancy.

¹³⁸ acting in its capacity as Redevelopment Entity



15.0 SCHEDULE OF EXHIBITS

1. STATEWIDE CONTEXT MAP
2. COUNTY CONTEXT MAP
3. TOWNSHIP CONTEXT MAP
4. REDEVELOPMENT AREA MAP
5. REDEVELOPMENT AREA AERIAL
6. TOWNSHIP RESOLUTION NO. 2007-114
7. 2007 STUDY AREA MAP
8. TOWNSHIP RESOLUTION NO. 2010-64
9. PLANNING BOARD RESOLUTION NO. PB2010-05
10. PLANNING BOARD RESOLUTION NO. PB2010-06
11. PLANNING BOARD RESOLUTION NO. PB2010-11
12. TOWNSHIP RESOLUTION NO. 2010-202
13. NJDCA CORRESPONDENCE OF OCTOBER 29, 2010
14. PARCEL PROFILE SUMMARY REPORT
15. TOWN CENTER ZONING MAP
16. STATE PLAN POLICY MAP
17. SMART GROWTH / NEW URBANISM PLANNING PRINCIPLES



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

EXHIBITS



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

STATEWIDE CONTEXT MAP

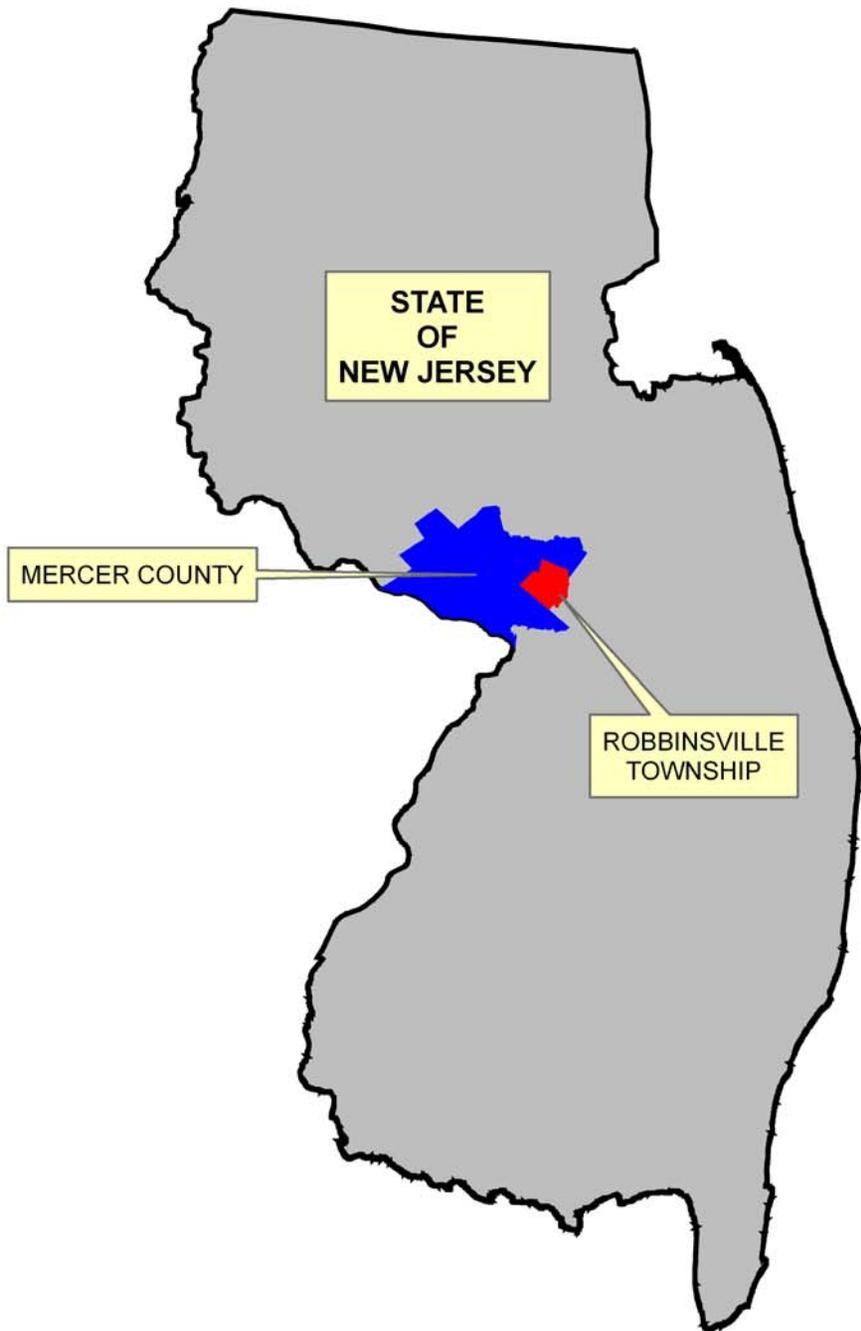


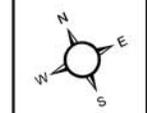
EXHIBIT
1

REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
STATEWIDE CONTEXT MAP

REV. DATE

REVISIONS

DATE: 10/17/11
SCALE: N.T.S.



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*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

COUNTY CONTEXT MAP



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

TOWNSHIP CONTEXT MAP

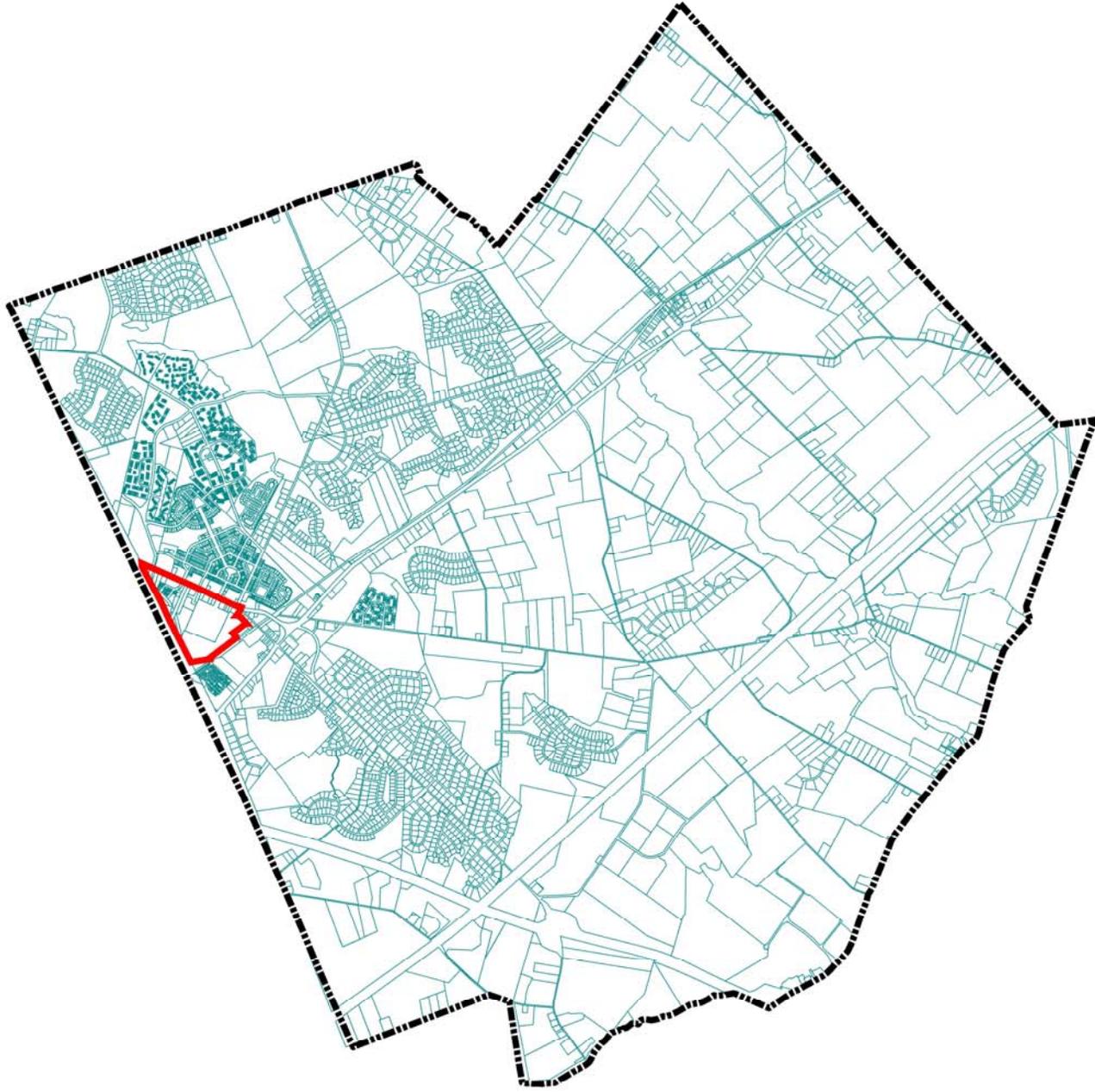


TOWN CENTER SOUTH REDEVELOPMENT AREA

EXHIBIT

3

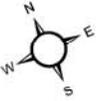
REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
TOWNSHIP CONTEXT MAP



REV.	DATE

REVISIONS

DATE: 10/17/11
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*Redevelopment Plan
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REDEVELOPMENT AREA MAP



TOWN CENTER SOUTH REDEVELOPMENT AREA

EXHIBIT
4

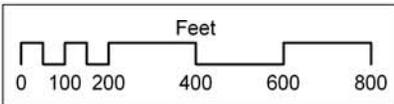
REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
REDEVELOPMENT AREA MAP

ROUTE 33

HAMILTON
TOWNSHIP

TAX BLOCKS

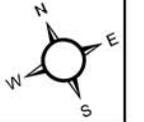
-  BLOCK 1
-  BLOCK 1.01
-  BLOCK 1.03
-  BLOCK 1.04
-  BLOCK 1.05
-  BLOCK 1.06



REV. DATE

REVISIONS

DATE: 10/17/11
SCALE: As Shown



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*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

REDEVELOPMENT AREA AERIAL



TOWN CENTER SOUTH REDEVELOPMENT AREA

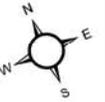
EXHIBIT
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REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
REDEVELOPMENT AREA AERIAL

REV. DATE

REVISIONS

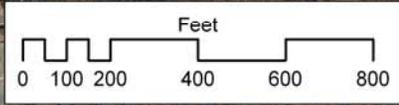
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SCALE: As Shown



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*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**TOWNSHIP RESOLUTION
NO. 2007-114**

**RESOLUTION AUTHORIZING AND DIRECTING THE
TOWNSHIP PLANNING BOARD TO UNDERTAKE A
PRELIMINARY INVESTIGATION OF CERTAIN PARCELS
WITHIN THE TOWNSHIP AS AN AREA IN NEED OF
REDEVELOPMENT PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

WHEREAS, the Township of Washington, County of Mercer, (the "Township") is concerned about the physical conditions and lack of economic activity in the Town Center Zone within the Township; and

WHEREAS, certain lands in the Town Center Zone have been underutilized due to lack of resources to create and provide certain regional improvements and infrastructure; and

WHEREAS, certain commercial activity and proposed infrastructure within the Town Center Zone will have a powerful effect on the viability of the U.S. Route 130 corridor, due to the need for interchanges and points of access; and

WHEREAS, delays in the creation of said infrastructure have caused certain lands in the Town Center Zone to become blighted and underutilized as defined by the Local Redevelopment and Housing Law; and

WHEREAS, attempts by the Township of Washington to resolve these delays through traditional means have been unsuccessful; and

WHEREAS, Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Act") provides legal mechanisms to assist municipalities in arresting and reversing conditions such as those listed above; and

WHEREAS, Section 6 of the Act (N.J.S.A. 40A:12A-6) permits a municipality to authorize its planning board to conduct an investigation to determine whether specified parcels satisfy certain statutory criteria which would support a designation of such parcels as "an area in need of redevelopment;" and

WHEREAS, the Township Council (the "Governing Body") desires to direct the planning board of the Township of Washington (the "Planning Board") to conduct a preliminary investigation as required by section 6 of the Act to determine whether the parcels set forth below by tax map blocks and lots meet the statutory criteria supporting the designation as an area in need of redevelopment:

Block 1 – Lots 17, 18, 19, 20, 65, 21, 22, 23, 24, 32, 62, 41, 33, 31, 30, 29, 28, 27, 26, 25

NOW, THEREFORE BE IT RESOLVED, that the Township Council hereby directs the Planning Board to conduct a preliminary investigation of the properties listed above for possible inclusion in a Redevelopment Plan per the Act.

I certify this to be a true copy of a resolution adopted by the Township Council of the Township of Washington at a meeting held on July 14, 2007.

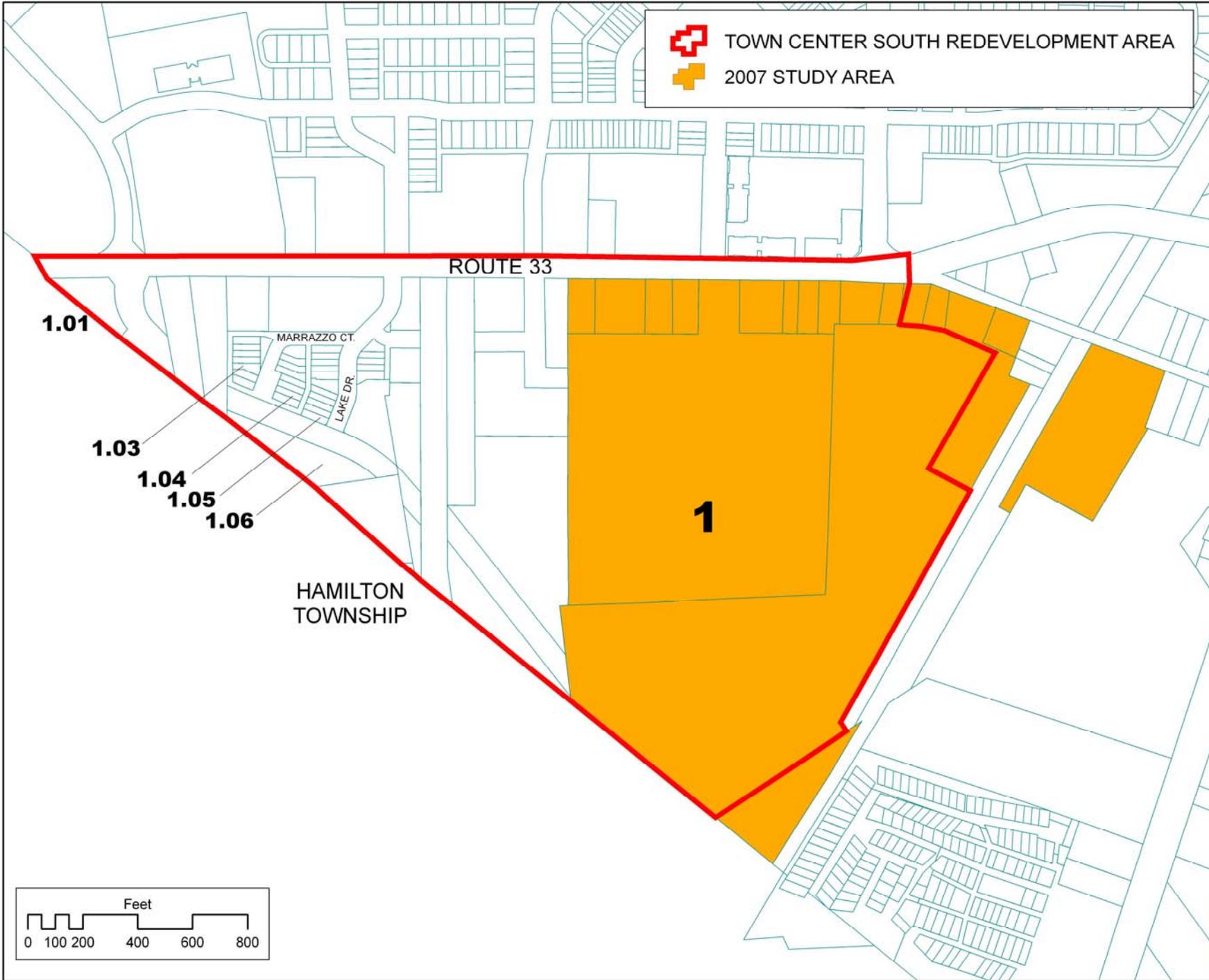


Michele Auletta, Municipal Clerk



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

2007 STUDY AREA MAP

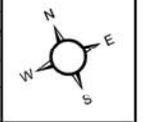


 TOWN CENTER SOUTH REDEVELOPMENT AREA
 2007 STUDY AREA

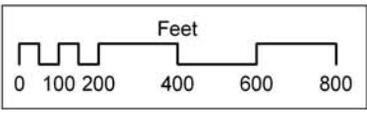
EXHIBIT
7

REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
2007 STUDY AREA MAP

REV.	DATE
REVISIONS	
DATE: 10/17/11	
SCALE: As Shown	



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*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**TOWNSHIP RESOLUTION
NO. 2010-64**

A RESOLUTION AMENDING RESOLUTION 2010-11 - AUTHORIZING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER AN AREA IN TOWN CENTER SOUTH MEETS THE CRITERIA FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Township Council of Robbinsville, by resolution on June 14, 2007, directed the Robbinsville Planning Board to undertake a study to determine whether a certain tracts of land in the Town Center South qualified as an area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, and

WHEREAS, pursuant to said direction, a Preliminary Investigation for Determination of an Area in Need of Redevelopment, dated December 12, 2007 was prepared; and

WHEREAS, in light of various circumstances at that time, including the declining real estate market and the uncertainty of the law concerning redevelopment created by the New Jersey Supreme Court decision in *Gallenthin Realty v. Borough of Paulsboro*, decided in June 2007, and the progeny of court decisions that followed, the Township Council determined to not proceed with the redevelopment investigation at that time; and

WHEREAS, conditions and circumstances have changed since the prior redevelopment study was conducted, including the condition and status of ownership of the property in the area under consideration, the banking crisis changing the investment landscape, subsequent court decisions settling some of the uncertainty created by post-*Gallenthin* court decisions, and the need to consider the original study area in the context of immediately surrounding properties that may more appropriately be included in or impacted by any redevelopment of the area; and

WHEREAS, the Council of the Township of Robbinsville now wishes to direct the Planning Board to undertake a preliminary investigation to determine whether a proposed area consisting of the properties that were the focus of the former investigation as well as some additional properties, all of such properties identified as Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 32, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, and Block 1.01, Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1, on the Township of Robbinsville Tax Map, including all streets or portions thereof that are within the boundaries of the area described above (hereinafter the "Study Area"), meets the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Township Council making a determination as to whether the Study Area qualifies as an area in need of redevelopment, the Township Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria of an area in need of redevelopment set forth in *N.J.S.A. 40A:12A-5*;

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby directs the Robbinsville Township Planning Board to conduct the necessary investigations and to hold a public hearing to determine whether the Study Area qualifies for designation as an area in need of redevelopment under the criteria set forth in *N.J.S.A. 40A:12A-1, et seq.*; and

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Township Council in the form of a Resolution with supportive documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded by the Township Clerk to the Chief Financial Officer.

I certify this to be a true copy of a resolution adopted by the Township Council of the Township of Robbinsville at a regular meeting held on April 8, 2010.


Michele Seigfried, Municipal Clerk



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**PLANNING BOARD RESOLUTION
NO. PB2010-05**

RESOLUTION NO. PB2010-05

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, STATE OF NEW JERSEY, AMENDING RESOLUTION PB2010-01 AUTHORIZING PRELIMINARY INVESTIGATION OF AN AREA IN TOWN CENTER SOUTH FOR REDEVELOPMENT

WHEREAS, the Planning Board of the Township of Robbinsville, County of Mercer, State of New Jersey, (hereinafter referred to as the "Planning Board") has, by Resolution PB2010-01 adopted on January 20, 2010, authorized the preliminary investigation of an area in Town Center South for redevelopment purposes; and

WHEREAS, the Planning Board has been advised that the lot and block description of the various properties for redevelopment was inadvertently not completed; and

WHEREAS, the Planning Board has carefully considered Resolution No. 2010-11 adopted by the Township Council on January 14, 2010, and understands its role and responsibilities with regard to the a preliminary investigation to determine whether the proposed area more particularly identified as Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 32 and 26, Block 1.01, Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1, on the Township of Robbinsville Tax Map, including all streets or portions thereof that are within the boundaries of the area described above (hereinafter the "Study Area"), meets the criteria for

designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5:

NOW, THEREFORE BE IT RESOLVED this 21st day of April, 2010 that the Planning Board of the Township of Robbinsville, County of Mercer, State of New Jersey, accepts the responsibilities and agrees to undertake the necessary investigations and hold appropriate public hearings to determine whether the Study Area qualifies for designation as an area in need of redevelopment under the criteria set forth in N.J.S.A. 40A:12-1 et seq.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded by the Planning Board Secretary to the following:

- (a) Honorable David Fried, Mayor;
- (b) Timothy McGough, Township Administrator;
- (c) Frank Cettina, Planning Board Chairman;
- (d) Remington, Vernick & Arango, Attn: Stuart Wiser;
- (e) Jerry J. Dasti, Esq.;

This is a Resolution of Memorialization of an action taken by the Planning Board of the Township of Robbinsville at a regular meeting held on April 21, 2010.

MOTION: Boyne

SECOND: Colarocco

ROLL CALL:

AYES: Colarocco, Kolibas, Lasky, Boyne, Van Nest,
Guididas, Cettina

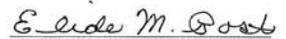
NAYS: None

ABSTAINED: None

MOTION CARRIED: 7 in favor; 0 opposed; 0 abstained

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Robbinsville Township Planning Board at a meeting held on April 21, 2010, and thereafter, memorialized by a vote of the Robbinsville Township Planning Board at a meeting held on April 21, 2010, a quorum being present and voting in the majority.


ELIDE M. POST, Secretary

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

JJD/cdf[Resolutions2010[GL-18721]]Amended Town Center]
Redevelopment Study GL#18930][Kushner Property-GL-17994]



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**PLANNING BOARD RESOLUTION
NO. PB2010-06**

RESOLUTION NO. PB 2010 - 06

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, STATE OF NEW JERSEY, DESIGNATING REMINGTON, VERNICK & ARANGO AS PROFESSIONAL ENGINEERS IN CONJUNCTION WITH THE PROPOSED REDEVELOPMENT STUDY OF CERTAIN TRACTS OF LAND IN THE TOWN CENTER SOUTH AREA OF ROBBINSVILLE TOWNSHIP

WHEREAS, the Planning Board of the Township of Robbinsville, County of Mercer, State of New Jersey, (hereinafter referred to as the "Planning Board") has been directed by the Township Council of the Township of Robbinsville, pursuant to Resolution 2010-11 adopted on January 14, 2010, to undertake a redevelopment study of properties known and designated as Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 32 and 26, Block 1.01, Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1, on the Township of Robbinsville Tax Map, including all streets or portions thereof that are within the boundaries of the area described above (hereinafter the "Study Area"), and determine whether the criteria for determination as an area in need of redevelopment pursuant to N.J.S.A. 40A:12-A5 applies; and

WHEREAS, the Planning Board has benefited from the professional services of Remington, Vernick & Arango for a number of years, and furthermore Remington, Vernick & Arango has assisted the Planning Board in prior redevelopment studies; and

WHEREAS, the Planning Board is in need of retaining the expertise of a Professional Engineer in conjunction with this study, and believes that Remington, Vernick & Arango has demonstrated the expertise to undertake this responsibility on behalf of the Planning Board:

NOW, THEREFORE BE IT RESOLVED this 21st day of April, 2010 by the Planning Board of the Township of Robbinsville, County of Mercer, State of New Jersey, as follows:

1. The Planning Board hereby recommends the appointment of Remington, Vernick & Arango as Professional Engineer in conjunction with the redevelopment review of the Study Area referenced hereinabove. The fees for services rendered will not exceed \$26,665.00 (Phase I).

2. The Planning Board authorizes and directs the Chairman and Secretary to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A copy of this Resolution shall be forwarded by the Planning Board Secretary to the following:

- (a) Honorable David Fried, Mayor;
- (b) Timothy McGough, Township Administrator;
- (c) Frank Cettina, Planning Board Chairman;
- (d) Jerry J. Dasti, Esq.; and
- (e) Remington, Vernick & Arango

This is a Resolution of Memorialization of an action taken by the Planning Board of the Township of Robbinsville at a regular meeting held on April 21, 2010.

MOTION: Boyne

SECOND: Guididas

ROLL CALL:

AYES: Colarocco, Kolibas, Lasky, Boyne, Van Nest,
Guididas, Cettina

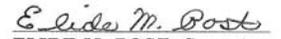
NAYS: None

ABSTAINED: None

MOTION CARRIED: 7 in favor; 0 opposed; 0 abstained

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Robbinsville Township Planning Board at a meeting held on April 21, 2010, and thereafter, memorialized by a vote of the Robbinsville Township Planning Board at a meeting held on April 21, 2010, a quorum being present and voting in the majority.


ELIDE M. POST, Secretary

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**PLANNING BOARD RESOLUTION
NO. PB2010-11**

RESOLUTION #PB2010-11

**RESOLUTION OF THE TOWNSHIP OF ROBBINSVILLE PLANNING BOARD
RECOMMENDING THAT THE TOWNSHIP COUNCIL DESIGNATE THE TOWN
CENTER SOUTH STUDY AREA AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Robbinsville Township Council, by resolution on June 14, 2007, directed the Robbinsville Planning Board to undertake a study to determine whether certain tracts of land in the Town Center South area qualified as an area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “LRHL”), and

WHEREAS, pursuant to said direction, a Preliminary Investigation for Determination of an Area in Need of Redevelopment, dated December 12, 2007 was prepared; and

WHEREAS, in light of various circumstances at that time relating to the real estate market conditions and the legal decisions relating to redevelopment generally, the Township Council determined to not proceed with the redevelopment investigation at that time; and

WHEREAS, the Township Council has recently determined that conditions and circumstances in the real estate market and judiciary have changed or settled since that time such that it is appropriate and in the interest of the community to reevaluate the redevelopment potential and benefits for this area of the Township and to reconsider the original study area in the context of immediately surrounding properties that may more appropriately be included in or impacted by any redevelopment of the area; and

WHEREAS, the Robbinsville Township Council, in January 2010, by Resolution #2010-11, directed the Robbinsville Township Planning Board to undertake a preliminary investigation to determine whether a proposed area consisting of the properties that were the focus of the former investigation as well as some additional properties, all of such properties identified as

Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 32, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, and Block 1.01, Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1, on the Township of Robbinsville Tax Map, including all streets or portions thereof that are within the boundaries of the area described above (hereinafter the “Town Center South Study Area”), meets the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, on January 20, 2010, the Planning Board, via Resolution No. PB2010-01, accepted the Township Council’s directives embodied in Township Resolution No. 2010-11; and

WHEREAS, Township Council Resolution 2010-11 was amended via Township Council Resolution No. 2010-64, adopted April 8, 2010, which corrected certain inadvertent omissions in Resolution No. 2010-11; and

WHEREAS, Planning Board Resolution No. PB2010-01 was amended via Planning Board Resolution No. PB2010-05, adopted April 21, 2010, in response to the Township Council’s April 2010 corrective Resolution; and

WHEREAS, on April 21, 2010, via Resolution No. PB2010-06, the Planning Board assigned Remington, Vernick & Arango Engineers (“RV&A”), licensed Professional Planners in the State of New Jersey and the Board’s Engineer and Planner of record, to undertake the preliminary redevelopment investigation on the Board’s behalf; and

WHEREAS, RV&A conducted such preliminary investigation and prepared a report of its findings entitled Report of Findings, Preliminary (Redevelopment) Investigation, Town Center South Study Area, Robbinsville Township, N.J., dated September, 2010 (the “Redevelopment Investigation Report”); and

WHEREAS, the Redevelopment Investigation Report concludes that the vast majority of properties within the Town Center South Study Area exhibit conditions which conform with one or more of the redevelopment criterion under subparagraphs 'b', 'd', 'e' and 'h' of Section 5 of the LRHL, *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Redevelopment Investigation Report concludes that a majority of the properties within the Town Center South Study Area, and the entire Study Area generally, exhibits the conditions which conform to the redevelopment criteria under subparagraphs 'c', 'e', and 'h' of Section 5 of the LRHL, *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Redevelopment Investigation Report concludes that there are numerous properties within the Town Center South Study Area that, regardless of their condition, would be necessary for the effective redevelopment of the Study Area, as contemplated by the definition of "redevelopment area" under Section 3 of the LRHL, *N.J.S.A. 40A:12A-3*; and

WHEREAS, the Redevelopment Investigation Report recommends the designation of the Town Center Study Area as an area in need of redevelopment, pursuant to the LRHL; and

WHEREAS, the Planning Board has carefully reviewed the Redevelopment Investigation Report; and

WHEREAS, the Planning Board scheduled a public hearing regarding the preliminary investigation of the Study Area for October 5, 2010, and invited all persons who were interested in or would be affected by a determination that the Town Center Study Area is an area in need of redevelopment to attend and be heard concerning any such determination; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, notice of the hearing on the redevelopment investigation of the Town Center Study Area was published in a newspaper of general circulation in the Township of Robbinsville once each week for two consecutive weeks,

with the last publication being not less than ten (10) days prior to the date set for the hearing, and a copy of the notice was mailed not less than ten (10) days prior to the date set for the hearing to the last owner of each parcel of property within the Town Center South Study Area according to the Township assessment records, as well as all persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in any such parcels; and

WHEREAS, also pursuant to *N.J.S.A. 40A:12A-6*, a copy of the Redevelopment Investigation Report along with a map showing the boundaries of the Town Center South Study Area and the location of the parcels of property included therein and the Township Council Resolution directing the preliminary investigation and setting forth the basis for the investigation was made available for inspection by the public ten (10) days prior to the date fixed for the hearing; and

WHEREAS, on October 5, 2010, the Planning Board conducted said public hearing, at which time it heard a presentation of the Redevelopment Investigation Report by Stuart B. Wisner, PP, AICP, of RV&A; and

WHEREAS, Mr. Wisner responded to questions and comments from the Planning Board as well as questions and comments from members of the public in attendance; and

WHEREAS, Robert Beckelman, Esq., of the law firm of Greenbaum, Rowe, Smith & Davis LLP, special redevelopment counsel for the Township of Robbinsville, was present at the hearing and also responded to questions and comments from the Planning Board as well as questions and comments from members of the public in attendance; and

WHEREAS, the Redevelopment Investigation Report and evidence and testimony presented at the October 5, 2010 hearing support a finding that the Town Center South Study

Area exhibits several conditions that meet the criteria for designation as an area in need of redevelopment, including substantially, but not necessarily limited to:

- municipality-owned land that has remained unimproved and vacant for ten or more years that by reason of its location, remoteness, and lack of means of access to developed sections or portions of the municipality, is not likely to be developed through the instrumentality of private capital, under criteria 'c' of the LRHL;
- a stagnant and unproductive condition of property potentially useful and valuable to serving the public health safety and welfare and having a negative impact on surrounding property uses and values, under criteria 'e' of the LRHL; and
- the redevelopment of the Town Center South Study Area is consistent with smart growth planning principals adopted by the State, under criteria 'h'; and

WHEREAS, the Redevelopment Investigation Report and evidence and testimony presented at the October 5, 2010 hearing support a finding that the Town Center South Study Area contains numerous properties whose inclusion in a designated redevelopment area, regardless of their condition, is necessary for the effective redevelopment of the Town Center South Study Area.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Robbinsville that based upon the analyses, findings and recommendations contained in the Redevelopment Investigation Report and the testimony and evidence presented at the October 5, 2010, public hearing on this matter, that the Planning Board finds and determines that the Town Center South Study Area exhibits conditions which conform with criterion 'b', 'c', 'e', and 'h' of the LRHL and hereby recommends that the Township Council designate the Town Center South Study Area as an area in need of redevelopment, pursuant to the LRHL.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Honorable David Fried, Mayor, the Building Department, and the Township Clerk by the Planning Board Secretary.

BE IT FURTHER RESOLVED that notification of this favorable Resolution be published in an official newspaper of Robbinsville Township by the Planning Board Secretary within ten (10) days of its passage.

This is a Resolution of Memorialization of an action taken by the Planning Board of the Township of Robbinsville at a special meeting held on October 5, 2010.

MOTION: Boyne

SECOND: Witt

ROLL CALL:

AYES: Colarocco, Kolibas, Breyta, Lasky, Guididas, Boyne, Rivers, Witt, Cettina

NAYS: None

ABSTAINED: None

MOTION CARRIED: 9 in favor; 0 opposed; 0 abstained

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Robbinsville Township Planning Board at a meeting held on October 5th, 2010, and thereafter, memorialized by a vote of the Robbinsville Township Planning Board at a meeting held on October 5th, 2010, a quorum being present and voting in the majority.


ELIDE M. POST, SECRETARY



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**TOWNSHIP RESOLUTION
NO. 2010-202**

**RESOLUTION OF THE COUNCIL OF THE TOWNSHIP OF ROBBINSVILLE
ACCEPTING THE TOWNSHIP OF ROBBINSVILLE PLANNING BOARD'S
RECOMMENDING AND DESIGNATING THE TOWN CENTER SOUTH STUDY
AREA AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Robbinsville Township Council, by resolution on June 14, 2007, directed the Robbinsville Planning Board to undertake a study to determine whether certain tracts of land in the Town Center South area qualified as an area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "LRHL"); and

WHEREAS, pursuant to said direction, a Preliminary Investigation for Determination of an Area in Need of Redevelopment, dated December 12, 2007 was prepared; and

WHEREAS, in light of various circumstances at that time relating to the real estate market conditions and the legal decisions relating to redevelopment generally, the Township Council determined to not proceed with the redevelopment investigation at that time; and

WHEREAS, the Township Council has recently determined that conditions and circumstances in the real estate market and judiciary have changed or settled since that time such that it is appropriate and in the interest of the community to reevaluate the redevelopment potential and benefits for this area of the Township and to reconsider the original study area in the context of immediately surrounding properties that may more appropriately be included in or impacted by any redevelopment of the area; and

WHEREAS, the Robbinsville Township Council, in January 2010, by Resolution #2010-11, directed the Robbinsville Township Planning Board to undertake a preliminary investigation to determine whether a proposed area consisting of the properties that were the focus of the former investigation as well as some additional properties, all of such properties identified as Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 32, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, and Block 1.01, Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1, on the Township of Robbinsville Tax Map, including all streets or portions thereof that are within the boundaries of the area described above (hereinafter the "Town Center South Study Area"), meets the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, on April 21, 2010, via Resolution No. PB2010-06, the Planning Board assigned Remington, Vernick & Arango Engineers ("RV&A"), licensed Professional Planners in the State of New Jersey and the Board's Engineer and Planner of record, to undertake the preliminary redevelopment investigation on the Board's behalf; and

WHEREAS, RV&A conducted such preliminary investigation and prepared a report of its findings entitled *Report of Findings, Preliminary (Redevelopment) Investigation, Town*

Center South Study Area, Robbinsville Township, N.J., dated September, 2010 (the "Redevelopment Investigation Report"); and

WHEREAS, the Redevelopment Investigation Report concludes that the vast majority of properties within the Town Center South Study Area exhibit conditions which conform with one or more of the redevelopment criterion under subparagraphs 'b', 'd', 'e' and 'h' of Section 5 of the LRHL, *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Redevelopment Investigation Report concludes that a majority of the properties within the Town Center South Study Area, and the entire Study Area generally, exhibits the conditions which conform to the redevelopment criteria under subparagraphs 'c', 'e', and 'h' of Section 5 of the LRHL, *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Redevelopment Investigation Report concludes that there are numerous properties within the Town Center South Study Area that, regardless of their condition, would be necessary for the effective redevelopment of the Study Area, as contemplated by the definition of "redevelopment area" under Section 3 of the LRHL, *N.J.S.A. 40A:12A-3*; and

WHEREAS, the Redevelopment Investigation Report recommends the designation of the Town Center Study Area as an area in need of redevelopment, pursuant to the LRHL; and

WHEREAS, the Planning Board held a duly-noticed public hearing regarding the preliminary investigation of the Study Area for October 5, 2010, and invited all persons who were interested in or would be affected by a determination that the Town Center Study Area is an area in need of redevelopment to attend and be heard concerning any such determination, pursuant to the LRHL; and

WHEREAS, at the October 5, 2010 Planning Board hearing, by Stuart B. Wiser, PP, AICP, of RV&A gave a presentation of the Redevelopment Investigation Report; and

WHEREAS, Mr. Wiser responded to questions and comments from the Planning Board as well as questions and comments from members of the public in attendance; and

WHEREAS, Robert Beckelman, Esq., of the law firm of Greenbaum, Rowe, Smith & Davis LLP, special redevelopment counsel for the Township of Robbinsville, was present at the hearing and also responded to questions and comments from the Planning Board as well as questions and comments from members of the public in attendance; and

WHEREAS, all members of the Township Council were present to hear the presentation by Stuart Wiser and hear the comments and questions from the Planning Board and members of the public; and

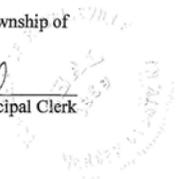
WHEREAS, the members of Council did not participate in the hearing in any manner, but were there solely for purposes of cost and efficiency for the benefit of hearing the presentation by Mr. Wiser and the comments and questions the Planning Board and public so as to eliminate the need for another presentation before Council; and

WHEREAS, based upon the Redevelopment Investigation Report and evidence and testimony presented at the October 5, 2010 hearing, the Planning Board adopted Resolution #PB2010-11, pursuant to which it found and determined that the Town Center South Study Area exhibits conditions which conform with criterion 'b', 'c', 'e', and 'h' of the LRHL and that the Town Center South Study Area contains numerous properties whose inclusion in a designated redevelopment area, regardless of their condition, is necessary for the effective redevelopment of the Town Center South Study Area, and recommended that the Township Council designate the Town Center South Study Area as an area in need of redevelopment, pursuant to the LRHL.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Robbinsville that the Township Council accepts the Planning Board of the Township of Robbinsville's findings and recommendation to designate the Town Center South Study Area as an area in need of redevelopment, and hereby so designates the Town Center South Study Area as an area in need of redevelopment, pursuant to the LRHL.

I certify this be a true copy of a resolution adopted by the Township Council of the Township of Robbinsville at a regular meeting held on October 14, 2010.


Michele Seigfried, Municipal Clerk





*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**NJDCA CORRESPONDENCE
OF OCTOBER 29, 2010**





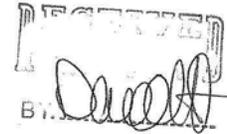
State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

LORI GRIFA
Commissioner

October 29, 2010



The Honorable David Fried
Mayor, Robbinsville Township
1 Washington Boulevard, 2nd Floor
Suite 6
Robbinsville, New Jersey 08691

Re: Review of Area in Need of Redevelopment Designation

Dear Mayor Fried:

We are in receipt of Resolution 2010 – 202 designating the following Lots and Blocks as an Area in Need of Redevelopment: Block 1, Lots 1.01, 2, 3, 4, 7, 8, 11.01, 11.02, 11.03, 11.04, 11.05, 12, 13, 14.01, 14.02, 14.03, 14.04, 16.01, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 32, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and Block 1.01 Lot 1, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11 and Block 1.06, Lot 1.

The Office of Planning Advocacy has determined that all of the designated parcels are situated in a Suburban Planning Area (PA2) and a Center. In accordance with N.J.S.A. 40A:12A-6, the Township's approval took effect upon transmittal to the Department of Community Affairs and no further action is necessary from the department to effectuate your designation.

The department's approval of this designation should not be construed, and does not constitute, a determination by the department that the area in question otherwise complies with the pertinent requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and other applicable legal principles governing the designation of areas in need of redevelopment and rehabilitation under that law.

Sincerely,

Lori Grifa
Commissioner

C: Charles Richman, Assistant Commissioner
Gerald Scharfenberger, Office of Planning Advocacy





*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

PARCEL PROFILE SUMMARY REPORT



**Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.**

BLOCK	LOT	STREET ADDRESS	P C C	OWNER'S NAME	OWNER'S ADDRESS		AREA (acres)	ASSESSMENT DATA		
								LAND VALUE	IMPROVEMENT VALUE	TOTAL VALUE
1	1.01	2309 ROUTE 33	1	ROMA BANK	1155 WHITEHORSE AVE	TRENTON NJ 08610	0.22	NO ASSESSMENT RECORD MAINTAINED		
1	2.00	2311 ROUTE 33	1	ROMA BANK	2300 HIGHWAY 33	TRENTON NJ 08691	1.02	\$26,900.00	\$0.00	\$26,900.00
1	3.00	2313 ROUTE 33	4A	ROMA BANK	2300 ROUTE 33	ROBBINSVILLE, NJ 08691	1.20	\$427,500.00	\$473,600.00	\$901,100.00
1	4.00	2317 ROUTE 33	4A	CHENG & SZE LLC	2317 ROUTE 33	ROBBINSVILLE NJ 08691	0.69	\$625,000.00	\$537,700.00	\$1,162,700.00
1	7.00	ROUTE 33	1	LONCOSKY DONALD J SR & GLORIA	4796 S BROAD STREET	YARDVILLE NJ 08620	1.29	\$16,800.00	\$0.00	\$16,800.00
1	8.00	ROUTE 33	1	DUFF MARCUS	PO BOX 102	KINGSTON NJ 08528	0.02	\$33,500.00	\$0.00	\$33,500.00
1	11.01	2329 ROUTE 33	2	EVGENIADIS JOHN	2329 ROUTE 33	ROBBINSVILLE NJ 08691	0.35	\$213,000.00	\$149,900.00	\$362,900.00
1	11.02	LAKE DRIVE	1	WVC - I LLC	301 OXFORD VALLEY RD #201A	YARDLEY, PA 19067	0.32	\$212,000.00	\$0.00	\$212,000.00
1	11.03	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.85	\$176,900.00	\$0.00	\$176,900.00
1	11.04	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.21	\$136,700.00	\$0.00	\$136,700.00
1	11.05	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.21	\$132,700.00	\$0.00	\$132,700.00
1	12.00	2331 ROUTE 33	1	ROBBINSVILLE COMMONS II, LLC	219 NASSAU STREET	PRINCETON, NJ 08542	2.55	\$322,300.00	\$0.00	\$322,300.00
1	13.00	2333 ROUTE 33	1	ROBBINSVILLE COMMONS II, LLC	219 NASSAU STREET	PRINCETON, NJ 08542	1.92	\$307,300.00	\$0.00	\$307,300.00
1	14.01	2335 ROUTE 33	1	ROBBINSVILLE COMMONS, LLC	219 NASSAU STREET	PRINCETON, NJ 08540	0.81	\$786,700.00	\$0.00	\$786,700.00
1	14.02	ROUTE 33	1	ROBBINSVILLE COMMONS, LLC	219 NASSAU STREET	PRINCETON, NJ 08540	1.92	\$274,700.00	\$0.00	\$274,700.00
1	14.03	ROUTE 33	1	ROBBINSVILLE COMMONS, LLC	219 NASSAU STREET	PRINCETON, NJ 08540	4.66	DETENTION BASIN. NO VALUE ASSIGNED		
1	14.04	ROUTE 33	1	ROBBINSVILLE COMMONS, LLC	219 NASSAU STREET	PRINCETON, NJ 08540	1.20	ROW. NO VALUE ASSIGNED		
1	16.01	2339 ROUTE 33	1	ROBBINSVILLE COMMONS, LLC	219 NASSAU STREET	PRINCETON, NJ 08540	0.61	\$224,500.00	\$0.00	\$224,500.00
1	17.00	2341 ROUTE 33	2	MAIORINO JOSEPH A ETUX	2341 ROUTE 33	ROBBINSVILLE NJ 08691	0.45	\$226,000.00	\$100,500.00	\$326,500.00
1	18.00	2345 ROUTE 33	4A	VAN CLEEF NEIL I %RAILSEGE ENTERPR	339 AMWELL ROAD BLDG C	HILLSBOROUGH NJ 08844	0.83	\$585,000.00	\$368,400.00	\$953,400.00
1	19.00	2347 ROUTE 33	2	VAN CLEEF NEIL I %RAILSEGE ENTERPR	339 AMWELL ROAD BLDG C	HILLSBOROUGH NJ 08844	0.45	\$226,000.00	\$100,600.00	\$326,600.00
1	20.00	2349 ROUTE 33	2	VAN CLEEF NEIL I %RAILSEGE ENTERPR	339 AMWELL ROAD BLDG C	HILLSBOROUGH NJ 08844	0.43	\$226,000.00	\$72,100.00	\$298,100.00
1	21.00	2353 ROUTE 33	2	CASANO EGNAZIO	29 BURHOLME DRIVE	HAMILTON NJ 08691	0.70	\$258,000.00	\$0.00	\$258,000.00
1	22.00	2355 ROUTE 33	2	2355 ROUTE 33 LLC	140 FRANKLIN CORNER RD #2	LAWRENCEVILLE, NJ 08648	0.24	\$250,000.00	\$694,700.00	\$944,700.00





**Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.**

BLOCK	LOT	STREET ADDRESS	P C C	OWNER'S NAME	OWNER'S ADDRESS		AREA (acres)	ASSESSMENT DATA		
								LAND VALUE	IMPROVEMENT VALUE	TOTAL VALUE
1	23.00	2357 ROUTE 33	4A	2357 ROUTE 33 LLC	140 FRANKLIN CORNER RD #2	LAWRENCEVILLE, NJ 08648	0.33	\$340,000.00	\$153,600.00	\$493,600.00
1	24.00	2359 ROUTE 33	4A	DELOTTO JOSEPH K & LILLIAN	17 JAPRIL DRIVE	MERCERVILLE NJ 08619	0.33	\$262,500.00	\$157,400.00	\$419,900.00
1	25.00	2363 ROUTE 33	4A	APCO II INC	P.O.BOX 31	WINDSOR, NJ 08561	0.52	\$260,000.00	\$299,900.00	\$559,900.00
1	26 & 27	2365 ROUTE 33	4A	STRAVINSKY EUGENE G II	2365 ROUTE 33	ROBBINSVILLE NJ 08691	0.29	\$409,500.00	\$119,100.00	\$528,600.00
1	32.00	9 RAILROAD AVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	25.40	\$16,576.00	\$0.00	\$16,576.00
1	65.00	ROUTE 33	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	21.89	\$13,207.00	\$0.00	\$13,207.00
1	66.00	1016 LAKE DR	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.08	\$16,000.00	\$0.00	\$16,000.00
1	67.00	1018 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1	68.00	1020 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$8,000.00	\$0.00	\$8,000.00
1	69.00	1022 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$8,000.00	\$0.00	\$8,000.00
1	70.00	1024 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$12,000.00	\$0.00	\$12,000.00
1	71.00	2326 ROUTE 33	1	WVC - I LLC	104 PHEASANT RUN STE 129A	NEWTOM, PA 18940	1.77	\$304,000.00	\$0.00	\$304,000.00
1	72.00	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.78	\$170,900.00	\$0.00	\$170,900.00
1	73.00	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.01	\$2,000.00	\$0.00	\$2,000.00
1	74.00	LAKE DRIVE	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	1.21	\$205,900.00	\$0.00	\$205,900.00
1.01	1.00	2307 ROUTE 33	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.63	\$167,500.00	\$0.00	\$167,500.00
1.03	1.00	1 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$10,000.00	\$0.00	\$10,000.00
1.03	2.00	3 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$10,000.00	\$0.00	\$10,000.00
1.03	3.00	5 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.07	\$14,000.00	\$0.00	\$14,000.00
1.03	4.00	7 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.03	5.00	9 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.03	6.00	11 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.03	7.00	15 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.07	\$12,000.00	\$0.00	\$12,000.00
1.03	8.00	ROUTE 33	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	0.06	\$8,000.00	\$0.00	\$8,000.00





**Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.**

BLOCK	LOT	STREET ADDRESS	P C C	OWNER'S NAME	OWNER'S ADDRESS		AREA (acres)	ASSESSMENT DATA		
								LAND VALUE	IMPROVEMENT VALUE	TOTAL VALUE
1.04	1.00	2 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$12,000.00	\$0.00	\$12,000.00
1.04	2.00	4 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.04	3.00	6 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.04	4.00	8 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.04	5.00	10 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$12,000.00	\$0.00	\$12,000.00
1.04	6.00	12 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$10,000.00	\$0.00	\$10,000.00
1.04	7.00	14 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.04	8.00	16 MARRAZZO CT	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.08	\$14,000.00	\$0.00	\$14,000.00
1.05	1.00	1001 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$12,000.00	\$0.00	\$12,000.00
1.05	2.00	1003 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	3.00	1005 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	4.00	1007 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	5.00	1009 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	6.00	1011 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.08	\$16,000.00	\$0.00	\$16,000.00
1.05	7.00	1015 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.06	\$12,000.00	\$0.00	\$12,000.00
1.05	8.00	1017 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	9.00	1019 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	10.00	1021 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.05	\$10,000.00	\$0.00	\$10,000.00
1.05	11.00	1023 LAKE DRIVE	1	WASHINGTON VILLAGE LLC	1719 BRUNSWICK AVE	LAWRENCEVILLE NJ 08648	0.07	\$14,000.00	\$0.00	\$14,000.00
1.06	1.00	ROUTE 33	15C	TOWNSHIP OF WASHINGTON	1 WASHINGTON BLVD	ROBBINSVILLE, NJ 08691	1.12	\$196,600.00	\$0.00	\$196,600.00

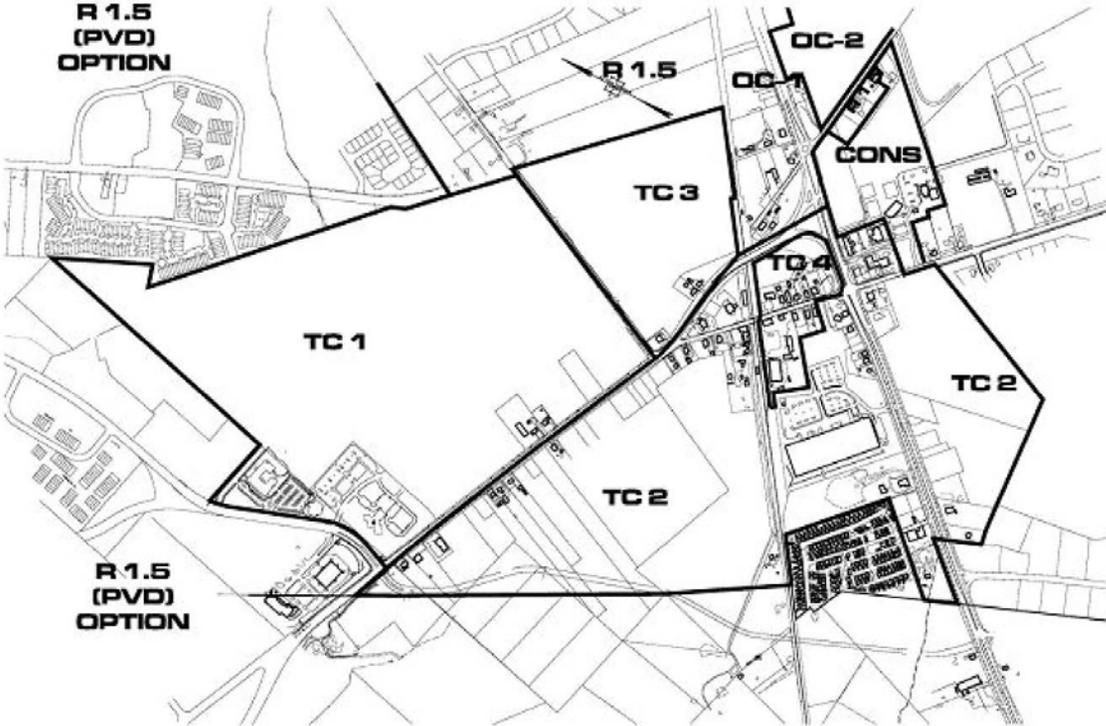


*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

TOWN CENTER ZONING MAP

ROBBINSVILLE CODE

Town Center Zone Plans



The Town Center is broken into four distinct zones called TC zones. They are as shown on the map on the left and are specified in this section.

NOTES:
1) LOT LINES ARE SHOWN FOR REFERENCE ONLY. THEY ARE NOT INTENDED TO PRECEDENCE LOT LOCATION AND DIMENSIONS.
2) SEE SHEET, CONSTRUCTION FOR ANY REVISIONS TO THESE DETAILS FOR SHADIS AREA

Robbinstonville Town Center Plan

Section 3

Town Center Zone Plan
Revised 1/15/99



*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**STATE PLAN
POLICY MAP**



TOWN CENTER SOUTH REDEVELOPMENT AREA

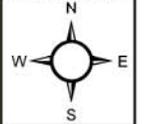
EXHIBIT
16

REDEVELOPMENT PLAN
TOWN CENTER SOUTH
REDEVELOPMENT AREA
ROBBINSVILLE TOWNSHIP
STATE PLAN POLICY MAP

REV. DATE

REVISIONS

DATE: 10/17/11
SCALE: N.T.S.



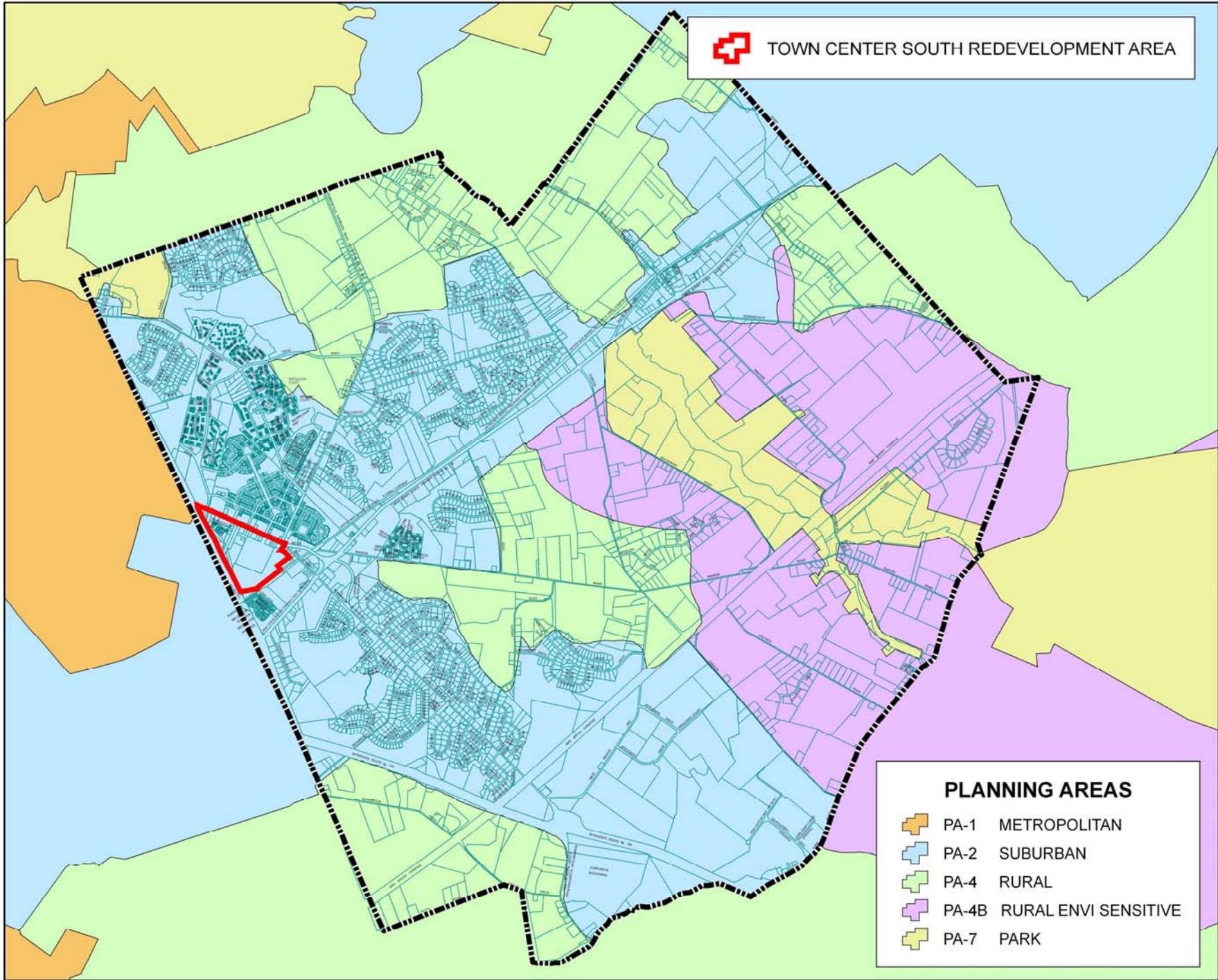
Remington, Vernick & Arango Engineers
243 Route 130, Suite 200, Bordentown, NJ 08805
(609) 298-6017, FAX (609) 298-8257
WWW.RVE.COM

ENGINEERING EXCELLENCE SINCE 1901



PLANNING AREAS

-  PA-1 METROPOLITAN
-  PA-2 SUBURBAN
-  PA-4 RURAL
-  PA-4B RURAL ENVI SENSITIVE
-  PA-7 PARK





*Redevelopment Plan
Town Center South Redevelopment Area
Robbinsville Township, Mercer County, N.J.*

**SMART GROWTH / NEW URBANISM
PLANNING PRINCIPLES**



SMART GROWTH

The following is a brief overview of key Smart Growth principals. These concepts should be considered as guidelines for effective land use planning and design.

1. Collaborate on Solutions
 - community & stakeholder collaboration in development decision-making
2. Mixing of Land Uses
3. Encourage Infill Development & Redevelopment
 - future development strengthened & directed to existing communities using existing infrastructure
4. Plan & Build Master Planned Communities
 - compact, clustered community design
 - walkable neighborhoods
 - distinctive, attractive communities offering a sense of place
5. Conserve Open Space
 - open space, farmland, & scenic resource preservation
6. Provide Transportation Choices.
7. Provide Housing Opportunities
 - range of housing choice & opportunity
8. Lower Barriers & Provide Opportunities for Smart Development
9. Utilize High Quality Design/Planning Techniques
 - predictable, fair & cost-effective development decisions

NEW URBANISM

'New Urbanism' is a return to the principals that made neighborhoods successful as communities. Elements of New Urbanism harken back to the days when neighbors knew each other and the street corner and front porch were venues for friendly interaction. While all of these elements may not be appropriate for every application, they should be viewed as guides for good urban design.

1. The neighborhood has a discernable center of mixed or multi-use buildings.
2. Most of the dwellings are within a 5-minute (2,000-ft.) walk of the center.
3. A variety of dwelling types are available.
4. Shops and offices can be found at the edge of neighborhoods, of sufficient variety to meet the weekly needs of households.
5. A small Accessory building is permitted in the backyard of each house for purposes of rental or work.
6. An elementary school is close enough for most children to walk to school.
7. Small playgrounds are convenient to every dwelling.
8. Streets within the neighborhood form a connected network.
9. Streets are relatively narrow to promote traffic calming.
10. Buildings in the neighborhood are placed close to the street.
11. Parking lots and garages rarely front the street.
12. Certain prominent streets at the termination of street vistas or in the neighborhood center are reserved for civic buildings.
13. The neighborhood is organized to be self-governing.