

**TOWNSHIP OF BORDENTOWN  
TOWNSHIP COMMITTEE REGULAR MEETING AGENDA**

DATE: November 23, 2020      TIME: 7:00 P.M.      VIRTUAL  
<https://us02web.zoom.us/j/86762749925?pwd=T2dSNWxXaG8wMldDVZ3OFRGNNGFPZz09>  
 or Dial In +1 646 876 9923 (Meeting ID: 867 6274 9925)

1. Call to Order and Roll Call

PRESENT	ABSENT	
_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Holliday
_____	_____	Committeeman Fuzy
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	Administrator Theokas
_____	_____	Clerk Carrington
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

2. Resolution #2020-11-23 to meet in closed session

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing:

- Attorney-Client Privilege: Litigation/Affordable Housing

No formal action will be taken while in closed session. The minutes of the closed session may be disclosed to the public when it is determined that the above matter(s) no longer require confidentiality.

3. Salute to the Flag and Moment of Silence

4. Open Public Meeting Announcement

This meeting is called pursuant to the provisions of the Open Public Meeting Act. A notice of the 2020 meeting schedule was sent to the *Burlington County Times* and *The Times* on January 8, 2020 and was subsequently published by the *Burlington County Times* on January 10, 2020. The notice is posted on the bulletin boards in the Municipal Building and has remained continuously posted as required under the statute. In addition, a copy of the notice is available to the public and is on file in the office of the Township Clerk.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of the meeting. The proceedings of this meeting, which are open to the public, are being electronically recorded and will act as the minutes of the meeting in conjunction with the abbreviated written form of the minutes. Minutes are kept for all meetings, whether open or closed to the public.

5. Correspondence: November 16, 2020 Letter from DOT announcing FY21 Municipal Aid Program funding for Groveville Road Resurfacing—Phase 2 in the amount of \$260,000.

6. Administrative Review of Agenda

7. CONSIDERATION OF CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.

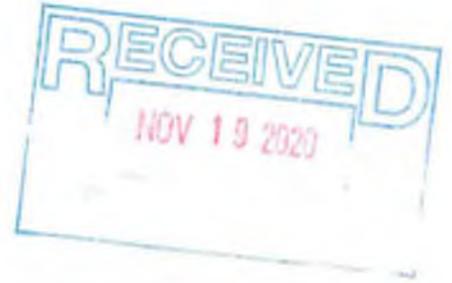
- b. Public comment on Consent Agenda items.
8. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-271 to #2020-280
    - a. Resolution #2020-271 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS
    - b. Resolution #2020-272 entitled RESOLUTION DIRECTING THE DISTRIBUTION OF THE TOWNSHIP OF BORDENTOWN NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND
    - c. Resolution #2020-273 entitled RESOLUTION SUPPORTING AN APPLICATION BY HABITAT FOR HUMANITY OF BURLINGTON AND MERCER COUNTIES, INC. TO THE DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY AFFORDABLE HOUSING TRUST FUND PROGRAM
    - d. Resolution #2020-274 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES
    - e. Resolution #2020-275 entitled RELEASE OF PERFORMANCE GUARANTEE FOR PUBLIC IMPROVEMENTS FOR HSC BORDENTOWN, LLC A.K.A. TRACTOR SUPPLY BLOCK: 138.01 LOT: 43
    - f. Resolution #2020-276 entitled RELEASE OF PERFORMANCE GUARANTEE FOR LANDSCAPE PERIMETER BUFFER FOR HSC BORDENTOWN, LLC A.K.A. TRACTOR SUPPLY BLOCK: 138.01 LOT: 43
    - g. Resolution #2020-277 entitled RESOLUTION TO AWARD A CONTRACT FOR THE DEMOLITION OF THE TOWNSHIP-OWNED CROSSWICKS ROAD PROPERTIES
    - h. Resolution #2020-278 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES
    - i. Resolution #2020-279 entitled RESOLUTION AUTHORIZING BUDGET TRANSFERS
    - j. Resolution #2020-280 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
  9. Introduction of Ordinance #2020-24 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN (by title only)
  10. New Business: Outdoor Dining
  11. COVID-19 Update
  12. Administrator's Report
  13. Township Committee Liaison Reports
  14. Public Participation: Questions, comments or statements from members of the public
  15. Final Comments from Township Committee
  16. Motion to Adjourn – Next Regular Meeting is scheduled for Monday, December 14, 2020

**ALL LEGISLATION LISTED ABOVE IS SUBJECT TO CHANGE  
UNTIL IT IS OFFICIALLY ADOPTED BY THE GOVERNING BODY.**



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600



PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

November 16, 2020

The Honorable Stephen Benowitz
Mayor, Bordentown Township
One Municipal Drive
Bordentown, NJ 08505

Dear Mayor Benowitz:

I am pleased to inform you that Bordentown Township has been selected to receive funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2021 Municipal Aid Program for Groveville Road Resurfacing, Phase 2 in the amount of \$260,000.00.

NJDOT's Municipal Aid Program is a very competitive program. This year the Department received 635 applications from 549 municipalities requesting more than \$342 million. There is \$161.25 million available in funds from the Transportation Trust Fund (TTF) supported by the State gas tax.

As part of the Department's Commitment to Communities, NJDOT provides statewide assistance for local governments for improvements to and preservation of the local transportation network, this network makes up about 90 percent of New Jersey's roadways. The successful completion of your project will help achieve this goal and provide your constituents and everyone that uses local roads a transportation system that provides the mobility they deserve.

Should you have any questions regarding your grant, please contact the NJDOT Local Aid District Office in your area.

District 1 - Mt. Arlington - 973-810-9166
District 2 - Newark - 973-877-1500

District 3 - Trenton - 609-963-2020
District 4 - Cherry Hill - 856-414-8414

Again, thank you for your support of this program and good luck with your project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane Gutierrez-Scaccetti".

Diane Gutierrez-Scaccetti  
Commissioner

cc: Municipal Clerk; Municipal Engineer

RESOLUTION #2020-271

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular and Closed Session Meeting Minutes of November 9, 2020; as submitted by the Clerk, are hereby approved as ( \_\_\_\_ submitted) ( \_\_\_\_ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

BE IT RESOLVED that the following reports for the month of October 2020 as submitted by the Township Officials have been received, provided to the Township Committee and filed with the Township Clerk: Finance, Tax Collector, Township Clerk, Community Development, Housing, Construction and Municipal Court.

## RESOLUTION NO. 2020-272

### RESOLUTION DIRECTING THE DISTRIBUTION OF THE TOWNSHIP OF BORDENTOWN NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

**WHEREAS**, the Township of Bordentown hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Burlington County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 2007, January 1, 2008, January 1, 2010, January 1, 2011, January 1, 2012, January 1, 2013, January 1, 2014, January 1, 2015, and

**WHEREAS**, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., and

**WHEREAS**, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, and

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, and

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, and

**WHEREAS**, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, and

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, and

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, and

**WHEREAS**, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY’s share to the MUNICIPALITY’s premium as a credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY’s share,
3. Direct the FUND to apply the MUNICIPALITY’s share to the FUND’s Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality’s available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY’s share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

**NOW THEREFORE**, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY’s share of its Net Distribution as follows (**check the boxes that apply**):

- Apply a portion of the amount as a credit to the MUNICIPALITY’s next FUND Year premium.
- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the MUNICIPALITY’s share of the FUND’s Aggregate Excess Loss Contingency Fund (A.E.L.C.F.).

Designate the amount as follows (Sum of below must equal full dividend amount):

- Credit           \$ 0 (Requires signed Dividend Release form only)
- Check           \$ 0 (Requires signed Dividend Release form and signed voucher)
- A.E.L.C.F.     \$ 19,600 (Requires signed Dividend Release form and resolution)

Total Dividend \$ 19,600

**This Resolution was duly adopted by the Township Committee of the Township of Bordentown at a Public Meeting held on November 23, 2020.**

**Township of Bordentown**

**Stephen Benowitz, Mayor**

**Name of Municipality**

**Township of Bordentown**

**Maria Carrington, Clerk**

**Name of Municipality**

RESOLUTION SUPPORTING AN APPLICATION BY HABITAT FOR HUMANITY OF BURLINGTON AND MERCER COUNTIES, INC. TO THE DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY AFFORDABLE HOUSING TRUST FUND PROGRAM

**WHEREAS**, the Habitat for Humanity of Burlington and Mercer Counties, Inc. desires to apply for and obtain funds from the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:43-1.1 et seq. for the purpose of developing approximately 10 units of new affordable housing in the Township of Bordentown (“Project”); and

**WHEREAS**, the Project will entail the construction of 5 duplex, modular framed buildings containing a total of 10 affordable homeownership units located on 179, 181 and 183 Crosswicks Road, Bordentown Township. The homes will be sold to low and moderate income-qualified families with 20 to 30-year mortgages, at 0% interest, costing no more than 30% of their household income.

**WHEREAS**, the Habitat for Humanity of Burlington and Mercer Counties, Inc. requests a grant of \$2,077,280.00 from the Department of Community Affairs for the Project; and

**WHEREAS**, the Township of Bordentown has determined that the housing project referenced above, will meet all or part of the municipality's low and moderate housing obligation in its Housing Element and Fair Share Plan.

**NOW, THEREFORE, BE IT THEREFORE** that the Township Committee of the Township of Bordentown in the County of Burlington and State of New Jersey does hereby support this application for such funds to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program and acknowledge that the Project is located in an eligible municipality in accordance with N.J.A.C 5:43-1.3(a). The municipality also asks that Habitat for Humanity of Burlington and Mercer Counties, Inc. the Developer, as permitted under N.J.A.C 5:43-1.3 (a), to contract only for this project, directly with the Department of Community Affairs.

**RESOLUTION #2020-274**

**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2020 taxes in the amount of \$1,865.90 to JOSEPH MINCH JR for Block 79 Lot 16 commonly known as 22 VINE WAY.

11/23/20

JCE

**TOWNSHIP OF BORDENTOWN**

**RELEASE OF PERFORMANCE GUARANTEE FOR PUBLIC  
IMPROVEMENTS**

**HSC Bordentown, LLC a.k.a. Tractor Supply  
BLOCK: 138.01 LOT: 43**

**RESOLUTION NO. 2020-275**

WHEREAS, HSC Bordentown, LLC is the developer of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as the Tractor Supply, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, HSC Bordentown, LLC, provided a performance guarantee in the form of a Surety Bond the amount of \$51,699.06 (Bond #60184023) and a cash bond in the amount of \$5,744.34 (account 986902); and

WHEREAS, HSC Bordentown, LLC, has notified the Township in writing and in accordance with the procedures set forth in the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53.d, that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said performance guarantee; and

WHEREAS, the Township Engineer has inspected all the improvements of which notice has been given and recommends herein that the Township Committee approve the release of the performance bond, subject to the posting of a Compensatory Tree fee in the amount of \$51,000.00 and

WHEREAS, the Township Committee has reviewed said request and desires to act favorably with respect to the Township Engineer's recommendations in accordance with N.J.S.A. 40:55D-53.d.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and State of New Jersey, as follows, that:

1. The Township Committee, for the aforementioned reasons, approves release of the performance guarantee and cash bond for public improvements for HSC Bordentown, LLC:
2. The release of the guarantee is conditioned upon payment of any outstanding negative balance in the inspection escrow account.
3. The Township Clerk shall forward a certified copy of this resolution to: HSC Bordentown, LLC c/o Lindsey Gadd, 805 Trione Street, Daphne, AL 36526.

**TOWNSHIP OF BORDENTOWN**

**RELEASE OF PERFORMANCE GUARANTEE FOR LANDSCAPE  
PERIMETER BUFFER**

**HSC Bordentown, LLC a.k.a. Tractor Supply  
BLOCK: 138.01 LOT: 43**

**RESOLUTION NO. 2020-276**

WHEREAS, HSC Bordentown, LLC is the developer of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as the Tractor Supply, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, HSC Bordentown, LLC, provided a performance guarantee in the form of a Surety Bond the amount of \$15,282.00 (Bond #60184024) and a cash bond in the amount of \$1,698.00 (account 986905); and

WHEREAS, HSC Bordentown, LLC, has notified the Township in writing and in accordance with the procedures set forth in the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53.d, that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said performance guarantee; and

WHEREAS, the Township Engineer has inspected all the improvements of which notice has been given and recommends herein that the Township Committee approve the release of the performance bond, subject to the posting of a Compensatory Tree fee in the amount of \$51,000.00 and

WHEREAS, the Township Committee has reviewed said request and desires to act favorably with respect to the Township Engineer's recommendations in accordance with N.J.S.A. 40:55D-53.d.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and State of New Jersey, as follows, that:

1. The Township Committee, for the aforementioned reasons, approves release of the performance guarantee for Landscape Perimeter Buffer and a cash bond of \$1,698.00 for HSC Bordentown, LLC.
2. The release of the guarantee is conditioned upon payment of any outstanding negative balance in the inspection escrow account.
3. The Township Clerk shall forward a certified copy of this resolution to: HSC Bordentown, LLC c/o Lindsey Gadd, 805 Trione Street, Daphne, AL 36526.

RESOLUTION #2020-277

RESOLUTION TO AWARD A CONTRACT FOR THE DEMOLITION OF THE TOWNSHIP-OWNED CROSSWICKS ROAD PROPERTIES

WHEREAS, eight (8) bids were received on November 5, 2020 for the demolition of the Township-owned building structures on 179, 181 and 183 Crosswicks Roads; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Purchasing Agent to award said contract to the apparent low bidder, All State Wrecking, Inc.; and

WHEREAS, N.J.S.A. 40A:11-24(a) requires a municipality to award within 60 days of the bid opening; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
T-13-40-500-000	N/A	\$ 99,000.00	Crosswicks Demolition

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JEFFREY C. ELSASSER  
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award a contract for the demolition of the Township-owned building structures on Crosswicks Road to All State Wrecking, Inc., 2330 Route 33, Suite 304, Robbinsville, NJ 08691 in the amount of \$ 99,000.00; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute a contract for same.

**RESOLUTION #2020-278**

**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2021 taxes in the amount of \$1,981.71 to PURDY, KIMBERLY for Block 81 Lot 6 commonly known as 32 GREENWOOD DR.

11/23/20

JCE

RESOLUTION #2020-279

RESOLUTION AUTHORIZING BUDGET TRANSFERS

BE IT RESOLVED by the Township of the Township of Bordentown that it hereby approves and authorizes the Chief Financial Officer to make the following 2020 Budget Appropriation transfers pursuant to N.J.S.A. 40A:4-58:

<u>ACCOUNT NUMBER</u>	<u>NAME</u>	<u>DEBIT</u>	<u>CREDIT</u>
0-01-25-252-215	OEM - OTHER EXPENSES	\$ 2,000.00	
0-01-26-310-215	BUILDINGS & GROUNDS - OTHER EXPENSES	\$ 10,000.00	
0-01-43-490-101	MUNICIPAL COURT - S/W		\$ 12,000.00
TOTAL		\$ 12,000.00	\$ 12,000.00

RESOLUTION #2020-280

APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated November 23, 2020, as submitted by the Office of Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE NO. 2020-24**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY  
(GROWMARK)/YATES REDEVELOPMENT PLAN**

**WHEREAS**, the Bordentown Township Committee (the “Township”) is the Redevelopment Authority for Bordentown Township; and

**WHEREAS**, the Township previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, *et. seq.*), which area is commonly referred to as the “Agway (Growmark)/Yates Redevelopment Area;” and

**WHEREAS**, a Redevelopment Plan for the redevelopment area was adopted by the Township Committee on November 26, 2007; and

**WHEREAS**, an amended Redevelopment Plan for the redevelopment area was adopted by the Township Committee on July 13, 2020; and

**WHEREAS**, since the adoption of the amended Redevelopment Plan (the “Plan), there have been changes in conditions and circumstances; and

**WHEREAS**, due to the changes, it is necessary to further amend the Plan; and

**WHEREAS**, the amendments will not compromise the core principles and goals of the Plan; and

**WHEREAS**, these changes relate to an update of the status of the redevelopment area as well as clarifications and edits to the standards in the Land Use Plan; and

**WHEREAS**, these changes are necessary to execute the Plan.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Bordentown that:

**Section 1:** The Amended Redevelopment Plan for the Agway (Growmark)/Yates Redevelopment Area, attached as Appendix A, is hereby adopted.

**Section 2:** This ordinance shall take effect upon final passage and publication according to law.

**Section 3:** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4:** If any section, paragraph, subdivision or clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

INTRODUCED: November 23, 2020

PUBLIC HEARING: December 14, 2020

ADOPTED:

AMENDED  
REDEVELOPMENT PLAN  
For the  
AGWAY (GROWMARK)/YATES  
REDEVELOPMENT AREA

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Township of Bordentown  
County of Burlington  
State of New Jersey

Heyer Gruel and Associates  
February 2020  
Adopted July 13, 2020  
Amended November 2020 and adopted\_\_\_\_\_

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Steve Benowitz, Mayor  
Maria Carrington, Clerk

MAYOR AND TOWNSHIP COMMITTEE

Steve Benowitz, Mayor  
Eugene M. Fuzy, Deputy Mayor  
Angel Sauro, Confidential Aide to the Mayor  
James Kostoplis, Committeeman  
Kenneth Mason, Committeeman  
Eric Holliday, Committeeman

PLANNING BOARD MEMBERS

Class I Member:  
Stephen Benowitz, Mayor  
Class II Member:  
Bill Grayson  
Class III Member:  
Eric Holliday, Committeeman  
Class IV Members:  
George Chidley, Chairman  
Kevin Hirschfeld, Vice-Chairman  
Danielle Esser  
Tim Fairlie  
Mary Ann Holston  
Erica Bowyer  
Linda Schiano, Alt. #1  
Nicholas D'Angelo, Alt. #2  
Mike Theokas, Alt. Board Secretary  
Interim Director of Community Development

Planning Board Attorney:  
Brian J. Carlin, Esquire

Planning Board Engineer:  
Frederick J. Turek, II, PE,PP, CME, CPWM

Planning Board Landscape Architect Planner:  
Jack Carman, RLA, FASLA, PP

Planning Board Traffic Engineer:  
James L. Kochenour, PE

## **INTRODUCTION**

This amended Agway (Growmark)/Yates Area Redevelopment Plan (herein after referred to as "the Amended Plan") regulates lands within the Agway (Growmark)/Yates redevelopment area (herein after referred to as "the Redevelopment Area") designated by the Township of Bordentown as Block 57, Lots 1.01, 1.02 and 6, comprised of approximately 71.67 acres. These lands are bounded to the west by Route 206 and the Conrail railroad tracks, and to the east by Route 130. The southern boundary of the Redevelopment Area begins on the Route 206 right-of-way, approximately 280 feet south of its junction with the Conrail railroad tracks and extends to Route 130. The northern boundary connects the railroad tracks with Route 130, intersecting the southern end of Amboy Road. Figures I and 2 below are maps of the Redevelopment Area.

The original Redevelopment Plan which was adopted on November 26, 2007 was prepared by Remington & Vernick Engineers, Inc. (Remington & Vernick). The Redevelopment Area was deemed an "Area in Need of Redevelopment" by the Township Committee in 2003.

In June 2008, the Township entered into a Redevelopment Agreement with K. Johnson Enterprises, LLC and Growmarks FS, LLC as amended by the First Amendment to the Redevelopment Agreement dated June 2011 for Block 57 Lots 1.02 & 6.

A portion of the Redevelopment Area (Block 57 Lots 1.02 & 6) is also a component of the Amended Settlement Agreement between the Township and Fair Share Housing Center (FSHC) which was executed on June 11, 2019 (the "Amended Settlement Agreement") and the Settlement Agreement between the Township and K Johnson Urban Renewal LLC.(the "KJ Settlement Agreement") dated March 11, 2019. The Settlement Agreements determined that this portion of the Redevelopment Area is appropriate and suitable for a family rental inclusionary development of up to 130 units with a mandatory affordable housing set-aside of 20% of the fully constructed units. This mandatory set aside will result in a maximum of 26 affordable family rental units. See Redevelopment Area site map.

As such, this Redevelopment Plan amends the adopted 2020 Redevelopment Plan in order to redevelop a portion of the Redevelopment Area and implement the Amended Settlement Agreement between the Township and FSHC and the KJ Settlement Agreement.

## **STATUTORY REQUIREMENTS**

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

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

## **AREA AND SITE DESCRIPTION/ PROPOSED DEVELOPMENT**

The Redevelopment Area includes two industrial parcels. The northern portion of the Area (Block 57, Lots 1.01) previously contained a vacant copper-foil manufacturing facility (known as the Yates site). The site continues to be undeveloped.

The southern portion of the Redevelopment Area (Block 57, Lots 1.02 &6) formerly contained an Agway industrial facility, the majority of which has since been redeveloped. The development known as Team Campus 85 currently contains 6 buildings. Building A contains a 30,000 square foot office; Building B contains a 75,000 square foot fitness center; Building C consists of a 78,500 square foot office; Building D consists of a 45,000 square foot indoor practice field; Building E contains a 2,900 square foot branch bank and Building F contains a 24,000 square foot office.

The northern rear portion of the development currently contains the Agway silo and related buildings that are proposed to be demolished. This site will be redeveloped with an inclusionary development containing up to three four-story buildings with a maximum of 130 family rental units of which 20% of the units or up to 26 will be family affordable rental units. In addition, up to 9,000 square feet of non-residential space will be provided.

## **REDEVELOPMENT GOALS AND OBJECTIVES**

A number of the goals contained in the 2007 and 2020 Plan continue to remain valid. Several new objectives have been added.

- Create economic opportunity
- Stimulate private economic investment in the Area
- Create new jobs
- Improve the utilization of land, which can be redeveloped for the community's benefit while also taking into account environmental constraints imposed upon the land
- Redevelop underutilized parcels to meet the changing needs of the Township
- Create an aesthetically pleasing development
- Address a portion of the Township's affordable housing obligation by redeveloping a portion of the Area for a residential inclusionary development.

## **RELATIONSHIP OF THE PLAN TO TOWNSHIP LAND DEVELOPMENT REGULATIONS**

The Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Amended Redevelopment Plan. The Plan supersedes the use and bulk provisions of the Township Land Development Regulations (Chapter 25) as it relates the residential inclusionary development as detailed in the Settlement Agreements. Other Township regulations affecting developments that are in conflict are superseded by this Plan. However, existing engineering standards, performance standards and definitions detailed in the Land Development Ordinance shall apply.

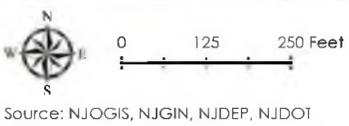
No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Plan that results in a “d” variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance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

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

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

Final adoption of this Redevelopment Plan by the Township Committee shall be considered an amendment to the Township of Bordentown Land Development Ordinance and Zoning Map. Unless otherwise defined in the Plan, terms used in this Plan shall have the same meaning as defined in the Township’s Land Development Ordinance.

The Bordentown Township Committee will serve as the redevelopment entity responsible for the execution of the Amended Plan.



Land Use Map  
Bordentown Township, NJ



## LAND USE PLAN

This Land Use Plan shows the following two (2) Land Use districts:

- The Highway Commercial District
- The Affordable Housing District

The following district standards contain information pertaining to the permitted and accessory uses, bulk standards and other district specific standards.

### Affordable Housing District

Purpose: The purpose of the Affordable Housing District is to create an inclusionary residential development. This Land Use Plan section includes an illustrative concept plan designed in accordance with the Settlement Agreements with FSHC and K.Johnson Urban Renewal LLC. In accordance with the Township's Settlement Agreements, the residential development is required to provide a set aside of 20% of the units as affordable with a maximum of 26 family rental affordable units being designated as affordable.

### *Principal Permitted Uses*

- Multi-family residential inclusionary development in accordance with the Settlement Agreements between the Township and FSHC and the Township and K. Johnson Urban Renewal, LLC
- Mixed-use residential/commercial development in accordance with the Settlement Agreements between the Township and FSHC and the Township and K. Johnson Urban Renewal, LLC

### *Accessory Uses*

- Uses which are customary and incidental to the principal use such as parking, signage, fences, open space and recreational facilities
- 3,000 square-foot maintenance building

### *Standards*

Maximum number of residential units: 130

Maximum number of Affordable Family rental units: 26 or 20% of the completed units whichever is lower.

Bedroom mix of market units: Units shall consist of 1, 2 and 3-bedroom units.

Number of buildings: 3

Mixed-Use Development: The ground floor of the building closest to the existing fieldhouse (Building D) may be developed with up to 9,000 square feet of non-residential space. The upper floors shall be developed with residential units. The area between the mixed-use building and the adjacent proposed residential building shall be developed as a tot lot. The area in the front of the non-residential space shall be developed as an outdoor "plaza

Minimum perimeter building setback: 50 feet

Buffer: A minimum 25-foot-wide buffer shall be provided between the Conrail railroad right of way and the Redevelopment Area. The buffer shall consist of landscaping and fencing as required by the Planning Board at site plan application.

Maximum building height: 4 stories/ 55 feet

Minimum parking:

- Residential: RSIS
- Non residential: 1 space per 200 square feet

Distance between buildings: 25 feet

A “green” area may be provided adjacent to the north side of the existing fieldhouse.

A subdivision of the AH Affordable Housing District may be permitted and, to the extent feasible, the application shall be expedited and processed with reasonable due diligence.

### Highway Commercial District

#### *Principal Permitted Uses*

1. Retail sales of goods and services.
2. Garden centers engaged in the retail sales of living plant material and related garden equipment, vegetation and produce. Outside areas for [the] storage, sale and display [of living plant material] shall conform to all bulk and design requirements for the zone.
3. Banks, including drive-in facilities.
4. Offices and office buildings
5. Restaurants, bars and taverns
6. Health clubs, bowling alleys, skating rinks and other similar indoor recreational activities.
7. Legitimate theaters
8. Childcare centers for which, upon completion, a license is required from the Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq.
9. Indoor/outdoor sports fields to be used for group or individual training. The field may be enclosed in a structurally sound structure using light-weight fabric, polymer or air-cell paneling supported by strong lightweight metal, polymer or wood framing.
10. Medical Offices
11. Hospitals
12. Same Day Surgery Centers
13. Mixed uses of any of the above

*Permitted Accessory Uses*

1. Parking decks and garages for automobiles
2. Garages and buildings for storage
3. Temporary construction trailers and one (1) sign not exceeding seventy-five (75) square feet, advertising the prime contractor, subcontractor(s), financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a certificate of occupancy or one (1) year, whichever is less, provided the trailer(s) and sign are on the site where construction is taking place and are set back at least thirty feet (30') from the street and lot lines.
4. Radio, television and satellite dish antennae, subject to the requirements of Section 25:513 of the township ordinance.
5. Indoor/outdoor sports field: Field to be used for group or individual training. Field may be enclosed in a structurally sound structure using light-weight fabric, polymer or air-cell paneling supported by strong light-weight metal, polymer or wood framing.
6. Uses customarily incidental and accessory to the principal permitted use such as parking, signage, and fencing.

*Bulk and Area Requirements*

1. Minimum lot area: 5 acres
2. Minimum lot frontage: 200 feet
3. Minimum lot width: 150 feet
4. For principal structures:
  - a. Minimum setback from Route 130: 80 feet for small satellite banks or take-out restaurants, 100 feet for all other principal structures
  - b. Minimum side yard setback: 50 feet
  - c. Minimum setback from Conrail right-of-way and Route 206: 100 feet
5. Minimum setback from Route 130 for all parking areas and access aisles: 40 feet
6. Minimum setback from Conrail right-of-way for all accessory structures: 50 feet
7. Minimum side yard setback for accessory structures, including parking areas, aisles and driveways: 15 feet

- 8. Maximum Impervious Cover: 75%
- 9. Maximum Building Height for buildings used exclusively for offices or hotels: 55 feet/5 stories
- 10. Maximum Building Height for buildings not used exclusively for offices or hotels: 42 feet/3.5 stories

Design Requirements: Highway Commercial District

The requirements set forth below supersede the requirements of the prevailing zoning.

Standards of Section 25:521 should be adhered to subject to the approval of the Planning Board. Sample materials and a color rendering shall be submitted. These materials and rendering are considered to be part of any approvals and shall not be substantially changed.

*Buffering*

- 1. A landscaped buffer with a minimum width of 40 feet shall be maintained along the entire frontage of Route 130. The buffer area shall be limited to vegetative lawns, ground cover, shrubs, bushes, trees, decorative walls and/or fences, and fountains. This buffer may include decorative lighting, identification signs, traffic directional signs and access driveways to and from Route 130.
- 2. A landscaped buffer with a minimum width of 15 feet shall be maintained along the lot line separating Block 57, Lot 6 from Block 57, Lot 1.02. The buffer area shall include a single row of evergreen plantings, fencing, berms, mounds or a combination thereof to provide an adequate screen to the benefit of the uses on Lot 1.02.
- 3. A landscaped buffer with a minimum width of 15 feet shall be maintained along the lot lines separating Block 57, Lot 6 from Block 57, Lots 7, 8 and 21. This landscaped buffer shall utilize the existing vegetative growth and be supplemented with additional screening where existing growth does not provide adequate screening.
- 4. A landscaped buffer with a minimum width of 80 feet shall be maintained along the common lot line between the Conrail railroad right-of-way and the entire Redevelopment Area. Existing vegetative growth located within existing wetlands buffers shall remain undisturbed. For areas outside of wetland buffers, landscape screening shall consist of fencing, berms, mounds, multiple staggered rows of evergreen plantings or a combination thereof to achieve adequate screening. Existing rail sidings are to remain within the 80-foot buffer and may be accompanied by a paved loading area for access to rail cars. A buffer is to be placed 80 feet from the southerly most rail siding in the remaining un-paved area.
- 5. A minimum 70-foot wide landscaped buffer shall be maintained along the entire Route 206 frontage. Existing vegetation growth located within existing wetland buffers shall remain undisturbed, except where proposed stormwater basin outlet piping may cross the buffer to discharge to Hollow Mile Run.

6. A minimum 15-foot wide landscaped screen buffer shall be maintained along the proposed lot line separating the existing warehouse/manufacturing use from the proposed mixed-use development. Existing vegetation growth located within existing wetland buffers shall remain undisturbed. This landscaped buffer shall be limited to a single row of evergreen plantings, fencing, berms, mounds or a combination thereof to achieve adequate screening to the benefit of adjoining properties. Where a single row of evergreen planting is being used, a single row is to be planted on each side of the new lot line and staggered so as to appear as a double staggered row of evergreens.

#### *Buildings/Architecture*

1. Except as otherwise required below, all buildings shall comply with the design guidelines set forth in Ordinance 2003-23.
2. Penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air conditioning equipment, or similar equipment required to operate and maintain the building, skylights, spires, cupolas, flagpoles, chimneys or similar structures; may be erected above the height limits prescribed by the Plan, but in no case more than fifteen percent (15%) more than the maximum height permitted for use in the Redevelopment Area.
3. Silos, barns and other related buildings for farming purposes associated with farming, warehousing and manufacturing shall not exceed the height of existing silos, buildings and structures.
4. Adaptive reuse or continued use of existing buildings, towers, silos, or other structures shall be the existing height, excluding screened roof top appurtenances, which shall not exceed an additional 5 feet.
5. Detailed architectural plans including colors, materials, and textures, shall be provided for all new buildings and existing buildings that are to remain. Detailed floor plans shall be provided for the new buildings.
6. Buildings shall be located, designated, and identified to allow for adequate fire and emergency access.
7. All new construction must conform to Americans with Disabilities (ADA) Act requirements.
8. All external appurtenances, including but not limited to electrical components and HVAC equipment, including roof-mounted units, shall not exceed five (5) feet above the ground surface or the roofline, shall be screened by landscaping or enclosed to match the building facade, and shall not be included in determining building height.
9. HVAC and other appurtenances shall comply with all applicable federal, state or local regulations governing noise levels for both day and nighttime uses.
10. All power, phone, CATV, and other utilities shall be installed underground, as per current engineering standards. Roof antennae or towers shall not be permitted.
11. The use of the U.S. Green Building Council's LEED® (Leadership in Energy and Environmental Design) construction standards is encouraged.

12. Buildings shall be considered in terms of their relationship to the surrounding area and natural environment as well as in relation to the human scale.

*Parking and Vehicle Circulation*

1. Ingress and egress from Route 130 shall be permitted in the following manner:
  - a. For the existing warehouse/manufacturing operations, a right-in and right-out driveway will be located at the northern end of Block 57, Lot 6. This driveway will be the only access for the traffic associated with the existing operations. The proposed improvements will include a wider approach driveway to allow for queuing of vehicles. The driveway will proceed back through the warehouse/manufacturing site to allow for continuous movement for tractor trailer vehicles.
  - b. The mixed-use portion of the redevelopment site will be served with two driveway entrances, both on Route 130. One entrance will be located at the center of Redevelopment Block 57, Lot 6, and the other will be located at the southerly portion of the redevelopment tract. The southern-most driveway will be aligned with Livingston Lane located on the opposite (easterly or northbound) side of Route 130 and will allow left turn and right turn entry to and from the site from Route 130. This driveway shall provide a minimum of one in-bound lane and 3 out-bound lanes. These driveways and openings are subject to the approval of the NJDOT and openings may be modified as required by NJDOT. There will be no access to the existing warehouse/manufacturing operations from the mixed-use site.
  - c. Parking for redevelopment Block 57, Lot 6 will be provided as follows:
    - 1) For the existing warehouse/manufacturing operations, one parking space will be provided per 850 square feet of building floor area for the grain storage operations, and one space will be provided per 375 square feet of building floor area for the fertilizers storage/manufacturing operations.
    - 2) For the mixed-use portion of the site, parking will be provided at the following rate:
      1. Medical Office building: 1 space per 235 square feet of floor area.
      - ii. Professional Office building: 1 space per 200 square feet of floor area.
      111. Sports Center: 1 space per 235 square feet of floor area.
      - IV. Communications Tower: 1 space per 100 square feet of floor area.
      - v. Satellite Bank: 1 space per 200 square feet of floor area.
      - vi. Parking space size for the warehouse/manufacturing portion of the site is to be 9 feet wide by 18 feet long. Minimum aisle width is to be 30 feet.

- vii. Parking space size for the mixed-use portion is to be 9 feet wide by 18 feet long for 76% percent of the total amount of stalls and 10 feet wide by 18 feet long for the remaining 24 percent of the total number. Driveway aisle widths in each parking group are to be a minimum of 25 feet. Driveways circulating around each building are to be 30 feet in width.
- viii. Useable walkways and crosswalks, within the site shall be designed to interconnect buildings to parking areas. Sidewalks are to be a minimum of 6 feet wide where parking stalls abut head-on. Sidewalks running adjacent to driveways with no parking stalls are to be 5 feet in width.

#### Loading and Unloading

- c. Loading and unloading for the existing warehouse/manufacturing site is an integral part of the current operations. The existing and adaptive procedures and movement patterns shall be made as part of the Plan.
- d. Loading and unloading for the mixed-use portion of the site shall be as follows:
  - 1) Medical Office Building: The loading and ambulance drop-off area are to be located at the rear of the building. This area is to simultaneously accommodate both activities at one time. The loading area is to accommodate tractor trailer trucks.
  - 2) Health Sports Building: The loading facility is to be located behind the building. The parking lot and driveway are to accommodate tractor trailer trucks.
  - 3) Professional Office Building: The loading facility is to be located behind building, and the parking lot and driveway are to accommodate a tractor trailer truck.
  - 4) Satellite Bank: The loading area is to utilize one of the proposed parking stalls, on a temporary basis, accommodating a small box or panel truck.
  - 5) Communications Tower: The loading area is to utilize a portion of the proposed 30-foot wide access driveway, on a temporary basis, accommodating a tractor trailer truck.

#### *Signs*

- 1. One monument-type sign shall be permitted along the Route 130 frontage.
- 2. Each building front shall be permitted to have a facade sign or free standing sign large enough to identify the corporate entity or entities occupying the building.
- 3. The Redeveloper shall provide a comprehensive sign package, including colors and materials, to the Planning Board. The Planning Board may approve a comprehensive sign package for the project that exceeds the standards of the zoning ordinance and/or this document, in terms of sign area and number of signs if it is demonstrated to the Board's satisfaction such additional signage is necessary to appropriately identify the uses on the site from the street, and is consistent with good planning for the site.

### *Lighting*

1. All lighting shall be post or building mounted and oriented earthward to minimize light spillage and glare.
2. Parking area lighting shall be post-mounted, located within landscaped areas and islands, and shall not exceed 30 feet in height above grade.
3. Pedestrian and access point lighting shall be post-mounted and shall not exceed 16 feet in height above grade.
4. Fixtures shall be shielded to eliminate light overflow into adjoining lots.
5. Lighting shall conform to the Township's specifications. Exact details will be specified at the time of site plan review.

### *Fencing/Enclosures*

1. All bulk waste/recycling receptacles (dumpsters) shall be fully screened. Such screening shall be of adequate height to fully shield the receptacle and shall utilize plantings and/or brick construction with a brick front and gated access way which can be secured during periods of non-use. Chain link fencing for refuse screening is prohibited, however, chain link gates for access to refuse is allowable. If landscape screening is utilized, bollards shall be provided to maintain the integrity of the planted screening. Full brick construction shall be required for structures located within designated buffer area adjacent to any residential or commercial building.
2. Ornamental fencing shall be encouraged
3. Privacy fencing along the rear property line shall be permitted.
4. Heights of all fencing are subject to Planning Board review and approval.

### *Infrastructure*

1. Sidewalk/Walkways: Pedestrian or connecting walkways, within the site, shall be constructed of pavers, concrete, and textured pavement in colors and/or patterns. All walkways shall be a minimum of five (5) feet in width and shall extend from the building facade to the curb line.
2. Water, Sewer and Stormwater Management: These systems are to be investigated, constructed and upgraded, as required, and shall be subject to review and approval by all applicable federal, state, and local agencies, and will be the responsibility of the selected Redevelopers based on the final approved usages within the Redevelopment Area. All water, sewer and stormwater systems must conform to the New Jersey Department of Environmental Protection Stormwater Regulations and shall be subject to the applicable state laws and regulations in effect at the time of approval of the Plan.

### *Miscellaneous Design*

1. Drive-up Window Queuing: Vehicle queuing areas shall be adequate to accommodate a minimum of 6 automobiles per drive-up window for banking or fast-food restaurant facilities.
2. A minimum of 3 feet of stepped landscaping shall be provided from the fence of the existing 911 Tower.

3. Minimum setback from the existing 911 Tower shall be maintained to the following: 250 feet to a property line; 120 feet to a building; 11 feet to a parking stall; and 3 feet to an access parking driveway.
4. In determining the types of plants that will be provided on a development plan, consideration should first be given to the species listed on the "Township of Bordentown Schedule of Recommended Street Trees."
5. Usable pedestrian access ways shall be provided throughout the site.

## **Relationship to Other Plans**

### Master Plan/Reexamination

The Township's most recent Master Plan Reexamination Report was adopted in August 2018. The Reexamination Report builds on the goals and objectives identified in the 1990 Master Plan and its subsequent Reexamination Reports and Revisions adopted in 1996, 1998, 2002 and 2008. A Land Use Plan element was also adopted in 2018.

This Redevelopment Plan supports the following goals from the 1990 Master Plan:

- The Land Use Plan of the Township of Bordentown should build upon and refine the past planning decisions of the municipality, consistent with present local and regional needs, desires, and obligations
- The Land Use Plan noted the physical characteristics of the Township and its inherent limitations of the land to host different types of community development, thereby necessitating the assignment of different densities and intensities of development to match the capacities of the environment
- The Land Use Plan should strive to prevent homogeneous suburban development throughout the municipality, using such elements as a balanced variety of uses, housing styles and neighborhood commercial centers providing personal sales and services.
- Higher density housing should be permitted only as part of larger scale developments to ensure that adequate roads, recreational areas, community amenities, drainage facilities, public water and sewerage facilities, and other infrastructure are constructed commensurate with the requirements for a variety of residential densities.
- Retail shopping facilities should be provided to serve the needs of the existing and anticipated residential population of the Township, and such shopping facilities should be provided as an integral part of the large scale residential development or in other specific locations in order to avoid the proliferation of vehicular shopping trips.
- Industrial research and office acreage should be controlled with appropriate regulations, without denying the needs of modern research and manufacturing activities and in an appropriate balance between residential and non-residential development and the commensurate benefits of a balanced tax base.
- Proper and sufficient water supplies and sewerage facilities should be planned in order to provide the reasonable opportunity for the implementation of the foregoing Land Use Plan.

The following represents additional recommendations from the 2008 Master Plan Reexamination Report:

- Review existing redevelopment plan/areas to determine if changes need to be made to the boundaries, types of uses permitted, and zoning requirements.

The 2008 Reexamination Report additionally states that the site, Block 1.01 Lots 3 and 6, be included as part of the Township's Redevelopment Plan along with several surrounding properties.

The 2018 Reexamination Plan and Land Use Plan recognizes the Agway Redevelopment Plan and details the goals and proposed uses.

This Redevelopment Plan is consistent with the Township's Master Plan 2018 Reexamination Report and Land Use Plan. It is also a component of the adopted August 2019 Housing Element and Fair Share Plan.

#### Northern Burlington County Growth and Preservation Plan

The Northern Burlington County Growth and Preservation Plan (GAPP) was adopted by the Burlington County Board of Chosen Freeholders in October 2010. The Township is located in northern Burlington County. The GAPP presents a regional strategy with the following goals:

- Revitalize Northern Burlington County's Hamlets, Villages and Towns
- Conserve Northern Burlington County's agricultural and natural resources and systems
- Promote beneficial economic growth, development and renewal for all residents of the County
- Protect the environment, prevent and clean up pollution
- Provide adequate public facilities and services at a reasonable cost
- Provide adequate housing at a reasonable cost
- Preserve and enhance areas with historic, cultural, scenic, open space and recreational value
- Ensure sound and integrated planning and implementation throughout the Northern Burlington County region.

The GAPP shows the majority of Bordentown Township under the category of T3- Suburban. The Suburban Area includes Post World War II neighborhoods and modern residential subdivisions in sewer service areas, as well as development highway corridors and centers outside older communities. According to the GAPP, the Redevelopment Area falls within the suburban infill classification.

The Plan also encourages redevelopment, where appropriate, at intensities sufficient to support pedestrian-oriented development, public safety, transit accessibility, a broad range of uses and mixed uses, and efficient use of infrastructure. Additionally, municipalities should continue to provide local and regional housing services that support healthy Centers.

This Redevelopment Plan is consistent with the GAPP.

### New Jersey State Development and Redevelopment Plan

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

The goals of the PA 1: Metropolitan Planning Area are as follows:

- Provide for much of the State's future redevelopment
- Revitalize cities and towns
- Promote growth in compact forms
- Stabilize older suburbs
- Redesign areas of sprawl
- Protect the character of existing stable communities

This Redevelopment Plan is consistent with the State Development and Redevelopment Plan.

### State Strategic Plan

The Final Draft of the New Jersey State Strategic Plan for Development and Redevelopment dated October 2011, which has yet to be adopted by the State Planning Commission, was intended to be an update to the State Development and Redevelopment Plan. This document takes a strategic approach to setting goals and a vision for the State of New Jersey. The State Strategic Plan contains four over-arching goals that "incorporate[s] administrative actions, legislative and regulatory forms, and public investment prioritization." These goals are as follows:

- Goal 1: Targeted Economic Growth
- Goal 2: Effective Planning for Vibrant Regions
- Goal 3: Preservation and Enhancement of Critical State Resources
- Goal 4: Tactical Alignment of Government

The Strategic Plan further states "these goals must work in tandem as their interrelationship represents a critical piece of the State's blueprint for success."

Additionally, the State Strategic Plan articulates a number of goals as Garden State Values. The following values are relevant to this Redevelopment Plan:

- Garden State Value #1: Concentrate development and mix uses.
- Garden State Value #2: Prioritize Redevelopment, infill, and existing infrastructure.
- Garden State Value #4: Create High-Quality, Livable Places.
- Garden State Value #6: Advance Equity.
- Garden State Value #7: Diversify Housing Options.
- Garden State Value #8: Provide for Healthy Communities through Environmental Protection and Enhancement.
- Garden State Value #10: Make Decisions within a Regional Framework

This Redevelopment Plan is consistent with the Draft State Strategic Plan.

### **Relationship to Adjacent Municipalities**

The Township of Bordentown lies adjacent to the following municipalities:

- Hamilton Township (Mercer County)
- Chesterfield Township (Burlington County)
- Mansfield Township (Burlington County)
- Florence Township (Burlington County)
- Fieldsboro Borough (Burlington County)
- Bordentown City (Burlington County)

The development of this area is not anticipated to have any impacts on the adjacent municipalities.

## **Administrative and Procedural Requirements**

### Duration of Redevelopment Plan

The Redevelopment Plan shall remain in effect for 30 years from the date of adoption of this Plan by the Township Committee. After that period, the Zoning Ordinance will regulate the development of the site.

### Amending the Redevelopment Plan

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

### Property Acquisition

Although permitted, the use of eminent domain is not anticipated.

### Relocation

The site does not contain any residential units which would require relocation.

### Affordable Housing Units

No affordable housing units are identified to be removed as part of the implementation of this Redevelopment Plan.

### Provision of New Affordable Housing Units

Redevelopment Plans are permitted to require the provision of affordable housing units per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7.b).

In conformance with the Amended Settlement Agreement and the KJ Settlement Agreement, residential development within the Redevelopment Area is required to provide 26 family-rental units. Residential units shall be developed in conformance with the approved Settlement Agreements and all affordable housing units shall comply with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et. seq. or any successor legislation, with the exception that in lieu of 10% of affordable units in rental projects being required to be affordable households earning at or below 35% of the regional median household income, a minimum of 13% of affordable units in such projects is required to be affordable to households earning at or below 30% of the regional median household income. The proposed affordable units will comply with the MOU, UHAC regulations, the FHA, applicable COAH regulations, and all other applicable laws.

The residential units and any redevelopment agreement shall comply with N.J.A.C. 5:97-6.6 and 6.4, including all phasing requirements.

REDEVELOPMENT ZONING SCHEDULE WITHIN HIGHWAY COMMERCIAL ZONE (HC)			
NEW TAX LOT 6, TAX BLOCK 57 BORDENTOWN TOWNSHIP, BURLINGTON COUNTY, NEW JERSEY			
NEW LOT 6 MIXED USE - HEALTH (SPORTS) CENTER; PROFESSIONAL OFFICES; MEDICAL OFFICES; SATELLITE BANK; TELECOMMUNICATIONS (H1) TOWER (EXISTING USE); FIELD HOUSE; ZONING SCHEDULE AUGUST 24, 2012; SITE PLAN (AMENDED APPROVAL, OCTOBER 2008) FILE # 03-04-P-082 NOTE: ZONE REQUIREMENTS PER REDEVELOPMENT ZONE PLAN DATED AUGUST 2007, APPROVED OCTOBER 2007			
DESCRIPTION	NEW LOT 6		
	REQUIRED	2nd AMENDED PLAN APPROVED	PROVIDED
MIN. LOT AREA (ACRES)	5.00 AC.	32.71 AC.	32.71 AC.
MIN. LOT WIDTH (FEET)	150 FT.	1,439.67 FT.	1,439.67 FT.
MIN. LOT FRONTAGE (FEET)	200 FT.	1,534.87 FT.	1,534.87 FT.
MAX. FLOOR AREA RATIO	0.20	0.18	0.30
MAX. IMPERVIOUS COVERAGE	75%	58.1%	52.9%
MIN. SETBACK PRINCIPAL BUILDINGS		GRANARY/SILOS	
FRONT SETBACK-ROUTE 130 ( FOR SATELLITE BANKS AND/OR TAKE-OUT RESTAURANTS)	80 FT.		89.88 FT.
FRONT SETBACK-ROUTE 130 (ALL OTHER BLDGS.)	100 FT.	514.81 FT.	117.31 FT.
FROM ROUTE 206 & CONRAIL R.O.W.	100 FT.	260.82 FT.	63.10 FT.(V)
SIDE YARD SETBACK	50 FT.	109.88 FT.	47.60 FT.(V)
MIN. SETBACK ACCESSORY BUILDINGS		MAINT./WAREHOUSE	
SUPPORT BLDGS. SHEDS, PARKING, ACCESS DRWS.		BUILDING	
FROM ROUTE 130	40 FT.	918.19 FT.	42.77 FT.
FROM ROUTE 206 & CONRAIL R.O.W.	50 FT.	83.64 FT.	25.00 FT.(V)
SIDE YARD SETBACK	15 FT.	112.38 FT.	5.00 FT.(V)
MAX. BUILDING HEIGHT - ALL OTHER BUILDINGS	N/A	55**	55
MAX. BUILDING HEIGHT - OFFICE AND HOTELS	55 FT.	50 FT.*	50 FT.*

**PROPOSED PARKING CALCULATIONS:**  
 Note: Parking Calculations per Redevelopment Zone Plan dated August 2007, Approved October 2007

BUILDING USE AND PARKING CRITERIA	REQUIRED:	PROVIDED:
<b>NEW LOT 6 - MIXED USE</b>		
1.) BLDG. A- PROFESSIONAL OFFICE: 30,000SF @ 1 SPACE PER 235 SF	128	128
2.) BLDG. B- SPORTS/HEALTH CENTER: 75,000SF @ 1 SPACE PER 235 SF	320	320
3.) BLDG. C- MEDICAL OFFICE: 78,503SF @ 1 SPACE PER 235 SF	334	334
4.) BLDG. D- INDOOR ATHLETIC FACILITY: 45,000SF @ 1 SPACE PER 235 SF	0	0
5.) BLDG. E- SATELLITE BANK: 3,010 SF @ 1 SPACE PER 200 SF	15	15
6.) BLDG. F- OFFICE BLDG. 5,006 SF @ 1 SPACE PER 200 SF (19,000 SF) MEDICAL	106	90
7.) BLDG. H1, H2, H3- 130 APARTMENTS @ 2 SPACES PER UNIT	260	209
8.) BLDG. H2, H3- RETAIL FIRST FLOOR, 9,000 SF @ 1 SPACE PER 200 SF	45	45
9.) 911 COMMUNICATIONS BUILDING 300 SF @ 1 SPACE PER 100 SF	3	3
10.) MAINTENANCE BUILDING 3,500 SF @ 1 SPACE/5,000 SF	1	1
<b>TOTAL CAR PARKING =</b>	<b>1,212</b>	<b>1,145</b>

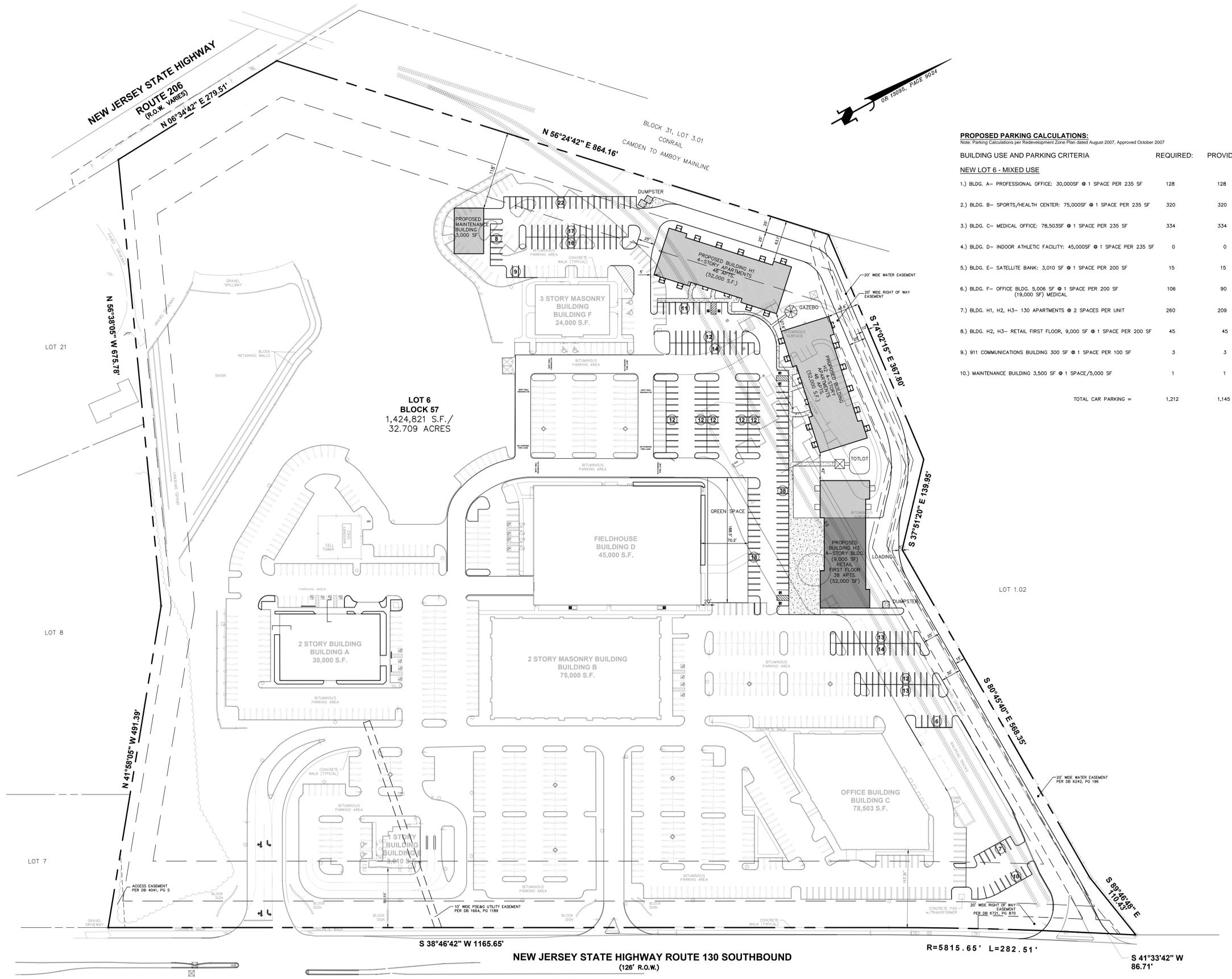
**NEW PARKING CALCULATIONS FOR 3 ADDITIONAL BUILDINGS:**

BUILDING USE AND PARKING CRITERIA	REQUIRED:
BLDG. H1, H2, H3- 130 APARTMENTS @ 2 SPACES PER UNIT	260
BLDG. H2, H3- RETAIL FIRST FLOOR, 9,000 SF @ 1 SPACE PER 200 SF	45
<b>TOTAL CAR PARKING =</b>	<b>305</b>

**LIST OF VARIANCES / WAIVERS REQUESTED:**

- NUMBER OF PARKING SPACES: 1,172 REQUIRED, 1,145 PROVIDED
- A VARIANCE IS REQUIRED FROM ORDINANCE SECTION 25.40B(2) FOR A SIDE YARD SETBACK TO AN ACCESS DRIVEWAY
- A VARIANCE IS REQUIRED FROM ORDINANCE SECTION 25.40B(2) FOR A REAR YARD SETBACK TO AN ACCESS DRIVEWAY FROM ROUTE 206 AND CONRAIL R.O.W.
- MAXIMUM FLOOR AREA RATIO: .20 REQUIRED, .3 PROVIDED
- A VARIANCE IS REQUIRED FROM THE REDEVELOPMENT PLAN FOR THE ACWAY/YATES REDEVELOPMENT AREA DATED OCTOBER 2007 FOR A PRINCIPAL BUILDING (H2) SETBACK TO A SIDE PROPERTY LINE. 50' IS PERMITTED, 47.6 FEET IS PROPOSED.
- A VARIANCE IS REQUIRED FROM THE REDEVELOPMENT PLAN FOR THE ACWAY/YATES REDEVELOPMENT AREA DATED OCTOBER 2007 FOR PRINCIPAL BUILDING (H1) SETBACK TO A CONRAIL R.O.W. LINE. 100' IS PERMITTED, 63.1 FEET IS PROPOSED.

FLOOR AREA RATIO		
EXISTING BUILDINGS (TO REMAIN)	FLOOR AREA	FLOOR AREA RATIO (MAX. 0.20)
PROFESSIONAL OFFICE BUILDING A	30,000 S.F.	
SPORTS/HEALTH CENTER BUILDING B	75,000 S.F.	
MEDICAL OFFICE BUILDING C	78,503 S.F.	
INDOOR PRACTICE FIELD BUILDING D	45,000 S.F.	
SATELLITE BANK BUILDING E	3,010 S.F.	
911 COMMUNICATIONS BUILDING F	300 S.F.	
MEDICAL / OFFICE BUILDING G	24,000 S.F.	
<b>TOTAL:</b>	<b>255,813 S.F.</b>	<b>0.18 F.A.R.</b>
PROPOSED BUILDINGS		
BUILDING H1	52,000 S.F.	
BUILDING H2	52,000 S.F.	
BUILDING H3	52,000 S.F.	
MAINTENANCE BUILDING	3,500 S.F.	
<b>TOTAL:</b>	<b>415,513 S.F.</b>	<b>0.3 F.A.R.</b>



**TEAM CAMPUS AT BORDENTOWN**  
**BLOCK 57, LOT 6**  
**TAX MAP SHEET No. 11**  
 BORDENTOWN TOWNSHIP, BURLINGTON COUNTY, NEW JERSEY  
**CONCEPTUAL PLAN 9.**  
**APARTMENTS AND RETAIL ADDITION**



ENGINEERS ▽ PLANNERS ▽ SURVEYORS  
 ENVIRONMENTAL SERVICES ▽ COMMUNITY ASSN. SERVICES ▽ LANDSCAPE ARCHITECTS  
 NJ CERTIFICATE OF AUTHORIZATION 24629122400

PROJECT No.: 13-232.18A  
 DATE: FEBRUARY 13, 2018  
 DESIGNED BY: T.P.L. SCALE: 1" = 60'  
 DRAWN BY: J.L.K. REVIEWED BY: T.P.L.  
 SHEET: 1 OF 1

**TIMOTHY P. LURIE**  
 PROFESSIONAL ENGINEER  
 N.J. P.E. No. 2460427900 PA. P.E. No. 061676  
 N.J. PROFESSIONAL PLANNER No. 3310056000

No.	DATE	BY	DESCRIPTION
			REVISIONS

Project: 02/13/18 - 10:44 AM, By: Timothy P. Lurie  
 File: S:\PROJECTS\13-232.18A\DW\Conceptual\13-232.18A-CONS-09-CONCEPT  
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