DRAFT
SCHMITT REALTY REDEVELOPMENT PLAN

1631 Paterson Plank Road
Block 191 – Lots 15, 15.01, 15.02, And 15.03
Town of Secaucus

June 2018

NEW JERSEY SPORTS & EXPOSITION AUTHORITY

DRAFT
SCHMITT REALTY
REDEVELOPMENT PLAN

1631 PATERSON PLANK ROAD
(BLOCK 191, LOTS 15, 15.01, 15.02, and 15.03)
TOWN OF SECAUCUS

JUNE 2018

Chairman
John Ballantyne

Vice Chairman
Joseph Buckelew

President/CEO
Vincent Prieto

Board Members
Robert J. Dowd
Michael Ferguson
Armando B. Fontoura
Michael H. Gluck
LeRoy Jones
George Kolber
Steven Plofker
Andrew Scala
Anthony Scardino
Robert Yudin
Michael Griffin*
**NJ State Treasurer's Representative*

Redevelopment Plan Adopted by NJSEA Resolution No. xx-xx on xxx
In Need of Redevelopment Investigation Adopted by NJSEA Resolution No. 2017-33 on November 16, 2017
In Need of Redevelopment Investigation Authorized by NJSEA Resolution No. 2017-21 on July 20, 2017

TABLE OF CONTENTS

I. Redevelopment Plan Statutory Criteria **5**
A. Requisite Plan Information 5
B. Specific Plan Requirements 5
1. Introduction 5
2. Redevelopment Area Description 7
3. Goals and Objectives 12
4. Land Use 12
5. Population Density 13
6. Known Contaminated Sites 13
7. Transportation Infrastructure 14
8. Wetlands and Waterway Buffers 14
9. Public Utilities 15
10. Recreational Facilities 15
11. Community Services 15
12. Relationship to Hackensack Meadowlands District Master Plan and Regulations 16
13. Smart Growth and Sustainability 16

II. Potential Implementation Strategies **17**
A. Powers of Redevelopment Agency 17
B. NJSEA Involvement 18

III. Selected Land Use Option **19**
A. Selection of Recommended Land Uses 19

IV. Redevelopment Plan Standards **20**
A. Redevelopment Standards 20
B. Purpose 20

V. Land Use and Bulk Standards **21**
A. Definitions 21
B. Required Uses 21
C. Permitted Uses 21
D. Use Limitations 21
E. Bulk Requirements 22
1. Lot Size Requirements 22
2. Bulk Regulations 22
F. Design Criteria 23
1. Parking and Loading 23
2. Utilities 23
3. Signage 23
4. Drainage 24
5. Minimum Lowest Finished Floor Elevation 24
6. Environmental Performance Standards 24
7. Architectural Design Standards 24
8. Fences 25
9. Open Space 25
10. Landscaping 25
11. Pedestrian Circulation 26
12. Sustainable Design 26
G. Additional Development Requirements 26
1. Project Impact Assessment 26

2. Traffic Impact Assessment 26
3. Riparian Rights 27
4. Affordable Housing Considerations 27
5. Redeveloper Requirements 27
6. Approvals of Other Governmental Entities 29

VI. Selected Redevelopment Plan Implementation Strategy 29

LIST OF FIGURES

1. Map: Schmitt Realty Redevelopment Area: Location Map 6
2. Figure: Properties Within RA-14 – Schmitt Realty Redevelopment Area 7
3. Map: Schmitt Realty Redevelopment Area: Overview 9
4. Map: Schmitt Realty Redevelopment Area: Existing Land Use 10
5. Map: Schmitt Realty Redevelopment Area: Former Zoning 11
6. Map: Schmitt Realty - Redevelopment Area 14: Official Zoning Map 30

I. REDEVELOPMENT PLAN STATUTORY CRITERIA

A. REQUISITE PLAN INFORMATION

The New Jersey Sports and Exposition Authority's (NJSEA) enabling legislation authorizes the NJSEA to prepare and adopt redevelopment plans within the Hackensack Meadowlands District (District), pursuant to N.J.S.A. 5:10A-24. The redevelopment criteria are set forth in N.J.A.C. 19:3-5. This subchapter of the NJSEA regulations states the framework for the identification of areas in need of redevelopment and provides the procedure to carry out and effectuate the redevelopment of an area.

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

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

B. SPECIFIC PLAN REQUIREMENTS

1. Introduction

This plan is intended to provide for the redevelopment of the property identified as 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, New Jersey. The subject property is owned by Schmitt Realty Company, Inc. The property is located along the Hackensack River at the westerly terminus of Paterson Plank Road within the Town. The subject property may alternately be referred to herein as the "redevelopment area." The redevelopment area location within the District may be found on the Location Map in Figure 1.

In response to a petition dated July 3, 2017 by Katharine A. Coffey of Day Pitney, LLP, on behalf of Pirhl, the contract purchaser of the property, the NJSEA Board of Commissioners adopted Resolution No. 2017-21 on July 20, 2017, which authorized the staff to conduct an investigation of the subject property to determine if it meets the conditions to be designated an area in need of redevelopment.

Schmitt Realty Redevelopment Area – Location Map
1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, NJ

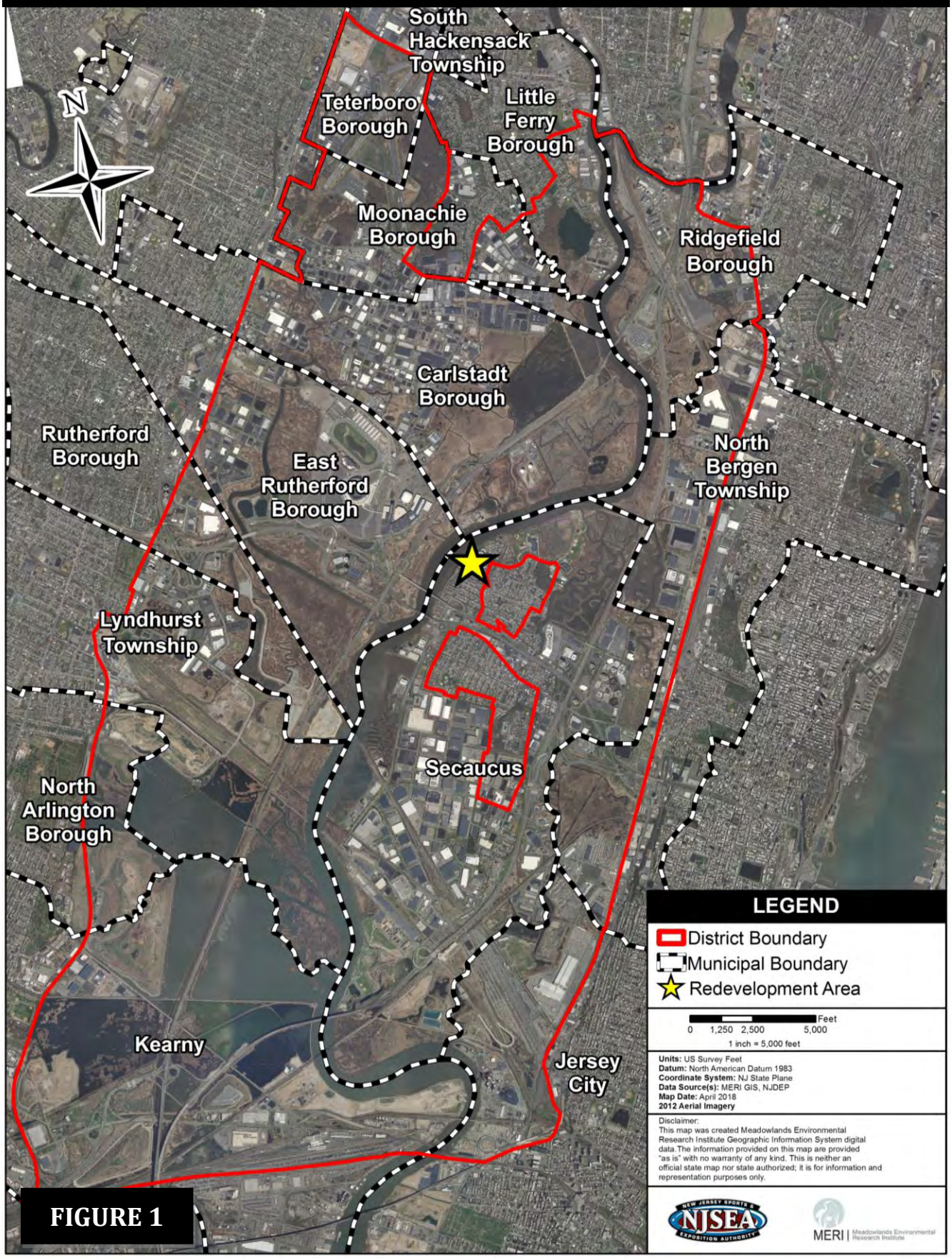

FIGURE 1

The NJSEA staff conducted an investigation into the redevelopment potential of the subject property, and prepared the "In Need of Redevelopment Investigation – Schmitt Realty Site" Report, dated October 2017, which found that the specific conditions outlined in N.J.A.C. 19:3-5.7(a)1, 2 4, 5 and 8, supporting a redevelopment designation, exist at the subject property, as follows:

> *1. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*
>
> *2. The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenantable;*
>
> *4. Areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;*
>
> *5. Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;*
>
> *8. Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

These criteria relate to the specific conditions of the property and the buildings on the site, determined in the In Need of Redevelopment Investigation Report to be obsolescent and substandard in condition. The Report also characterized the conditions on the subject property as a detriment to the health, safety, morals and welfare of the community. The subject property was determined to be an area in need of redevelopment by the NJSEA Board of Commissioners in Resolution No. 2017-33 on November 16, 2017.

2. Redevelopment Area Description

This redevelopment plan shall apply to the following properties in the Town of Secaucus, which shall be identified on the Official Zoning Map of the Hackensack Meadowlands District as **Redevelopment Area 14 (RA-14) – Schmitt Realty Redevelopment Area**:

Figure 2. Properties within RA-14 – Schmitt Realty Redevelopment Area

Block	Lot	Address	Acres (GIS)	Acres (Tax)	Existing Land Use	Existing Zoning
191	15	1631 PATERSON PLANK ROAD	1.283	3.226	Industrial	Low Density Residential
191	15.01	1631 PATERSON PLANK ROAD	0.644	0.000	Industrial	Low Density Residential
191	15.02	1631 PATERSON PLANK ROAD	1.092	0.000	Industrial	Low Density Residential
191	15.03	1631 PATERSON PLANK ROAD	0.124	0.000	Industrial	Low Density Residential
TOTAL ACRES:			**3.143**	**3.226**		

Source: NJSEA Geographic Information Systems (GIS), July 2017

The redevelopment area is comprised of four tax lots, totaling approximately 3.14 acres in area, and was previously located within the District's Low Density Residential zone. The redevelopment area is delineated by a red boundary line on the map in Figure 3.

The subject property is located on the eastern banks of the Hackensack River, which serves as the site's northerly boundary, and fronts on Paterson Plank Road at the site's easterly boundary. The property was formerly utilized by the Schmitt/Eastern Concrete facility, a concrete plant that has been located on the property for over a century, but has ceased operations for over a decade. Remnants of this use continue to exist at the property, as the site contains a concrete surface of one to two feet in depth throughout the majority of the property, and stacked concrete blocks form a wall along the property's northerly, westerly and southerly boundaries. The site contains five separate structures, consisting of one 2-story building (A), three 1-story buildings (B-D) and a structure associated with the shuttered concrete plant (E).

Outdoor storage and operations associated with a paving company also exist at the premises. Various construction materials, debris, material stockpiles, and areas of overgrown vegetation are present throughout the property. The subject property is also the subject of an active spill investigation by the NJDEP stemming from the former industrial activities on the site. The site and buildings within the redevelopment area can be characterized as being in obsolete and dilapidated condition.

Surrounding uses in the vicinity of the site are principally residential. A map of existing land uses in and around the study area can be found at Figure 4. Properties in the vicinity of the subject property are located in the District's Low Density Residential zone, as shown on the former zoning map for the redevelopment area in Figure 5.

The following residential developments are adjacent to the subject property:

- Riverview Gardens, a 132-unit garden apartment development located to the east of the site across Paterson Plank Road;
- Jacob's Landing, a 33-unit townhouse development consisting of duplex and multi-unit townhouses to the west of the site; and
- Sussex Green, a 26-unit multifamily residential development located to the south of the site.

Recreational uses, in the form of Trolley Park to the east, and the Secaucus Greenway, a 1.6-mile walkway extending from Millridge Road to the Extended Stay Hotel on Meadowland Parkway, are present in the vicinity of the subject property. A pathway within the Secaucus Greenway is located within the northerly portion of the subject site along the Hackensack River.

Schmitt Realty Redevelopment Area – Overview Map

1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, New Jersey

FIGURE 3

New Jersey Sports and Exposition Authority (NJSEA) 1 De Korte Park Plaza, Lyndhurst, NJ 07071 (201) 460-1700 Meadowlands Environmental Research Institute (MERI) GIS

Schmitt Realty Redevelopment Area – Existing Land Use Map

1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, New Jersey

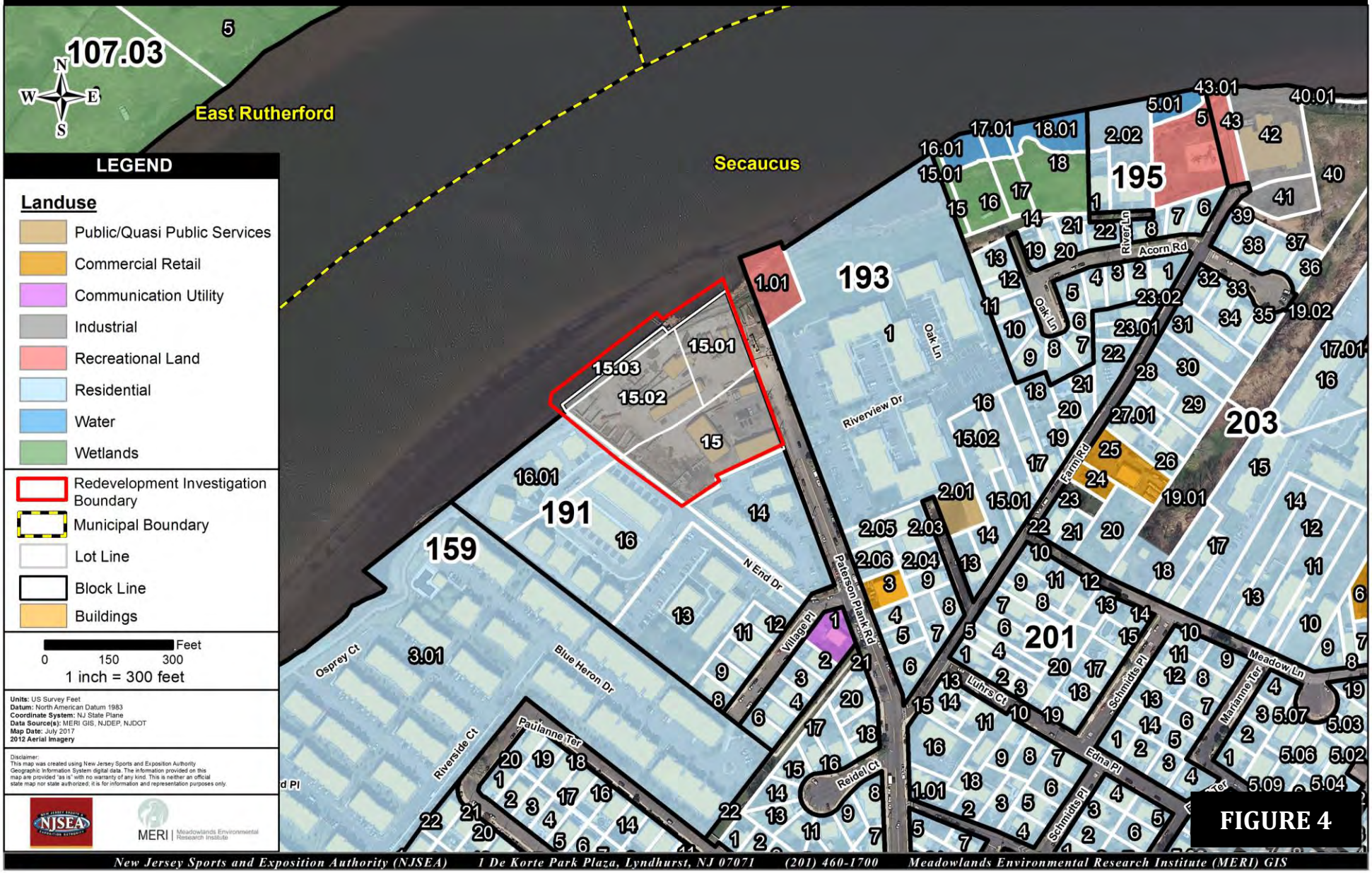

FIGURE 4

Schmitt Realty Redevelopment Area – Former Zoning Map

1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, New Jersey

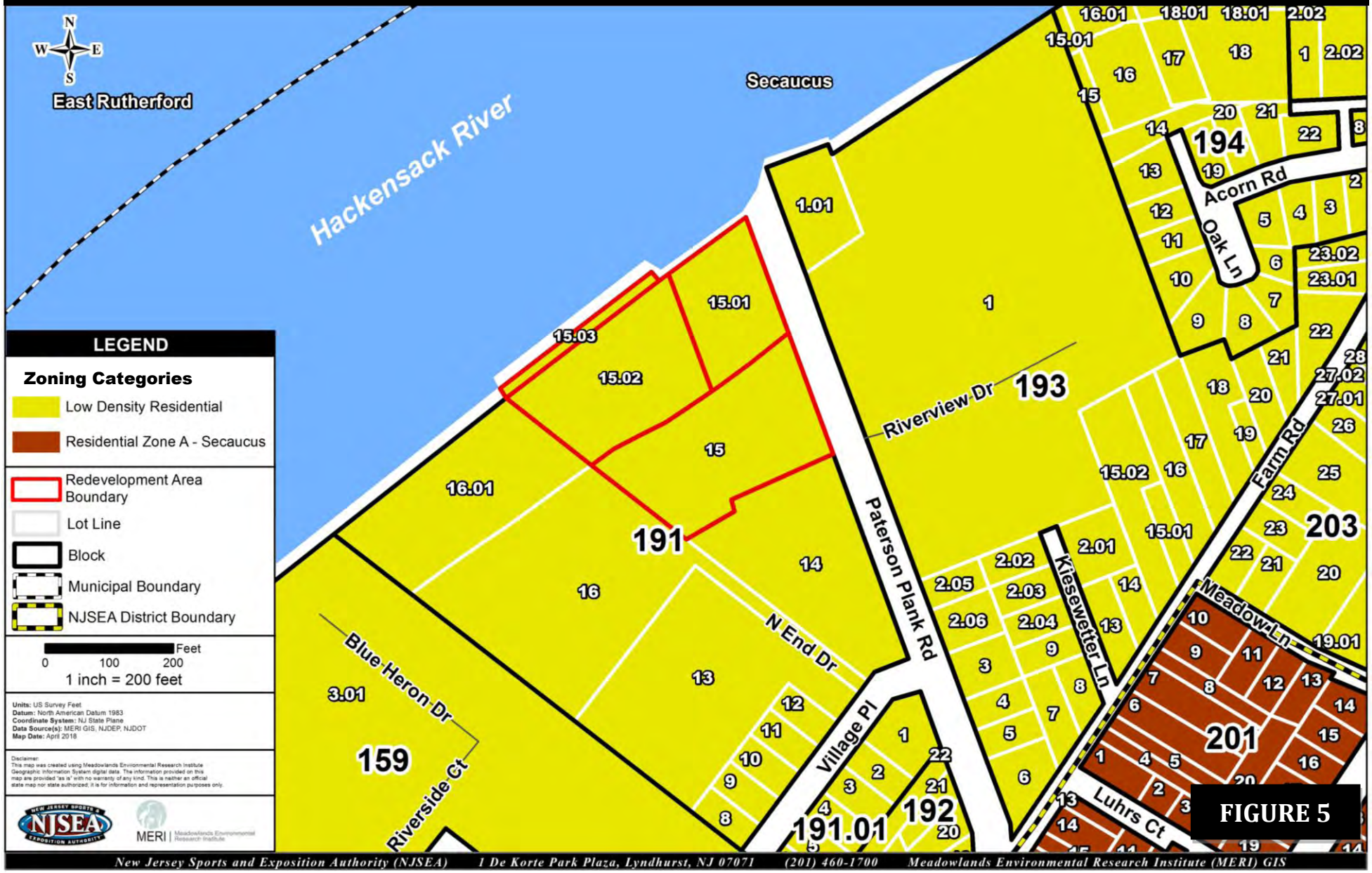

FIGURE 5

New Jersey Sports and Exposition Authority (NJSEA) 1 De Korte Park Plaza, Lyndhurst, NJ 07071 (201) 460-1700 Meadowlands Environmental Research Institute (MERI) GIS

3. Goals and Objectives

This redevelopment plan is predicated on the following goals and objectives:

a) To promote the public health, safety, and general welfare through the NJSEA's redevelopment powers.
b) To promote the redevelopment of vacant and underutilized upland areas in the Meadowlands District.
c) To provide standards for future use of the site consistent with the established residential land use pattern and within the carrying capacity of the neighborhood.
d) To promote a range of housing choices.
e) To promote the development of housing affordable to low and moderate income households.
f) To provide for the establishment of appropriate population densities.
g) To provide recreational opportunities and improve public access to the Hackensack River in the District.
h) To address existing environmental conditions at the site through appropriate measures that will remediate the site to residential standards.

4. Land Use

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

a) Development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it, or to the extent that such improvements will be provided to support it.
b) A redeveloper shall be required to submit a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.
c) A detailed traffic impact study, as set forth in N.J.A.C. 19:4-7.10 *et seq*., shall be prepared identifying mitigating measures to be performed by the developer, if required.
d) For any proposal that requires an improvement to mitigate an impact identified in the PIA in accordance with N.J.A.C. 19:4-10.10, the developer shall enter into an agreement with the NJSEA within 60 days of issuance of a zoning certificate for the project.
e) Appropriate buffers shall be provided to provide sufficient screening and distance to adjoining residential uses.
f) Access to the site's Hackensack River frontage shall be available to both residents and the public.
g) It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements.
h) The conclusions in this plan are, in part, based on the evaluation of the following documents submitted on behalf of the petitioner:
    a. Project Impact Assessment (PIA) by Sean A. Delany, PP, of Bowman Consulting, dated February 5, 2018;
    b. Fiscal Impact Analysis (FIA) prepared by Richard B. Reading Associates, dated January 29, 2018; and
    c. Traffic Impact Study (TIS) prepared by S. Maurice Rached, P.E., PTOE and Jeffrey M. Fiore, P.E., of Maser Consulting, P.A., dated March 12, 2018.

5. Population Density

According to the US Census Bureau, the Town of Secaucus' population of 16,264 persons in 2010 is estimated to have increased by 24.3 percent, to 20,215 persons, in 2017. Much of this increase can be attributed to the construction of several multi-family developments, such as the Xchange at Secaucus Junction, which result from the Town's convenient access to regional mass transit facilities via the Frank R. Lautenberg Rail Station at Secaucus Junction, as well as several bus routes. The Census Bureau reported a total of 6,905 households in the Town of Secaucus in 2016, with an average of 2.6 persons per household.

This plan encourages the redevelopment of the site with multi-family housing, which provides for an appropriate infill use consistent with the developed character of the surrounding neighborhood, including other multifamily and townhome developments. The prospective reuse of the site with multi-family or townhome dwellings would increase the variety in housing choices in the Town of Secaucus, and would capitalize on the site's waterfront location.

The *Interim Policies Governing Affordable Housing Development in the Meadowlands District* permit a density of up to 32 dwelling units per acre when a site is deemed suitable for the development of inclusionary housing. In addition to the required provision of affordable housing for any residential development on this property, redevelopment of the site requires environmental remediation to NJDEP residential standards. According to the PIA, remedial work to address contamination at the property includes the removal of concrete from the site, in some areas up to two feet in depth. The particular site conditions represent an extraordinary development challenge not routinely encountered in the Meadowlands District, which has experienced the successful redevelopment of several brownfield sites. Successful redevelopment of this site to address these factors will likely require significant capital investment by a prospective redeveloper.

Therefore, owing to the combination of inclusionary housing requirements and the extraordinary environmental remediation costs anticipated, a density of 35 dwelling units per acre would be appropriate to encourage the redevelopment of the site, and, according to documentation submitted by the petitioner, can be supported by the neighborhood.

6. Known Contaminated Sites

The properties within the redevelopment area appear on the NJDEP Known Contaminated Sites List (KCSL), a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17, that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The study area is listed as an active site in the NJDEP KCSL identified as the Schmitt Concrete Equip. Co. site, Public Interest (PI) #003949. According to the PIA, the site was subject to discharges to soil and groundwater from former underground storage tanks (NJDEP Case #01-03-06-1559-25 and #12-12-04-1438-30), as well as the presence of historic fill. In order to address the contamination, the petitioner anticipates that remedial work will involve the removal and off-site disposal of the thick concrete layer at the site's surface. Vapor mitigation systems may also be required at the site.

7. Transportation Infrastructure

The subject property is located at the terminus of Paterson Plank Road at the Hackensack River, and contains approximately 400 feet of frontage on that roadway. In the vicinity of the site, Paterson Plank Road is a local two-lane road with a cul-de-sac at Trolley Park, accessed from the Secaucus central business district and NJ State Highway Route 3. Access to the site is from Paterson Plank Road.

The subject property is located across the street from the Paterson Plank Road Cul-de-Sac bus stop, serviced by NJ Transit Bus Route 122. This is a limited-service route that provides weekday commuter service to the Port Authority Bus Terminal in New York City. There is currently no weekend bus service along this route. A connection to NJ Transit Bus Route 190, which provides service to the Port Authority Bus Terminal, Rutherford, Passaic, Clifton, and Paterson, is available at the Town's municipal building at 1203 Paterson Plank Road. Access to passenger rail service via municipal shuttle bus service to and from the Frank R. Lautenberg Station at Secaucus Junction is available on weekdays from the Paterson Plank Road Cul-de-Sac bus stop as well.

The introduction of additional residents in the area may require a reevaluation of transit needs in order to ensure that adequate transit capacity and schedules are available to serve the residents' needs throughout the day, and not only for peak commuting periods. The safety and adequacy of pedestrian circulation shall be evaluated to ensure sidewalks, lighting, and street crossings are available in a safe and convenient manner. The redeveloper of the site shall discuss anticipated impacts to the transportation infrastructure with the Town of Secaucus, NJ Transit, and any other governmental entity having jurisdiction.

8. Wetlands and Waterway Buffers

No wetland areas are indicated within the study area by NJSEA GIS mapping. Where the property adjoins the Hackensack River, a bulkhead is present along the northerly portion of the site that delineates the shoreline. N.J.A.C. 19:4-8.7 requires a minimum 50-foot-wide buffer from the Hackensack River. The site's waterfront location provides an opportunity to connect to existing improved portions of the Secaucus Greenway between Jacob's Landing to the west and Trolley Park to the east, to benefit both residents and the public. Impervious coverage associated with the Greenway may be placed within the required buffer area, given the existing site conditions within the buffer area. Public access to these areas shall be maintained, and access easements shall be provided to ensure public access remains unrestricted.

The actual presence or absence of wetlands on a particular site is subject to further review and confirmation in accordance with due diligence procedures customarily followed by applicants for development, which may include a detailed wetlands study and a jurisdictional determination by the U.S. Army Corps of Engineers.

The property does appear on the NJDEP "Map showing Conveyances and Leases of State-owned Tidelands," indicating that a grant was issued to Schmitt Realty Co. Inc. on March 22, 1965 for a portion of State-owned Tidelands in the northeasterly corner of the site. There are no active Tidelands claims on the subject property.

9. Public Utilities

Most utilities are available to serve the redevelopment area, including electric, gas, water, sanitary sewer, storm sewer, and telephone service. Public Service Electric and Gas Company (PSE&G) provides electric and gas service to the area, and Suez (formerly United Water) provides water service. The Secaucus Municipal Utilities Authority provides sewerage services.

These utilities may require upgraded service to accommodate additional development. The demand for public utilities shall be identified in any Project Impact Assessment (PIA) required at the time of development application, and installation of new utilities and/or upgrades to existing utilities may be required.

On-site drainage shall be addressed during the development application process in accordance with NJSEA regulations.

10. Recreational Facilities

The site is located adjacent to Trolley Park, a municipal park along the Hackensack River at the terminus of Paterson Plank Road. The Secaucus Greenway traverses the park at the riverfront, and an unimproved path within the planned Greenway continues through the site to connect to the Hackensack Riverwalk at Jacob's Landing.

The primary objective regarding recreational facilities within the redevelopment area is to ensure public access to the Hackensack River waterfront. Any redevelopment of the site shall include improvements within the Secaucus Greenway, including provision of a walkway providing linkages to Jacob's Landing and Trolley Park. The walkway improvements shall include use of suitable surface treatments, such as pavers, as well as the provision of landscaping, lighting, seating, and trash receptacles. The redeveloper shall consider adaptively re-using a limited number of the concrete blocks featuring community art within the Greenway, where feasible. For example, the blocks may form the base for a low seating wall, benches, or planters, or adapted as a climbing wall for children.

Sidewalk connections from Paterson Plank Road to the Secaucus Greenway and Trolley Park are also envisioned to ensure that safe and appropriate access to these recreational opportunities exist for both future users of the site and the public. Off-site improvements shall be subject to approval by the governmental entity having jurisdiction.

11. Community Services

Conditions that could be anticipated at maximum build-out were identified in a Project Impact Assessment (PIA) prepared by the petitioner. The prospective demand for municipal police, fire, and emergency medical services, as well as the impacts to area schools, were evaluated. The PIA concluded that the proposed development will not result in a significant impact to municipal services or schools, and that the revenues generated by the prospective redevelopment would result in a net positive benefit to the Town of Secaucus.

A revised PIA may be required at the time of development application should the conditions on which the PIA was predicated have changed.

12. Relationship to Hackensack Meadowlands District Master Plan and Regulations

The current Master Plan for the Hackensack Meadowlands District was adopted in January 2004. The Land Use Plan of the Master Plan designates 20 planning areas in the District. The subject property is located in the planning area designated as Waterfront Development. The Waterfront Development Planning Area spans from the subject property's boundary with Paterson Plank Road south to Harmon Cove Towers. The planning area promotes public access to waterfront and pedestrian walkways, particularly where residential uses and upland areas are present.

The Master Plan seeks to foster a healthy Meadowlands economy through the implementation of strategies that promote redevelopment and infill development, while minimizing the development of greenfields, or relatively untouched areas. Idle or underutilized properties, such as the property in question, are among those holding significant opportunities for redevelopment. This specific property, containing a defunct industrial use within an established residential neighborhood, is prime for redevelopment. Therefore, the redevelopment of the property is planned to accommodate residential uses, given the surrounding land use pattern, waterfront location, and adjacent recreational facilities.

The District Zoning Regulations and Official Zoning Map serve as the implementation tool for the land use planning objectives of the master plan. Pursuant to NJSEA statutes at N.J.S.A. 5:10A-1 *et seq.*, *t*he NJSEA is authorized to adopt codes and standards with regards to the zoning and rezoning of lands within the Meadowlands District, and to conduct redevelopment activities. Regulations specific to the planning and zoning of redevelopment areas are provided in N.J.A.C. 19:3-5.1 *et seq.*

13. Smart Growth and Sustainability

The NJSEA recognizes the State of New Jersey's use of smart growth principles to guide land use decisions and develop strategies to address conservation challenges. In the District, smart growth principles such as economic growth and redevelopment are promoted in the planning and zoning activities of the NJSEA.

The District's regulations also promote smart growth through sustainability initiatives, including the adoption of regulations encouraging sustainable green building practices. N.J.A.C. 19:4-6.6 provides incentives for applicants to the NJSEA to utilize green building practices or install alternative green building components, such as those recognized in green building certification programs, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification.

II. POTENTIAL IMPLEMENTATION STRATEGIES

A. POWERS OF REDEVELOPMENT AGENCY

The following provides the statutory provisions, pursuant to N.J.S.A. 5:10A-24, which can be utilized to implement this redevelopment plan:

1. The NJSEA shall prepare and adopt a redevelopment plan for each area in the district determined by the NJSEA to be an area in need.

2. A municipality which has land subject to the jurisdiction of the NJSEA and adopts the NJSEA's redevelopment plan shall have the authority to approve or reject an application for a permit. The municipality shall provide the NJSEA all documentation, plans, and information regarding all applications. All fees generated by these applications and approvals shall be retained by the municipality. Any approval of any plan review or subdivision application by a municipality pursuant to this subsection shall be limited by, and based upon, the rules, regulations, and standards in a resolution adopted by the NJSEA and the municipality. All fees generated by these applications and approvals shall be retained by the municipality.

3. For those municipalities that do not adopt the NJSEA's redevelopment plan, the NJSEA may issue the permit for the proposed construction or alteration as being in conformity with the redevelopment plan. Any variations and modifications of the redevelopment plan shall be the responsibility of the NJSEA. A permit shall not be issued without a certificate from the chief engineer or equivalent official of the NJSEA that the proposal is in conformity with the NJSEA's redevelopment plan.

4. In undertaking projects pursuant to any redevelopment plan, the NJSEA may:

   a) Acquire, by condemnation or otherwise, real or personal property, or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in an area in need and in any area within the district designated by the NJSEA as necessary for relocation of residents, industry, or commerce displaced from a redevelopment area;

   b) clear or reclaim any area so acquired and install, construct, or reconstruct projects therein necessary to prepare such area for development;

   c) relocate or arrange or contract with public or private agencies for the relocation of residents, industry, or commerce displaced from the area in need;

   d) dispose of real property so acquired by sale, lease, or exchange for the uses and purposes specified in the redevelopment plan, to any person or public agency;

   e) study the recommendations of the constituent municipality's planning board impacted by the redevelopment plan for redevelopment of any area within that municipality and make its own investigations as to current trends in the area in need, as established by the NJSEA;

   f) by contract or contracts with public agencies or redevelopers or by its own employees' or consultants' plan, plan, construct, reconstruct, operate, maintain, and repair any redevelopment or other project or any part thereof; and

g) make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of codes and laws relating to the use of land, the use and occupancy of buildings and improvements, and the control over the pollution of water and air and the disposal of solid waste.

B. NJSEA INVOLVEMENT

The NJSEA has wide ranging powers to effectuate a redevelopment plan, ranging from the rezoning of property for private development, up to and including condemnation, ownership, and public development of the tract. The authority of the NJSEA in undertaking redevelopment projects is enumerated under N.J.S.A. 5:10A-1 *et seq*.

No condemnation by the NJSEA is anticipated to be necessary to implement this redevelopment plan. The role of the NJSEA is to provide the zoning that will enable the redevelopment of the subject properties.

III. SELECTED LAND USE OPTION

A. SELECTION OF RECOMMENDED LAND USES

The redevelopment plan proposes to provide for multi-family residential development, with an inclusionary affordable component, to support the redevelopment of the site in a manner complementary to the existing built environment within the neighborhood.

The provisions of this redevelopment plan shall apply to the following properties in the Town of Secaucus:

- 1631 Paterson Plank Road - Block 191, Lots 15, 15.01, 15.02, and 15.03

The principal recommended land uses for the planned redevelopment of the area are to accommodate multi-family residential development, as well as park and recreation facilities to provide for access to the Hackensack River waterfront.

IV. REDEVELOPMENT PLAN STANDARDS

A. REDEVELOPMENT STANDARDS

The standards contained within this redevelopment plan shall supersede existing regulations contained in N.J.A.C. 19:4. Existing NJSEA regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6, and 19:7 shall apply to any requirements or standards not specifically set forth herein.

Requests for deviations from the standards in this redevelopment plan shall be in accordance with the provisions of N.J.A.C. 19:3-5.12 and 5.14. These regulations provide that deviation from the permitted uses specified in this plan shall require a redevelopment plan amendment, and that deviation from the bulk requirements or the design standards in this plan, or the expansion of existing structures or uses rendered nonconforming by the provisions herein, shall require a variance.

B. PURPOSE

The purpose of the Schmitt Realty Redevelopment Plan is to promote the development of a century-old, dilapidated, and obsolete industrial site within an established residential neighborhood in a manner that promotes affordable housing supply in the District and ensures public access to the Hackensack River waterfront.

A primary objective of this plan is to utilize zoning to promote the redevelopment of the subject property and provide the basis for development opportunities to return the property to productive reuse in the form of inclusionary residential development. An additional objective is to provide improved public access to and enjoyment of the Hackensack River waterfront via the improvement of the Secaucus Greenway within dedicated open space areas on the site.

All standards set forth in this redevelopment plan have been developed in accordance with these purposes.

V. LAND USE AND BULK STANDARDS

A. DEFINITIONS

All words not defined in this redevelopment plan shall have definitions as listed in the Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-2.1 *et seq.*, or in the absence of such, in the most recent edition of Merriam-Webster's Collegiate Dictionary.

B. REQUIRED USES

1. The following shall be a required use within the redevelopment area:

    a) A public waterfront walkway shall be installed within the Secaucus Greenway along the Hackensack River, in accordance with the requirements of Section F.9 below.

C. PERMITTED USES

1. The following shall be the permitted uses within the redevelopment area and shall be subject to the use limitations in Section C below.

    a) Townhome dwellings;

    b) Multi-family dwellings; and

    c) Parks or recreation facilities.

2. The following uses shall only be permitted as accessory uses to multi-family dwellings for the convenience of residents:

    a) Retail;

    b) Indoor and outdoor recreation; and

    c) Day care facilities.

D. USE LIMITATIONS

The following shall be the use limitations within the redevelopment area:

1. Dwellings shall be inclusive of affordable residential units based on the applicable laws, policies and/or regulations in effect at the time of Zoning Certificate application.

2. In conjunction with any proposed market-rate residential units, the developer shall provide on-site affordable housing units in accordance with the requirements of the entity assuming the legal responsibilities of enforcing the Fair Housing Act, and the NJSEA. All affordable units shall be subject to the applicable affordability rules as prescribed by law and in effect at the time of the Zoning Certificate application.

E. BULK REQUIREMENTS

Bulk requirements within the redevelopment area shall be as follows:

1. Lot Size Requirements

a) Minimum lot area: three acres;

b) Minimum lot width: 200 feet; and

c) Minimum lot depth: 200 feet.

2. Bulk Regulations

a) Maximum lot coverage: 50 percent;

b) Minimum open space: 30 percent;

c) Yards:

i. Minimum front yard: 25 feet;

ii. Minimum side yard: 20 feet for the first 100 feet of lot depth measured from Paterson Plank Road, and 10 feet in all other instances; and

iii. Minimum rear yard: 20 feet.

d) Maximum building height:

i. Feet: A maximum height of 40 feet shall be permitted, except for multi-family dwellings incorporating parking within the building structure, which shall be permitted to have a maximum height of 55 feet; and

ii. Levels: A maximum of four levels shall be permitted within a structure.

(1) Parking garages within the building structure shall be deemed a level.

(2) A roof shall not be deemed a level.

e) Maximum density: 35 dwelling units per acre, inclusive of affordable units.

F. DESIGN CRITERIA

Unless superseded in this redevelopment plan, the design of all improvements shall be in compliance with NJSEA site plan requirements, as set forth in N.J.A.C. 19:4-8.1 *et seq.*

1. Parking and Loading:

a) Parking and loading requirements shall conform to N.J.A.C. 19:4-8.2 through 8.4, and the following:

Use	Minimum Parking Requirements	Minimum Loading Requirements
a) Multi-family dwelling	1 space per unit restricted as affordable in accordance with N.J.A.C. 5:80-26; 1.5 spaces per market rate unit; and 1 visitor space per 4 market rate units.	See Table 8-1 at N.J.A.C. 19:4-8.4(a)27

b) No additional parking shall be required to be provided for accessory uses intended for use solely by residents. Such use shall be deemed accessory only when accessible from the interior of the building and where no exterior signage greater than 10 square feet shall be permitted.

c) Up to 20 percent of required parking spaces for market rate units may be land-banked in accordance with N.J.A.C. 19:4-8.2(e)

2. Utilities

The developer is responsible for providing and obtaining all applicable permits and easements where necessary for the installation of all required utilities. All utilities shall be located underground to the extent practicable.

3. Signage

a) Signage within the redevelopment area shall comply with the standards applicable to the Planned Residential zone in N.J.A.C. 19:4-8.14 (Table 8-5), and the following:

i. Signage shall not be permitted on any façade or freestanding location within the side yard adjoining Block 191, Lot 14.

ii. The maximum height of any wall sign shall be 30 feet above grade.

4. Drainage

Drainage plans, including maintenance provisions, shall be prepared in accordance with NJSEA regulations at N.J.A.C. 19:4-8.6. All drainage ways shall be properly maintained and planted, and designed in accordance with the NJSEA's *Guidelines for Green Development and Redevelopment, Part 1 - Low Impact Development*, where appropriate.

5. Minimum Lowest Finished Floor Elevation

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

6. Environmental Performance Standards

a) Unless superseded herein, all uses shall comply with the following environmental performance standards in N.J.A.C. 19:4-7.1 *et seq*.

   i. All category A performance standards shall apply; and

   ii. All water quality standards contained in N.J.A.C. 19:4-7.9 shall apply.

7. Architectural Design Standards

a) All façades shall be designed to be aesthetically pleasing. Variations in color, height, finish and materials are strongly encouraged.

b) Buildings with a linear dimension of more than 300 feet shall have a façade plane whose horizontal dimension is broken into segments through the use of a physical offset or vertical element located at a minimum of every 100 linear feet.

c) The developer is encouraged to incorporate such building elements as architecturally interesting entrances, cornices, belt courses, and other ornamental features as a means to enhance the visual environment.

d) Exterior mounted mechanical and electrical equipment visible from adjacent streets and from public areas within the site shall be screened.

e) Parking garages and side and rear elevations shall receive architectural treatments comparable to the front facade.

f) Projecting balconies shall be visually integrated with the façade of the principal structure.

g) Accessory rooftop terraces shall be concealed within the principal structure and oriented toward the property interior and/or Hackensack River, in a configuration which would shield visibility and noise from adjoining properties.

8. Fences

a) Fences and walls shall be permitted in required front yards at a minimum setback of 10 feet in accordance with the following:

   i. The fence location shall comply with the line of sight triangle requirements of N.J.A.C. 19:4-8.5.

   ii. Gates located within vehicular use areas along the property frontage shall be located at a setback sufficient to provide adequate queuing area for vehicles, as determined by the Chief Engineer, but in no case less than 20 feet.

9. Open Space

a) Open space areas within the property shall consist of both developed open space and natural areas.

b) All open space requirements of N.J.A.C. 19:4-8.8 shall apply.

c) The applicant shall provide for improvements to the Secaucus Greenway, including the Hackensack Riverwalk, as follows:

   i. All improvements shall be conducted in consultation with the Town of Secaucus and any other agency having jurisdiction.

   ii. A dedicated easement of a minimum 25 feet in width shall be provided for the Secaucus Greenway.

   iii. The walkway shall connect to the existing portions of the Riverwalk at Jacob's Landing and Trolley Park.

   iv. Provisions for public access, adequate lighting, refuse disposal, seating, and signage at the points of access, shall be provided.

   v. To the extent feasible, existing concrete blocks featuring community art shall be re-used within the Greenway.

10. Landscaping

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

b) A minimum landscaped buffer of 10 feet in width shall be provided along the easterly side yard and southerly rear yard. The use of berms, raised planters, and appropriate massing of plantings is encouraged to minimize the appearance of the height of development on the subject property in relation to neighboring properties in the Low Density Residential zone.

11. Pedestrian Circulation

A comprehensive pedestrian circulation plan shall be provided, including provisions for adequate sidewalks and lighting. The redeveloper shall address the following:

a) Sidewalks shall be provided in accordance with the following minimum requirements:

i. A sidewalk shall be provided along Paterson Plank Road in accordance with N.J.A.C. 19:4-8.12, and shall connect to the Hackensack Riverwalk within the Secaucus Greenway, subject to the approval of any governmental entity with jurisdiction.

ii. All sidewalks within the site shall have a minimum unobstructed width of 4 feet.

b) All pedestrian features shall be designed with provisions for Barrier Free accessibility.

12. Sustainable Design

The NJSEA encourages developers to incorporate sustainable design within the redevelopment area. Employing green building methods from the onset of a project provides environmental, economic, and social benefits, including increased efficiency and reduction in energy costs. The NJSEA's green building regulations at N.J.A.C. 19:4-6.6 provide zoning and fee incentives to promote sustainable green building practices in the Meadowlands District.

1. ADDITIONAL DEVELOPMENT REQUIREMENTS

1. Project Impact Assessment

A Project Impact Assessment (PIA) shall be prepared in accordance with N.J.A.C. 19:4-10.1 *et seq*. The PIA shall provide information to allow the NJSEA to assess the probable effects of a proposed project.

a) Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.

b) For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJSEA prior to the issuance of a zoning certificate for the project.

2. Traffic Impact Assessment

A Traffic Impact Assessment (TIA) shall be prepared in accordance with N.J.A.C. 19:4-7.10. The TIA shall assess the traffic and circulation impacts of proposed development and identify improvements required. The scope of the TIA shall be determined in consultation with the Chief Engineer.

3. Riparian Rights

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

4. Affordable Housing Considerations

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

5. Redeveloper Requirements

a) If the NJSEA elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 5:10A, prior to entering such contract, the redeveloper shall provide a financial report to the NJSEA assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
   i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.
   ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
   iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
   iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project; financing method(s), source(s) and amounts committed; and proposed and actual completion dates of projects.
   v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
   vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116, http://www.fasb.org, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.

vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.
viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any debarments, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate development project and/or government contract regardless of the date of such occurrence.
ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of N.J.A.C. 19:4-10.4(a)14.
x. Such other information as may be deemed necessary by the NJSEA staff.

b) The redeveloper shall provide the following to the NJSEA, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
   i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
   ii. The projected development timeline.
   iii. Any change in the financial report required in 5a above.

c) Any redeveloper applying to any federal, state, county, or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NJSEA of such application in writing and shall provide copies to the NJSEA of all applications, formal correspondence and government actions regarding the requested financial assistance. The NJSEA staff shall provide any of the aforementioned entities with information about the project upon request. The NJSEA may make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.

d) Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NJSEA contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NJSEA of all correspondence and information regarding the PILOT bonds. The NJSEA staff shall provide the municipality with information about the project upon request. The NJSEA may make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.

6. Approvals of Other Governmental Entities

a) Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.

b) Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NJSEA contemporaneously with its filing and shall provide copies to the NJSEA of all correspondence and information regarding the permit application. The NJSEA staff shall provide the regulatory entity with information about the project upon request. The NJSEA may make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.

c) The applicant shall provide, to the NJSEA, proof of compliance with any requirements and/or restrictions from other regulatory agencies associated with the intended use(s) of the site. Additionally, copies of any future requirements and/or restrictions shall be submitted to the NJSEA by the designated developer immediately upon receipt.

VI. SELECTED REDEVELOPMENT PLAN IMPLEMENTATION STRATEGY

This redevelopment plan shall be the regulatory instrument for the development of the Schmitt Realty Redevelopment Area, along with the NJSEA Regulations at N.J.A.C. 19:3, 19:4, 19:5. 19:6 and 19:7, where applicable, and shall supersede all prior zoning for parcels of land contained within this redevelopment area.

No actions, other than the adoption of this plan and review of applications submitted by property owners or prospective developers/redevelopers to implement this plan, are proposed or contemplated by the NJSEA at time of adoption of this plan.

Schmitt Realty Redevelopment Area: Official Zoning Map (RA-14)

1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, and 15.03) – Secaucus, New Jersey

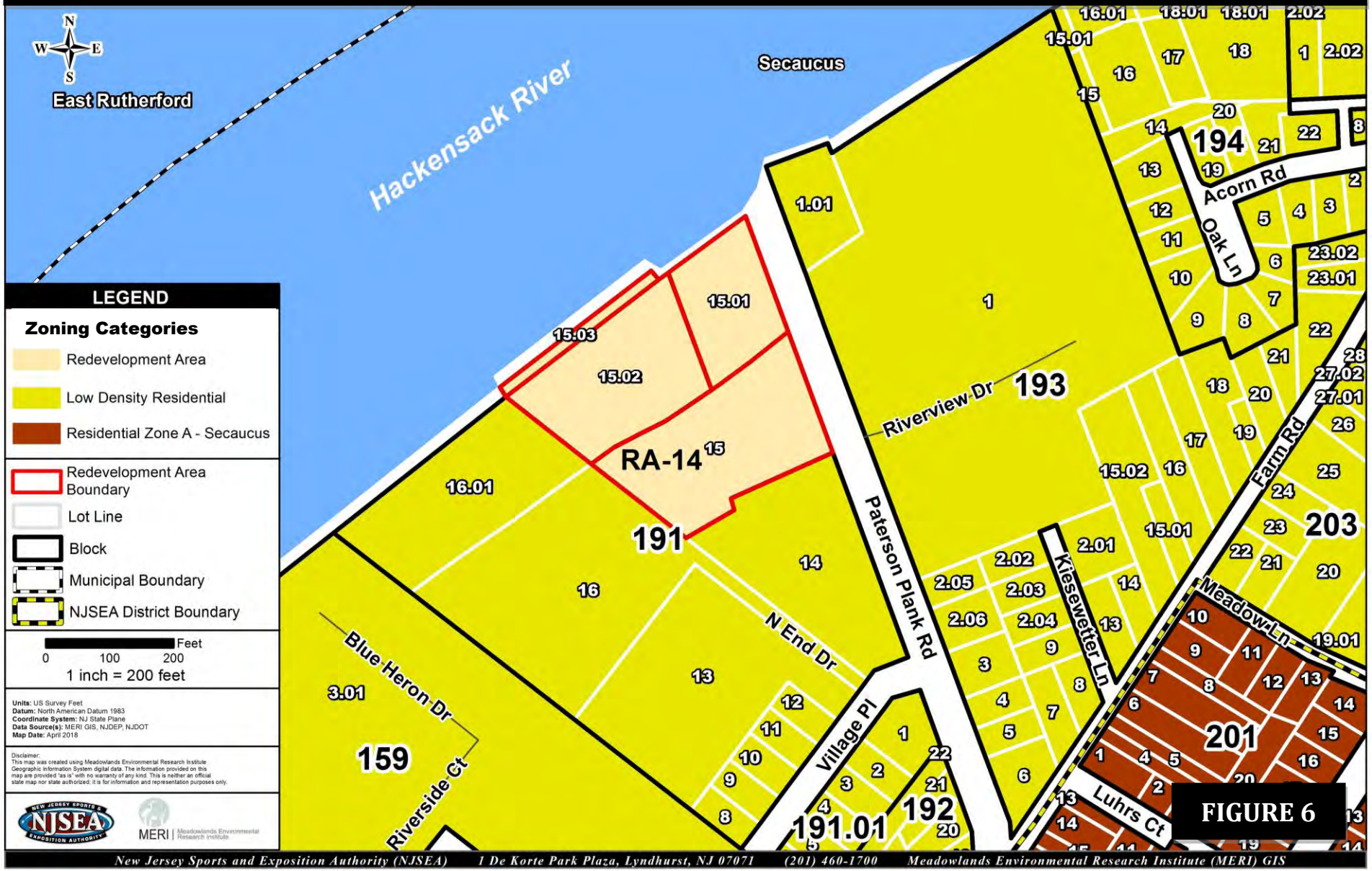

FIGURE 6