

ORDINANCE 2015-10

AN ORDINANCE OF THE TOWNSHIP OF WANTAGE ADOPTING A REDEVELOPMENT PLAN FOR PHASE 1 OF THE ROUTE 23 REDEVELOPMENT AREA

WHEREAS, on July 9, 2015, the Township Committee of the Township of Wantage, in the County of Sussex, New Jersey (the “Township”) adopted a Resolution declaring designated blocks and lots in the Route 23 Redevelopment Area as an Area in Need of Redevelopment-Non-Condemnation (the “Route 23 Redevelopment Area”); and

WHEREAS, more than 45 days have passed since said Resolution was adopted and no actions have been filed challenging such action; and

WHEREAS, on July 30, 2015, the Township received notice from the Department of Community Affairs that the parcels identified in said Resolution were effectively designated as a redevelopment area pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12-A-1, et seq., the “Act”); and

WHEREAS, the Act provides for a procedure for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block 20, Lots 41 and 43 and Block 18.01, Lot 1 in the Township (the “Property”) are located within the Route 23 Redevelopment Area; and

WHEREAS, the Property has been underdeveloped for many years; and

WHEREAS, on August 13, 2015 the Township Committee adopted a Resolution directing the Land Use Board of the Township of Wantage (the “Land Use Board”) to develop a redevelopment plan for the Route 23 Redevelopment Area in accordance with N.J.S.A. 40A:12-7(f); and

WHEREAS, the Land Use Board directed its planning consultant, Kenneth Nelson, of The Nelson Consulting Group (the “Professional Planner”) to prepare a draft redevelopment plan concerning the Route 23 Redevelopment Area; and

WHEREAS, on August 25, 2015, the Land Use Board held a regularly scheduled meeting to review the draft plan entitled “The Route 23 Redevelopment Area Phase I Redevelopment Plan for Block 20, Lots 41 and 43 and Block 18.01, Lot 1 located in Wantage Township, Sussex County, New Jersey”, dated August 17, 2015, prepared by The Nelson Consulting Group, and sealed by Kenneth Nelson, Professional Planner (the “Proposed Redevelopment Plan”); and

WHEREAS, following a presentation by the Professional Planner and an opportunity for public comments on August 25, 2015, the Land Use Board adopted a resolution, a copy of which is attached hereto as Exhibit A, and resolved that the Proposed Redevelopment Plan was consistent with the Township's Master Plan and recommending that the Proposed Redevelopment Plan be adopted by the Township Committee; and

WHEREAS, a copy of the Proposed Redevelopment Plan as reviewed and recommended by the Land Use Board is attached hereto as Exhibit B (the "Redevelopment Plan"); and

WHEREAS, the Township Committee desires to approve the Redevelopment Plan in the form set forth in Exhibit B attached hereto, and direct the Township's Zoning Map be amended and superseded to reflect the provision of the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wantage, County of Sussex and State of New Jersey as follows:

Section 1. The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit B is hereby approved.

Section 2. The Zoning Map of the Township of Wantage is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the property.

Section 3. The recitals of this Ordinance shall be reproduced in the minutes of the meeting where this Ordinance is finally adopted and shall serve as the reasoning of the Township Council for the purpose of N.J.S.A. 40A:12A-7(f).

Section 4. This ordinance shall take effect 20 days after final passage and publication according to law.

William Gaechter, Mayor

ATTEST:

James R. Doherty, Administrator/Clerk

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 10th day of September, 2015. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 888 Route 23 South, in the Township of Wantage, on October 29, 2015, at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Administrator/Clerk

EXHIBIT A

RESOLUTION
LAND USE BOARD TOWNSHIP OF WANTAGE
RECOMMENDING THE ADOPTION OF
THE PHASE I ROUTE 23 REDEVELOPMENT AREA STUDY TO THE
TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF WANTAGE

WHEREAS, the Land Use Board of the Township of Wantage, has previously adopted a Resolution recommending the adoption of a Route 23 Development Area; as An Area In Need Of Redevelopment – Non Condemnation;

WHEREAS, the Planning Board received a Phase I Redevelopment Plan prepared by Kenneth Nelson, Township Planner, dated August 17, 2015 and

WHEREAS, at the public hearing held on the August 25, 2015, the Board reviewed various revisions to said Plan; and

WHEREAS, at the public hearing, the Land Use Board received the aforementioned report as well as comments from the Planning Consultant and the Township Engineer; and

WHEREAS, after considering the report and the input from the Township Professional Staff, the Board finds the aforementioned report, as revised, to be in conformance with the goals of the Route 23 Redevelopment Area pursuant to the provisions of N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, that the proposed Phase I Redevelopment Plan dated August 17, 2015 as revised be approved; and

BE IT FURTHER RESOLVED, that said Phase I Redevelopment Study, a copy of which is attached, be forwarded to the Township Committee of the Township of Wantage with the recommendation of the Land Use Board that the Township Committee adopt the

findings and conclusion set forth and pass the appropriate Ordinance to take such other further steps necessary to effectuate same.

The undersigned secretary certifies the within Resolution was adopted by this Board on August 25, 2015 and shall be memorialized herein pursuant to N.J.S.A. 40:55D-10(g).

Michael Cecchini, Chairman

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on August 25, 2015.

Jeanne McBride, Secretary

EXHIBIT B

The Route 23 Redevelopment Area

PHASE 1 REDEVELOPMENT PLAN

FOR

BLOCK 20 LOTS 41 & 43 AND BLOCK 18.01 LOT 1

LOCATED IN

Wantage Township, Sussex County, New Jersey

PREARED BY:

THE NELSON CONSULTING GROUP

2 VOLCANIC HILL ROAD

WANTAGE, NEW JERSEY

973 875 8685

PREPARED FOR:

THE WANTAGE TOWNSHIP COMMITTEE

THE WANTAGE MUNICIPAL BUILDING

ROUTE 23

WANTAGE, NEW JERSEY

AUGUST 17, 2015

REVISED AUGUST 31 AS PER LAND USE BOARD REVIEW

Adopted by the Wantage Township Committee on _____

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. INTRODUCTION AND EXISTING CONDITIONS.....	1
2. THE GOALS AND OBJECTIVES OF THIS PLAN.....	2
3. THE PHASE 1 PLAN DETAILS AND REQUIREMENTS.....	2
4. CONSISTENCY REVIEW.....	5
5. ADMINISTRATIVE AND OTHER COMPONENTS OF THE PLAN..	5
 APPENDIX – REDEVELOPMENT AREA MAP	

The original of this report was signed and sealed in accordance with NJSA 45:14A-12

Kenneth P. Nelson PP License # 1314

1. INTRODUCTION AND EXISTING CONDITIONS

OVERVIEW, PURPOSE AND HISTORY

The Phase 1 Route 23 Redevelopment Plan for Block 20 lots 41 and 43, plus Block 18.01 lot 1, is the next step in a process that has resulted in the aforementioned properties, plus one other property (Lot 40 in Block 20), being designated as An Area In Need of Redevelopment – Non Condemnation. This Plan is also part of a unique cooperative effort between the municipalities of Wantage Township and Sussex Borough to devise a redevelopment strategy for properties that are, either split between the two municipalities, or are in close proximity to each other. See the Appendix at the end of this document for a map of the area in question

This Phase 1 of the Route 23 Redevelopment Plan is primarily focused on the possibility of a large retail facility being located on adjoining Lot 1.01 in Block 1.04 in Sussex Borough and the need for some of the parking for that facility to be located in Wantage Township on Block 20 lot 43. Sussex Borough, in addition to designating Lot 1.01 and several adjoining lots as An Area In Need of Redevelopment, has also adopted a detailed redevelopment plan for Lot 1.01.

This Redevelopment Plan for the aforementioned lots in Wantage is necessarily divided into phases for two important reasons. First, the properties in Wantage, unlike Lot 1.01 and other lots in Sussex Borough, are not yet included in a sewer service area (SSA). Although it is anticipated that including these properties in a SSA is certainly warranted, it is also anticipated that it will take some time to accomplish that goal, because of other governmental jurisdictions that are part of the SSA designation process. Secondly, devising a redevelopment strategy for all of the properties located within both the Sussex Borough and Wantage Township Redevelopment Areas will undoubtedly consume a great deal of time, especially because several affected property owners would need to be involved in the process and the development potential of these properties will have to be thoroughly evaluated.

So, in order to encourage the redevelopment of Lot 1.01 in Sussex Borough, as soon as possible, this Phase 1 Redevelopment Plan is necessarily a limited one, with respect to the aforementioned Wantage properties. Please note also that the inclusion of Block 20 Lot 41 and Block 18.01 Lot 1, in Phase 1, is being done for a very limited purpose, at this time, which is related to wetlands buffer averaging and other related regulatory matters.

It is anticipated, however, that the full land use development potential of all of the lots included in the Wantage Route 23 Redevelopment Area will be presented in more detail in a subsequent phase or phases of this Redevelopment Plan. For example, Block 20 Lot 43 will be further evaluated to determine what additional land uses can be accommodated there besides a parking lot. And it is further anticipated that Block 20 Lot 40 will be included in a subsequent phase or phases, as an area that can accommodate additional commercial facilities or a mixed use development project. The goal is for all of these properties to become more productive in the future and subsequent phases of this Redevelopment Plan are expected to go well beyond the limited objective of just providing a parking area on Lot 43.

2. THE GOAL AND OBJECTIVES OF THIS PLAN

THE PHASE 1 REDEVELOPMENT PLAN GOAL

This Phase 1 Redevelopment Plan reaffirms and readopts the applicable goals and objectives of the Wantage Township Master Plan relative to economic development. Specifically, this portion of the Township is currently zoned L-1, which allows for a variety of industrial and commercial uses. Furthermore, this Plan is consistent with the Sussex Borough Route 23 Redevelopment Plan, which specifically references the need to utilize Block 20 Lot 43 in order to satisfy, some but not all, of the parking demand for any large retail facility that may be located on Block 1.04 Lot 1.01 in Sussex Borough. In addition, to the parking spaces, Lot 43 is also needed in order to establish a safe and efficient traffic circulation pattern. So, although Phase 1 does not include any structures or land uses other than parking, this role that Lot 43 will play, is important in terms of introducing a commercial catalyst into this part of Sussex Borough and Wantage Township, which has the potential to significantly enhance the health, safety and welfare of the two communities. This enhancement will come in the form of – but not be limited to - increased property values, more employment opportunities, needed commercial services and aesthetic improvements. The overall goal of Phase 1, as just stated herein, will be accomplished via the following objectives

OBJECTIVE # 1 – Utilize consistent design criteria in connection with the site plan process, so that the same standards are applied in both Sussex Borough and Wantage Township. This objective applies to all site components related to parking lot design, such as dimensional requirements, landscaping, drainage, lightning, pedestrian circulation and any related factors pertinent to the comprehensive design and development of Block 20 Lot 43 in Wantage and Block 1.04 lot 1.01 in Sussex.

OBJECTIVE # 2 - Consider the future development potential of Block 20 Lot 43, as well as the remaining lots in both the Wantage and Sussex portions of the Route 23 Redevelopment Area. This is necessary so that design decisions made in connection with Phase 1 do not preclude or, in any way, limit the development potential of these lots

3. THE PHASE 1 REDEVELOPMENT PLAN DETAILS AND REQUIREMENTS

A. OVERVIEW

As already noted, this is a unique situation, which has necessitated the close cooperation of two municipalities. Nevertheless, each redevelopment plan must stand on its own and each municipality is responsible for the implementation of its respective plan. So any development or redevelopment of this part of the Route 23 Redevelopment Area must still meet the requirements of the other Land Use Chapters of Wantage Township, unless otherwise superseded by this plan or through the specific exemptions contained in a written agreement between the developer and the Township. In addition, any terms used in this Plan shall adhere to the definitions contained in the Township's Land Use Chapters or where such a definition doesn't exist, then the common usage of that term shall apply.

B. THE REQUIREMENTS / REGULATIONS / STANDARDS FOR BLOCK 20

LOTS 41 & 43 AND BLOCK 18.01 LOT 1

The specific controls for the redevelopment of Block 20 Lots 41 & 43 and Block 18.01 Lot 1 are included on the following pages, grouped together in several categories, such as – Permitted Uses ; Bulk Requirements ; Parking Standards ; Signage and Miscellaneous Stipulations. These requirements / regulations / standards are presented for Phase 1 only and for the limited purpose of providing parking for the retail complex to be located in adjacent Sussex Borough. Any subsequent development activity involving these and other properties will require an amendment or addendum to this plan.

Note: Until such time as any site plans are submitted in accordance with the requirements of this Plan, the existing underlying zoning for these properties, as of the date of this document, shall continue in force. Once any site plan, compliant with this Plan, has been approved by the municipality, the underlying zoning for said property shall no longer have any legal standing.

1.) PERMITTED PRINCIPAL AND ACCESSORY USES

The following use shall be allowed as a principal use – a surface parking lot for customers and employees, serving an off site retail facility within 1000’.

The following uses shall be allowed as accessory uses - stormwater facilities, fencing, landscaping, light fixtures, decorative site furniture and other components normally associated with a commercial parking lot.

The storage of vehicles is not permitted and the parking area is intended for short term use by employees and customers only

2.) BULK REQUIREMENTS

The following bulk requirements shall apply:

Minimum Lot Area: 40,000 square feet

Minimum Lot Width and Depth: 200’ each

Maximum Impervious Coverage: 65 %

Note # 1: It is recognized that the development / redevelopment of this area will also involve acreage located in Sussex Borough and that a coordinated site plan will be submitted to each municipality for separate approvals, unless the two municipalities can agree on a joint approval process. It is also acknowledged that in this area of Wantage Township, a substantial portion of this acreage must

be left as open space because of wetlands restrictions. As a result, the building coverage and impervious coverage requirements in the Sussex Borough Route 23 Redevelopment Plan have been structured accordingly to reflect that fact.

Note # 2: Stormwater facilities shall be permitted in front, side and rear yards.

3.) PARKING STANDARDS

The following parking space requirements apply:

- Parking Required – Four parking spaces per 1,000 square feet of net building area for all permitted uses located in Sussex Borough on Lot 1.01 Block 1.04. Net building area is gross building area, excluding all areas not accessible by retail customers. At least fifty percent of the required parking must occur within the Borough of Sussex. Any spaces that are split between Sussex Borough and Wantage Township shall be counted as Sussex Borough spaces, if 50% or more of the space is in Sussex Borough. (Note: this language is also included in the Sussex Borough Route 23 Redevelopment Plan)
- Parking Area And Related Requirements
 - 1) All parking areas shall be paved and curbed, according to the normal Township standards.
 - 2) Minimum parking space size - 9 feet by 18 feet or 10'x20' in selected areas as determined by the Land Use Board.
 - 3) All parking aisles shall be a minimum 24 feet in width.
 - 4) Standard parking lot striping shall be permitted (not hairpin striping) and thermoplastic shall be used to delineate lines on the asphalt surface.
 - 5) Minimum parking setback from property lines - 5 feet, except for the property line adjacent to Lot 1.01 in Sussex Borough
 - 6) The parking lot shall be attractively landscaped with a mixture of shade trees and shrubs
 - 7) Traditional style light fixtures shall be positioned throughout the parking area, so as to allow safe and secure nighttime usage of the parking area
 - 8) A pedestrian circulation system shall be included, using sidewalks where feasible and marked areas on the pavement elsewhere

4.) SIGNAGE – Except for directional signs, all other signage is prohibited

5.) MISCELLANEOUS STIPULATIONS

- All sidewalks where required shall be 5 feet in width. It is the intent of this Plan to establish a pedestrian network, which will allow for safe pedestrian movements and which connects with the network servicing the retail facilities in Wantage Township and Sussex Borough.
- The stormwater regulations of the Township shall not be applicable to the parking area envisioned by this plan but instead shall be developed in accordance with the requirements of the Land Use Board Engineer in accordance with best management practices related to stormwater and in consultation with the Sussex Borough Planning Board Engineer

4. CONSISTENCY REVIEW

As required by the NJ Redevelopment and Housing Law, there must be consistency between Phase 1 of the Route 23 Area Redevelopment Plan and various planning documents including the Wantage Township Master Plan, as well as the master plans of contiguous municipalities, the Sussex County Master Plan and the New Jersey State Strategic Plan.

There is substantial consistency between the aforementioned documents and the initial vision for the Route 23 Redevelopment Area, as described in this plan. This statement is supported by the details contained herein, which clarify the extent and nature of the commercial development that is being encouraged

5. ADMINISTRATIVE AND RELATED COMPONENTS OF THE PLAN

In accordance with the provisions of the New Jersey Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1 through N.J.S.A. 40A:12A-49, this Phase 1 of the redevelopment plan, hereafter referred to as the Redevelopment Plan, must adhere to certain procedural, legal and administrative requirements as described below:

A. Duration of Redevelopment Plan Restrictions

The Redevelopment Plan shall be in force and effect for a period of twenty years from the date that the Township Committee first approves the Redevelopment Plan. The termination of this Redevelopment

Plan shall in no way permit the project land or any part thereof to be restricted on the basis of race, creed, sex, religion, color, age, national origin or ancestry.

B. Amendments to the Approved Redevelopment Plan

The Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL as same may be, from time to time, amended and supplemented.

C. Resident Relocation

It is anticipated, at this time, that the Township will not be directly involved in the relocation of any current residents. However, any designated redevelopers will be required to adhere to any applicable relocation requirements.

E. Property To Be Acquired

The Redevelopment Plan does not anticipate the acquisition of any properties at this time by the Township. The intent is for all properties to be acquired and developed / redeveloped through private initiative and without any local government involvement

F. Redevelopment Agreements:

The following restrictions and controls on redevelopment are statutorily imposed by the Local Redevelopment and Housing Law, in connection with the selection of a redeveloper or redevelopers and shall apply to this area, notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. The restrictions and restraints shall be implemented by appropriate covenants or other provisions in redeveloper agreements and/or disposition instruments as follows:

- The redeveloper(s) will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
- The redeveloper(s), its successors or assigns shall devote land within this area to the uses specified in this Redevelopment Plan.

- The redeveloper(s) shall begin the development of said land for the use(s) required in this Redevelopment Plan within a period of time consistent with the project timetable set forth in the redevelopment agreement.
- No covenant, agreement, lease, conveyance, or other instrument shall be effected or executed by the redeveloper(s), the Township Committee, or the successors, lessees, or assigns of either of them, by which land in this area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.
- Neither the redeveloper(s) nor the Township Committee, nor the successors, lessees, or assigns shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part therein. All agreements, leases, deeds and other instruments from or between the Township Committee or its redevelopment entity and to or with a redeveloper shall contain a covenant running with the land requiring that the owner shall construct only the uses established in the current Redevelopment Plan; a provision requiring the redeveloper to begin the building of improvements for those uses within a period of time which the Township Committee or the redevelopment entity fixes as reasonable.

This concludes the Redevelopment Plan for The Route 23 Redevelopment Area.

...

APPENDIX

REDEVELOPMENT AREA MAP

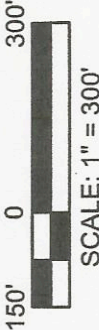
**THE SUSSEX/WANTAGE
ROUTE 23
AREA IN NEED OF
REDEVELOPMENT**

PREPARED BY:

THE NELSON CONSULTING GROUP
2 VOLCANIC HILL ROAD
WANTAGE, NEW JERSEY



HAROLD E. PELLOW & ASSOCIATES, INC.
CONSULTING ENGINEERS
C.O.A. #24GA27959300
AUGUSTA, N.J.



WANTAGE
TOWNSHIP

