

Paterson Plank Road Redevelopment Plan

Borough of Carlstadt
Borough of East Rutherford



NEW JERSEY MEADOWLANDS COMMISSION



Adopted by NJMC Resolution No. 03-66 on September 29, 2003
Amended by NJMC Resolution No. 04-08 on February 25, 2004
Amended by NJMC Resolution No. 12-55 on December 19, 2012

PATERSON PLANK ROAD REDEVELOPMENT PLAN AMENDMENT

2012



Prepared by

**New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey 07071**

www.njmeadowlands.gov

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.

Sara J. Sundell, P.E., P.P.
N.J. Professional Planner #5527

PATERSON PLANK ROAD REDEVELOPMENT PLAN AMENDMENT

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Mauro DeGennaro, Commissioner
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Thomas Quirico, Commissioner

Marcia A. Karrow, Executive Director

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I. REDEVELOPMENT PLAN STATUTORY CRITERIA

A. Requisite Plan Information

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

- a. 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;
- b. Proposed land uses and building requirements in the redevelopment area; and
- c. The relationship of the redevelopment plan to the NJMC Master Plan.

B. Specific Plan Requirements

1. Site Description

This redevelopment plan is for the following parcels:

Carlstadt: Block 91, Lots 1-5; Block 92, Lots 1&2; Block 97, Lots 1-7; Block 98, Lots 1-3; Block 99, Lots 1&2; Block 100, Lots 1-3; Block 101, Lot 1; Block 102, Lot 1; Block 103, Lot 1; Block 104, Lot 1; Block 110, Lots 1-5; Block 111, Lots 1-5; Block 112, Lots 1-4; Block 113, Lot 1; Block 114, Lots 1-5; Block 115, Lots 1-4; Block 116, Lots 1-12; Block 117, Lots 1-4; Block 118, Lots 1-10; Block 119, Lots 1-3; Block 120, Lots 1-8 & 10-14.02; Block 121, Lots 1.02, 1.03, 3-3.03; Block 122, Lots 1-9; and Block 124, Lots 1-13 & 15-23.01; Block 128, Lots 1-3,8 & 35-46; and

East Rutherford: Block 105.01, Lots 1-9; and Block 105.02, Lots 1-5

The redevelopment area falls entirely within the NJMC's jurisdiction and totals approximately 250 acres. The redevelopment area is for a section of Paterson Plank Road (Route 120) that serves as a boundary between the Boroughs of Carlstadt and East Rutherford, and a section of Washington Avenue in Carlstadt, Bergen County, New Jersey. The Paterson Plank Road Redevelopment Area is located east of Route 17 between New Jersey Transit's Pascack Valley Line to the west and Michele Place to the east. The NJSEA Sports Complex is located across Paterson Plank Road from the redevelopment area.

Existing land uses in the redevelopment area include manufacturing, vehicle and truck repair, radio station facilities, various industrial uses, hotels, and restaurants. There are

also several parcels of vacant land. Berry's Creek, which feeds into the Hackensack River, cuts through a portion of the redevelopment area.

Industrial uses are concentrated in the northwest portion of the redevelopment area. The majority of the buildings were constructed below the NJMC's minimum first floor elevation requirement and experience frequent flooding conditions. Narrow streets at low elevations restrict mobility within the area, particularly during rainfall events, and the small grid pattern of the roadways in this area has curtailed large-scale development efforts. Numerous characteristics of the area do not conform to current NJMC regulations, including on-street loading, front yard loading, outdoor storage, and insufficient setbacks, parking and open space. These pre-existing non-conformities have proven to be detrimental to the aesthetic quality of the area, and have made it difficult for large trucks and emergency vehicles to navigate many of the roadways.

2. Previous Redevelopment Plans

In September 1998, the Commission authorized staff to conduct an in need of redevelopment investigation for the Paterson Plank Road area to determine if the area was in need of redevelopment. The investigation revealed that the area met the criteria to be determined in need of redevelopment, and the Commission authorized the preparation of the Paterson Plank Road Redevelopment Plan in January 1999.

In an attempt to generate developer interest and assess needs, the NJMC issued a Request for Expressions of Interest (REOI) in July 1999. This document outlined potential uses intended to capitalize on the corridor's assets and sought developer interest in the Paterson Plank Road area. Upon review of the responses, the Commission chose not to select a developer, as none of the proposals met the overall objectives of the redevelopment plan.

In August 2003, the Commission authorized staff to conduct an in need of redevelopment investigation of sixteen parcels adjacent to the Paterson Plank Road redevelopment area. The parcels included Block 128, Lots 1-3, 8 and 35-46 in the Borough of Carlstadt.

The Commission adopted the Paterson Plank Road Redevelopment Plan in September 2003. The Commission then authorized the preparation of the Washington Avenue Redevelopment Plan in October 2003. Upon review of its land use potential, it was proposed that the Washington Avenue Redevelopment Area be incorporated into the Paterson Plank Road Redevelopment Area. The Commission adopted an amendment to the Paterson Plank Road Redevelopment Plan in February 2004.

In 2006, a Request for Proposals (RFP) was sent to property owners and developers to gauge interest in redevelopment of a large portion of the Paterson Plank Road area. After the proposals were submitted to the NJMC, the NJSEA purchased Block 105.01, Lot 8 and Block 105.02, Lot 5, essentially removing a large portion of the subject area. During this time, zoning decisions of East Rutherford and Carlstadt were also placed under the control of a court-appointed Special Master. This was the result of a builder's remedy lawsuit filed by Tomu Development against the Boroughs of East Rutherford

and Carlstadt. As of this date, the court-appointed Mount Laurel Implementation Monitor is still in place.

3. Superfund and Known Contaminated Sites

The Paterson Plank Road Redevelopment Area has been impacted by historical industrial activities. The redevelopment area includes three Superfund sites. The former Scientific Chemical Processing (SCP) site in Carlstadt (Block 124, Lots 1-5) and the Universal Oil Products (UOP) site in East Rutherford (Block 105.01, Lot 8) are in the process of being remediated. Another superfund site, Ventron/Velsicol, located approximately one mile to the north of the redevelopment area in the Borough of Wood-Ridge, is also being remediated. Ventron/Velsicol was a significant source of mercury contamination in the Berry's Creek Drainage Basin, which is the third Superfund site located within the redevelopment area.

Berry's Creek is an approximately 6.5 mile-long tributary of the Hackensack River. Portions of the creek are located in the Boroughs of Teterboro, Moonachie, Wood-Ridge, Carlstadt, Rutherford, and East Rutherford. In addition to the mercury contamination from Ventron/Velsicol, numerous contaminants from multiple sources have been discovered. The SCP and UOP sites are located within the Berry's Creek watershed. The US Environmental Protection Agency (EPA) is currently conducting a Remedial Investigation/Feasibility Study (RI/FS) of Berry's Creek under its Superfund Program. Approximately 100 parties have signed a settlement agreement with EPA to conduct the RI/FS. This study is a comprehensive assessment of contaminants and feasibility study for cleanup alternatives. The first of three phases of data collection began in 2009. Data collection for Phase 3 is expected to be conducted in 2012 and 2013.

The Known Contaminated Sites of New Jersey (KCSNJ) report is produced by NJDEP in response to N.J.S.A. 58:10-23.16-17 that requires preparation of a list of sites affected by hazardous substance. This list, which is updated quarterly, details sites of confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The following additional properties in the redevelopment area are listed as "Active Sites with Confirmed Contamination" in the April 2012 KCSNJ report.

Municipality	Site Location
Carlstadt	Block 91, Lot 1, 511 13 th Street
	Block 97, Lots 1-3 & Block 98, Lot 1, 400 14 th Street
	Block 100, Lot 3, 181 Broad Street
	Block 119, Lot 1, 20 th and Broad Streets
East Rutherford	Block 105.01, Lot 1, 932 Paterson Plank Road
Carlstadt and East Rutherford	Berry's Creek Drainage Basin

In 1999, the NJMC was selected by the USEPA to participate in a Brownfield Demonstration Pilot. As part of the Pilot, an analysis of the portion of the Paterson Plank Road Redevelopment Area between New Jersey Transit's Pascack Valley Line and Washington Avenue was performed to identify potential environmental issues and to evaluate whether current and historic operations may have impacted the area's environmental quality. Each property was compared to various regulatory databases

maintained by federal and state authorities, along with a number of selected indicators, to assess the likelihood of contamination. Among the databases and indicators investigated were the following:

- CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System);
- NJDEP KCSL (Known Contaminated Sites List);
- TRI (Toxics Release Inventory) Reporting Requirement;
- ERNS (Emergency Response Notification System) – Known Discharge;
- Registered UST (Underground Storage Tank);
- Leaking UST;
- State Hazardous Waste Site;
- Contamination, illegal dumping, and outdoor container or bulk storage per windshield survey;
- Wetlands present on 75 percent or more of the site;
- Proximity to Berry's or Peach Island Creeks;
- Former or dilapidated structures; and
- Elevation less than seven feet.

Preliminary Assessment (PA) reports were prepared for a number of sites and are on file at the NJMC offices. This information encompasses a total of approximately 121 acres in the redevelopment area and may assist with estimating eventual redevelopment costs.

In 2005, the US Environmental Protection Agency awarded the NJMC a Brownfields Assessment Grant to conduct environmental assessments of priority sites within the District. Grant funds have been used to perform environmental investigations within portions of the Paterson Plank Road Redevelopment Area (PPRRA) in the Borough of Carlstadt and to conduct outreach to property owners. The NJMC has prepared *Fostering Redevelopment in the Meadowlands: A Brownfields Case Study* to inform property owners and other stakeholders about the grant, to showcase the redevelopment potential of the PPRRA, and to provide resources to parties with an interest in brownfield redevelopment. Properties in the area are eligible for a number of financial incentives designed to facilitate the redevelopment of brownfield areas. Additional information on state and federal brownfield programs is available at the following sites:

- <http://www.epa.gov/brownfields/>
- <http://www.nj.gov/dep/srp/brownfields/>
- <http://www.njra.us/njra/lib/njra/splash.html>

4. Transportation Infrastructure

The redevelopment area straddles Paterson Plank Road (Route 120) from the east side of Route 17 towards Washington Avenue. East of Washington Avenue, the redevelopment area extends along Paterson Plank Road to Michele Place. Route 120 continues south of the intersection of Paterson Plank Road and Washington Avenue and serves as an alternate route connecting Route 3 and Route 17.

Various roadway improvements have been constructed in the vicinity of the redevelopment area in recent years. These improvements were completed in conjunction with several projects previously proposed for the NJSEA Sports Complex. These improvements included:

1. Additional ramps and lanes on the Izod Center (Arena) site;
2. New service road along Route 120 Northbound;
3. New flyover ramp from Route 3 EB to Route 120 NB Service Road;
4. Additional lane on ramp from Route 120 SB to Route 3 WB;
5. Additional lane on Route 120 SB adjacent to the NJSEA Sports Complex;
6. Additional lanes on the NJ Turnpike Interchange 18W Sports Complex access ramps;
7. Reconfiguration of the NJ Turnpike Interchange 16W with additional lanes and ramps;
8. Additional lane on Route 3 EB Sports Complex Access Ramp;
9. New flyover from Route 120 SB to Route 3 EB; and
10. Additional lanes, widening and shoulders on Paterson Plank Road to Route 17.

The traffic flow on Paterson Plank Road has been improved by the recent roadway improvements. At Paterson Plank Road and the Route 17 northbound ramps, the east and westbound (geographic direction) approaches have been widened to three lanes. The northbound approach ramp consists of two lanes, one left turn lane and one right turn lane. At Paterson Plank Road and Murray Hill Parkway, Paterson Plank Road has been widened from the Route 17 northbound ramps to beyond Murray Hill Parkway. The southbound approach was widened to two lanes. The northbound approach remains unchanged. At Paterson Plank Road and Gotham Parkway, the westbound approach was widened to three lanes, providing two westbound through lanes and an exclusive right turn lane.

NJ Transit and the NJSEA constructed a rail station adjacent to MetLife Stadium and a rail link to the Pascack Valley Line. Rail service began in 2010 for events at the Stadium. Full service is anticipated to be provided upon the opening of the proposed American Dream Meadowlands project.

5. Wetlands

There are several wetland areas in the redevelopment area. Wetlands exist along Berry's Creek, in the southern portion of the UOP site in East Rutherford and along Broad Street in Carlstadt. Proposed disturbances to wetland areas are regulated under the US Army Corps of Engineers.

6. Public Utilities

The United Water Company (UWC) supplies potable water to both Carlstadt and East Rutherford. The Bergen County Utilities Authority (BCUA) provides sewage treatment for both Boroughs at its Little Ferry treatment facility. Public Service Electric and Gas (PSE&G) provides gas and electric service to both Carlstadt and East Rutherford. The demand for public utilities shall be identified in any Project Impact Assessment (PIA) required at the time of development application.

7. Recreational Facilities

There are several recreational facilities within or in the vicinity of the redevelopment area. The NJMC recently completed the construction of River Barge Park, located on Outwater Lane in Carlstadt, just east of the redevelopment area. Park facilities include a 650-square-foot open-air educational pavilion and a 2,400-square-foot paddle center, used to launch boats and canoes. A paintball facility is currently located in Carlstadt on Paterson Plank Road near Michele Place. The NJSEA Sports Complex is located south of the redevelopment area. The Sports Complex is the home of MetLife Stadium and the NY Giants and NY Jets NFL teams, the Meadowlands Racetrack, the Izod Center, and the proposed American Dream Meadowlands project.

8. Community Services

No residential uses are considered in the redevelopment area. The demand for municipal police, fire, and emergency medical services shall be identified in any Project Impact Assessment (PIA) required at the time of development application.

9. Land Use

In creating potential land use options for the area, the NJMC focused on creating uses that could be achieved in a reasonable time frame while advancing the development objectives. The NJMC determined that retail, commercial and light industrial land uses are the most appropriate for the area.

In June 2002 the New Jersey Sports and Exposition Authority (NJSEA) issued a Request for Proposals (RFP's) for the redevelopment of the Continental Airlines Arena in the NJSEA Sports Complex. After evaluating the various proposals and taking into consideration the land use elements proposed in the RFP's, the NJSEA chose Mills Corporation's and Mack-Cali Realty Corporation's Meadowlands Xanadu project as the preferred development option. After a period of construction and a change in ownership of the development, the project was halted due to financial reasons. At present, the project is proposed as American Dream Meadowlands by developer Triple Five.

The NJMC foresees the increase of activity due to the proposed American Dream project to be a catalyst for the revitalization of the Paterson Plank Road Redevelopment Area. It is envisioned that the future land uses in the Paterson Plank Road Redevelopment Area will complement the new facilities at the NJSEA and become a gateway to this regional destination.

The following general assumptions were made in the selection of the land uses for the redevelopment area:

- a. 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.
- b. A redeveloper shall be required to submit a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.
- c. A detailed traffic impact study, as set forth in N.J.A.C. 19:4-7.10 *et seq.*, shall be prepared identifying mitigating measures to be performed by the developer, if required.
- d. For any proposal that requires an improvement to mitigate an impact identified in the PIA in accordance with N.J.A.C. 19:4-10.10, the developer shall enter into an agreement with the NJMC within 60 days of issuance of a zoning certificate for the project.
- e. Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- f. It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with New Jersey Department of Environmental Protection requirements.

10. Significant Relationship to Municipal and State Plans

Borough of Carlstadt Master Plan

In the Borough of Carlstadt 1978 Master Plan, the Paterson Plank Road Area was designated for commercial and industrial development. Master Plan Re-Examination Reports were prepared in 1989 and 1999. The most recent Re-Examination Report prepared in January 2006 does not reveal any apparent inconsistencies with the redevelopment plan.

Borough of East Rutherford Master Plan

A review of the 1989 Borough of East Rutherford Master Plan, the 1997 Re-examination Report and Amendment to the Master Plan and 2006 Re-examination Report does not reveal any negative impacts or inconsistencies with the redevelopment plan. The planning concepts embodied in these documents are compatible with the goals of the NJMC and the redevelopment plan.

The NJMC supports the goals and objectives of the State Development and Redevelopment Plan (SDRP), including smart growth, strong connections between transportation and land use, and capacity-based planning. The NJMC believes that any redevelopment plan having as its objectives viable land uses, continuity with surrounding land uses where appropriate, protection of environmentally sensitive lands is in accordance with the goals of the SDRP.

11. Relationship to NJMC Master Plan and Regulations

The 1972 Hackensack Meadowlands Comprehensive Land Use Plan (original master plan) and the District's first Official Zoning Map designated the majority of the redevelopment area as Special Use 1 & 3, Transportation Center 2, Highway Commercial and Heavy Industrial. Recommended uses for the area included a community shopping district; distribution, warehousing and manufacturing; and, rail and truck terminals. A portion of the area was also set aside as a special use area intended to capitalize on existing and proposed transportation infrastructure.

The first major revision to the original Hackensack Meadowlands Comprehensive Land Use Plan was adopted as the NJMC Master Plan in January 2004. The 2004 Master Plan provided an updated vision for the Meadowlands District, reflecting Smart Growth principles and sustainable development objectives, and recommended that the Paterson Plank Road Redevelopment Area develop with logistics, intermodal, and industrial uses.

Both the original and updated Master Plans are consistent with the Commission's objective for this area, which is to promote the development of uses to enhance the character of the area. Redevelopment of this area also enables the NJMC to promote economic development while preserving environmentally sensitive areas.

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.

12. 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

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 deem 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 codes 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

A. Selection of Recommended Land Uses

The redevelopment area has been divided into three sections, described below and depicted on the Paterson Plank Redevelopment Area map in Appendix A, in order to facilitate planning objectives for the area.

Environmental Preservation Area

Carlstadt: Block 116, Lots 1 and 12; Block 117, Lots 1-2; Block 118, Lots 2-4; Block 120, Lots 8, 10-13, 14.01, 14.02; Block 121, Lot 3.01; Block 122, Lot 1; and Block 124, Lot 15; East Rutherford: Block 105.01, Lots 8-9; and Block 105.02, Lot 5.

The Environmental Preservation Area consists of parcels that contain wetlands, some of which are municipally or state-owned. These parcels are scattered throughout the redevelopment area. Some of the existing properties contain radio stations and broadcast towers. This area also includes the former UOP property (Block 105.01, Lots 8 & 9), currently owned by the NJSEA and bisected by NJ Transit's Meadowlands Rail Line. The recommended land uses for this area are communications transmission towers and light public utilities, along with the preservation and/or enhancement of existing wetlands.

Commercial Gateway Center

Carlstadt: Block 110, Lots 1-5; Block 111, Lots 1-5; Block 112, Lots 1-4; Block 113, Lot 1; Block 114, Lots 1-5; Block 115, Lots 1-4; Block 116, Lots 2-11; Block 117, Lots 3-4; Block 118, Lots 1, 5-10; Block 119, Lots 1-3; Block 120, Lots 1-7; Block 121, Lots 1.01-1.02, 3, 3.02, 3.03; and Block 122, Lots 2-9; Block 124, Lots 1-13, 15.01, 15.02, 16-23.0; and Block 128, Lots 1-3, 8, and 35-46; East Rutherford: Block 105.01, Lots 1-9; and Block 105.02, Lots 1-5

The Commercial Gateway Center will serve as a gateway to both the Paterson Plank Road corridor and the NJSEA Sports Complex. This area includes acreage on the north and south sides of Paterson Plank Road. The recommended land uses for this area will provide for a continuation of commercial, retail, and light industrial uses.

Light Industrial Center

Carlstadt: Block 91, Lots 1-5; Block 92, Lots 1&2; Block 97, Lots 1-7; Block 98, Lots 1-3; Block 99, Lots 1&2; Block 100, Lots 1-3; Block 101, Lot 1; Block 102, Lot 1; Block 103, Lot 1; and Block 104, Lot 1

The Light Industrial Center includes light industrial uses in the area north of Broad Street. This area does not have immediate access to Paterson Plank Road, but is served by several local roadways including 11th Street, 13th Street, and 20th Street. The recommended land uses for this area will provide for a continuation of well-planned light-industrial uses, flex-space, office facilities and warehouses.

A. Redevelopment Standards

1. Definitions

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

"Flex space" means a low-rise structure with high ceilings containing an open floor plan that can be modified to accommodate the individual needs of the tenant. Individual areas can be leased for uses such as personal services, retail, restaurants, 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.

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

A. Purpose

The purpose of the Paterson Plank Redevelopment Plan is to promote the provision of productive industrial and commercial ratables for the Boroughs of Carlstadt and East Rutherford, while encouraging sustainable design and green technology, and promoting high standards of creative layout, design, and construction in the development and use of the land. Recent and future projects at the NJSEA Sports Complex will serve as a catalyst for the redevelopment of the Paterson Plank Road area.

B. Land Uses

1. Commercial Gateway Center

a. Permitted Uses

- i. Banks;
- ii. Business support services;
- iii. Commercial off-street parking;
- iv. Commercial recreation, indoor;
- v. Cultural facilities;
- vi. Day care facilities;
- vii. Flex space;
- viii. Hotels and motels;
- ix. Houses of worship;
- x. Institutional uses;
- xi. Kennels;
- xii. Light industry;
- xiii. Movie theaters;
- xiv. Offices;
- xv. Parks or recreation facilities;
- xvi. Personal services;
- xvii. Public utilities, light;
- xviii. Research and development facilities;
- xix. Restaurants;
- xx. Retail;
- xxi. Studios;
- xxii. Taxi and limousine services; and
- xxiii. Warehouse and distribution facilities.

b. Special Exceptions

- i. Communications transmission towers.

2. Light Industrial Center

c. Permitted Uses

- i. Automobile repair facility, major;
- ii. Automobile repair facility, minor;
- iii. Bus garages;
- iv. Business support services;
- v. Commercial recreation, indoor;

- vi. Flex space;
- vii. Light industry;
- viii. Offices;
- ix. Public utilities, light;
- x. Research and development facility;
- xi. Studios;
- xii. Taxi and limousine services;
- xiii. Warehouse and distribution facilities; and
- xiv. Wholesale establishments.

d. Special Exception

- i. Communications transmission towers.

3. Environmental Preservation Area

a. Permitted Uses

- i. Existing public utility equipment and appurtenances, including operating, maintaining, reconstructing, inspecting, testing, and removing such equipment;
- ii. Public utilities, light
- iii. Scientific and educational study and experimentation in regard to wetland ecology;
- iv. Wetland enhancement, restoration or creation activities, performed either individually or in conjunction with wetland mitigation banks; and
- v. Wildlife habitat creation.

b. Special Exception Uses

- i. Communications transmission towers; and
- ii. The construction of any element or other physical device to fulfill a requirement of another regulatory agency which has an interest in, or some level of jurisdiction over, a wetlands enhancement, restoration or creation activity.

B. Use Limitations

- 1. 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:
 - a. Off-street parking of registered and operational vehicles.
 - i. Vehicles utilized for taxi and limousine services shall be stored as permitted in side and rear yards only and shall be screened from public rights-of-way.
 - b. Off-street loading within designated loading areas.
 - c. Recycling and refuse areas provided in accordance with N.J.A.C. 19:4-6.18.

C. Bulk Requirements

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

	Commercial Gateway Center	Light Industrial Center	Environmental Preservation Zone
Bulk Requirements			
Maximum Lot Coverage	60%	60%	N/A
Minimum Open Space	15%	15%	N/A
Minimum Front Yard - Structures	25 ft.*	25 ft.	N/A
Minimum Front Yard - Parking	25 ft.	25 ft.	N/A
Minimum Side Yards	15 ft.	20 ft.	N/A
Minimum Rear Yard	20 ft.	20 ft.	N/A
FAR	1.0	1.0	N/A
Maximum Building Height	6 stories**	3 stories/45 feet**	1 story
Lot Size Requirements			
Minimum Lot Area	2 acres	3 acres	N/A

*1 foot per foot of height of principal building, 25 feet minimum

**Exclusive of any roof top mechanical equipment or antennas, and as allowed by the FAA, and as serviceable by local fire apparatus.

D. Design Criteria

Unless specifically addressed in this redevelopment plan, the design of all improvements 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

Unless altered herein, parking and loading requirements shall conform to N.J.A.C. 19:4-8.2 through 8.4.

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 a 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 guidelines.

3. Utilities

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

4. Signage

Signage along the Paterson Plank Road corridor should add to the sense of place of the Paterson Plank Road Redevelopment Area.

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 Lowest 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

Unless superseded herein, all uses shall comply with the Category B environmental performance standards in N.J.A.C. 19:4-7. All water quality standards contained in N.J.A.C. 19:4-7.9 shall apply.

8. Building Façades

Within the Commercial Gateway Center, all façades shall consist of architecturally finished, high quality, decorative material.

9. Landscaping

All landscaping shall be provided in accordance with N.J.A.C. 19:4-8.9 and shall follow the *NJMC Landscape Design Guidelines* to the extent practicable.

10. Open Space

Open space may include public plazas and seating areas. All hardscape areas such as plazas and walkways shall be designed to promote the use and enjoyment of outdoor spaces.

Seating areas are encouraged to be provided for pedestrian comfort. Seasonal elements such as outdoor furniture for dining use will be encouraged. Such seasonal elements shall not obstruct the circulation of pedestrians around the site and the surrounding buildings. Consideration shall be given to glare and heat absorption when selecting the paving materials for areas such as plazas and pedestrian walkways.

E. Additional Development Requirements

1. Project Impact Assessment

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.

- a. Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
- b. 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) or any future entity assuming the legal responsibilities of the Fair Housing Act; 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 applications, formal correspondence and government actions regarding the requested financial assistance. The NJMC staff shall provide any of the aforementioned entities with information about the project upon request. The NJMC may 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 may 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 may 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 may 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. 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. This shall include approval of the Court Monitor pursuant to the Final Judgments entered in Tomu Development Co., Inc. v. Borough of Carlstadt, et al, Docket No. BER-L-5894-03 and Tomu Development Co., Inc. v. Borough of East Rutherford, et al, Docket No. BER-L-5895-03. Approval of the Court Monitor shall be required until such time as the Monitor is relieved from his duties by subsequent court order.
- 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 may 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 may include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.
- c. The applicant shall provide, to the NJMC, proof of compliance with any requirements and/or restrictions from other regulatory agencies associated with the intended use(s) of the site. Additionally, copies of any future requirements and/or restrictions shall be submitted to the NJMC by the designated developer immediately upon receipt.

V. SELECTED REDEVELOPMENT PLAN

IMPLEMENTATION STRATEGY

This redevelopment plan shall be the regulatory instrument for the Paterson Plank Road 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.

Paterson Plank Road Redevelopment Area

