

# **Kingsland Redevelopment Plan**

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**Borough of Rutherford  
Township of Lyndhurst  
Borough of North Arlington  
Town of Kearny**



**NEW JERSEY MEADOWLANDS COMMISSION**



**NJMC Resolution 09-48 on May 27, 2009 (Name Change)  
Amended by NJMC Resolution 11-02 on January 26, 2011**

# **KINGSLAND REDEVELOPMENT PLAN AMENDMENT**

**2011**



**Prepared by**

**New Jersey Meadowlands Commission  
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It is certified that all copies this document are in conformance with the one that was signed and sealed by Sara J. Sundell, New Jersey Professional Planner, License No. 5527.

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# **KINGSLAND REDEVELOPMENT PLAN AMENDMENT**

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NJMC Resolution 05-76 on June 22, 2005 (Substantive)**

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Meadowlands Golf Course Redevelopment Plan)  
Amended by NJMC Resolution 11-02 on January 26, 2011**

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## **I. REDEVELOPMENT PLAN STATUTORY CRITERIA**

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### **A. Requisite Plan Information**

The New Jersey Meadowlands Commission's (NJMC or Commission) enabling legislation authorizes the Commission to prepare and adopt redevelopment plans in N.J.S.A. 13:17-21. The detailed criteria for the preparation of a redevelopment plan are set forth in N.J.A.C. 19:3-5. This subchapter of the NJMC regulations provides the framework for the identification of areas in need of redevelopment and the procedure to carry out and effectuate the redevelopment of an area.

As set forth in N.J.A.C. 19:3-5.8(a), redevelopment plans shall include the following information:

- An outline for the development, rehabilitation or redevelopment of the subject area, accounting for area-specific planning objectives relating to land uses; population density; traffic and public transportation improvements; public utilities; recreational and community facilities; and other public improvements;
- Proposed land uses and building requirements in the redevelopment area; and
- The relationship of the redevelopment plan to the NJMC Master Plan.

### **B. Specific Plan Requirements**

#### **1. Site Description**

The Kingsland Redevelopment Area encompasses approximately 1,400 acres and includes portions of four towns located within the Hackensack Meadowlands District. The area is generally bordered to the north by the NJ Transit Bergen Line, to the south by Belleville Turnpike (Route 7), to the east by the Saw Mill Wildlife Management Area, and to the west by the NJ Transit Harrison-Kingsland Line. The Kingsland Redevelopment Area is traversed by the New Jersey Turnpike western spur, the Public Service Electric and Gas (PSE&G) right-of-way, the Jersey City water line, and NJ Transit's Main Line.

Existing land uses in the Kingsland Redevelopment Area include several former landfills, communications transmission towers, public utilities, and the NJMC office complex. Land uses in the surrounding area consist of office, commercial, industrial, communications transmission towers and residential.

The Kingsland Redevelopment Plan (Plan) shall apply to the following properties:

Borough of Rutherford:

Block 219.01 - Lots 74.04 and 76.02

Block 220 - Lots 1.01, 2.01, 14, and 15.03

Township of Lyndhurst:

Block 231 - Lots 9, 10, 11, 12, 13, and 14

Block 233 - Lots 1.01, 4, 5, 9 (portion), 10, 11, 12, 13, 14, 15, 16.01, and 16.03

Block 236 - Lots 1.01 and 1.02

Block 237 - Lot 9

Borough of North Arlington:

Block 175 - Lot 1

Block 176 - Lot 1

Block 177 - Lot 1

Block 178 - Lot 1

Block 179 - Lot 1

Block 180 - Lot 1

Block 181 - Lot 1

Block 182 - Lot 1

Block 183 - Lot 1

Block 184 - Lots 1 and 4

Block 185 - Lot 1

Block 186 - Lot 1

Block 187 - Lot 1

Block 188 - Lot 1

Block 189 - Lot 1

Block 191 - Lot 1.01

Block 192 - Lot 1

Block 193 - Lots 3, 4, and 12

Town of Kearny:

Block 149 - Lot 10

## **2. Previous Redevelopment Plans**

The Kingsland Redevelopment Plan supersedes the Meadowlands Golf Course Redevelopment Plan, which consolidated six NJMC redevelopment areas into one redevelopment plan. They included the Berry's Creek, Lyndhurst, Kingsland (2001), "Two Additional Properties," Valley Brook Avenue, and Lyndhurst Additional Properties Redevelopment Areas. Detailed descriptions of these redevelopment areas are provided below:

### ***Berry's Creek Redevelopment Area***

The Berry's Creek Rehabilitation In Need Report included the following properties in Rutherford: Block 219.01, Lots 74.02 and 76.02, and Block 220, Lots 1 through 14, 15.01, 15.02, and 15.03. The area was declared in need of rehabilitation on February 26, 1997, by Resolution No. 97-9.

The Berry's Creek Redevelopment Plan, was adopted by the Commission on May 28, 1997, by Resolution No. 97-34. A subsequent amendment, dated July 2000, was adopted on September 27, 2000, by Resolution No. 00-49.

The first Meadowlands Golf Course Redevelopment Plan was adopted by the Commission on February 28, 2001, by Resolution No. 01-07. This action incorporated the Berry's Creek Redevelopment Area.

#### ***Lyndhurst Redevelopment Area***

The Investigation of the Proposed Lyndhurst Redevelopment Area examined the following properties in Lyndhurst: Block 231, Lots 9, 10, 11, 12, 13, and 14, and Block 233, Lots 10, 11, 12, 13, 14, and part of 15. The Commission identified this area as being in need of rehabilitation on December 16, 1998, by Resolution No. 98-82.

The Lyndhurst Redevelopment Area was adjacent to the Berry's Creek Redevelopment Area in Rutherford. The Commission adopted the Redevelopment Plan on March 24, 1999, by Resolution No. 99-9. The Lyndhurst Redevelopment Plan was incorporated into the first Meadowlands Golf Course Redevelopment Plan, adopted by the Commission on February 28, 2001, by Resolution No. 01-07.

#### ***Kingsland Redevelopment Area (2001)***

The Investigation of the Proposed Kingsland Redevelopment Area was adopted by the Commission on September 27, 2000, by Resolution No. 00-50. The redevelopment area included the following properties: Lyndhurst - Block 236, Lots 1.01 & 1.02; North Arlington - Block 175, Lot 1; Block 176, Lot 1; Block 177, Lot 1; Block 178, Lot 1; Block 179, Lot 1; Block 180, Lot 1; Block 181, Lot 1; Block 182, Lot 1; Block 183, Lot 1; Block 184, Lots 1 and 4; Block 185, Lot 1; Block 186, Lot 1; Block 187, Lot 1; Block 188, Lot 1; Block 189, Lot 1; Block 192, Lots 1 & 4; Block 193, Lot 1; Block 194, Lot 1; Block 195, Lot 1; Block 197, Lot 1; and Block 198, Lots 1 through 3; and Kearny - Block 149, Lot 10. The redevelopment area included the Kingsland and NJMC 1-E Landfills and is adjacent to the Lyndhurst and Berry's Creek Redevelopment Areas.

The 2001 Kingsland Redevelopment Area was integrated into the first Meadowlands Golf Course Redevelopment Plan adopted by the Commission on February 28, 2001, by Resolution No. 01-07.

#### ***"Two Additional Properties" Redevelopment Area***

A Redevelopment Need Investigation Report for Two Additional Properties, Lyndhurst-Block 237, Lot 9; and North Arlington-Block 191, Lot 1.01, was adopted on November 20, 2000, by Resolution No. 00-71. The two additional properties were located adjacent to the first Kingsland Redevelopment Area and comprise portions of the 1-E and Erie Landfills.



Subsequent to the Two Additional Properties being designated in need of rehabilitation, the area was integrated into the first Meadowlands Golf Course Redevelopment Plan adopted by the Commission on February 28, 2001, by Resolution 01-07.

#### ***Valley Brook Avenue Redevelopment Area***

An Investigation Report for the Proposed Valley Brook Redevelopment Area was conducted for Block 233, Lots 1, 4, 5, 6.01, 6.02, 16.02, 17, 18 and 19, and Block 235, Lots 7, 8.01 (formerly 8 & 9), 10, 11, 12, and 13 in the Township of Lyndhurst. Conditions for designating the properties to be in need of redevelopment were identified only for Block 233, Lots 1, 4, 5, 6.01, 6.02, 16.02, 17, 18, and 19. Removed from further consideration were Block 235, Lots 7, 8.01 (formerly 8 & 9), 10, 11, 12, and 13. The area, which was located adjacent to the Lyndhurst Redevelopment Area, was identified as an area in need of redevelopment and adopted as such on January 17, 2001, by Resolution No. 01-01.

The Valley Brook Avenue Redevelopment Area was consolidated into the first Meadowlands Golf Course Redevelopment Plan adopted by the Commission on February 28, 2001, by Resolution No. 01-07.

#### ***Lyndhurst Additional Properties Redevelopment Area***

The Lyndhurst Redevelopment Need Investigation Report included Block 231, Lot 8 and Block 233, Lots 8.01 (portion), 9 (portion), 15 (remaining portion) and 16.01 in the Township of Lyndhurst. The investigation resulted in only the following lots being declared in need of redevelopment: Block 231, Lot 9 (portion), Lot 15 (portion) and Lot 16.01. The Commission deemed the area in need of redevelopment on September 26, 2001, by Resolution No. 01-50. The redevelopment area was part of the former Viola/Avon Landfill and was directly adjacent to the Valley Brook Avenue and Lyndhurst Redevelopment Areas.

The first amendment to the Meadowlands Golf Course Redevelopment Plan was adopted on September 26, 2001, by Resolution No. 01-50, and included the three additional properties in the Lyndhurst Redevelopment Area.

### **3. Transportation Infrastructure**

The redevelopment area is easily accessed from Route 3 and Route 17. Route 3 is a state highway that runs east-west and bisects the District. Route 17 is a north-south roadway that runs along the western boundary of the District. Access to the redevelopment area from Routes 3 and 17 is provided via Polito Avenue, Wall Street West, the Route 3 Service Road, and Valley Brook Avenue, each of which are local two-lane roadways. The redevelopment area is easily accessed from the NJ Turnpike and Garden State Parkway via Route 3. NJ Transit's Bergen Line runs along the northern edge of the redevelopment area, and the Main Line cuts through the central portion.

#### **4. Public Utilities**

Potable water is provided to Rutherford by United Water New Jersey; to Lyndhurst by the Jersey City Water Department; to North Arlington by the Passaic Valley Water Commission; and to Kearny by the North Jersey District Water Supply Commission. Public Service Electric and Gas (PSE&G) provides both gas and electricity to each of the municipalities in the redevelopment area. Sanitary sewerage treatment is provided to Rutherford portion of the redevelopment area by the Bergen County Utility Authority (BCUA) and to the Lyndhurst, North Arlington and Kearny portions of the redevelopment area by the Passaic Valley Sewerage Commission.

#### **5. Recreation Facilities**

There are two recreation facilities located within the Kingsland Redevelopment Area, as follows:

- DeKorte Park in Lyndhurst is a state park consisting of 110 acres and featuring a state-of-the-art environmental center and observatory, walking trails, and gazebo. It is also the location of the NJMC campus and includes the administrative offices, the Meadowlands Center for Environmental and Scientific Education, the William D. McDowell Observatory, and the Meadowlands Environment Center, which runs hands-on educational programs for adults and children.
- The Lyndhurst Recreation Center is a municipal facility located on Valley Brook Avenue and consists of two baseball fields, one soccer field, and an indoor recreation center, which contains recreation uses, classrooms, and office space.

In Rutherford, recreation facilities located outside of the redevelopment area include Memorial Park, which includes two baseball fields, five softball fields, a Little League baseball field, a football stadium, five tennis courts, two basketball courts, and three playgrounds. Other municipal facilities include Wall Field, Tamblin Field, Lincoln Park, Sunset Park, and Firefighters' Memorial Park.

Recreation facilities located outside of the redevelopment area in Lyndhurst include a portion of Riverside County Park located along the Passaic River, which contains 109 acres. It features multiple ballfields, a fitness and bicycle path, a playground, field house, and meeting hall. Municipal recreational facilities in Lyndhurst include the Marin Avenue soccer and baseball fields, Town Hall Park, Gallagher/Deloy fields, Lewandowski Park, William C. Landells Court, Valley Brook Park, and Thomas Albino Memorial Park.

In North Arlington, recreation facilities located outside of the redevelopment area include a portion of Riverside County Park, which is located along the Passaic River and contains 109 acres. It features multiple ball fields, a fitness and bike path, a playground, field house and meeting hall. Municipal recreational facilities include Skyline Sports Complex, Collins Athletic Field, Queen of Peace

Park, North Arlington Recreation Center, Roosevelt Field, tennis courts, River Road Park, and Vinnie Macaluso Park.

In Kearny, recreation facilities located outside the redevelopment area include West Hudson Park, a 46-acre Hudson County Park with 10 acres located in Kearny. Facilities include multiple ball fields, a walking path, a playground, picnic area, pond, and senior community center. Municipal recreational facilities include Riverbank Park, Gunnell Oval, Veterans Memorial Field, Harvey Field, Chantilly Park, Kearny High School, Fairlawn playground, Veterans playground, Belgrove Drive Park, Hickory Street Park, Elm Street Park, Mary Bell Park, Sheriden Park, Windsor Park, Tappan Street Park, and Washington Avenue Park.

## **6. Community Services**

The Borough of Rutherford, the Township of Lyndhurst, and the Borough of North Arlington maintain their own fire-fighting facilities staffed by volunteers. Approximately 70 firefighters are on call in their respective towns and participate in a mutual aid agreement servicing South Bergen municipalities. The Town of Kearny also maintains its own fire fighting facilities and employs approximately 100 paid firefighters. Each municipality in the redevelopment area has its own police facilities and uniformed officers.

Emergency medical services are provided to residents in each municipality. The Township of Lyndhurst and the Borough of Rutherford provide emergency services via volunteer ambulance squads. Lyndhurst maintains full-time services of Emergency Medical Technicians (EMT). Rutherford assists with ambulance calls through a mutual aid agreement with Lyndhurst and East Rutherford. The Borough of North Arlington's ambulance personnel are paid employees in the daytime and volunteers in the evening. The Town of Kearny has an Emergency Ambulance Squad (EAS), which is supported by the Kearny Fire Department, whose members are also trained EMTs.

## **7. Land Use**

The legacy of landfilling within the redevelopment area has been a significant factor contributing towards its lack of development. This redevelopment plan addresses the closure of the landfills and the development of a mix of uses, including, but not limited to, light industrial, warehouse, and commercial uses, sustainable development, recreation and preservation areas. It also offers the opportunity for environmental improvements in the vicinity of the delicate Saw Mill Creek Wildlife Management Area and the implementation of uses complementary to the large corporate sector located in and around the District.

The following general land use assumptions were contemplated in the selection of the commercial/industrial development option for the redevelopment area:

- a. Existing wetlands shall be incorporated into the design of the site. Unavoidable impacts to wetlands shall be kept to a minimum, and where necessary, the developer shall obtain the required permits for areas where any wetlands are impacted.
- b. The developer shall submit any wetland mitigation plans/agreements to the appropriate permitting authorities.
- c. Wildlife habitat shall be incorporated into the site layout to the maximum extent possible.
- d. Appropriate buffer zones shall be used around wetlands and surface water to intercept soil and nutrient runoff.
- e. Within the limits outlined in this plan, development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it, or to the extent that the developer is willing to provide improvements that will support it.
- f. Appropriate height and other bulk requirements shall be used in the plan to limit potential adverse impacts upon public and private land uses that are lawfully existing in the redevelopment area and surrounding areas, including associated facilities, structures, and communications transmission towers.

## **8. Significant Relationships To Municipal and State Plans**

If adopted, this redevelopment plan will supersede the Meadowlands Golf Course Redevelopment Plan and amendments thereto, applicable to the redevelopment area according to a rule adopted by the NJMC on May 18, 1995. Any development standard not specifically addressed within this redevelopment plan will be subject to the NJMC District Regulations for appropriate review and regulatory criteria.

### **Borough of Rutherford**

According to the 2007 Master Plan adopted on December 20, 2007, the Borough of Rutherford has an area of 2.9 square miles and is home to approximately 18,000 people. Land uses within Rutherford include single-family and multi-family residential, industrial, commercial, communication, and public and quasi-public uses. Approximately one-third of Rutherford's land area is located within the Hackensack Meadowlands District.

The Kingsland Redevelopment Plan is consistent with Rutherford's Master Plan.

**Township of Lyndhurst**

The Master Plan Update and Reexamination Report for the Township of Lyndhurst was adopted on June 1, 2001. The population of Lyndhurst was 19,383 according to the 2000 US Census. The major land uses in the westerly portion of Lyndhurst include single-family and multi-family homes. Approximately 1,365 acres in the easterly portion of Lyndhurst is located within the Hackensack Meadowlands District and contains industrial, commercial, recreation and multi-family residential uses.

The Kingsland Redevelopment Plan is consistent with Lyndhurst's Master Plan.

**Borough of North Arlington**

The Master Plan for the Borough of North Arlington was adopted in November 2003. According to the 2000 Census, North Arlington's population was 15,181. 459 acres, or 29 percent of North Arlington's overall 1,619-acre area, is located within the Hackensack Meadowlands District. The land use pattern is primarily residential, with several large public and quasi-public uses, including two cemeteries, recreational parks, and a landfill, as well as commercial and industrial areas on the easterly portion of the Borough.

The Kingsland Redevelopment Plan is consistent with North Arlington's Master Plan.

**Town of Kearny**

The Town of Kearny Master Plan Reexamination Report/Master Plan Revision was adopted on December 3, 2008. Kearny is an established municipality with a traditional mix of residential, commercial, industrial, recreation, and conservation land uses. According to the 2000 Census, the population of Kearny was 40,513 people. Approximately 52% of Kearny's land area is located within the Hackensack Meadowlands District.

Kearny's Reexamination Report seeks to advance open space opportunities between the NJMC and the Town of Kearny. The Kingsland Redevelopment Plan recognizes this need and identified land uses that would enhance and preserve the sensitive nature of the portion of the Sawmill Creek Wildlife Management Area in Kearny. Open space opportunities are provided through low impact uses such as trails and seating areas along the Creek's boundary within the redevelopment area.

The Kingsland Redevelopment Plan is consistent with Kearny's Reexamination Report/Master Plan Revision.

**Relationship to New Jersey State Plan**

The NJMC supports the goals and objectives of the State Development and Redevelopment Plan (SDRP). The NJMC believes that any redevelopment plan having as its objectives viable land uses, continuity with surrounding land uses

where appropriate, redevelopment of brownfields/landfills, and protection of environmentally sensitive lands is in accordance with the goals of the SDRP.

## **9. Plan Relationship To NJMC Master Plan and Regulations**

The NJMC Master Plan, adopted on January 8, 2004, was the first major revision to the District's master plan in almost thirty years. The Master Plan is intended to serve as a guide for the portions of the fourteen constituent municipalities within the Hackensack Meadowlands District. The Land Use Plan within the NJMC Master Plan proposes land use designations for the District. The designations in the Kingsland Redevelopment Area include the Hackensack River, Berry's Creek and Penhorn Preserves. These uses are directed toward encouraging proper closure of the landfills and providing economic development, as well as focusing on preserving open space, protecting habitats, and enhancing wetlands.

The NJMC Master Plan and the Kingsland Redevelopment Plan are interrelated documents encouraging economic development and environmental preservation. Both of the Plans have consistent goals and objectives in support of redevelopment areas in the District.

The implementation tool for land use in the District is based upon mapped zones established by NJMC statutes at N.J.S.A. 13:17 *et seq.* and N.J.S.A. 19:13-1 *et seq.* The NJMC is authorized to adopt codes and standards with regards to the zoning and rezoning of lands within the Meadowlands District. The NJMC Regulations also address redevelopment criteria. N.J.A.C. 19:3-5.1 *et seq.* sets forth zoning and planning requirements applicable to the redevelopment area. It is noted that any zoning or planning standard not specifically addressed within this redevelopment plan is subject to the NJMC Regulations for the appropriate review and regulatory criteria.

## **10. Smart Growth and Sustainability**

The NJMC draws upon the State of New Jersey's principles of smart growth to guide land use decisions and develop strategies to address conservation challenges. In the District, smart growth principles such as economic growth and redevelopment are practiced, along with comprehensive planning, quality and range of land uses, and maintenance of an aesthetic environment. The adoption of smart growth principles in the District will facilitate decision making while keeping intact the NJMC's underlying zoning.

The NJMC adopted N.J.A.C. 19:4-6.6 to promote sustainable green building practices. Applicants to the NJMC are encouraged, but not required, to comply with green building practices or alternative green building components. The NJMC supports these practices with a recognized green building certification program, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification. Alternative certification

system programs that promote green building practices may be considered on a case by case basis.

## II. POTENTIAL IMPLEMENTATION STRATEGIES

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### A. Powers of Redevelopment Agency

In conjunction with the proposed land use discussion above, the following is a description of possible techniques, authorized by N.J.S.A. 13:17-21, that the NJMC can utilize to implement this redevelopment plan:

1. The Commission is authorized to prepare and adopt redevelopment plans for areas in the District determined by the Commission to be renewal areas.
2. In undertaking projects pursuant to any redevelopment plan, the NJMC may:
  - a. Acquire, by condemnation or otherwise, real or personal property, or any interest therein, including such property as it may seem necessary or proper, although temporarily not required for such purposes, in a renewal area and in any area within the District designated by it as necessary for relocation of residents, industry or commerce displaced from a renewal area;
  - b. Clear or reclaim any area so acquired and install, construct or reconstruct projects therein necessary to prepare such area for development;
  - c. Relocate, arrange or contract with public or private agencies for the relocation of residents, industry or commerce displaced from the renewal area;
  - d. Dispose of real property so acquired by sale, lease or exchange for the uses and purposes specified in the redevelopment plan, to any person or public agency;
  - e. Study the recommendations of any planning board for redevelopment of any area and make its own investigations as to current trends and in need factors in the District, or any area thereof;
  - f. By contract or contracts with public agencies or redevelopers or by its own employees or consultants plan, replan, construct, reconstruct, operate, maintain and repair any redevelopment or other project or any part thereof;
  - g. Make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of 2codes and laws relating to the use of land, the use and occupancy of buildings and improvements and to the control



over the pollution of water and air and the disposal of solid waste;  
and

- h. Prepare and adopt from time to time a workable program, representing an official plan of action for effectively dealing with the problem of urban renewal areas within the District and for the establishment and preservation of well-planned communities with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life; for utilizing appropriate private and public resources to eliminate and prevent the spread of blight and deterioration; to encourage needed conservation or rehabilitation; to provide for the redevelopment of renewal areas; or to undertake such of the aforesaid activities or other feasible activities as may be suitably employed to achieve the objectives of such a program.

## **B. NJMC Involvement**

The NJMC has wide ranging powers to effectuate a redevelopment plan, ranging from the rezoning of property for private development up to and including condemnation, ownership, and public development of the tract. The authority of the NJMC in undertaking redevelopment projects is enumerated under N.J.S.A. 13:17-1 *et seq.*

### **III. SELECTED LAND USE OPTION**

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#### **A. Selection Of A Recommended Land Use**

The impacts of implementing this redevelopment plan are significant. The site is the home of six former landfills. Through the redevelopment process, the NJMC will oversee the proper closure of these landfills, thus curtailing future ecological damage and health risks. Proper planning and management of the Kingsland Redevelopment Area will allow for the creation of wildlife habitats and preservation of wetlands, as well as the development of appropriate land uses. The implementation of the Kingsland Redevelopment Plan will fulfill each of the NJMC's legislative mandates simultaneously.

In creating potential land use options for the tract, NJMC staff focused on creating uses that could be achieved in a reasonable time frame while limiting the impact on existing uses, including associated facilities, structures, and communications transmission towers, and advancing land use objectives.

#### **B. Redevelopment Standards**

##### **1. Definitions**

All words not defined in this redevelopment plan shall have the definitions as listed in the adopted NJMC Regulations, or in absence of such, in the most recent edition of Merriam-Webster's Collegiate Dictionary.

- a. "Bank" means facility offering financial services that is open to the public and engages in deposit banking and related financial services, such as making loans and investments.
- b. "Commuter parking" means parking designated for transit commuters and/or patrons utilizing mass transit.
- c. "Data center" means a building dedicated to the storage, processing, management and dissemination of data in servers and/or associated computer equipment.
- d. "Flex space" means a low rise structure with high ceilings containing an open floor plan that can be modified to accommodate individual needs of its tenants. Individual areas can be leased for uses such as personal services, and retail and office or showroom space in combination with warehouse, research and distribution facilities and other light industrial uses. The structure may contain general loading accommodations.

- e. “Methane recovery system” means a facility or equipment system primarily designed to recover methane gas from landfills for utilization as an energy source.
- f. “Office” means a room, group of rooms, or building used to conduct the administrative or executive affairs of a business, profession, service, or government organization, excluding medical offices.
- g. “Passenger rail station” means a regular stopping place along a transportation route where rail service is provided to passengers seeking to travel from one place to another.
- h. “Public utility maintenance operation” means existing public utility equipment and appurtenances, including operating, maintaining, reconstructing, inspection, testing, and removing such equipment.
- i. “Renewable and/or sustainable energy systems” means a system utilizing renewable and/or sustainable energy systems, such as wind energy, hydropower, or geothermal system installations, recognized under the New Jersey Energy Master Plan.
- j. “Solar farm” means a facility composed of a system of photovoltaic cells utilized to convert sunlight into energy.
- k. “Training center” means a specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills, which may include green technology education and training.
- l. “Vocational center” means a facility for the instruction of specific skills, which may include green technology education and training, and meets the state and/or federal requirements to be accredited as such.
- m. “Water-oriented recreation” means public access to water features, including trails, boat/canoe launches, water crossings, site furnishings, signage and structures that facilitate wildlife observation.
- n. “Wetland creation, enhancement or restoration” means the conversion of a non-wetland area into a wetland with all of the necessary physical and biological characteristics; changes or improvements to existing wetlands; or the restoration of a damaged wetland, to the extent practicable.
- o. “Wildlife habitat creation, enhancement, or restoration” means enhancement of natural features to provide improved habitat value for wildlife.

## **2. Other Standards not Discussed Herein**

The standards contained within this redevelopment plan shall supersede existing regulations contained in N.J.A.C. 19:4-1 *et seq.* Existing NJMC regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6, and 19:7 shall be consulted for any requirements or standards not specifically set forth herein.

## IV. LAND USE STANDARDS

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### A. Purpose

The purpose of the Kingsland Redevelopment Plan is to facilitate the environmental closure of landfills to reduce adverse environmental impacts resulting from potential exposure to contaminated soil, and to reduce the adverse effects of leachate on water quality and landfill gas emissions on air quality. This Redevelopment Plan will promote the provision of productive industrial and commercial ratables for District municipalities, while encouraging sustainable design and promoting high standards of creative layout, design, and construction in the development and use of the land. In addition, adverse impacts on existing uses will be limited within the redevelopment area and surrounding area, by utilizing sound planning practices such as minimizing the effect of building heights on communications transmission towers.

### B. Land Uses

#### 1. Lyndhurst Commerce Center

**Township of Lyndhurst:** Block 231, Lots 9, 10, 11, and 12; Block 233, Lots 1.01, 4, 5, 9 (portion), 10, 11, 12, 13, 15, 16.01, and 16.03;

##### a. Permitted Uses

- i. Banks;
- ii. Business support services;
- iii. Commercial recreation, indoor;
- iv. Commercial recreation, outdoor, excluding amusement parks;
- v. Commuter parking;
- vi. Data center;
- vii. Disaster recovery facilities;
- viii. Essential public services;
- ix. Flex space;
- x. Hotels or motels;
- xi. Institutional uses;
- xii. Light industry;
- xiii. Offices;
- xiv. Park or recreation facility;
- xv. Passenger rail station;
- xvi. Personal services;
- xvii. Public utilities, light;
- xviii. Public utility maintenance operations;
- xix. Renewable and/or sustainable energy systems;
- xx. Research and development facility;
- xxi. Restaurant;
- xxii. Social services;

- xxiii. Solar farm;
- xxiv. Studio;
- xxv. Training center;
- xxvi. Vocational center;
- xxvii. Warehouse and distribution facility; and
- xxviii. Wholesale establishment.

**b. Special Exception Uses**

- i. Communications transmission tower;
- ii. House of worship; and
- iii. Methane recovery system.

**c. Use Limitations**

All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities and storage shall be permitted when conforming to all other requirements:

- i. Off-street parking of registered and operating vehicles.
- ii. Off-street loading within designated loading areas.

**2. Rutherford Northern Node**

**Borough of Rutherford:** Block 219.01, Lots 74.04 and 76.02; and Block 220, Lot 2.01 (portion)

**a. Permitted Uses**

- i. Banks;
- ii. Business support services;
- iii. Data center;
- iv. Disaster recovery facilities;
- v. Essential public services;
- vi. Flex space;
- vii. Hotels or motels;
- viii. Institutional uses;
- ix. Light industry;
- x. Offices;
- xi. Park or recreation facility;
- xii. Personal services;
- xiii. Public utilities, light;
- xiv. Research and development facility;
- xv. Restaurant;
- xvi. Retail;
- xvii. Training center;
- xviii. Vocational center;
- xix. Warehouse and distribution facility;
- xx. Wetland creation, enhancement or restoration; and
- xxi. Wildlife habitat creation, enhancement or restoration.

**b. Special Exception Uses**

- i. Communications transmission tower; and
- ii. House of worship.

**c. Use Limitations**

All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities and storage shall be permitted when conforming to all other requirements:

- i. Off-street parking of registered and operating vehicles.
- ii. Off-street loading within designated loading areas.
- iii. Accessory outdoor display areas shall be permitted only in connection with retail sales, when provided in accordance with the following:
  - a. Such areas shall not exceed 20 percent of the associated ground floor retail area, with the total area included within the permitted floor area of the site; and
  - b. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation.
- iii. Accessory outdoor storage areas shall be permitted only in connection with a principal retail use and used solely for the staging of new products, in accordance with the following:
  - a. Such areas shall not exceed 10 percent of the associated ground floor retail area, with the total area included within the permitted floor area of the site; and
  - b. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation; and
  - c. Materials within accessory outdoor storage areas shall not exceed the height of the screening.

**3. Rutherford West**

**Borough of Rutherford:** Block 220, Lot 2.01 (portion)

**a. Permitted Uses**

- i. Business support services;
- ii. Commercial recreation, indoor;
- iii. Commercial recreation, outdoor;
- iv. Data center;
- v. Disaster recovery facilities;
- vi. Flex space;
- vii. Hotels or motels;
- viii. Light industry;

- ix. Public utilities, light;
- x. Renewable and/or sustainable energy systems
- xi. Research and development facility;
- xii. Restaurant;
- xiii. Retail;
- xiv. Solar farm;
- xv. Studio;
- xvi. Warehouse and distribution facility;
- xvii. Wetland creation, enhancement or restoration;
- xviii. Wholesale establishment; and
- xix. Wildlife habitat creation, enhancement, or restoration.

**b. Special Exception Uses**

- i. Communications transmission tower; and
- ii. House of worship

**c. Use Limitations**

All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities and storage shall be permitted when conforming to all other requirements:

- i. Off-street parking of registered and operating vehicles.
- ii. Off-street loading within designated loading areas.
- iii. Accessory outdoor display areas shall be permitted only in connection with retail sales, when provided in accordance with the following:
  - a. Such areas shall not exceed 20 percent of the associated ground floor retail area, with the total area included within the permitted floor area of the site; and
  - b. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation.
- iv. Accessory outdoor storage areas shall be permitted only in connection with a principal retail use and used solely for the staging of new products, in accordance with the following:
  - a. Such areas shall not exceed 10 percent of the associated ground floor retail area, with the total area included within the permitted floor area of the site; and
  - b. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation; and
  - c. Materials within accessory outdoor storage areas shall not exceed the height of the screening.



#### **4. Rutherford East**

**Borough of Rutherford:** Block 220, Lots 14 and 15.03

##### **a. Permitted Uses**

- i. Methane recovery system;
- ii. Park or recreation facility;
- iii. Public utilities, light;
- iv. Renewable and/or sustainable energy systems;
- v. Solar farm;
- vi. Water-oriented recreation; and
- vii. Wildlife habitat creation, enhancement, or restoration.

##### **b. Special Exception Uses**

- i. Commercial recreation, outdoor;
- ii. Communications transmission tower; and
- iii. Structures and improvements essential for and used solely in conjunction with a permitted use.

#### **5. Sustainable Energy Park**

**Borough of Lyndhurst:** Block 231, Lot 14; Block 233, Lot 14; Block 236, Lot 1.01; and Block 237, Lot 9

**Borough of North Arlington:** Block 175, Lot 1; Block 176, Lot 1; Block 177, Lot 1; Block 178, Lot 1; Block 179, Lot 1; Block 180, Lot 1; Block 181, Lot 1; Block 182, Lot 1; Block 183, Lot 1; Block 184, Lots 1 and 4; Block 185, Lot 1; Block 186, Lot 1; Block 187, Lot 1; Block 188, Lot 1; Block 189, Lot 1; Block 191, Lot 1.01; Block 192, Lot 1; and Block 193, Lots 3, 4, and 12

**Town of Kearny:** Block 149, Lot 10

##### **a. Permitted Uses**

- i. Institutional use;
- ii. Methane recovery system;
- iii. Park or recreation facility;
- iv. Public utilities, light;
- v. Renewable and/or sustainable energy systems;
- vi. Solar farm;
- vii. Wetland creation, enhancement, or restoration; and
- viii. Wildlife habitat creation, enhancement, or restoration.

##### **b. Special Exception Uses**

- i. Communications transmission tower; and
- ii. Structures and improvements essential for and used solely in conjunction with a permitted use.

**6. Rutherford Wetlands**

**Borough of Rutherford:** Block 220, 1.01 and 2.01 (portion)

**a. Permitted Uses**

- i. Water-oriented recreation;
- ii. Wetland creation, enhancement, or restoration; and
- iii. Wildlife habitat creation, enhancement, or restoration.

**b. Special Exception Uses**

- i. Communications transmission tower.

**c. Use Limitations**

No use shall be operated, conducted or maintained that may impair the quality and character of the Rutherford Wetlands area.

**C. Bulk Requirements**

- 1. Bulk requirements within the redevelopment area shall be as listed in Table 1 below.

**Table 1 – Bulk Requirements**

	Lyndhurst Commerce Center	Rutherford Northern Node	Rutherford West	Rutherford East	Sustainable Energy Park
<b>Bulk Requirements</b>					
Maximum Lot Coverage	60% <sup>1</sup>	60%	60% <sup>1</sup>	50% <sup>1</sup>	50% <sup>1</sup>
Minimum Open Space	15% <sup>2</sup>	15%	15% <sup>2</sup>	15% <sup>2</sup>	15% <sup>2</sup>
Minimum Front Yard	40 ft.	35 ft.	35 ft.	50 ft.	35 ft.
Minimum Side Yards	30 ft.	25 ft.	30 ft.	50 ft.	20 ft.
Minimum Rear Yard	30 ft.	30 ft.	30 ft.	50 ft.	20 ft.
FAR	2.5	n/a	2.5	n/a	n/a
Maximum Building Height	45 ft.	65 ft. <sup>3</sup>	65 ft.	n/a	n/a
<b>Lot Size Requirements</b>					
Minimum Lot Area	2 acres	1 acre	1 acre	3 acres	2 acres
Minimum Lot Width	100 ft.	100 ft.	100 ft.	n/a	200 ft.

1. A maximum lot coverage of 80% is allowed for solar farms.

2. A minimum of 5% open space is allowed for solar farms.

3. A maximum building height of 85 feet shall be permitted on the upland portion of the Northern Node that is located to the east of the existing Haul Road.

#### **D. Design Criteria**

An overall goal of this redevelopment plan is to promote sufficient flexibility and encourage innovative and creative design throughout the redevelopment area. This redevelopment plan will serve as the basis of development within the Kingsland Redevelopment Area.

Unless specifically addressed in this redevelopment plan, the design standards shall be in compliance with NJMC site plan requirements as set forth in N.J.A.C. 19:4-8. Existing NJMC regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6, and 19:7 shall be consulted for any requirements or standards not specifically set forth herein.

## 1. Circulation, Parking, and Loading

- a. Minimum parking and loading requirements per use shall be as listed in Table 2 below:

**Table 2 – Parking and Loading Requirements**

Permitted Use	Minimum Parking Requirement	Minimum Loading Requirement
Data center	One space per 5,000 sq. ft. of floor space	One loading space; 12 feet by 60 feet
Renewable and/or sustainable energy systems	One space	One loading space; 12 feet by 30 feet
Solar farm	One space	One loading space; 12 feet by 30 feet
Training center	One space per employee and one space per student <sup>1</sup>	One loading space; 12 feet by 30 feet
Vocational center	One space per employee and one space per student <sup>1</sup>	One loading space; 12 feet by 30 feet
Water-oriented recreation	One space per docking berth	One loading space; 12 feet by 30 feet

<sup>1</sup> Based on maximum occupancy as determined by the NJ UCC..

- b. Sidewalks shall be provided in accordance with N.J.A.C. 19:4-8.12. Clear and identifiable pedestrian pathways to mass transit locations shall be provided. Where necessary, pedestrian protection devices such as bollards and/or buffer vegetation shall be provided.
- c. Pedestrian pathways are encouraged to be designed and installed adjacent to natural areas.
- d. Meadows Path is a pedestrian trail system in the Meadowlands District paralleling the western bank of the Hackensack River from Little Ferry to Kearny, and includes a section along Valley Brook Avenue. The portion of Meadows Path along Valley Brook Avenue shall be maintained in a safe and pedestrian-friendly manner.

## 2. Sustainable Design

Within the redevelopment area, an important goal of the NJMC is to encourage developers to incorporate sustainable design. Employing green building methods from the onset of the project provides environmental, economic, and social benefits. Benefits of building with sustainable methods include the reduction in energy costs and waste.

Green building incentives within the NJMC zoning regulations are provided at N.J.A.C. 19:4-6.6 and promote sustainable green building practices in the Meadowlands District. In addition, the NJMC's *Guidelines for Green Development and Redevelopment, Part 1 – Low Impact Development* provide a reference of permissible low impact design techniques.

### **3. Utilities**

The developer is responsible for providing and obtaining all applicable permits and easements where necessary for the installation of all required utilities. There shall be no overhead utilities within the front yard of any property. To the extent practicable, all utilities shall be located underground.

### **4. Signage**

The Kingsland Redevelopment Area is located in an environmentally sensitive area, which includes, and is adjacent to, the natural areas of ecological value in the vicinity of Saw Mill Creek and DeKorte State Park. Due to the sensitive nature of this area and aesthetic concerns regarding the obstruction of scenic viewsheds, the minimum spacing between any billboards permitted under N.J.A.C. 19:4-8.14 shall be 1,500 feet.

### **5. Drainage**

Drainage plans, including maintenance provisions, shall be prepared in accordance with NJMC regulations. All drainage ways shall be properly maintained and planted, and designed in accordance with the *NJMC Green Guidelines for Development and Redevelopment*, where appropriate. Drainage designs shall not include permanent standing water.

### **6. Minimum Finished Floor Elevation**

Minimum lowest floor elevations for structures within designated 100-year flood zones shall be established one foot above the applicable 100-year base flood elevations determined from the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM).

### **7. Environmental Performance Standards**

All uses shall comply with the Category B environmental performance standards at N.J.A.C. 19:4-7.

## **E. Additional Development Requirements**

### **1. Project Impact Assessment**

- a. All projects shall prepare a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.1 *et seq.* The PIA shall provide information to allow the NJMC to assess the probable effects of a proposed project.
  - i. Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
  - ii. For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJMC prior to the issuance of a zoning certificate for the project.

### **2. Traffic Impact Assessment**

All projects shall prepare a Traffic Impact Assessment (TIA) in accordance with N.J.A.C. 19:4-7.10 *et seq.* The TIA shall assess the traffic and circulation impacts of a proposed development and identify improvements required.

### **3. Riparian Rights**

Riparian grants shall be secured for any land subject to the State's riparian interest pursuant to NJMC zoning regulations.

### **4. Affordable Housing Considerations**

With regard to affordable housing, the developer shall comply with the applicable requirements of the NJMC; the New Jersey Council on Affordable Housing (COAH); and P.L. 2008, Chapter 46, an act concerning affordable housing, revising and supplementing various parts of the statutory law, effective July 17, 2008, and any applicable laws of other agencies having jurisdiction.

### **5. Redeveloper Requirements**

- a. If the NJMC elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 13:17-6(j), 20(g), and or 21(b)6, prior to entering such contract, the redeveloper shall provide a financial report to the NJMC assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
  - i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.

- ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
- iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
- iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project; financing method(s), source(s) and amounts committed; and proposed and actual completion dates of projects.
- v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
- vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116, <http://www.fasb.org>, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.
- vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.
- viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any debarments, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate development project and/or government contract regardless of the date of such occurrence.

- ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of N.J.A.C. 19:4-10.4(a)14.
- x. Such other information as may be deemed necessary by the NJMC staff.
- b. The redeveloper shall provide the following to the NJMC, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
  - i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
  - ii. The projected development timeline.
  - iii. Any change in the financial report required in 5a above.
- c. Any redeveloper applying to any federal, state, county, or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NJMC of such application in writing and shall provide copies to the NJMC of all correspondence and information regarding the requested financial assistance. The NJMC staff shall provide any of the aforementioned entities with information about the project upon request. The NJMC shall make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.
- d. Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NJMC contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NJMC of all correspondence and information regarding the PILOT bonds. The NJMC staff shall provide the municipality with information about the project upon request. The NJMC shall make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.



**6. Approvals of Other Governmental Entities**

- a. The majority of the redevelopment area is comprised of parcels that have been previously landfilled. Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.
- b. Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NJMC contemporaneously with its filing and shall provide copies to the NJMC of all correspondence and information regarding the permit application. The NJMC staff shall provide the regulatory entity with information about the project upon request. The NJMC shall make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.

## **V. SELECTED REDEVELOPMENT PLAN IMPLEMENTATION STRATEGY**

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### **A. Implementation Strategy**

This redevelopment plan shall be the regulatory instrument for the Kingsland Redevelopment Area, along with the NJMC Regulations, where applicable, and shall supersede all redevelopment plans and prior zoning for parcels of land contained within this redevelopment area.

No actions, other than the adoption of this plan and review of applications submitted by the private sector to implement this plan, are proposed or contemplated by the NJMC at time of adoption of this plan.

## **VI. APPENDICES**

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## Kingsland Redevelopment Area (South) - Boundaries









# Kingsland Redevelopment Area (South) - Land Use Areas

