

Keasbey 8: Tilcon Redevelopment Plan

Township of Woodbridge
Middlesex County, New Jersey



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Table of Contents

INTRODUCTION	2
KEASBEY 8: TILCON REDEVELOPMENT AREA ZONING STANDARDS	10
ACQUISITION.....	14
PLAN RELATIONSHIP WITH OTHER PLANS	15
IMPLEMENTATION OF THE REDEVELOPMENT PLAN	19

<i>Figure 1: Redevelopment Area Parcel Map.....</i>	<i>4</i>
<i>Figure 2: Redevelopment Area Aerial Map.....</i>	<i>5</i>
<i>Figure 3: Existing Zoning</i>	<i>7</i>

INTRODUCTION

This Redevelopment Plan represents an opportunity to improve industrial space in the Keasbey section of Woodbridge Township. This plan will foster the transformation of properties into productive heavy industrial use. This Redevelopment Area should be a highly desirable location for a business to thrive.

The redevelopment of the Keasbey 8: Tilcon area presents unique challenges. In response to the physical and economic conditions at this site, the Township Council requested that the Planning Board evaluate certain properties as an “area in need of redevelopment” on November 9, 2010.

STATUTORY REQUIREMENTS

According to the Local Redevelopment and Housing Law (N.J.S.A. 40:A 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:

- Its relationship to definitive 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;
- Proposed land uses and building requirements in the project area;
- 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 in the existing local housing market;
- An identification of any property within the Redevelopment Area proposed to be acquired in accordance with the Redevelopment Plan;
- 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 Plans
adopted pursuant to the “State Planning Act.”

PLANNING CONTEXT

The Township of Woodbridge is 24.2 square miles in size and located in northeastern Middlesex County. The Township of Woodbridge is bordered by Clark Township, the City of Rahway, the City of Linden, and Union County to the north; the Borough of Carteret, the Arthur Kill and the City of Perth Amboy to the east; the Raritan River to the south; and Edison Township to the west.

The Keasbey section of the Township is generally bound by the Woodbridge Township sections of Fords and Hopelawn to the north, the City of Perth Amboy to the east, the Township of Edison to the west, and the Raritan River to the south.

The Keasbey 8: Tilcon Area is located at the end of Crows Mill Road and has extensive frontage along the Raritan River. The Area consists of nine (9) parcels with a total area of approximately 26.31 acres. The following properties comprise the redevelopment area: Block 75.02, Lot 1; Block 76, Lot 1.01; Block 76, Lot 1.02; Block 76, Lot 1.03; Block 80, Lot 1.01; Block 80, Lot 1; Block 80, Lot 2; Block 81, Lot 1; Block 88, Lot 1.

Figure 1: Redevelopment Area Parcel Map

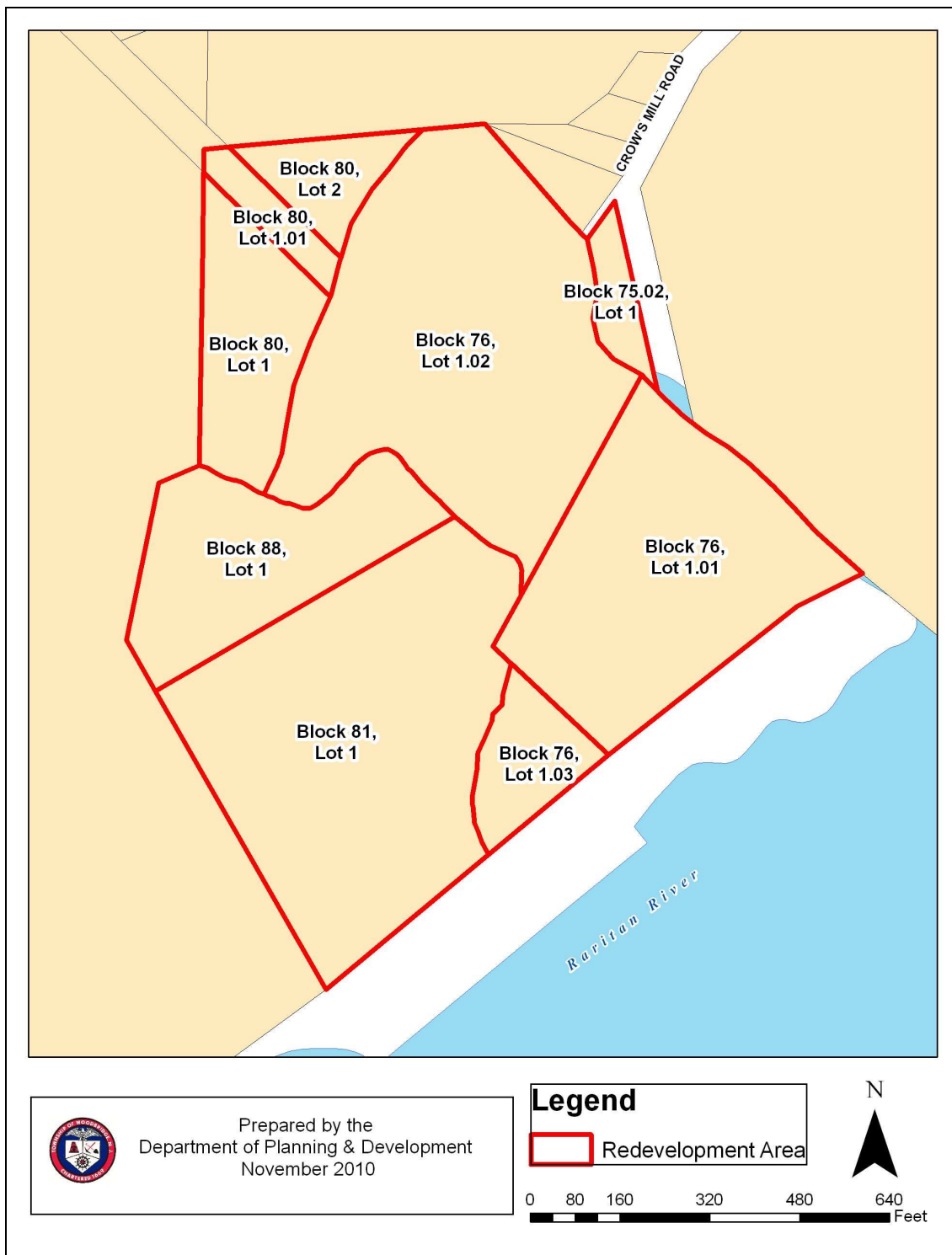


Figure 2: Redevelopment Area Aerial Map



HISTORY OF KEASBEY

The Keasbey section of Woodbridge Township was the location for industrial uses as far back as the 1800s. The soil in the area was conducive for brick mining and manufacturing. Rail lines were created to compliment the heavy industrial uses in Keasbey. This pattern of industrial development during this time reflected the use of rail to transport manufactured goods. The platting of industrial properties was created in order to facilitate and take advantage of the location of railroad siding and many properties either included railroad right-of-ways or were bounded by them.

In the early 20th century, the construction of a number of roads in the area began. These roads included Route 440, Route 287, Route 9, and Industrial Highway. The construction of these roads facilitated the use of motorized transport over rail. Subsequently, the uses of rail rights of way have been abandoned, while Keasbey has maintained industrial development.

MASTER PLANNING AND ZONING DESIGNATION HISTORY

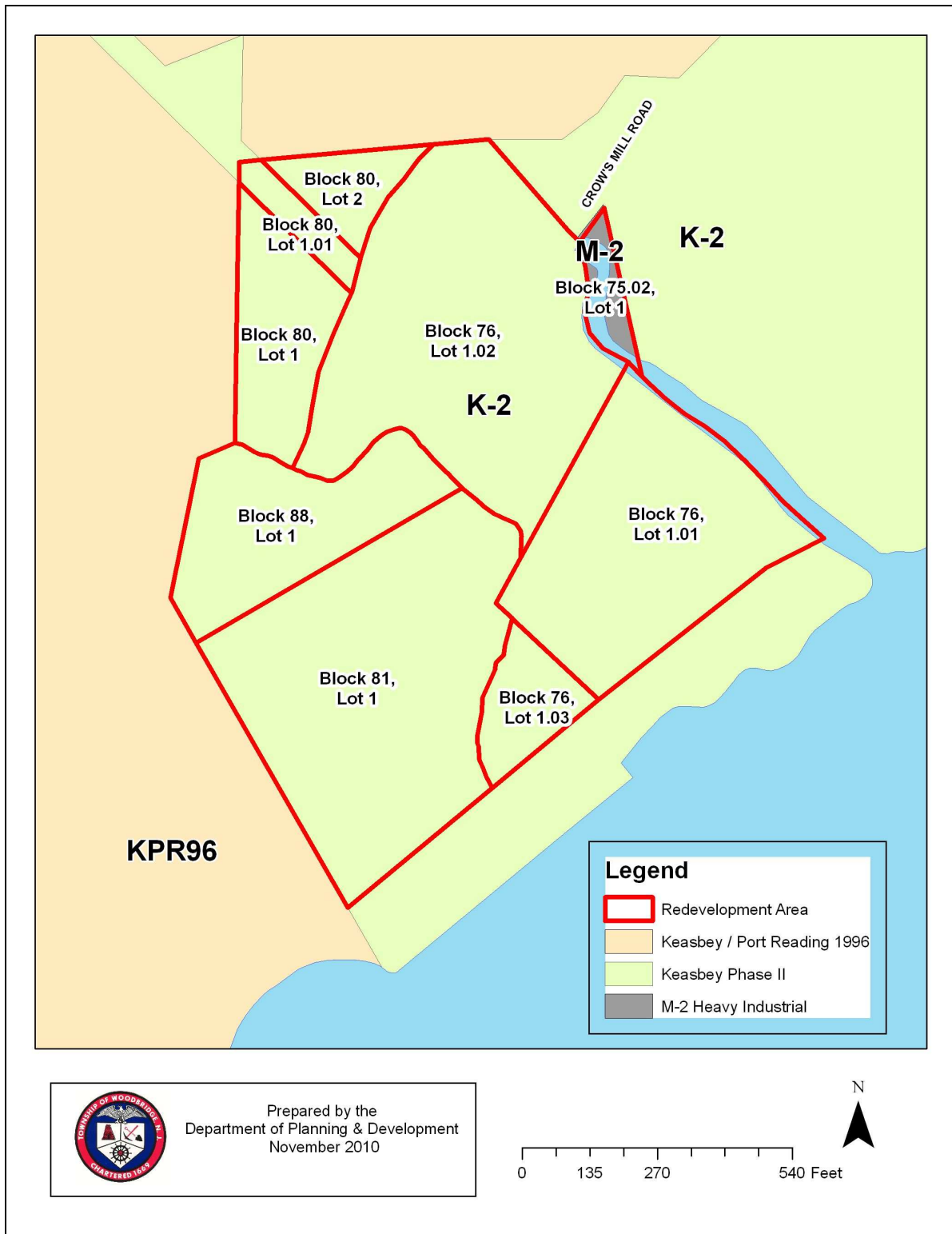
The Township Master Plan recognizes that the current land use for this area is industrial. The majority of the redevelopment area is in the Keasbey Phase II Redevelopment Area (K2). One of the parcels in the redevelopment area is zoned M-2: Heavy Industrial Zone. The Master Plan proposes designation of this area as a redevelopment area.

PLAN GOALS

The overall goal of this Redevelopment Plan is to address the existing conditions that have negatively impacted the Area and comprehensively upgrade the area for redevelopment. The Township aims to reach the following goals:

- To stimulate economic investment in the Area;
- To promote the effective use of all the Redevelopment Area properties and to increase property tax base;
- To develop a safe and modern industrial site;
- To improve the physical appearance of the Area.

Figure 3: Existing Zoning



RELATIONSHIP OF PLAN TO THE TOWNSHIP LAND USE AND DEVELOPMENT ORDINANCE (APPLICATION & PROCESS)

The Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. This Plan supersedes the use and bulk provisions of the Township Land Use and Development Ordinance (Chapter 150) for the Redevelopment Area unless specifically referenced. Other Township regulations affecting developments that are in conflict are superseded by this Plan; however, existing engineering standards, performance standards and definitions shall apply.

In connection with site plan or subdivision applications, the Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions, pre-existing structures and physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon, the developer or redeveloper of such property. The Planning Board may also grant a deviation from the regulations contained within this Redevelopment Plan related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict application of the requirements of this Plan and the benefits of granting the deviation would outweigh any detriments.

The Planning Board may grant exceptions or waivers of design standards from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within the Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to this site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviations from standards of this Plan that results in a “d” variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Township’s Zoning Board of Adjustment. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in N.J.S.A.

40:55D- 12a.&b. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified as N.J.S.A. 40:55D, et seq.

Final adoption of this Redevelopment Plan by the Township Council shall be considered an amendment to the Township of Woodbridge Land Use and Development Ordinance and Zoning Map. Unless otherwise defined in the Plan, terms used in this Plan shall have the same meaning as defined in the Township's Land Use and Development Ordinance.

KEASBEY 8: TILCON REDEVELOPMENT AREA ZONING STANDARDS

It is the intent of this Plan to encourage the redevelopment of the Area by improving current infrastructure to existing businesses, remediating contaminated brownfields, protecting environmentally-sensitive land, and providing public recreational areas, including waterfront access to the Raritan River.

The following standards contain information pertaining to the purpose of the district; the permitted and accessory uses; bulk standards; and other district-specific standards. The general design standards apply to all zones. The evaluation of any proposal submitted under the Redevelopment Plan shall be based upon sections of this Redevelopment Plan entitled Relationship of Plan to the Township Land Development Regulations including District and Design Standards.

Purpose: The purpose of this Redevelopment Zone is to enhance current industrial properties; remediate brownfields; encourage new development; protect environmentally sensitive land; and provide continuation of the Raritan River walkway public access project.

Permitted Uses:

A building may be erected, altered or used and a lot or premises may be occupied and used for any of the following purposes:

- Manufacturing and assembly
- Fabrication and assembly of products
- Warehouses, wholesale sales, storage and distribution
- Storage of petroleum
- Tank Farms
- Dock facilities
- General office and research buildings
- Green energy producing entities and their structures
- Green technology and laboratory or utility buildings
- Blending, refining, mixing of product including chemicals
- Recycling facilities
- Manufacture/recombining of brick, block, concrete, asphalt and all related similar products
- In addition to the above, any industry not inconsistent with the above that is totally similar in purpose, function, character and effort

Accessory Uses:

- Offices connected to the principal use; private garage space for the storage of vehicles operated exclusively as part of a permitted use; signs, fences and hedges, parking and other customary accessory uses and structures which are clearly incidental to the principal structure and use
- Infrastructure constructed in support of any of the permitted primary uses

Bulk Standards:

Principal Building:

- Minimum lot size: 25 acres of contiguous lot area
- Minimum lot width: 100 feet
- Minimum lot depth: 150 feet
- Minimum front yard setback (measured from the future street right-of-way): 60 feet
- Minimum rear yard setback: 50 feet
- Minimum side yard setback: 30 feet
- Minimum total side yard setback: 50 feet
- Side and rear yard setbacks may be reduced as follows: No side or rear yard shall be required when the boundary line is a railroad right of way. Where an industrial zone abuts a lot in a residential zone, a side yard of 100 feet shall be required
- Maximum structure coverage: 70%
- Maximum impervious coverage: 90%
- Maximum building height: 50 feet
- Maximum accessory infrastructure height: 85 feet
- Maximum distance between buildings: More than one (1) principal building and lot shall provide a minimum open unoccupied area between buildings equal to the height of the adjoining building or buildings, but not less than fifteen (15) feet

Accessory Buildings and Structures:

- Accessory buildings, infrastructure, and uses, shall meet all the setback requirements of a principal building

Additional Standards:

Public Access:

- Public Access to the waterfront shall be provided via walkway/pathway

Off-street parking and loading is required subject to the following conditions:

- Manufacturing, research, industrial, warehouses, wholesale or laboratories – one (1) parking space for each employee employed at one (1) time on maximum shift, plus ten percent 10% of the employee spaces for visitors, not to exceed (40)
- Offices, office buildings, office research buildings: one (1) parking space for each three hundred (300) square feet of net floor area (not including common areas)

Loading and Unloading:

- Loading and unloading shall be provided according to the following schedule:

GROSS FLOOR AREA	SPACES REQUIRED
4,000 to 25,000	1
25,001 to 50,000	2
50,001 to 75,000	3
75,001 to 100,000	4
Each Additional 50,000	1 Additional

Screening:

- Loading facilities open to public view shall be screened from public view by a solid fence and evergreen shrubs not less than six (6) feet high

Landscaping:

- Site considerations – Natural site features, such as existing trees, streams, rock outcroppings etc, shall be preserved wherever possible. Whenever such natural features are absent or insufficient or have been destroyed during the development of the site, additional new plantings of a sufficient size as determined by the municipal agency shall be established to provide environmental protection to beautify the buildings and grounds and to provide

privacy, shade and the screening out of objectionable features created on the site

- All street trees and on-site deciduous shade trees shall not be less than 2 ½ inches in diameter, measured one (1) foot above the root crown

Outside Storage:

- No outside storage of materials, raw or finished, shall be stored in any yard or open area unless as part of site plan review before the Planning Board, the designated Redeveloper/Applicant presents a landscape screening plan that appropriately addresses the Township's aesthetic concerns
- All outside agency rules and regulations must be complied with, including but not limited to the New Jersey Department of Environmental Protection

ACQUISITION

PROPERTY TO BE ACQUIRED

This Redevelopment Plan authorizes the Township to exercise its condemnation powers on all properties in the Redevelopment Area, to acquire property or to eliminate any restrictive covenants, easements, or similar property interests which may undermine the implementation of the Plan.

The Township plans, however, to assist the designated redevelopers in working with affected property owners and businesses to promote private redevelopment, where appropriate, of the parcels within the Redevelopment Area.

Factors to be considered by the Township mitigating against the use of eminent domain will include the length of time a property owner has been in business and the characteristic pattern of upgrades and improvements the owner has made to the property during that tenure of ownership.

RELOCATION PLAN

It is anticipated that the designated redevelopers will address any relocation needs through acquisition of parcels. The Township of Woodbridge, however, will provide all displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law should relocation be necessary. Such assistance will be provided through an appropriately designated office which will assist in any relocation of persons, businesses or other entities. Further, the Township of Woodbridge and the surrounding area contains sufficient land and buildings which would be appropriate for relocation of existing businesses from the Redevelopment Area. If relocation is not directly caused by the Redevelopment Plan, the Township assumes no responsibility for relocation of businesses.

PLAN RELATIONSHIP WITH OTHER PLANS

RELATIONSHIP TO THE TOWNSHIP MASTER PLAN

The Township of Woodbridge's last comprehensive Master Plan was prepared in February 2009. The Master Plan recommended this area be devoted to redevelopment.

The Master Plan adopted the following goals that are relevant to this Plan:

- To control industrial development by limiting industrial development to land suitable for industrial use, including sites with flat topography, good drainage and access to arterial and primary roadways;
- To control industrial development by permitting a range of industrial lot sizes and uses within industrial districts;
- To control industrial development by excluding residential uses from industrial areas.

MASTER PLANS OF ADJACENT MUNICIPALITIES

The Keasbey 8: Tilcon Redevelopment Area is located in the northeastern portion of Keasbey and close to the City of Perth Amboy. However, the redevelopment area does not abut the City of Perth Amboy and is not anticipated to have an adverse impact to the City of Perth Amboy.

MIDDLESEX COUNTY PLANS

Middlesex County Growth Management Strategy

Between 1990 and 1995, Middlesex County prepared phased Growth Management Strategy to address infrastructure need, regional design and growth management strategies. The County was subdivided into four regions. Woodbridge Township is located in the northeast region, as were all neighboring municipalities.

Phase I of the plan found that large levels of public & private investment were necessary to maintain infrastructure with the highest cost items being maintenance and improvement to sewers, parks and roads.

Phase II of the plan focused on managing actual growth pertaining to five specific case studies. None of the case studies focused on areas of Woodbridge.

Phase III of the study, three primary recommendations were made as part of the Metropark Case Study:

- Traffic congestion inhibits growth in the area. Access to Metropark is limited by the narrow rail underpasses and New Jersey Transit's parking expansion will place an even greater burden on local roads. Transportation management measures should be implemented intensively for this area;
- The NJ Transit parking deck project includes the construction of space for retail facilities to better serve commuter needs. Additional retail development to serve nearby office workers should be evaluated;
- Growth in this study area is limited by increasingly scarce buildable land and the need for increased sewage capacity in the Township. A stormwater management plan should be developed for the entire South Branch of the Rahway River drainage area in order to determine the most effective stormwater control measures.

This Redevelopment Plan is consistent with the recommendations discussed in the Middlesex County Growth Management Strategy and will serve to offer some of "the retail development" contemplated for neighboring office workers.

Consistency with Middlesex County Master Plan

The Keasbey 8: Tilcon Redevelopment Plan is generally consistent with the elements of the Middlesex County Master Plan, a document that addresses sprawl and sustainability in the region. The Keasbey 8 Redevelopment Plan relates directly to the goals, values and objectives of the Middlesex County Master Plan which aims to:

- Make fuller use of existing transportation lines and facilities. The County Plan anticipated that public transportation would achieve greater significance as a necessary alternative to the private automobile, with its attendant problems of pollution, energy availability, and congestion;

- Find a more feasible alternative to the present situation of “strip” commercial development found on major roads, and single-family homes on unnecessarily large lots;
- “Cluster” future growth around definable town centers and transportation facilities to include commercial and office employment as well as residential, with land use intensity decreasing as distance from the town center increases.

New Jersey State Development & Redevelopment Plan

The Keasbey 8: Tilcon Redevelopment Plan is consistent and would effectuate the plans and policies of the New Jersey State Development and Redevelopment Plan (SDRP), adopted in 2001. The SDRP is a unique document that guides State-level development and redevelopment policy as well as local and regional planning efforts. This Plan is consistent with the following statewide goals in the SDRP.

- Revitalize the State’s cities and towns;
- Promote beneficial economic growth, development and renewal for all residents of New Jersey;
- Protect the environment, prevent and clean up pollution;
- Provide adequate public facilities and services at a reasonable cost;
- Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value;
- Ensure sound and integrated planning and implementation statewide.

The SDRP also includes a State Plan Policy Map, which divides the state into regions, known as Planning Areas, and includes specific goals for each area.

The Policy Map also identifies “Centers”, locations into which development is to be directed, “Environs,” areas to be protected from future growth. The Township of Woodbridge falls in the ‘Metropolitan Planning Area’ (PA1). The State Plan recognizes that all communities in this planning area are essentially fully developed; hence much of the change in land uses will occur as redevelopment.

The State Plan’s planning objectives for the ‘Metropolitan Planning Area’ includes:

- Providing for much of the state's future redevelopment;
- Revitalizing cities and towns;
- Redesigning areas of sprawl;
- Protecting the character of existing stable communities.

This Plan will serve to meet each of these goals for the designated area.

IMPLEMENTATION OF THE REDEVELOPMENT PLAN

REDEVELOPMENT ENTITY

The Woodbridge Township Redevelopment Agency will serve as the Redevelopment Entity.

Phasing:

- Projects may be developed in phases;
- The phasing may include phased start and completion dates among the various land use components, as well as internal phasing schedules within sections, subject to specific provisions in the redevelopment agreement.

SELECTION OF DESIGNATED DEVELOPERS

Potential redevelopers will be required to submit to the Redevelopment Entity for review and approval prior to the designation of a redeveloper(s) at a minimum:

- Financial responsibility and capability;
- Estimated development cost;
- Estimated time schedule;
- Conceptual site plans including elevations;
- Fiscal impact analysis.

APPOINTMENT OF A DESIGNATED REDEVELOPER

The Redevelopment Entity may select one or more redevelopers to participate in the implementation of the Redevelopment Plan.

As part of the process to be designated a redeveloper, the Redevelopment Entity will negotiate a formal Redevelopment Agreement.

Designation of a Redeveloper(s) by the Redevelopment Entity shall be subject to the execution of an appropriate Redevelopment Agreement.

CONDITIONS IN REDEVELOPMENT AGREEMENT(S)

Each Redevelopment Agreement will be contingent upon the following conditions, restrictions, and/or requirements.

1. Each Redevelopment Agreement will incorporate the pertinent aspects of the selected redeveloper's proposal and will address financial considerations, planning, phasing, development and such other issues as deemed appropriate and/or as required according to state law in order to implement the Redevelopment Plan.
2. A designated redeveloper will be obligated to complete on-site improvements as approved, together with any specified off-site improvements, as may be required in accordance with the Redevelopment Plan and the Redevelopment Agreement.
3. Any necessary deed of conveyance shall include a restriction that the designated redeveloper and his successors or assigns shall devote land to the uses specified in the designated redeveloper's final plan and shall not devote such land to any other uses.
4. No designated redeveloper will be permitted to dispose of property until the issuance of the Certificate of Completion, unless the prior written consent of the Redevelopment Agency has been obtained.
5. No covenant, agreement, lease, conveyance, or other instrument shall be effective or executed by the Township of Woodbridge and the Redevelopment Entity or by the purchasers or lessees from them, or by any successors in interest of such purchasers or lessees, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex, or marital status.
6. The Redeveloper(s) shall pay to the Redevelopment Entity an application fee for consideration of redeveloper as a designated redeveloper and will fund an escrow for the Agency's costs in implementing redevelopment.
7. The Redevelopment Entity and the Township of Woodbridge reserve the right to terminate any Redevelopment Agreement with a designated redeveloper subject to the terms and conditions of the Redevelopment Agreement.

DEVELOPMENT REVIEW

No application for development or redevelopment in the area may be filed with the Planning Board until such time as the applicant has applied for and received a designation as redeveloper from the Redevelopment Entity and has executed a Redevelopment Agreement with the Redevelopment Entity providing for the proposed application. In addition to any requirements of the Agency, major preliminary and/or Final Site Plans and/or subdivisions, with details sufficient to comply with the Municipal Land Use Law and Local Ordinance, shall be submitted for Planning Board review and approval for each development parcel, pursuant to N.J.S.A. 40:55D-1 et seq.

The Planning Board shall require the developer to provide a bond or bonds of sufficient size and duration to guarantee the completion of the various phases of the project in compliance with the requirements of law and planning approvals.

DURATION OF REDEVELOPMENT PLAN

During the time that the Redevelopment Plan is in effect, any party acting as a redeveloper, (as defined in the LRHL) must obtain the approval of the Redevelopment Entity. The Redevelopment Plan will remain in effect for 30 years.

AMENDING THE REDEVELOPMENT PLAN

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law, provided that the respect to any land in the project area previously disposed of by the Redevelopment Entity for use in accordance with the Redevelopment Plan, the Entity will notice the owner of such land whose interests may be materially affected by such amendment.