TOWNSHIP OF MAPLEWOOD

ORDINANCE

2686-12

AN ORDINANCE
ADOPTING AN AMENDED REDEVELOPMENT PLAN
FOR DESIGNATED REDEVELOPMENT AREA 2

"Interpretive Statement"

This ordinance will amend and supplement the Redevelopment Plan for Redevelopment Area 2.

WHEREAS, the Maplewood Township Committee ("**Township Committee**"), pursuant to the provisions of the *Local Redevelopment and Housing Law*, *N.J.S.A.* 40A:12A-1 *et seq.* (the A**LRHL**@), and based upon the reports and recommendations of the Maplewood Planning Board ("**Planning Board**"), previously designated Lots 1, 1.01, 5.01, 7, 123, 124.01, 130.02, 131, 138, 140, 140.01, 143, Block 48.47 Lot 6.01, and a portion of Block 48.47 Lot 167 as an area in need of redevelopment ("**Redevelopment Area 2**"); and

WHEREAS, pursuant to *N.J.S.A.* 40A:12-7, the Township Committee, in accordance with the applicable provisions and requirements of the *LRHL*, oversaw the preparation of a redevelopment plan for Redevelopment Area 2 and by Ordinance 2388-07 approved and adopted such redevelopment plan (the A**Redevelopment Plan**@); and

WHEREAS, the Township Committee now wishes to amend and supplement the Redevelopment Plan, and to that end, pursuant to and in accordance with *N.J.S.A.* 40:12A-7(e) of the LRHL, referred the proposed A*Amended and Supplemented Redevelopment Plan for Area 2*@ in the form annexed hereto as A**Exhibit A**@ (the A**Proposed Amended Redevelopment Plan**@) to the Planning Board for its review, report and recommendation; and

WHEREAS, the Planning Board, at a duly noticed and constituted public meeting, reviewed the Proposed Amended Redevelopment Plan; and

WHEREAS, the Planning Board has reported back to the Township Committee that the Proposed Amended Redevelopment Plan in the form annexed hereto as Exhibit AA@ is consistent with the Township=s Master Plan, and has recommended adoption of the Proposed Amended Redevelopment Plan in the form annexed hereto as Exhibit AA@; and

WHEREAS, the Township Committee desires to approve and adopt the Proposed Amended Redevelopment Plan in the form set forth in Exhibit AA@ hereto as recommended by the Planning Board, and to direct that the applicable provisions of the *Maplewood Zoning and Development Regulations Ordinance* (Chapter 271 of the Ordinances of the Township of Maplewood) and the Township=s zoning district map be amended and superseded to reflect the provisions of the Proposed Amended Redevelopment Plan, as adopted, as and to the extent set forth therein.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex County, State of New Jersey, as follows:

I. **GENERAL**

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. **ADOPTION OF PLAN**

The Proposed Amended Redevelopment Plan, in the form attached hereto as Exhibit AA@, is hereby approved and adopted as the A*Amended and Supplemented Redevelopment Plan for Area 2*@.

III. **AMENDMENT OF ZONING ORDINANCE AND MAP**

Chapter 271 of the Ordinances of the Township of Maplewood and the Township=s zoning district map are hereby amended and superseded by the provisions of the A*Amended and Supplemented Redevelopment Plan for Area 2*@, as and to the extent set forth therein.

IV. **SEVERABILITY**

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective

V. REPEAL OF PRIOR ORDINANCES

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

VI. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

VII. EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on March 6, 2012, and that Committee met again on April 3, 2012, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk

EXHIBIT AA@

PROPOSED AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 2

DRAFT

Amended and Supplemented Redevelopment Plan for Area 2

Township of Maplewood, New Jersey

Draft for Consideration by the Township Committee

Prepared by Phillips Preiss Grygiel LLC

For the Township of Maplewood

March 2012

Table of Contents

1 INTRODUCTION 1

Basis for the Plan 1
Note on Plan Terminology 1
Surrounding Area Context 1
Redevelopment Area Properties 4
Plan Yield 5

2 VISION, GOALS, & CONTEXT 9

Redevelopment Plan Vision 9
Parcel-Specific Considerations 11
Relationship to Master Plan and Local Goals and Objectives 12
Relationship to Zoning Code 12

3 CIRCULATION AND STREETSCAPE 13

New Streets and Pathways in the Plan Area 13
Street Network Configuration and Orientation 13
Streetscape Improvements 15
Off-site Improvements 15

4 PROJECT LAND USE, HEIGHT, AND BULK 17

Land Uses 17
Density and Yield 18
Affordable Housing Requirement 19
Building Envelope 19
Parking and Loading Requirements 21

5 SITE PLANNING & DESIGN 23

Building Orientation 23
Ground-floor Uses 23
Screening of Above-grade Parking 23
Building transparency 24
Rooflines 25
Architectural Style 25
Materials 26
Signage 26
Green Design 26

6 REGULATIONS FOR THE UNIVERSAL CHAIN SITE 29

Land Use and Yield 29
Circulation and Parking 30
Architectural Standards for Multifamily apartment buildings 31

Lighting and Landscaping 32
affordable housing 32
Signage 32
Green Design 33

7 PLAN CONSISTENCY REVIEW 34

Relationship to Master Plans of Adjacent Municipalities 34
Relationship to the Essex County Master Plan 34
Relationship to the State Development and Redevelopment Plan 34

8 REDEVELOPMENT ACTIONS 36

Outline of Proposed Actions 36
Properties to be Acquired 36
Other Actions 36
Relocation 37

9 GENERAL PROVISIONS 38

Definitions 38
Easements 38
Site Plan and Subdivision Review 38
Approvals by Other Agencies 38
Adverse Influences 38
Non-Discrimination Provisions 39
Duration of the Plan 39
Deviation Requests 39
Escrows 39
infrastrcture 40

10 OTHER PROVISIONS 41

11 PROCEDURE FOR AMENDING THE APPROVED PLAN 42

List of Figures

Figure 1: Redevelopment Area Location 3

Figure 2: Redevelopment Area Boundaries 6

Figure 3: Redevelopment Area Context 7

Figure 4: Land Uses in the Redevelopment Area 8

Figure 5: Illustrative Plan 10

1 Introduction

BASIS FOR THE PLAN

This amended and supplemented redevelopment plan has been prepared for the property known as Redevelopment Area 2 within the Township of Maplewood, Essex County, New Jersey. The property is located in the southeastern portion of the municipality, traditionally known as the Hilton section. It incorporates several mostly nonresidential properties within the eastern portion of the superblock bounded by Burnett Avenue, Boyden Avenue, Newark Way and Rutgers Street. Its location is shown in **Figure 1**. In this plan, Redevelopment Area 2 will generally be referred to as the "redevelopment area."

The Maplewood Township Committee directed the Planning Board to study the area in order to determine whether it was in need of redevelopment in accordance with the criteria specified in state law at N.J.S.A. 40A:12A-5. The Township's consulting planners, Phillips Preiss Shapiro Associates, Inc., then conducted a redevelopment area investigation, which was completed in January 2005. A public hearing on the investigation was then held by the Planning Board, which subsequently determined that a portion study area qualified as an area in need of redevelopment. The Township Committee then directed the Planning Board to prepare a redevelopment plan for the area in question. This plan is to be submitted to the Township Committee for its review and adoption in accordance with the redevelopment statutes. A supplemental redevelopment study was adopted in 2011, which added Block 48.47, Lot 6.01 to the redevelopment area.

NOTE ON PLAN TERMINOLOGY

Throughout this Redevelopment Plan, a conscious distinction is made in the regulations between "shall" and "should."

- Shall" means that a developer is required to comply with the specific regulation, without any deviations.
- "Should" means that a developer is encouraged to comply but is not required. If the exact recommendation cannot be met, the Planning Board will entertain a modification meeting the same spirit in implementing redevelopment projects and creating the associated developer's agreements.

SURROUNDING AREA CONTEXT

Like much of Maplewood, the redevelopment area was built out in the early to middle decades of the 20th century. Thus, the industrial sites are relatively small in scale by contemporary standards, located on lots ranging in area from 1/2 acre to 3 acres. They are typically located on flag lots, with only enough frontage on a public street for a driveway. The residential sites range in area from about 1/6 acre to 1/3 acre. The housing stock is similarly dated. According to the property record cards, the most recent construction occurred in the 1950s, and the oldest house in the redevelopment ar-

ea dates to 1864. A portion of the Township-owned public works site is also included in the redevelopment area.

Figure 1: Redevelopment Area Location

Most of Maplewood has a fine-grained street network, into which the streets bounding the redevelopment area are well integrated. Burnett Avenue is classified in the Master Plan as a minor arterial. It extends to the southwest into Union Township, where it has a junction with Interstate Route 78. Boyden Avenue is classified as an urban collector. The other streets bounding the redevelopment area are local streets.

Along Burnett Avenue, the redevelopment area is bounded by a residential neighborhood consisting predominately of detached single-family and multifamily residences on small lots on both sides. To the southwest, the redevelopment area is bounded by the DeHart Recreation Center, which includes a community center and athletic fields. On the other side of the recreation center, there are more industrial sites and residential properties similar to those in the redevelopment area.

Along Newark Way, the redevelopment area is bounded by a mix of light industrial and detached residential uses. Along both Tuscan Road and Boyden Avenue, it is bounded by detached residential uses.

Considerable new development is in progress and/or contemplated along nearby Springfield Avenue. The township is constructing a new police station on the north side of Springfield Avenue, at the corner of Tuscan Road; completion is expected in 2008. To the east of the police station, a new church is under construction, for which completion is expected in 2007. Separately, the township's Redevelopment Areas Nos. 1 and 3, adjacent to one another, lie along the south side of Springfield Avenue from Boyden Avenue past Vermont Street. These areas have been designated as being in need of redevelopment, and it is anticipated that plans for each will be developed by mid-2007.

REDEVELOPMENT AREA PROPERTIES

The redevelopment area consists of the properties identified as the Universal Chain site, the former Verizon site, the Maplewood Building Specialties site, the Wyman site, the Electroless (Superfund) site, and the machine shop site. Together, these parcels, all of which are within Block 48.47, total approximately 11.88 acres. More information on each parcel is provided below.

- Lots 1, 1.01 and 143, an industrial flag lot known as the **Verizon site**, containing a former telephone utility building now leased as offices by the State of New Jersey and accessory parking lot. Total about 3.9 acres.
- Lots 5.01, 6.01 and 7, an industrial flag lot known as the **Universal Chain** site, which contained a vacant industrial building. The building was demolished. Lot 6.01 was added to the redevelopment area in 2011. Total 3.1 acres.
- Lots 123, 124.01, and 131, which together form an industrial flag lot containing a **building supply** operation. Total about 1.7 acres.
- Lot 130.02, which has no street frontage and contains a **machine shop**. For access, this property currently relies on an easement on an adjoining residential lot which is located outside the redevelopment area.

- Lots 138 and 140, known as the **Wyman properties**, front on Burnett Avenue and each contain detached dwellings in the front and auto repair or storage operations in the rear. Total about 1.73 acres.
- Lot 140.01, known variously as the Electroless Plating property and the Fresco Silver Company property, is vacant and a designated **Superfund site.** This lot is about 0.63 acres.
- Lot 167, an irregular flag lot, which contains the Township's **public works facility**. Only the northeast tip of Lot 167 (the area lying between parcels 140 and 140.01) is included in this redevelopment area, an area about 0.53 acres.

Figure 2 shows the boundaries of the redevelopment area on the Township's tax maps, **Figure 3** shows the redevelopment area depicted in an aerial photograph, and **Figure 4** shows the land uses within the Redevelopment Area.

Universal Chain Site

A 124-unit senior assisted-living complex was approved on Lots 5.01 and 7. The complex was proposed to be a large U-shaped building, 300 feet long on one side, with 4 stories of residences over at-grade and underground parking. As this development has been approved under an existing use variance, this Redevelopment Plan provides regulations for Lots 5.01 and 7 separately, in Chapter 6. As part of these regulations, this Plan requires developers of the Universal Chain site to provide a pedestrian connection across the Universal Chain site linking to DeHart Park to the west. As noted, an additional lot was added to this property. The redevelopment plan has been amended to modify the permitted development on the expanded Universal Chain site (i.e., Lots 5.01, 6.01 and 7).

Without the Universal Chain site, the remaining redevelopment area is 8.78 acres. The density and yield figures for this plan are based on the 8.78-acre figure. Chapters 3, 4, and 5 apply to these remaining areas.

PLAN YIELD

The Plan allows between 15 and 25 residential units per acre. The minimum density is required in order to establish a minimum "critical mass" that brings activity and energy to the new community, as well as to make development of parks and high-quality streetscapes economically viable. The maximum density is established in order to preserve the livable, low- to mid-scale quality of Maplewood, characterized primarily by single-family homes and mid-rise apartments over retail.

Based on a site area of 8.78 acres (i.e. not including the Universal Chain site), the allowable yield ranges from 130 to 220 units. Within the allowable residential range, open space areas and public streets must also be provided. Live/work spaces, where provided, are considered part of the residence to which they are attached, rather than a separate yield.

Figure 2: Redevelopment Area Boundaries

Figure 3: Redevelopment Area Context

Figure 4: Land Uses in the Redevelopment Area

2 Vision, Goals, & Context

This chapter applies to all properties in the Redevelopment Area except for Lots 5.01, 6.01 and 7, the Universal Chain site, which is addressed in Chapter 6.

REDEVELOPMENT PLAN VISION

On a Saturday morning in March 2006, a community workshop was held at Seth Boyden School, located in close proximity to the redevelopment area, to elicit the vision of Maplewood residents for the area. The workshop was well-attended and sparked a considerable amount of discussion and dialogue among public officials, members of the public, and members of the development community. The following is a summary of the key goals that were established for the redevelopment area at this workshop. Any development plan for the site shall strive to attain these goals.

- The primary land use should be residential, with a mix of housing types including townhouses and apartments, with the highest densities at the center. New single-family development is discouraged, and any two-family homes should be restricted to those portions of the redevelopment area facing Burnett Avenue.
- Streets should be multi-modal (i.e., accommodating of both pedestrians and vehicles) and pedestrian-friendly.
- One or more parks or other open spaces shall be created, and the site should be infused with greenery. There was some debate as to whether a new community center would be appropriate for this Plan Area. The parks and other open spaces in the Plan Area shall be readily accessible by the public and welcoming to the entire surrounding neighborhood, not just the residents of the redevelopment area. Open spaces shall be maintained privately at no cost to the Township.
- The street network and site plan should knit together the lands on both sides of Area 2.
- Live/work spaces are desirable, but there should not be exclusively retail spaces. Live/work spaces can provide buffers to Woolley Fuel and are also a good ground-floor use for apartment buildings along streets and parks.

In addition, the Township would like the project to be responsible for its day-to-day maintenance and operations. With the exception of any new two-family detached houses facing Burnett Avenue, the properties within the Redevelopment Area shall be organized as one or more condominium organizations, which would be responsible for such operational and maintenance functions as garbage disposal, snow removal, tree pruning, and leaf removal.

Figure 5, Illustrative Plan, shows one example of how the Plan Area could be developed in support of the vision outlined above and in accordance with the site development standards provided in the following section of this plan.

Figure 5: Illustrative Plan

PARCEL-SPECIFIC CONSIDERATIONS

DPW Property (Lot 167)

The Township's Department of Public Works (DPW) yard occupies Lot 167 (4.769 acres). Only a portion of the irregularly-shaped Lot 167 was included in the original *Area in Need of Redevelopment* evaluation for Redevelopment Area 2. This portion, the northeastern tip of Lot 167, is about 0.6 acres in size, and lies between lots 140 and 140.01. The Township's Recycling Center lies on the adjacent Lot 112 (1.04 acres), bordering Newark Way. In the long run, the Township should consider for inclusion in the redevelopment area the remainder of the DPW yards and recycling center. Including the entirety of both of these properties would create a larger and more workable redevelopment area that would benefit the anticipated redevelopment vision for Area 2.

Wyman Properties (Lots 138 and 140)

These two lots, with frontage on Burnett Avenue, are mixed-use in character. Each lot contains an attractive older Victorian house of historic interest facing Burnett Avenue. The rear of each lot is used by the Wyman Ford business for storage and inventory of automobiles.

The Township Planning Board has passed a resolution acknowledging the need to continue to provide a suitable inventory lot for Wyman Ford at some location within Maplewood. The company needs space for approximately 100 cars, or about one acre. This storage space should be provided elsewhere in Maplewood, rather than within Area 2. This is the selected developer's responsibility.

The Planning Board strongly recommends that the two houses on the Wyman properties be maintained as residences.

Superfund Site (Lot 140.01)

This site is known variously as the Electroless Plating property and the Fresco Silver Company property, and was formerly used for metal electroplating and printed circuit-board manufacturing. It has undergone environmental remediation in the form of removal of contaminated soil, and is still the subject of environmental monitoring and review. The site is the subject of an open file with the New Jersey Department of Environmental Protection (NJDEP) and is also a designated Superfund site under the U.S. Environmental Protection Agency. The Township is actively working with expert consultants to produce a Remedial Investigation Workplan to address the remaining environmental issues at the site and to ultimately satisfy the NJDEP.

Currently the site is vacant and covered with quarry process fill. Redevelopment on this property may be constrained by ongoing monitoring or remediation, and/or environmental regulations. Consequently, the actual allowable uses will be determined by the various parties as Redevelopment Projects are initiated. Nonetheless, for planning purposes, the potential uses for this site shall be the same for the entire Redevelopment Area, as described in this Redevelopment Plan.

RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

This redevelopment plan advances the following goals and objectives of the Master Plan:

- *To preserve and enhance the general sense of community for all residents; specifically, to strive to remove physical and psychological barriers that divide the town in ways that are unconstructive or promote stigmatization and stereotyping.* **By linking two adjoining neighborhoods, providing public amenities for all, and introducing a mix of housing types in the neighborhood, this plan seeks to break down barriers and encourage social mixing within the Hilton area of the Township.**

- *Support the objectives of historic preservation.* **This plan includes provisions to preserve two existing historic homes on Burnett Avenue.**

- *Facilitate affordable housing.* **This plan reflects the Township's COAH requirements to provide affordable housing on site as part of its share of new growth.**

- *Promote market-rate residential development in such a manner that is not likely to pose an additional burden on the school system.* **This plan promotes market-rate redevelopment of former nonresidential sites with unit types that are likely to attract young professionals and empty-nesters.**

- *Support policies, programs and regulations which promote wellness by encouraging walking, bicycling, outdoor recreation and all forms of physical exercise.* **This plan encourages a design that facilitates pedestrian and bicycle movement both within the redevelopment area and between the redevelopment area and adjacent existing neighborhoods.**

With regard to the redevelopment area itself, the Master Plan does not make specific recommendations for future land uses but states that the redevelopment area, and the surrounding Commercial/Industrial zone generally, should be the subject of further study. The redevelopment study and planning process have facilitated the further study of this area called for in the Master Plan.

RELATIONSHIP TO ZONING CODE

This Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Maplewood regulating development in the area addressed by this Redevelopment Plan. In all situations where zoning issues are not specifically addressed herein, the Maplewood Zoning and Development Regulations shall, however, remain in effect. Final adoption of this Plan by the Township Committee shall be considered an amendment of the Township of Maplewood Zoning Map.

3 Circulation and Streetscape

This chapter applies to all properties in the Redevelopment Area except for Lots 5.01, 6.01 and 7, the Universal Chain site.

NEW STREETS AND PATHWAYS IN THE PLAN AREA

North-South Connections

New development shall provide at least one north-south vehicular path through the site, with two access points on the north at Burnett Avenue and one on the south at Boyden Avenue. The north-south connection shall provide for vehicular travel in both directions. Recommended locations for north-south vehicular access points are:

- Along Burnett Avenue, the existing driveway to the automotive repair shop (Lot 138), located to the east of the two Wyman properties.
- Also along Burnett, a connection at the former Verizon site driveway at the intersection of Franklin Avenue and Vermont Street.
- At Boyden Avenue, the existing driveway to Maplewood Building Specialties (Lot 123), located between two single-family homes.

East-West Connections

Vehicular through-routes connecting to streets west or east of the Plan Area are not permitted. However, sidewalks shall provide a generally east-west path through the interior of the site, linking to the DeHart Park recreation area to the west, and to Tuscan Avenue to the east. The pedestrian connection to DeHart Park shall be provided by a public pedestrian pathway across the Universal Chain property. The pedestrian connection to Tuscan Avenue shall use the existing driveway to the building supply shop, since no road is anticipated in this location.

STREET NETWORK CONFIGURATION AND ORIENTATION

Streets are the primary public spaces of the Plan Area, signature elements that telegraph the quality and appearance of the new redevelopment. The street network shall be designed as a positive organizing element of the plan that provides attractive and connected multi-modal routes through the Plan Area.

Through Streets and Dead-end Streets

Where possible, all streets should be through-streets rather than dead-end streets. Given the relatively narrow dimensions of the Plan Area and the few potential connection points to surrounding streets, through-streets may not always be possible. Where through streets are not possible, a *mews*

may be a viable option; see below. A cul-de-sac should be provided at the end of any dead-end street, but is not required at the end of a mews.

Street Alignment

In order to establish streets as enjoyable, attractive public spaces, streets shall be aligned so that the fronts or sides of buildings face onto streets, framing both sides. Buildings should be aligned so that no backs of buildings, blank walls, or parking garages face streets. Special attention should be paid to disguising above-grade off-street parking along streets, as discussed below in the section on "**Parking Location.**" Buildings and streets should also frame parks so that parks are a centerpiece or focal area of the development. Streets shall surround at least two sides and at least 50 percent of the perimeter of parks or other open spaces, in order to ensure public access, visibility, and safety.

Block Sizes

In order to ensure maximum connectivity and permeability through the Plan Area, block sizes shall not exceed 500 feet by 250 feet in dimension. A block is defined by bounding streets, and, where applicable, by the perimeter of the Plan Area. Alleys for garage access are not considered streets, and therefore do not define blocks; rather, they are considered part of a block. Where block sizes must be larger due to site dimensional constraints, mews shall be provided through blocks to reduce block size.

Street Types

New streets within the Plan Area shall match one of the following types. (Note that alleys are not considered true streets, because they serve merely to provide access to the rear garages of town-houses or stacked flat units. Alleys do not have on-street parking or sidewalks.)

- **Two-way street**, one travel lane in each direction, on-street parking and sidewalks on both sides.
- **One-way street**, one travel lane in each direction, on-street parking and sidewalks on both sides.
- **A Mews** is another option to provide access to the front entrance of any units that, for site planning reasons, cannot face onto a through-street. A mews is a cross between a through street and a pedestrian walkway, in that it provides a front door to residences and allows short-term vehicular access for local residents' drop-offs, parking, and visitors. Mews shall have an attractively-paved, textured surface that accommodates vehicles; a narrow width; and a dead-end format in order to preclude fast-moving and through traffic. The mews is typically regulated so that long-term or overnight parking is prohibited. The mews may also provide public *pedestrian* access through to perimeter streets. Mews do not provide access to garages, since garages are at the rear or side of residences, and mews are at the front.

STREETSCAPE IMPROVEMENTS

Curbs

Curbs shall be constructed of Belgian block.

Street Trees

WITHIN THE PLAN AREA

Sidewalks of all new streets within the Plan Area shall incorporate street trees spaced at approximately thirty (30) feet on center. Parks and other open spaces within the Plan Area shall also be bounded by perimeter tree plantings.

ALONG BURNETT AVENUE

The appearance of Burnett Avenue leaves room for improvement. The stretch bordering the Plan Area has narrow sidewalks, insufficient to accommodate street trees while still providing adequate clearance for pedestrians and wheelchairs. The roadway, in turn, may be wider than necessary for the one travel lane in each direction, but is too narrow to accommodate on-street parking on both sides. The Township does not wish to change the cartway width along Burnett Avenue. Therefore, in order to improve the appearance of Burnett Avenue, landowners along Burnett should be encouraged to plant street trees within their front yards. Several properties already have such plantings, which serve as de facto street trees in that they provide shade for the sidewalks and a canopy and sense of enclosure along the street.

Bulb-outs

Bulb-outs are encouraged on new Plan Area streets where they intersect with Burnett and Boyden Avenues. Bulb-outs narrow the roadway at crosswalk locations in order to shorten pedestrian crossing distances. By narrowing the "throat" of the roadway, they reduce the apparent width of the street, encouraging drivers to slow down. They also reduce the turning radius at corners, forcing drivers to slow down before making a turn. Bulb-outs are encouraged on streets within the Plan Area.

Utilities

Where feasible (i.e. except due to high water table or contamination), all utilities shall be installed underground.

OFF-SITE IMPROVEMENTS

To assess project impacts on traffic, a traffic impact study of external flow on nearby roadways and surrounding neighborhoods shall be required. This will be particularly important given the cumulative

impacts of development underway on Springfield Avenue, including the new police station and a new church, and the anticipated development of Redevelopment Areas 1 and 3. Roadway improvements, such as new traffic lights, may be required on Burnett Avenue, Boyden Avenue, or other locations.

4 Project Land Use, Height, and Bulk

This chapter applies to all properties in the Redevelopment Area except for Lots 5.01, 6.01 and 7, the Universal Chain site.

The following land uses shall be permitted within the Plan Area.

LAND USES

Principal Permitted Uses

- Apartment buildings
- Stacked flats
- Townhouses
- Single-family and two-family homes
- Parks, greenways, and other open spaces, including both passive and active recreation areas such as green lawns, ball courts, and playgrounds.
- Live/work spaces, subject to the special concerns specified below. Farmer's markets, bazaars, craft fairs, and other temporary outdoor weekend sales.

Permitted Accessory Uses

- Structured parking for uses within the Plan Area shall be permitted only if it is located within a building housing a Principal Permitted Use. Stand-alone parking garages are prohibited; structured parking shall be incorporated into buildings.

- Loading spaces for uses within the Plan Area may be provided either within buildings, or on streets or surface parking areas.

- Home-based businesses, as defined in the Township Zoning and Development Regulations, Section 271-3, and as regulated in the definition for the RGA, Residential Garden Apartment district, section 271-70, subsection C. For the purposes of this Plan, home-based businesses differ from live/work spaces in that home-based businesses may be located anywhere within a residential structure and shall not be discernible or visible from the exterior of the building.

Special Concerns Regarding Live-Work Units

Live/work spaces provide storefront-style space for art studios, workshops, home offices, galleries, or other home-based businesses, typically on the first floor of a multi-story townhouse-style unit. In the Plan Area, they are permitted on the ground floor of any type of housing, such as apartment buildings. Each live/work space shall be directly connected to a separate living space / apartment / house. Live/work spaces are particularly encouraged for the following areas, uses, and purposes:

- To provide a public/private transition for the ground floors of residential buildings that face more public areas such as parks;
- To provide a public/private transition for residential buildings that face through-streets that will carry higher traffic levels;
- To serve as a buffer for residential buildings closest to and facing the oil storage tanks on the Wooley Fuel Oil property; and
- To screen above-grade parking in large apartment buildings from view of streets, parks, and other pedestrian areas.

Live/work facades may have the appearance of a small retail shop, with storefront-style plate glass windows, glazed doors, and retail-style awnings or overhangs; or they may have a more traditional residential-appearance space. Signage for each live/work space shall comply with the signage regulations described further below, and shall be included within the signage regulations for the residence to which it is attached.

Required Open Space/Parks

The project is required to provide publicly-accessible open space to serve the new residents as well as to benefit the greater community. A minimum of one-half acre of open space shall be provided within the primary 8.78 acre redevelopment area (exclusive of the Universal Chain site). The open space may include parks, greenways, linear parks, and pocket parks, and a variety of uses, such as court sports, lawn areas, sitting areas, and playgrounds. There is no upper limit of the land devoted to park space; however, all park space shall be privately funded and maintained in perpetuity as part of the proposed project. Each open space area contributing to the required minimum acreage shall be at least fifty (50) feet in minimum dimension along any and all sides.

Further regulations regarding placement of buildings to frame open space areas are provided later in this Plan.

Requirements for a public pedestrian pathway across the Universal Chain site are provided elsewhere in the Plan.

Use of Wyman Properties

The two houses on Lots 138 and 140, known collectively as the "Wyman Property," are attractive historic homes, among the oldest in Maplewood. These two lots are currently mixed-use in nature; the rear of each lot is used by a separate business for automobile storage. Both houses shall be preserved in place in their existing use as residences, while the rear of each lot may be used for other purposes. In order to maintain a comfortable rear yard for each house, comparable to other houses along Burnett Avenue, a minimum 130-foot lot depth shall be remain for each lot. The remaining rear portions of Lots 138 and 140 (approximately 158 to and 178 feet in depth, respectively) may be used for new development in keeping with the vision of this Redevelopment Plan.

DENSITY AND YIELD

- The maximum permitted residential yield for the Plan Area is based on the 8.78-acre area (i.e. excluding the Universal Chain site), and 25 units per *gross* acre (i.e. including streets and parks

and other community facilities within the Plan Area). This translates to 220 residential units. The minimum permitted residential density is 15 units per acre, or 130 units.

- The location of various densities and building types within the development is regulated with the same approach as the Township's "*transitional use*" concept, which is intended to ensure appropriate transitions and appearances at the edges of residential zoning districts bordering business districts. For the Plan Area, generally speaking, higher-intensity development (apartments and stacked flat units) shall be located at the central portion of the site. Lower-scale development (townhouses, two-family, and single-family homes) shall be located at the perimeter edge, providing a transition in scale and height to the surroundings. Specifically, portions of the Plan Areas bordering and closest to an existing single-family or two-family residence or the low-scale Burnett Avenue may only contain single-family, two-family, or attached townhouse development, or parks; while portions of the Plan Area bordering and closest to the CI industrial zone to the south may contain any residential building type, as well as public parks.
- Live/work spaces are counted as part of the residential units to which they are attached. There is no limit on the number of live/work spaces; however, they may only be located on the ground level of buildings and each unit shall be directly attached to a living space / house / apartment.

AFFORDABLE HOUSING REQUIREMENT

Affordable housing units shall be provided consistent with the regulations of the New Jersey Council on Affordable Housing (COAH) or its successor. In the event such regulations are not specified, the Maplewood Township Committee shall determine the required number of affordable housing units.

BUILDING ENVELOPE

Building Height

The following height limits apply to the different allowable building types.

- Two-family and single-family homes may be up to three stories and 35 feet in height.
- Townhouses may be up to three stories and 35 feet in height.
- Stacked flats may be up to four stories and 45 feet in height.
- Apartment buildings may be up to five stories and 55 feet in height.

Height is measured from the grade at the sidewalk in front of the building to the highest eave or cornice of the roofline.

Pitched roofs may exceed the height limit by a maximum of an additional ten feet. Pitched roofs may only be used within the allowable number of stories; they may not be used to create additional stories above the allowable number of stories described above. For example, on a townhouse with an eave height of 35 feet, the maximum pitched roof apex is 45 feet high, and the townhouse may only contain three stories.

Building Length

The maximum apartment building length along any side is 200 feet. However, in order to accommodate large parking areas, longer structures up to 350 feet in length or width are permitted, provided that a substantial break in vertical massing creates the appearance of two or more separate buildings on the upper stories of the building (above the first level), with each separate massing not exceeding 200 feet in length and width.

The maximum length along any side for one structure containing townhouses or stacked flats is 150 feet and six units.

The maximum length along any side for a two-family or single-family house is 75 feet.

Building Setbacks and Yards

Buildings should be oriented to face streets or public parks.

Where an apartment building is adjacent to a street, at least 75 percent of the street-facing facade (including any live/work space or ground-floor retail) shall be located within 0 to 15 feet of the back of sidewalk or a mews. This requirement does not apply if a park is provided between the building and the street.

Street-facing facades of townhouses and stacked-flat units (including any ground-floor live/work spaces) shall be located within 5 to 12 feet of the back of sidewalk or a mews. This requirement does not apply if a park is provided between the building and the street.

Street-facing single-family and two-family facades shall be located within 10 to 25 feet of the back of sidewalk.

Rear yards for townhouses, stacked flats, single-family, and two-family houses shall be at least 25 feet. Alleys may be located within rear setbacks.

Rear setbacks for apartment buildings (not facing a street) shall be at least 30 feet.

Separation between Buildings and Building Wings

A minimum separation of 20 feet shall be provided between adjacent facades (side-to-side or back-to-side conditions) of townhouse and stacked-flat buildings.

A minimum dimension of 40 feet in length and width shall be provided for apartment courtyards (the area between facing wings) and between apartment buildings and any adjacent residential buildings.

PARKING AND LOADING REQUIREMENTS

Parking Ratios

RESIDENTIAL PARKING

Parking ratios for the residential portion of development shall comply with the State of New Jersey's *Residential Site Improvement Standards* (RSIS). This Plan recognizes that providing the level of residential parking required in the RSIS in off-street locations may make it difficult to create pedestrian-friendly buildings and streetscapes, particularly with the mid-range densities and types of land uses proposed for the Plan Area. Therefore, at the discretion of the Planning Board and consistent with options provided in RSIS, some portion of the parking requirement may be met through alternative parking solutions that would take advantage of on-street parking spaces and reduce the amount of off-street parking spaces.

PARKING FOR LIVE/WORK AND HOME-BASED BUSINESSES

There are no separate parking requirements for live/work spaces or home-based businesses, since they are both considered part of the attached residential unit. Typically, live/work spaces attract few or no visitors, and what little parking demand is generated occurs during the day when on-street parking is plentiful.

PARKING FOR PUBLIC PARKS AND OPEN SPACES

Visitors to parks and other open spaces shall be permitted to park on-street. As the total open space area is expected to be modest in size, the number of visitors driving to the park is expected to be very low; most people will walk to the park.

Parking Location

The following regulations apply with respect to the location of parking facilities.

- Apartment parking should be underground or shall not extend more than one-half level above grade. Alternately, at-grade or above-grade parking is allowed, but shall be screened from view of streets, parks, and mews by active uses. In this way, the visual intrusion of parking is minimized and the building maintains an active relationship to the street. Further regulations for screening apartment parking are described below under "**Screening of Above-Grade Parking**."
- The bulk of townhouse and stacked-flat parking shall be located at the rear of buildings, accessed via alleys, with ground-floor living space located in front of the garage space, to screen it from view of the street. It is preferable that garages be structured within and at the rear of each unit; alternately, they may be in free-standing single-story garages located behind the residences. Where unavoidable, front-loaded garages may be provided for up to 15 percent of townhouses and for up to 15 percent of stacked flats.

- Garages for single-family and two-family units shall be located to the rear of the residence, away from streets. They may also be located at the side of the parcel, but set back at least 25 feet from the front façade plane of the residence.
- Tandem parking is permitted for two cars per unit.
- While retail use is discouraged, parking for any retail space shall be accommodated on-street.

Loading

One loading space shall be provided for every apartment building. Loading spaces for apartment buildings may be provided off-street or on-street. Loading spaces are not required for other residential types or for live/work units or home-based businesses. Loading spaces are not required for any retail uses provided.

5 Site Planning & Design

This chapter applies to all properties in the Redevelopment Area except for Lots 5.01, 6.01 and 7, the Universal Chain site.

BUILDING ORIENTATION

The front facades and major pedestrian entries of all buildings shall face a street, or a public park which in turn is bordered by streets.

Single-family, two-family, and townhouse buildings shall be oriented so that the narrower side faces the street; the depth of the building shall be greater than its width with respect to the front street.

The fronts of townhouses may face the fronts of other townhouse units (across a street or mews). The rear of a townhouse may face the side of another townhouse unit. However, the rear of a unit may not face the front of another unit.

Buildings shall be oriented to face and frame parks and other open spaces as well as streets. Parks and open space shall be surrounded by streets on at least two sides.

GROUND-FLOOR USES

Where possible, apartment buildings facing parks or other open space, through streets, or other higher-traffic areas should have live/work spaces or glazed building lobbies on the first level. This is particularly important to screen structured parking and provide a more active use along building frontages that face the most public areas.

The finished floors of any ground-floor residential spaces shall be raised at least two (2) feet above grade. This applies to all residential building types except single-family and two-family.

SCREENING OF ABOVE-GRADE PARKING

Apartment Building Parking

Ideally, all apartment building parking shall be provided below-grade or one-half level below grade, so that no parking extends more than four (4) feet above grade. However, cost, groundwater levels, or contamination issues may make this infeasible. Therefore:

- Apartment parking areas that project more than four (4) feet above grade and that face parks, streets, walkways, and other pedestrian-activity areas shall be screened from view by active uses such as live/work spaces, retail space, lobbies, meeting rooms, or tenant gyms.
- In areas of lower or no pedestrian activity, the façades of exposed parking areas shall be screened either in the above manner, or shall be articulated and broken down in scale to create

a more varied and textured appearance. Monotonous ribbon or banded-style parking facades, whether open or glazed, are prohibited.

- In addition, the facades of any parking structures that extend more than four (4) feet above grade shall include a three (3) to five (5) foot deep landscaped area, located in the street-facing setback, to soften the appearance of the parking garage. Any landscaping less than four (4) feet in depth shall be provided with in-ground planted areas. Landscaping more than four (4) feet in depth may be in a raised planter bed.
- Driveways and doorways to apartment garages shall not exceed 20 feet in width.

BUILDING TRANSPARENCY

Entries, Stoops, and Porches

Requirements for porches and stoops are as follows.

- Single-family and two-family houses shall have porches occupying the full width of the front façade.
- Each townhouse shall have its own front stoop or porch.
- Each cluster of stacked flats shall share a porch or stoop.
- Apartment buildings shall have a shared entry and lobby, highlighted by building massing, glazing, and/or an overhang. Individual unit entries are encouraged for any first-floor residential units within apartment buildings.
- Live/work spaces shall each have entries from the sidewalk/street; these entries may also serve the residential space connected to each live/work space (i.e. a separate residential entrance is not required.)

Dimensional requirements are as follows.

- For porches, the minimum depth is four (4) feet; the minimum width is six (6) feet or the width of the building for single-family and two-family units, whichever is greater. Porches shall be fully covered with flat, gabled, or shed roofs, and supported by columns at the front. The porches shall be raised above grade by a minimum of three steps and at least 24 inches. Porches shall be open on the front and sides; enclosed porches are prohibited.
- Stoops shall be at least three (3) feet deep and four (4) feet wide. Stoops may have cantilevered overhanging roofs.

Windows

Residential spaces shall provide at least 50 percent glazing on all levels of residential facades.

Live/work spaces shall provide at least 60 percent glazing on the ground floor façade.

Retail space shall provide at least 70 percent glazing on ground-floor facades.

Balconies

Upper-level balconies are permitted on all residential facades. Balconies shall be fully recessed within the building plane. However, "Juliet" or French balconies (shallow balconies connected to French doors, typically of wrought iron) are permitted to project from building façades up to two (2) feet.

ROOFLINES

For smaller residential buildings, pitched rooflines that follow the variety of gable and gambrel shapes in the surrounding areas of Maplewood are encouraged. Regulations for pitched roof height were provided earlier in the Section on **Building Height**. For larger residential apartment buildings, both pitched and flat roofs are appropriate.

ARCHITECTURAL STYLE

Adjacent residential buildings shall be varied in façade appearance in order to avoid a sense of monotony. The variations shall meet the requirements of *Township Code 271-38*, Building Appearance in Residential Zones.

New buildings shall relate to traditional residential, commercial, and even industrial Maplewood architecture, particularly in terms of orientation, massing, and articulation. New buildings shall create a modern interpretation that harmonizes with, but does not simply reproduce, these styles. Some of these styles are discussed next.

- The more attractive residential buildings in this area of Maplewood are a mixture of older traditional styles, including Folk Victorian, Colonial Revival, and Craftsman styles. Elements of these styles include clapboard siding; moderate- to steeply-pitched roofs; front- or side-gabled, gambrel, or cross-gabled roofs; deep, unenclosed-eave overhangs; flared eaves; and shed-roofed- or gabled-dormer windows. Many traditional houses have generous unenclosed front porches occupying all or a part of the building width and projecting out from the front façade, with a flat or shed roof.
- Many mixed-use retail or commercial buildings in Maplewood have brick facades with plate-glass windows for ground-floor retail, upper-story residential windows in a vertical proportion, and flat roofs with tall, stepped parapets.
- Commercial – industrial buildings in the Plan Area and to the immediate south (along Newark Way) show a variety of architectural styles whose sculptural forms, such as roof forms and façade massing, are informed by functional requirements. Older commercial and industrial buildings exhibit a straightforward industrial warehouse style of smooth stucco or concrete, with generously-sized, horizontally-proportioned windows for natural daylighting, Some industrial buildings (including the Woolley Fuel Oil building) use the Art Moderne streamline style, which is characterized by a horizontal emphasis; curved corners; smooth wall surfaces of brick, concrete, tile, or stucco; a flat roof with simple rooftop cornice or coping; ribbon windows and corner windows. Elements of this industrial heritage – such as glass-paned garage door storefronts for live/work spaces, Art Moderne detailing, and flat roofs – could inform the architectural styles of new buildings to create loft-like, modernist buildings.

MATERIALS

Primary permitted building materials shall include wood clapboard siding and brick. Accent materials include metal, tile, and stucco, stone, and cultured stone. EIFS and other synthetic stucco are prohibited, in favor of more environmentally friendly substitutes such as fiber-cement. Vinyl siding is also prohibited. Building materials should harmonize with materials used in surrounding development.

Awnings are permitted only for ground-floor retail or live/work spaces; awnings are not permitted for all-residential buildings. Awning panels shall be flat, not curved or fluted.

SIGNAGE

Signage shall be governed by existing Township signage regulations, *Township Code 271-56*, following the column equivalent to the RGA Residential Garden Apartment zone; except for signage types B (street graphics) and C (ground graphics) therein, which are not permitted within the Plan Area.

Signage for live/work spaces and home-based businesses shall be accommodated *within the signage allowance* for the attached residential unit or structure; that is, no additional signage is permitted for these uses.

Similarly, signage for any retail space shall meet the requirements of *Township Code 271-56*, following the column equivalent to the RGA Residential Garden Apartment zone; however, the allowance for retail signage shall be *in addition to* the signage allowance for the residential portion of the building.

GREEN DESIGN

Site design shall seek to minimize environmental damage, strain on municipal utilities, and impact on adjacent uses.

Stormwater Management

Development shall provide features to reduce stormwater runoff rates by detaining stormwater on-site and allowing for groundwater infiltration. Recommended features include: porous pavement in lesser-traveled areas such as mews, green sidewalk planting areas, infiltration strips within roadways sections, and use of parks and other grassy areas for stormwater detention.

Tree Preservation

Where possible, development shall preserve the largest and oldest existing trees by incorporating them into the site plan. For example, a line of large trees along one existing driveway entry from Burnett Avenue could be preserved as a center median feature of an entry roadway.

Heat Island Reduction

The Plan requires regularly-spaced street trees along all internal streets. Trees provide shade, limiting the amount of heat gain from sunlight on asphalt, the urban "heat island" effect. Additional measures shall be taken with plants, landscaping, and green roofs to reduce the cumulative heat island effect.

Buffers

Development within the Plan Area shall provide buffers as specified in *Township Code 271-37*. These regulations require buffers between Plan Area residential development and adjacent non-residential development, and between Plan Area townhouse or multifamily development and existing or proposed single-family detached housing. By extension, buffers are also required between stacked flat units and single-family housing. Buffers shall be primarily of evergreen screening, as described in the referenced section of the *Township Code*. All regulations of section 271-37 shall apply, except that buffers shall not be required where land uses that would otherwise require buffering are located across a public street from each other; in that case, no buffers are required.

Outdoor Lighting

All outdoor lighting, including street lamps and accent lighting, shall comply with "dark sky" standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Additional information on dark sky goals and regulations may be found at the International Dark-Sky Association's web site, www.darksky.org.

Bright, stadium-style lighting shall be prohibited, including for park areas.

LEED Certification

Development shall meet the certain certification requirements, as specified below, of the Leadership in Energy and Environmental Design (LEED) system sponsored by the US Green Building Council (USGBC).

Broadly speaking, green building design goals include reduced energy and water use; use of sustainable, renewable, non-toxic and locally-produced materials; improved indoor air quality; environmentally-conscious site planning; and a location in a central, developed area with existing services and resources. The Township of Maplewood is committed to the use of environmentally sensitive design to improve community and environmental health and to enhance the environmental and economic performance of commercial buildings. The USGBC has developed a series of standards for evaluating green building design in several categories, including new and existing office construction, homes, neighborhood configuration, commercial interiors, and educational and other institutional buildings.

To ensure that Area 2 meets minimum quantifiable standards for green design, the development in Area 2 shall conform to the following two specific LEED standards:

- **LEED for Homes** (LEED-H), which promotes the transformation of the mainstream home-building industry towards more sustainable practices.
- **LEED for Neighborhood Development** (LEED-ND), which incorporates concepts of compact design, proximity to transit, mixed-use, pedestrian- and bicycle-friendly design, environmental protection, and resource efficiency.

In both cases, the development shall achieve a LEED rating of 'Certified,' which is the minimum level of approval granted under the LEED system. The Township encourages the developer to exceed the 'certified' status by accumulating additional points and higher ratings pursuant to the LEED evaluation process. As of this writing, both of these LEED standards have the status of pilot programs under the USGBC. It is anticipated that both will become full-fledged standards during 2007. For each of these programs, if the LEED standards are still in pilot status when project planning and design commences for Area 2, the developer shall submit a good-faith application to the USGBC to build the project under the pilot standards. Otherwise, the full-fledged standards shall apply.

Because green building design standards are evolving continuously, the Township reserves the right to adopt future versions of the LEED standards, and to make additional amendments to its green building design requirements.

6 Regulations for the Universal Chain Site

This chapter provides regulations for the Universal Chain site, lots 5.01, 6.01 and 7. The Universal Chain site will be redeveloped with a multifamily apartment and townhouse complex. The project originally received a use variance and site plan approval from the Maplewood Zoning Board of Adjustment, dated September 8, 2004 and September 7, 2005, respectively. Given the change in economic conditions and the housing market since those approvals were granted and the addition of Lot 6.01 to the redevelopment area, the proposed development has been amended. The following regulations shall govern development of lots 5.01, 6.01 and 7.

LAND USE AND YIELD

The total property area is 3.1 acres. The property is permitted to include no more than 126 multifamily apartment units and eight townhouse units, for a density that shall not exceed 43.5 units per acre.

Surface and structured parking is allowed as an accessory use to the residential uses.

Lot Dimensions and Coverage

The lot coverage shall not exceed 90 percent.

The lot width at the required front setback line (25 feet) shall be at least 80 feet.

The frontage on Burnett Avenue shall be at least 80 feet, including lot 6.01.

Building Coverage and Bulk

The building coverage shall not exceed 40 percent, exclusive of balconies on upper floors.

The minimum front yard shall be 25 feet, except that the front yard may be reduced to 15 feet along Burnett Avenue for a townhouse building that has its front entrances facing an internal driveway or parking area.

The minimum side yard shall be 10 feet. The minimum rear yard shall be 10 feet. Balconies may project into side and rear yards up to five (5) feet, however it is preferable that balconies be recessed within the building facade. Side and rear yard areas shall be suitably landscaped, except where traversed by driveways or sidewalks. Fences, retaining walls and screening walls may be located within side and rear yards.

The length of any building along any and all sides shall not exceed 295 feet.

Building Height

Multifamily apartment buildings shall have no more than four stories of living space, plus one level of partially-underground garage space. The building height, as measured from the average finished grade along the building perimeter to the ridge of the highest point of a pitched roof, shall not exceed 62 feet. The distance from the finished floor elevation of the first floor of living space to the top roof ridge of a pitched roof shall not exceed 57 feet. The maximum height of townhouse buildings shall be 35 feet, as measured from the average finished grade along the building perimeter to the ridge of the highest point of the roof.

CIRCULATION AND PARKING

Parking Entries

The parking for multifamily apartment buildings shall be provided below grade and in a surface parking lot. The entrance roadway to the parking lot shall be from Burnett Avenue and the driveway at the Burnett Avenue sidewalk shall not exceed 24 feet in width. The garage doors leading to the parking garage shall not exceed 24 feet in width. Driveways for townhouse units shall front on an interior driveway and shall not connect directly to Burnett Avenue.

Parking Ratios

Off-street parking shall be provided in accordance with the State of New Jersey's *Residential Site Improvement Standards* (RSIS). However, in recognition of the site's accessibility to transit service (e.g., Township jitney to the train station, bus service on Springfield Avenue) and the presence of parks, stores and services within reasonable walking distance, the redeveloper may apply to the Maplewood Planning Board for a deviation from this requirement to reduce the amount of parking provided. If such a deviation is granted, the minimum number of parking spaces provided shall not be reduced below 1.77 parking spaces per unit. No more than 60 percent of parking spaces shall be provided in surface parking lots.

Pedestrian Pathway

Development shall provide an east-west pedestrian connection at the northeastern edge of the property, linking the remainder of Redevelopment Area 2 to the east to the existing DeHart Park to the west. The connection shall be a minimum 18 feet in right-of-way width; however, a wider cross-section is encouraged in order to provide a more comfortable pedestrian experience. The right-of-way width may be reduced adjacent to a driveway or parking area to allow for the placement of a trash enclosure. The walkway shall include a paved pathway of minimum six (6) feet in width, to allow for pedestrian and bicycle travel. Attractive paving and ground-cover edge landscaping shall be provided along the pathway.

A planted hedge-style buffer of minimum six feet in width shall be provided between the pedestrian pathway and the property line.

The pathway shall remain open for public use at all times.

Off-site Improvements

The developer shall contribute its share of costs for improvements to the intersection of Tuscan and Springfield Avenues. The cost of the contribution shall be determined by the Township at a later date.

ARCHITECTURAL STANDARDS FOR MULTIFAMILY APARTMENT BUILDINGS

Variations in Facade

To break up bulk and massing, all outer facades shall be broken into bays through a variation in plane at least every 135 feet. The variation in plane shall be a change in depth of at least two feet, and each bay shall be at least 40 feet in length. Bays shall extend through all four residential levels of the façade, but are not required to extend through the parking base or the roof form. Additional bays that would break the building down further in scale are encouraged.

Porches, verandahs, and terraces are encouraged to further break up the bulk of the building.

Windows, Dormers and Balconies

To provide transparency in the façade, windows shall be provided at all residential levels of the façade, spaced approximately every 15 feet on center. Windows shall be vertically-proportioned. Windows may be grouped in twos or threes to create larger areas of glazing, but windows shall be separated by vertical structural members.

On pitched roof areas exceeding 80 feet in length, dormers are required in order to break up the roofline, and shall be spaced at reasonable intervals as determined by the Planning Board. Dormers shall align with the pattern of windows and balconies on lower levels.

All windows shall have multiple panes and shall have muntins and mullions on the exterior so as to cast a shadow on the glass.

To help reduce the apparent bulk of the building, at least every fourth window opening shall be in the form of a balcony, with minimum opening width of ten (10) feet. No more than half of the balconies shall be shallow "Juliet" style balconies; the remainder shall be "traditional" balconies. Juliet balconies shall not exceed three (3) feet in depth. Traditional balconies shall be at least six (6) feet deep. Balconies may be recessed within or may project from the façade plane. Balconies shall be visually permeable at the front, with wood or metal railings.

Any exposed areas of the parking garage level that extend more than six feet above the adjacent grade shall include windows or similar openings. In such areas, garage openings shall be spaced approximately every 15 feet on center and shall be a minimum of five (5) feet wide and three (3) feet high. Garage openings shall include decorative glazing and/or grillwork.

Building Materials

Primary permitted building materials shall include wood clapboard siding and brick. Accent materials include metal, tile, and stucco, stone, and cultured stone. EIFS and other synthetic stucco are prohibited, in favor of more environmentally friendly substitutes such as fiber-cement. Vinyl siding is also prohibited. Building materials should harmonize with materials used in surrounding development. Building materials shall visually divide the building into a base, middle, and top. The base shall be of rusticated stone veneer, and shall not extend higher than 15 feet above the adjacent finished grade. Building materials used in the base may extend above the base as part of vertical building articulations. The middle shall be of brick, brick veneer or siding, accented by Tudor-style half-timbering and stucco or wood cladding. The roof shall be shingled.

Material changes shall occur at logical points, delineated by a change in building plane and/or a corniceline.

Roof Form

The roof form shall be mansard, gabled, or gambrel style. Flat roofs are prohibited, and roof pitch shall not be shallower than 1:3 rise:run.

LIGHTING AND LANDSCAPING

The project shall provide pedestrian-scale lighting and ground cover landscaping around both the inner and outer perimeters of the building. Landscaped areas shall be continuous. Lighting shall be provided at regular intervals, including along the pedestrian pathway, so as to enhance pedestrian safety. Lighting may be pole-mounted or wall-mounted, and shall be of low levels and downcast so as to comply with dark sky standards and not create glare into adjacent apartment windows.

AFFORDABLE HOUSING

The developer shall provide 16 affordable housing units on-site.

SIGNAGE

The project may have one monument sign not larger than 24 square feet in area and six feet in height, inclusive of the height of the sign base.

GREEN DESIGN

The redevelopment of the Universal Chain site should incorporate green building design and other sustainability measures, but shall not be required to obtain Leadership in Energy and Environmental Design (LEED) certification.

7 Plan Consistency Review

RELATIONSHIP TO MASTER PLANS OF ADJACENT MUNICIPALITIES

The redevelopment area is situated in the southeastern section of the Township of Maplewood. While the redevelopment area does not border any other municipalities, it is in reasonably close proximity (approximately one-half mile) to both Irvington and Union townships. The Irvington Township Master Plan, adopted in 2003, focuses on the stabilization and revitalization of residential neighborhoods and the desire to increase the employment base within the municipality. With respect to land use, Irvington designates the portions of its land area nearest to Redevelopment Area 2 as B-3 Limited Business and R-2 Two-Family Residential. The maximum residential density in Irvington's R-2 zone is 20 units per acre, which is consistent with the density proposed in this redevelopment plan. The B-3 zone provides for limited commercial uses designed to serve surrounding residential neighborhoods. There is no conflict between the character of this zone and the proposed redevelopment plan, which could actually serve to support existing businesses in Irvington by adding residents to the area.

The Union Township Master Plan was drafted in 1982 and is therefore somewhat out of date with regard to general goals and objectives. In 2006, a reexamination report was adopted, which focuses on the need to protect residential neighborhoods from nonresidential intrusion and to revise the Township's bulk standards to better accommodate residential infill. The nearest zone districts in Union to the redevelopment area are RB (two-family residential) and RD (senior housing), both of which permit densities similar to or in excess of that proposed for the redevelopment area.

RELATIONSHIP TO THE ESSEX COUNTY MASTER PLAN

The Land Use Element of the Essex County Master Plan has not been updated since 1970. As indicated on p. 3-25 of the 2003 Maplewood Master Plan, the land use conditions in the County have changed so much since that time that its goals and policies are very much outdated. The only portion of the Essex County Master Plan to be updated in recent years is the Park, Recreation and Open Space element. This element focuses largely on the County's park system. While the County owns no park properties within or in the immediate vicinity of the redevelopment area, this Plan, in seeking to preserve the historic Wyman structures on Burnett Avenue, is consistent with the Essex County parks plan's goal to promote the preservation and restoration of cultural, archaeological and historic sites. In providing for open space within the redevelopment area, this Plan also promotes the County's goal to support local efforts to preserve open space and expand recreational opportunities for County residents.

RELATIONSHIP TO THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN

Among the State Plan's intentions is to revitalize the state's existing urban areas by directing growth and development to those areas. On the State Plan Policy Map, the redevelopment area is located in

the Metropolitan Planning Area, which is identified in the State Plan as an appropriate location for much of the State's new growth. By virtue of its location just off Springfield Avenue within a part of New Jersey that has extensive existing infrastructure and a long history of development, the area is by all measures an appropriate location for growth and redevelopment. The Redevelopment Plan will facilitate growth in this area and contribute to the economic revitalization of the State.

The purpose of the Redevelopment Plan is to redevelop a deteriorated and underutilized area within Maplewood, and its broad intention is to place relatively unproductive lands into productive use in order to better serve the needs of residents and the Township as a whole. The Redevelopment Plan outlines a strategy to connect two neighborhoods within Maplewood that are currently cut off from one another; to provide a variety of housing choices for the citizens of Maplewood; to incorporate sustainable design principles; and provide for usable open space within the plan area that will serve the residents of the new development and the surrounding neighborhoods. It will also provide for the cleanup of former industrial sites that are in poor condition, one of which (Lot 140.01) has known soil contamination. Its objectives are therefore consistent with the goals, strategies and policies of the State Plan, in its stated goal to revitalize the State's cities and towns by protecting, preserving and developing the valuable human and economic assets in cities, towns and other urban areas.

8 Redevelopment Actions

OUTLINE OF PROPOSED ACTIONS

I. Demolition

It is proposed that the site be completely cleared of existing buildings and parking lots. The landfill may be removed or relocated and capped, as deemed appropriate by the developer (as well as by applicable state and/or federal regulators). The Plan proposes a significant change in use over the current conditions, and there is no reason to retain any of the existing structures, some of which are in very poor condition and most of which are not appropriate for residential use and do not relate appropriately to the waterfront. A developer may, however, propose to retain any of the existing structures if so desired, provided such structure(s) are utilized for the purposes allowed by this Plan and are related effectively to the overall project design.

II. New Construction

Construction of new structures and other improvements will take place as proposed in Chapters 3, 4, 5 and 6 of this Redevelopment Plan. Environmental remediation will take place as necessary to effectuate the plan. Infrastructure will be constructed as determined by the Township's professional consultants for the project. The redeveloper (or redevelopers, in the event more than one is designated) must adhere to the overall parameters for development presented in Chapters 3, 4,5 and 6 of this Plan and is encouraged to otherwise refine the design concepts presented therein in developing a unique and high-quality project proposal. Once a redeveloper is selected, the redeveloper will be required to enter into a Redeveloper's Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

PROPERTIES TO BE ACQUIRED

The Township reserves the right, up until such time as the redevelopment of the redevelopment area be deemed complete, to acquire any or all of the following privately-owned lots in the designated Redevelopment Area should it be necessary to facilitate redevelopment: Block 48.47, Lots 1, 1.01, 143, 5.01, 6.01, 7, 123, 124.01, 131, 130.02, 138, 140 and 140.01.

OTHER ACTIONS

In addition to the demolition, new construction and acquisition described above, several other actions may be taken by the governing body to further the goals of this plan. These actions may include, but shall not be limited to: (1) provisions for public infrastructure necessary to service new development, (2) environmental remediation, (3) vacation of public utility easements and other easements and rights of way as may be necessary for redevelopment.

RELOCATION

Should the Township acquire properties within the redevelopment area, it will undertake the following steps to provide for relocation:

- At the time of property acquisition, the actual extent of displacement will be determined.
- A Workable Relocation Assistance Plan (WRAP) will be prepared and submitted to the New Jersey Department of Community Affairs for approval.
- The Township will comply with the requirements of the state's relocation statutes and regulations as applicable, and will provide all benefits and assistance required by law.

9 General Provisions

DEFINITIONS

Except for those words defined below in this Section, words that appear in this Redevelopment Plan shall be defined in accordance with the definitions that appear in the Township's land use ordinances, or, where these ordinances do not provide a definition, in accordance with the definitions in the Municipal Land Use Law.

The following words are specifically defined in this Redevelopment Plan.

LIVE-WORK UNIT shall mean a dwelling unit designed to provide space in which to conduct a business or trade, including offices, studios, crafts workshop area or laboratory space.

EASEMENTS

No building shall be constructed over a public easement in the redevelopment area without prior written approval of the Engineer of the Township of Maplewood.

SITE PLAN AND SUBDIVISION REVIEW

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the redevelopment area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Maplewood Planning Board.

Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this Redevelopment Plan and the subdivision ordinance of the Township of Maplewood, except that where this redevelopment plan contains provisions that differ from those in the subdivision ordinance, this plan shall prevail.

APPROVALS BY OTHER AGENCIES

The redeveloper shall be required to provide the Township with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the redeveloper's agreement to be executed between the redeveloper and the Township.

ADVERSE INFLUENCES

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by a developer or any of his successors or assignees, whereby land within the redevelopment area is restricted by the Township Committee, or the developer, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the redevelopment area on the basis of race, creed, color or national origin.

DURATION OF THE PLAN

The provisions of this Plan specifying the redevelopment of the redevelopment area and the requirements and restrictions with respect thereto shall be in effect for a period of 40 years from the date of approval of this plan by the Township Committee.

DEVIATION REQUESTS

The Maplewood Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Maplewood Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12.a. and b.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area shall be permitted only by means of an amendment of the Redevelopment Plan by the Township governing body, and only upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Plan.

ESCROWS

The redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Township to review the proposed redevelopment project and advise the Township on any and all aspects of the redevelopment process.

INFRASTRCTURE

The redeveloper, at the Redeveloper's cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and stormwater sewer service to the project, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on- and off-site traffic controls and road improvements for the project or required as a result of the impacts of the project. The Redevelopment Agreement between the Township and the Redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to Redeveloper's obligation to provide the infrastructure and improvements required for the project.

10 Other Provisions

In accordance with N.J.S.A. 40A:12A-1 et seq., known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan is substantially consistent with the Maplewood Master Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the redevelopment area.
- All privately owned lots within the redevelopment area are subject to acquisition by the Township of Maplewood as part of the redevelopment effort.
- As indicated in Chapter 7, this Redevelopment Plan is substantially consistent with the Master Plan for the Township of Maplewood. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Maplewood regulating development in the area addressed by this Redevelopment Plan, except where specifically mentioned within the text of this Plan. In all situations where zoning issues are not specifically addressed herein, the Maplewood Zoning and Development Regulations shall, however, remain in effect. Final adoption of this Plan by the Township Committee shall be considered an amendment of the Township of Maplewood Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

11 Procedure for Amending the Approved Plan

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of $1,500 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Township. The party requesting the amendments also shall be required to post an escrow to defray the Township's costs in connection with the requested amendment. The Maplewood Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.