

ORDINANCE O.2133-2021

EXPLANATION: An Ordinance adopting the 1000 Inman Avenue Redevelopment Plan in the Township, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R. 336-072020, adopted July 22, 2020, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as Block 412, Lot 5.04 (1000 Inman Avenue) on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non-Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on July 19, 2021, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on November 10, 2021, the Municipal Council considered the Planning Board’s recommendation and adopted Resolution R.610-112021, designating the Study Area as an area in need of redevelopment (non-condemnation) (the Study Area hereinafter referred to as the “**Redevelopment Area**”); and

WHEREAS, by commission of the Municipal Council, Bignell Planning Consultants, Inc. prepared a redevelopment plan for the Redevelopment Area entitled the “1000 Inman Avenue Redevelopment Plan” (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the within Ordinance, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for its review and comment, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, upon review of the Planning Board’s recommendation of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan, in the form attached hereto as Exhibit A, to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township’s redevelopment objectives.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

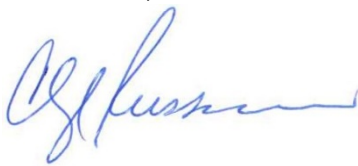
Section 2. The Township Clerk is hereby directed to provide a copy of the Redevelopment Plan to the Planning Board for its review and comment.

Section 3. Upon acceptance of the review and comments of the Planning Board, the Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7, and supersedes the existing land development regulations of the Township for the Redevelopment Area.

Section 4. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 5. This Ordinance shall take effect in accordance with all applicable laws.

THIS IS TO CERTIFY that this is a true and compared copy of an Ordinance adopted by the Municipal Council of the Township of Edison at their Combined Meeting of December 22, 2021.

A handwritten signature in blue ink, appearing to read "Cheryl Russomanno", is written over a horizontal line.

Cheryl Russomanno, RMC
Municipal Clerk

1000 Inman Avenue Redevelopment Plan (DRAFT)



Township of Edison Middlesex County, New Jersey



Bignell Planning Consultants, Inc.

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WOODBIDGE, NJ 07095
PHONE: (732) 636 - 0200
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Revised through:
November 30, 2021

DRAFT

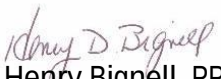
Redevelopment Plan

1000 Inman Avenue

Block: 412, Lot: 5.04

Township of Edison
Middlesex County

This plan was endorsed by the Edison Township Planning Board on _____ and
adopted by the Edison Municipal Council on _____ via Ordinance
_____. This is the draft edition of the plan.


Henry Bignell, PP
NJ Lic: 33LI00237400
For the Firm

and


Todd Bletcher, AICP, PP
NJ Lic: 33LI00592200
For the Firm

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-1, et. Seq.
and N.J.A.C. 13:41-1.1, et. Seq.

RESOLUTION R.336-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue) should be designated as an "area in need of redevelopment."

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council ("Municipal Council") of the Township of Edison (the "Township") must authorize the planning board of the Township (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue) (hereinafter the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area").

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment (non-condemnation).

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

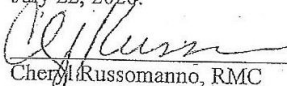
Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment (non-condemnation). The notice of the hearing shall specifically state that the redevelopment area determination *shall not* authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

THIS IS TO CERTIFY that this is a true and compared copy of an Resolution adopted by the Municipal Council of the Township of Edison at their Regular Meeting of July 22, 2020.


Cheryl Russomanno, RMC
Municipal Clerk

RESOLUTION R.610-112021

EXPLANATION: A Resolution designating the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue), as an area in need of redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R. 336-072020, adopted July 22, 2020, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as Block 412, Lot 5.04 (1000 Inman Avenue) on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non-Condensation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on July 19, 2021, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Municipal Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, without the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain (the “**Non-Condensation Redevelopment Area**”), pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

THIS IS TO CERTIFY that this is a true and compared copy of an Resolution adopted by the Municipal Council of the Township of Edison at their Combined Meeting of November 10, 2021.



Cheryl Russomanno, RMC
Municipal Clerk

This page reserved for Plan Adoption Ordinance

INTRODUCTION

The Inman Avenue corridor is vital to the economic health of Edison Township. Although the corridor hosts many thriving retail and commercial businesses, as well as provides housing for thousands of families, there are some properties where long-standing vacancies have stymied economic development. In response to the current conditions hindering development in the 1000 Inman Avenue Redevelopment Area, the Edison Municipal Council has decided to stimulate investment at this location through the statutory redevelopment process.

The New Jersey Legislature empowers municipalities to utilize the Local Redevelopment and Housing Law (LRHL) N.J.S.A. 40A:12A-1 et seq., as an economic development tool. This Redevelopment Plan represents an opportunity to reclaim a vacant and contaminated piece of land within this corridor for development with potential residential and/or commercial components.

Pursuant to the statute, municipal governments can designate properties as an “Area in Need of Redevelopment” when such properties meet the criteria for designation set forth in Section 5 of the LRHL. On July 22, 2020, the Edison Township Municipal Council adopted Resolution R.336-072020 authorizing the Edison Township Planning Board to undertake an investigation to determine whether the 1000 Inman Avenue Study Area would qualify as a redevelopment area in accordance with criteria set forth in the New Jersey Local Redevelopment and Housing Law (LRHL) N.J.S.A. §40A: 12A-5, et. seq.

In response to the Edison Municipal Council’s directive, the Edison Township Planning Board prepared a preliminary investigation, revised through: June 28, 2021, and conducted a public hearing on July 19, 2021. At the conclusion of that proceeding, the Planning Board recommended to the Municipal Council that the delineated study area be deemed an “Area In Need of Redevelopment.” In response to the conditions affirmed by the Edison Planning Board, the Edison Municipal Council designated this area as “Area in Need of Redevelopment” on November 10, 2021 via Resolution R.610-112021 and authorized the preparation of this redevelopment plan.

The redevelopment area is herein referred to as the 1000 Inman Avenue Redevelopment Area.

GENERAL REDEVELOPMENT PROCESS

The general process of adopting a redevelopment area in the Township of Edison is stipulated in the Local Redevelopment and Housing Law, (N.J.S.A. §40:12A-1 et. seq.) as amended through 2019, and is as follows:

1. The Edison Township Council adopts a resolution delineating the Study Area and directing the Planning Board to investigate the area as a “(non-condemnation) study area.”
2. The Planning Board (via its Planner) prepares a study report setting forth the basis for the investigation and a map showing the boundaries of the proposed area.
3. The report and map are made available for public inspection a minimum of 10 days prior to any public hearing.
4. The Planning Board conducts a public hearing makes a recommendation to the Township Council designating all or part of a study area as a redevelopment area.
5. The Township Council adopts a resolution designating all or part of the study area as a non-condemnation redevelopment area.
6. The Township Clerk transmits a copy of the redevelopment area designation to the NJ Department of Community Affairs and transmits notice to property owners.
7. The Edison Municipal Council authorizes preparation of a draft redevelopment plan which may be delegated to, or referred to, the Planning Board.
8. The draft redevelopment plan is referred to the Planning Board for consistency with Master Plan within 45 days.
9. The Township Council adopts, by ordinance, the redevelopment plan following its regular ordinance adoption procedures.

STATUTORY DEFINITION OF REDEVELOPMENT

Pursuant to N.J.S.A. §40A:12A-3, “Redevelopment” means clearance, re-planning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

REDEVELOPMENT AREA DESIGNATION

Edison Municipal Council Resolution R.610-112021 delineates a one (1) parcel redevelopment area containing the property as identified on the Official Tax Map of the Township of Edison and in the aforementioned resolution. Edison Municipal Council Resolution R.610-112021 designates this Redevelopment Area as a *Non-Condemnation Redevelopment Area*. **This plan does not authorize the powers of Condemnation or Eminent Domain.** The Redevelopment Area is herein referred to as the 1000 Inman Avenue Redevelopment Area. This Redevelopment Plan is herein referred to as the 1000 Inman Avenue Redevelopment Plan.

Study Area:			
Block Number:	Lot Number:	Location/Acreage:	Owner of Record:
Block: 412	Lot: 5.04	990 Inman Avenue 12.13 Acres	Inman Sports Club Inc. 990 Inman Avenue Edison, NJ 08820 (As of July 2021)

REDEVELOPMENT AREA DESCRIPTION: SITE DETAILS

The 1000 Inman Avenue Redevelopment Area contains a single irregular lot located on the north side of Inman Avenue situated at the northwest corner of Inman Avenue and Villa Drive opposite Churchill Road, and contains ± 12.13 acres of land. The parcel has $\pm 235'$ of frontage on the north side of Inman Avenue and approximately 975' of "frontage" on the Villa Drive driveway easement. Lot 5.04 also contains a 15' wide easement to Elizabethtown Water Company beginning at approximately the center of its frontage along Inman Avenue and continuing to the northeast, crossing Villa Drive and extending onto abutting lots 5.05 (tennis club) and 3.02 (swim club.) Villa Drive is not a dedicated public right-of-way; however, it does exist as a recorded driveway easement in Middlesex County Deed Books 3155-857 & DB 3293-547. This easement is delineated on several boundary surveys of the study area.

The Villa Drive easement area is not contained within the 1000 Inman Avenue Redevelopment Area but is located on/over abutting lot 5.05. (See tax map on following pages.) This driveway easement provides a street connection to Inman Avenue for the swim/tennis club on 5.05 and the tennis center on lot 5.03. Villa Drive also connects to the "Heatherwood" townhouse development located beyond the northern limits of the redevelopment area. That development was constructed in 1984 and also has a street connection to Ashbrook Drive.

Lot 5.04 was created in 2018, when the driving range parcel was subdivided from the tennis club lots to the north and northeast. Until that time, current lots 5.03, 5.04 and 5.05 were combined into (old) lot 5.02. Old lot 5.02 was created sometime after 1997 from 15 smaller lots (shown on a Plan of Survey for Inman Sports Club, Inc., prepared by William Butler, PLS, Control Layouts; rev. 11/4/1997). The redevelopment area does not contain the tennis club or swim club properties.

Historically, a ± 2.5 -acre portion of lot 5.04 along the south-central frontage of Inman Avenue was developed and occupied from about 1930 to the mid 1960's with industrial uses. Records indicate from 1947 through 1965 this area contained the Commercial Chemicals/Kemco Paint Company (Kemco). An industrial building was located along the frontage of the site. The central portion of the lot contained material disposal pits. Between 1965 and 1970, the area was cleared and converted into a golf driving range. The northern portion of the site was deforested, and a canopy building, retail/recreation building, and paved parking lots were constructed on the south frontage of the site. The driving range remained in operation as of February 2021.



**1000 Inman Avenue
Redevelopment Area
Image Date: June 2019
Prepared: November 23, 2021**

**Block 412
Lot 5.04**

Villa Dr

© 2021 Google

REDEVELOPMENT AREA DESCRIPTION: ENVIRONMENTAL SITE CONTAMINATION

This office is in receipt of a memorandum, dated: October 18, 2020 from The ELM Group, authored by Mark D. Fisher, CHMM, LSRP. The memorandum provides the most recent summary of the environmental conditions on the property, namely buried waste associated with the former paint manufacturing operation. This plan relies on this memorandum, as well as the several other documents referenced below for factual information as to site contamination.

There also exist dozens of previous environmental reports, site inspections, soil logs, contamination maps, monitoring well reports, subsurface investigations, and newspaper articles detailing the extent and location of how the site was used in the 1960's as an illegal dump. Some of these materials even cite Edison Health Department records from the 1960's, when in-fact, Kemco, applied to the Township to operate a dump at this property. (This activity was not approved, however Kemco continued to dispose waste on the site.) These reports include a 1992 Subsurface Environmental Investigation of Inman Driving Range (April 15, 1992), a Preliminary Assessment prepared by the NJDEP (May 31, 1991.) A subsequent summary report, dated: April 17, 2006 prepared by Maser Engineering provides an "update" to the earlier reports. Also included from ELM Group are two (2) Historic and Current Soil (Contamination) Maps, both dated: August 26, 2019, and a Historic Soil Analytical Summary Data Table (7 sheets, undated, updated through April 2019, authored by Groundwater and Environmental Services, Inc.) Of recent note is an October 12, 2018 report by Advanced Geologic Services, indicating the results of an electromagnetic and ground-penetrating radar study. The report identifies that several subsurface trenches exist on the site containing metallic objects. This was expected based on previous environmental studies of the property. A Waste Class Location Diagram, by PES, dated: March 18, 2016 is included on the following pages.

Since the 1990's, several soil and groundwater investigations have been conducted on the site followed by several remediation activities. The reports identify soil excavations occurred in 2000, 2003, 2009 and 2019. Although these remediation efforts were successful in removing some of the buried waste and impacted soils on the site, post-remediation investigations still found residual contaminants in the subsurface soil and groundwater.

According to the above referenced documentation, the current property owner is, as recently as May 2020, continuing with a program of sampling and site remediation. The current owner also has, via its Licensed Site Remediation Professional, designed a strategy to define the final areas and volumes of

[illegible]

STATUTORY ELEMENTS OF A REDEVELOPMENT PLAN

Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

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

This plan includes each of these required elements on the following pages.

PLAN OBJECTIVES

The 1000 Inman Avenue Redevelopment Area presents an opportunity to transform a property with environmental concerns into a tax-revenue-positive development to serve the commercial and/or residential needs of the township and surrounding community. The plan will permit a number of uses beyond what would normally be permitted in the underlying Restricted Industry R-I Zoning District. The objectives of the plan include:

- To stimulate economic investment in the redevelopment area, which is a township-wide goal of the Edison Township Master Plan;
- To improve the efficient use of land which can be effectively redeveloped for the township's economic benefit, which is also a goal of the Edison Township Master Plan;
- To remediate to the greatest extent possible the environmental concerns on the site, including maintaining the ability to monitor contamination from previous operations, to meet NJDEP standards such that the site can contain occupied uses;
- To modify land-use regulations controlling the redevelopment area to allow for an appropriate use or uses, as a function of the environmental remediation levels achieved on the site;
- To prevent overdevelopment on the site through a clear set of development standards;
- To preserve the existing public utility infrastructure on the site;
- To provide housing opportunities for adults and senior citizens at affordable costs and appropriate densities in code-compliant units;
- To preserve open space in other undeveloped locations in the township through the re-development of sites where utilities exist on-site or are available nearby;
- To improve traffic circulation and safety on Inman Avenue corridor with traffic control and intersection improvements;
- To update and revise the specific development goals and remediation requirements for this site to include the permissibility of an age-restricted residential development, which was not envisioned by the 2001 Master Plan, and;
- To allow for the possibility of large-format commercial, light-industrial, recreational or flex space in the redevelopment area and prevent the loss of these businesses to other municipalities.

SITE REMEDIATION IS A MANDATORY REQUIREMENT FOR REDEVELOPMENT

The presence of contaminated soils, groundwater or vapors is harmful to public health when these chemicals have a pathway to human exposure. Without remediation, the physical presence of any chemical known to be harmful to humans would be detrimental to health of future occupants, workers or residents who might be directly or indirectly exposed to these materials.

Since environmental monitoring may be ongoing after redevelopment, monitoring wells in the redevelopment area should be protected so that future responsible parties can continue monitoring protocols established by the NJDEP. It shall be a requirement of this Redevelopment Plan that this site be remediated to the standards applicable with the final use proposed, based on the NJDEP standards for that use. Any forthcoming development application shall present testimony to address the current conditions on the site and achievability of these standards. Final certification from a Licensed Site Remediation Professional must be provided as a condition of any land-use approval and shall be required before any certificate of occupancy shall be issued by the township. This requirement shall be mandatory and may not be waived by any reviewing board.

RELATIONSHIP OF REDEVELOPMENT PLAN TO TOWNSHIP REGULATIONS

The 1000 Inman Avenue Redevelopment Area shall be redeveloped in accordance with the standards established in this Redevelopment Plan. This Redevelopment Plan supersedes and replaces the use and bulk standards of the Township of Edison Land Use Ordinance for the Redevelopment Area when the plan is utilized by a designated redeveloper. This plan also provides additional design standards which shall apply to this site and shall supersede the existing standards in the Edison Land Use Ordinance. If this plan does not specify a development or design standard to supersede an existing development design standard, including but not limited to; lighting, landscaping, buffering, screening, street trees, curbing, sidewalks, parking design, tree replacement, steep slopes, stream bank encroachment, stormwater management, pipeline buffering, etc., then the existing design standard in the Edison Land Use Ordinance shall remain in effect.

All applications for development shall be submitted to the Edison Township Planning Board and shall comply with the existing completeness, site plan, subdivision, and variance application procedures set forth within N.J.S.A 40:55D-1, et seq., and with the Township of Edison Land Use Ordinance. All applications for development requesting site plan approval and/or a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12.

The Planning Board shall have power to grant subdivision, site plan and bulk/design approval and/or relief from bulk and dimensional requirements of this plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the powers granted under N.J.S.A. 40:55D-70c. Any deviation from the permitted use standards of this plan that would result in a “d” variance shall be addressed as an amendment to the plan rather than an application for “d” variance. The Planning Board shall not have authority to allow deviations from the permitted use standards of this plan that would result in a “d” variance.

Unless otherwise noted, word usage in this plan shall be considered consistent with the definitions provided in the Edison Township Land Use Ordinance and in the Municipal Land Use Law. Final adoption of this Plan by the Edison Municipal Council shall be considered an amendment to the Township Land Use Ordinance and Official Zoning Map. Upon adoption, the NJ Department of Community Affairs, Middlesex County Clerk/Planning Board, Edison Township Engineering Department, and the Edison Township Clerk’s Office shall update their maps, ordinances, and records accordingly.

DEVELOPMENT AND DESIGN STANDARDS

PURPOSE

The intent of this subsection is to provide more specific standards for development of an age-restricted residential or commercial development, but not both, than are provided for in the Township's Land Use Ordinance to provide targeted development guidance for the unique characteristics of this site.

PERMITTED PRINCIPAL USES

No building(s), structure(s) shall be used and no building(s) or structure(s) shall be erected or structurally altered except for the following uses:

- a. Age-restricted senior housing for persons 55 years of age or older, arranged in a garden apartment or townhouse style layout.
- b. Public and private schools
- c. Single-unit large-format commercial establishments such as, but not limited to: grocery stores, hardware stores, appliance stores, gyms or recreational fitness clubs
- d. Hotels, motels, extended-stay hotels, self-storage facilities
- e. Commercial, scientific, laboratory, and/or flex commercial space
- f. Professional offices, medical offices, hospitals and surgery centers

ACCESSORY USES

Any accessory use that is clearly customary and incidental to any principal use, building, or structure permitted in this plan use shall be permitted as an accessory use including:

- a. When residential development is proposed, accessory uses may include customary elements such clubhouses, pools, recreation courts, walking trails, gates, guard houses, bus shelters, rental offices, amenity spaces, and other similar uses which are customary and incidental to the permitted residential use. When proposed, a clubhouse building shall be subject to the bulk requirements for a principal, not accessory building.
- b. One (1) accessory storage building or shed, maximum 400 sf, may be erected on the site for storage of property maintenance equipment. Additional or larger buildings shall require relief from this plan.
- c. Home occupations inside a private residential dwelling unit

PROHIBITED USES

- a. All drive-through or drive-up uses windows
- b. Nightclubs, taverns, smoking clubs, cigar bars, hookah lounges or adult uses
- c. Uses of a heavy industrial or heavy manufacturing nature or industrial warehouse nature

HEIGHT, AREA AND YARD AND DENSITY REQUIREMENTS

- a. Bulk and Height requirements shall be as follows:

Minimum tract area	10 acres
Minimum lot width	500 feet
Minimum lot depth	500 feet
Minimum front yard setback to Inman Avenue	40 feet
Minimum side yard setback to west side	40 feet
Minimum setback to Villa Drive easement	40 feet
Minimum rear yard setback to north	40 feet
Maximum building coverage	30%
Minimum distance between buildings	30 feet
Maximum height of principal building	3 stories
Maximum height of principal building	35 feet
Maximum impervious coverage	70%
Minimum side yard (accessory building)	10 feet
Minimum rear yard (accessory building)	10 feet
Maximum height of all other acc. buildings	15 feet
Maximum dwelling units per acre	25 units per acre

OFF-STREET PARKING

- a. Residential development shall provide parking to comply with the Residential Site Improvement Standards. Residential parking shall be provided in structured parking and/or in surface lots.
- b. Off-street parking spaces shall be provided on the same lot as the building it is intended to serve in accordance with the parking requirements of Edison Land Use Ordinance Section 37-60: Parking. Section 37-60.1.c; Parking Space Variance Payments shall not apply to any outstanding parking requirement.
- c. Non-residential development shall provide parking as required by the standards found in the Edison Land Use Ordinance Section 37-60: Parking.
- d. All parking design requirements, including requirements for Electric Vehicle Charging Stations, shall be provided in accordance with Section 37-60.
- e. No parking space shall be nearer than ten (10) feet to any side or rear lot line, and shall be minimum twenty (15) feet from the front lot line abutting Inman Avenue.
- f. Emergency access shall be provided to all portions of the site. Designated fire lanes and “No Parking” markings shall be provided in all areas not designated for parking.
- g. At least two (2) driveway connections shall be made to Villa Drive.
- h. All parking layout, dimension and design requirements, including requirements for Electric Vehicle Charging Stations, shall be provided in accordance with Section 37-60 or M.L.U.L. requirements in effect at the time of site plan application.

LIGHTING

- a. Site lighting shall conform to all current Land Use Ordinance requirements except for where modified herein.
- b. All vehicle and pedestrian walkways, excluding nature/walking trails, shall be lit to a minimum of 0.3 fc. Illumination levels at residential property lines shall not exceed 0.0 fc. Where the property abuts a non-residential use or right-of-way, illumination levels beyond that property line shall not exceed 0.5 fc.
- c. Fixtures shall be cast downward and shielded to prevent light spillage onto adjacent properties or sky glow.
- d. Pole-mounted lighting fixtures shall not exceed twenty feet (20') in height for commercial lots. Where lighting is provided within a residential development, the height of the lighting poles shall be no higher than fourteen feet (14') in height and shall be provided within a decorative fixture. Wall lighting fixtures shall be provided at a height no greater than ten (10) feet in height.

LOADING & TRASH DISPOSAL

- a. At the time of site plan application, the Redeveloper shall show the ability of delivery and trash vehicles to enter, circulate, and service all loading areas of the site, including maneuvering of full-sized tractor-trailers delivering to rear loading areas of large facilities (grocery stores, etc.) if those facilities are proposed.
- b. For residential developments, trash enclosures should be provided for storage of trash and recycling materials. All trash enclosures shall consist of a 6' high enclosure of block, brick, fencing, or a combination of similar materials and shall include a self-closing door or gate. Each enclosure shall be surrounded on 3 sides by a 10' deep landscape screen of all-season plantings.
- c. For commercial development, loading requirements of the Land Use Ordinance shall apply.

SIGNS

- a. Façade signs shall only be permitted for non-residential uses and shall be permitted as follows:
 1. Each commercial use may provide one (1) façade sign
 2. The total sign area of all façade signs shall not exceed ten percent (10%) of the wall area of the building facing the parking lot.
- b. Freestanding signs for non-residential developments shall be permitted according to the standards of the L-B Local Business Zone.
- c. Freestanding signs for residential developments shall be permitted as follows:
 1. Two (2) community name monument signs shall be permitted along the frontage of the site and/or along Villa Drive.
 2. Two-sided signs are permitted.
 3. No one (1) surface of any such sign shall exceed one hundred (100) square feet in sign area.
 4. Freestanding signs shall be no higher than five feet (5') high. The maximum width of any one (1) side of the sign shall not exceed fifteen (15) feet excluding decorative columns which may enclose the ends of the sign. The bottom of the signs shall contain a decorative planter base.
 5. Freestanding signs shall be set back at a minimum distance of fifteen (15) feet from all lot lines.

6. Directional or wayfinding signs shall be permitted throughout the site directing vehicles or providing wayfinding messaging. Such signs may not exceed 4' in height and 24 sf. in area, and shall be surrounded by a decorative planter or landscaping base.

LANDSCAPING AND BUFFERING

1. The landscaping provisions of the Land Use Ordinance shall apply except where modified herein.
2. Landscape plans are required as a part of all development proposals. These plans shall include the names, quantities, size, spacing, and method of planting of each plant material.
3. A 15' deep, heavily landscaped buffer shall be provided along the entirety of the rear (north) and west side property lines. The buffer shall contain a heavy mix of shade and evergreen trees to screen the height and bulk of the abutting warehouse uses. The buffer shall contain a solid 8' high fence for the entirety of the buffer area.
4. Street trees shall be provided on all frontages including Villa Drive on 50' centers.
5. Parking lot perimeter trees, replacement trees, impervious coverage/wooded area and reconstructed pavement area trees shall be provided on the site in accordance with the provisions of the existing Land Use Ordinance.
6. If the sum of all required trees cannot be physically installed on the site, the Redeveloper shall be permitted to make a contribution to the Township's Tree Fund in accordance with the formulas provided in the Land Use Ordinance Section 25-11.1.c for any outstanding trees. This contribution method may be utilized to comply with the totality of all trees required by the Land Use Ordinance.
7. An irrigation system shall be provided to maintain plantings on the site.
8. All utilitarian equipment, dumpsters, compactors, transformers, generators, etc., shall be enclosed within decorative enclosures with self-closing gates or doors.

HOUSING REQUIREMENTS

- a. The intent of this Plan shall be to provide housing for senior-citizens to be occupied by persons 55-62 years of age, or older, as further defined by and subject to the exceptions in and under the U.S. Fair Housing Act, as amended, where such dwellings shall be of a type which promotes the efficient delivery of municipal and personal services, access to mass transportation, the provision of recreation facilities by the developer for the sole use by the residents and their guests, and to be designed specifically for adult citizens in accordance with, and advancement of, the Township of Edison Housing Element and Fair-Share Plan.

- b. "Age-restricted unit" shall mean a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the head of the household is a minimum age of either 62 years, or 55 years and meets the provisions of the 42 U.S.C. §§3601 et seq., except that due to death, a remaining spouse of less than 55 years of age shall be permitted to continue to reside. (N.J.A.C. 5:80-26.1 et seq.)
- c. Up to two (2) dwelling units in the development may be utilized as a building manager or building caretaker residence, in which case these two (2) units shall not be required to be age-restricted units. All remaining units shall be age-restricted units.
- d. All units shall remain age-restricted rental units for a period of thirty (30) years, which shall be administered by way of recorded deed restriction.
- e. Since the Township may consider seeking credits for this development in future Housing Element/Fair Share Plans, the development shall demonstrate that construction and administration of the age-restricted units will comply with the administrative and substantive requirements of the Uniform Housing Affordability Controls (UHAC): N.J.A.C. 5:80-26.1 et seq., including regulations on adaptability, household size, bedroom distribution, heating source regulations and affirmative marketing, as applicable to an age-restricted development.
- f. The Redeveloper shall comply with the Affordable Housing Regulations of the Township of Edison in effect at the time of development application.

ENVIRONMENTAL REQUIREMENTS

- a. Development on this site shall be designed to allow continued access to environmental remediation and/or monitoring systems installed on or operating on the site.
- b. It shall be a requirement of this Redevelopment Plan that this site be remediated to the standards applicable to final use is proposed, based on the NJDEP standards for that use.
- c. Applications for development shall be accompanied by a written certification and testimony at a public hearing from the Licensed Site Remediation Professional (LSRP) with authority over this site indicating that final environmental conditions on the site can comply with the applicable NJDEP standards. Once remediation has been completed, a final written certification from a Licensed Site Remediation Professional (LSRP) shall be provided to the township construction official, before any certificate of occupancy shall be issued by the township. This requirement shall be mandatory condition of approval and may not be waived by any reviewing board.

TRAFFIC AND TRANSPORTATION REQUIREMENTS

- a. The Redeveloper shall conduct a traffic study to determine if a traffic control improvements are warranted along the Inman Avenue and Villa Drive frontage of this site. If the study determines that any improvements are needed, the Redeveloper shall be responsible for the full design, installation, and all other costs associated with the traffic control and/or intersection improvements necessitated by the study. The Township of Edison shall bear no cost for any traffic control signal or intersection improvement in connection with this Redevelopment Plan.
- b. The developer shall provide a realistic opportunity for transportation connections to nearby shopping centers, banking and grocery stores. This may be provided via connection to public transit or through private provision of a shuttle service.

ADDITIONAL REQUIREMENTS

- a. All utilities are to be constructed underground.
- b. There shall be no outside storage of materials or equipment.
- c. The Pipeline Buffer Ordinance shall remain in effect. However, the Redeveloper may, upon demonstration that no natural gas transmission pipelines as defined by ordinance exist within 75' of the Redevelopment Area, seek a waiver from complying with this provision at the time of development application.
- d. The Redeveloper shall enter into any and all such Developers Agreements and/or Redevelopment Agreements as required by the Edison Municipal Council or Township officials to facilitate development on this site.
- e. When residential development is proposed, a residential amenity space shall be provided which shall have a minimum indoor floor area of 2,500 sf.
- f. The Redeveloper is encouraged to consider creating an outdoor plaza, green space, landscaped space, hardscape area, etc. to provide for seasonal outdoor gatherings for residents.
- g. A walking path throughout the property should be provided for residents.
- h. The Redeveloper shall submit detailed, color architectural drawings to the Technical Review Committee as part of any development application, and shall demonstrate, to the satisfaction of the Planning Board, that proposed buildings will be of high architectural quality.
- i. All buildings are encouraged to be LEED-qualified buildings, and/or employ energy-saving construction and utility techniques. Proposed energy saving techniques shall be provided as part of architectural plans and renderings.

- j. Residential developments shall provide a location and method to facilitate delivery of USPS mail, bulk parcels, and food deliveries to all residential buildings. A secure interior location should be provided where parcels can be delivered and stored until recipient pickup. Parcel delivery methods should not allow unauthorized persons to access secured residential areas of the building(s) or unit.
- k. The Developer shall provide, upon request of the Township Engineer a sanitary sewer easement along the west property line to connect to the existing/abutting sanitary sewer easements in this area. This item may be waived by the Township Engineer.

CONFORMANCE WITH MUNICIPAL OBJECTIVES

The Township's most recent Master Plan was adopted in August 2003. A subsequent re-examination report was adopted in 2011. The Master Plan divides Edison into five Planning Districts. The 1000 Inman Avenue Redevelopment Area is located in Planning District 1. The following overall Township goals and objectives listed in the Master Plan are relevant to the Redevelopment Area and Plan:

TOWNSHIP GOALS

- Consistent with recommendations in the State Development and Redevelopment Plan for Metropolitan Planning Areas, capitalize on opportunities for redevelopment.
- Encourage new development with the scale of established land uses while preserving the character and developed nature of existing neighborhoods and proximate land uses at densities which consider available vacant land.

LAND USE

- Provide for future growth and development of Edison's ratable base.
- Analyze existing land use patterns and underlying zoning and make recommendations where incongruous land uses directly abut one another.

HOUSING

- Encourage the development of creative senior-citizen housing options such as assisted living and active-adult market housing to accommodate an aging population. Update the zoning ordinance where appropriate to permit by-right a variety of senior citizen housing options
- Discourage the construction of isolated housing developments separated from employment and shopping thereby increasing reliance on the automobile and contributing to sprawl.

RELATIONSHIP TO OTHER PLANS

STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

In 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (SDRP). The SDRP is a document that, while not binding, guides state-level development and redevelopment policy as well as local and regional planning efforts. Eight statewide goals are articulated in the Plan, along with dozens of corresponding implantation policies. The goals are as follows:

1. Revitalize the State's cities and towns.
2. Conserve the State's natural resources and systems.
3. Promote beneficial economic growth, development, and renewal for all New Jersey residents.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

This Plan meets goals 1, 3, 4 and 6 of the SDRP:

- The intended purpose of this Plan is to revitalize certain properties in Edison from their present undeveloped condition to an actively utilized, productive site.
- This Redevelopment Plan promotes beneficial economic growth for residents of Edison.
- This Redevelopment Plan promotes the environmental remediation of a 12-acre parcel of land
- This Redevelopment Plan promotes creation of age-restricted housing

The SDRP also includes a State Plan Policy Map, which divides the state into regions known as Planning Areas. The 1000 Inman Avenue Redevelopment Area is located in the Metropolitan Planning Area (PA-1), which is characterized by intensive existing development and is the target for redevelopment efforts.

The goals for PA-1 include the following:

1. Provide for much of the state's future redevelopment.
2. Revitalize cities and towns.
3. Promote growth in compact forms.
4. Stabilize older suburbs.
5. Redesign areas of sprawl.
6. Protect the character of existing stable communities.

This Plan meets goals 1, 2, 3 and 4 for Planning Area 1:

- The Redevelopment project intends to establish residential or commercial activity on a mostly undeveloped lot surrounded by other residential and commercial uses.
- The additional revenue generated by activating the Redevelopment Area will add to Edison's economic base, and thereby, to its fiscal health.
- Edison is an older suburb. This Redevelopment Plan will add to the stability of existing residential neighborhoods by providing an age-restricted development which will not generate school-aged children.

MIDDLESEX COUNTY PLAN

Middlesex County has recently created the framework for its Destination 2040 Strategic Plan; however, the details of the plan are still being developed and are unavailable from the Middlesex County Planning Department at this time.

ADJACENT MUNICIPALITIES

The Edison Master Plan also recognizes Inman Avenue as a primary roadway connector, between Edison and Woodbridge Township. Future land use plans in Woodbridge tend to mirror that of Edison in this area, with a large portion of land adjacent to the corridor zoned for retail, and commercial use. The uses envisioned by this Plan are consistent with the land uses in the neighboring area of Woodbridge Township. The Redevelopment Area is also located near Edison's border with both Clark Township and Scotch Plains Townships; however, these areas contain the Ash Brook Reservation, a nature preserve and Oak Ridge (County) Park. Both are maintained as natural undeveloped areas. The Redevelopment Area is not proximate to any other municipalities in any meaningful way.

OTHER STATUTORY REQUIREMENTS

PROPERTY TO BE ACQUIRED

No direct property acquisition through the use of eminent domain is authorized or anticipated as a part of this Plan.

RELOCATION ASSISTANCE

The Redevelopment Area is entirely vacant of residential tenants. This Redevelopment Plan will not affect on-site residential properties, and therefore, no plan for relocation assistance is necessary.

AFFORDABLE HOUSING

As described above, there are no residential properties on or near the Redevelopment Area. Consequently, there are no affordable housing units identified for removal as part of the implementation of this Redevelopment Plan.

ADMINISTRATIVE PROCEDURES

AMENDING THE REDEVELOPMENT PLAN

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

DURATION OF THE REDEVELOPMENT PLAN

This Redevelopment Plan, as amended, shall be in full force and effect for a period of thirty (30) years from the date of approval of this Plan by the Municipal Council.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, word, provision, or application of this Redevelopment Plan shall be held to be illegal, invalid, unenforceable, and/or unconstitutional, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase, word, provision, or application of this Plan which is operable without the offending provision.