



# METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025

Block 183.02, Lots 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; and

Block 145, Lots 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

Borough of Metuchen, Middlesex County, New Jersey



# Metuchen Arts District Redevelopment Plan Amended Through April 2025

Block 183.02 Lots 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; and

Block 145, Lots 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

Borough of Metuchen, Middlesex County, New Jersey

Endorsed by the Planning Board on May 7, 2025

Adopted by the Borough Council by Ordinance 2025-10 on May 12, 2025



Prepared on behalf of:  
Metuchen Borough Council  
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The original copy of this document was appropriately signed and sealed in accordance to N.J.S.A. 45:14A-1 et seq.

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# ACKNOWLEDGMENTS

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# 1 | INTRODUCTION

## 1.1 OVERVIEW

The Borough of Metuchen (the “Borough” or “Metuchen”) is 2.8 square miles (1,836 acres) in area, surrounded entirely by the Township of Edison, and is situated in Middlesex County (the “County”) in the eastern-central portion of the State of New Jersey. Metuchen is within 30 miles of New York City, has a passenger/commuter rail line station in the downtown area that is surrounded by established residential neighborhoods. As a built-up community, there is limited vacant land for development. Therefore, infill and redevelopment opportunities play an important role in the Borough’s evolution with limited growth.

As noted in Metuchen’s 2016 Master Plan Reexamination Report, “Metuchen has always been a community concerned with preserving its unique character” and recommends that the Borough prepare a “Vision Plan” to address the downtown area, areas in need of redevelopment, parks and open spaces, among other key topics.

Beginning in 2018, consistent with the Master Plan, the Borough commenced a multi-stage planning process that envisioned the revitalization of the underutilized block along Main Street containing the historic Forum Theatre and adjacent vacant gas station as a place of the arts, culture, and history; that is, the Metuchen Arts District.



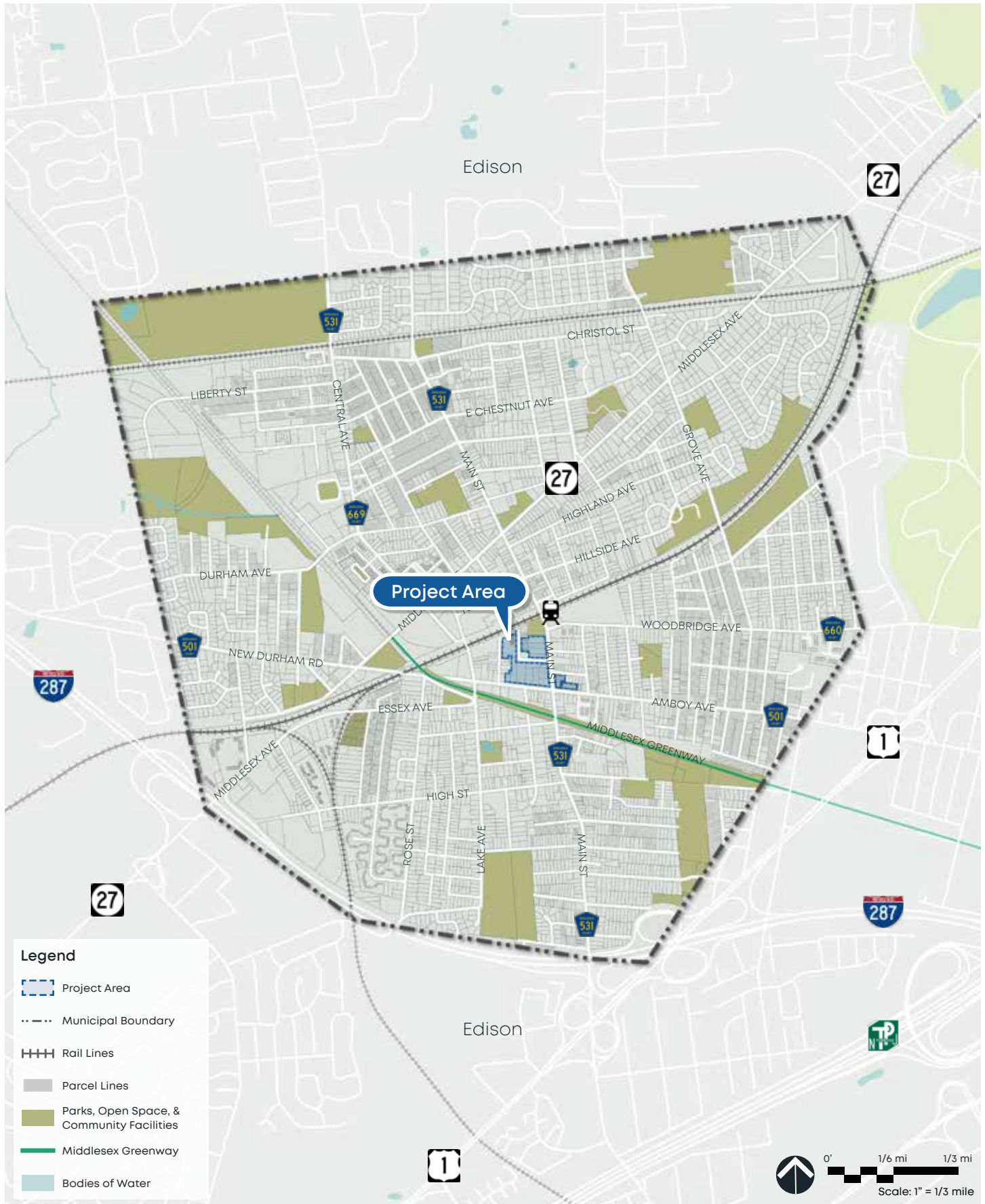
*Aerial Bird's Eye View of the Metuchen Arts District, looking north. Screen Capture from Google Maps.*

**METUCHEN ARTS DISTRICT** REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025

BLOCK 183.02 LOTS 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; AND

BLOCK 145, LOTS 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

Map 1. Context Map



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In August 2018, the Borough submitted a grant request to the County to help fund the creation of the Metuchen Arts District. The Borough's goal was to collaborate with the County to implement its regional cultural plan to provide County residents with the opportunity to access and experience the Metuchen Arts District. Later in October 2018, the County awarded the Borough a \$3.5 million grant from the Middlesex County Cultural and Arts Trust Fund, jump-starting the Borough's efforts to realize its vision for the Metuchen Arts District.

Simultaneously, and pursuant to the New Jersey Local Redevelopment and Housing Law (the "LRHL") at N.J.S.A. 40A:12A-1 et seq., the Mayor and Borough Council (the "Borough Council") began a process to determine whether the properties containing the Forum Theatre and the adjacent vacant gas station, along with a narrow strip of land associated with the adjacent University Radiology that is located between the two (2) properties, qualified as an "area in need of redevelopment." Ultimately, the Borough Council, upon favorable recommendation from the Planning Board, designated the properties as a "condemnation area in need of redevelopment" in January 2020. A redevelopment plan for the redevelopment area was subsequently prepared; however, it was reserved to explore expanding the project area.

Additionally, beginning in late 2019, the Borough Council began a process to determine the Borough's qualification and designation as an "area in need of rehabilitation." The Borough Council, upon favorable recommendation from the Planning Board, designated the entire area within the Borough as an "area in need of rehabilitation" in February 2020. The original "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" was subsequently prepared and adopted by the Borough Council in May 2020.

For several years that followed, the Borough continued to explore, study, and advance planning concepts for the theater block. It was during this visioning process that the Borough recognized the opportunity to expand the extents of the Metuchen Arts District to include several properties on the west side of Main Street, including the Halsey Street Lot. The Borough Council adopted the "Expanded Metuchen Arts District Redevelopment Plan" (the "2023 Redevelopment Plan") in June 2023, with the theater block under the "condemnation area in need of redevelopment" designation and the additional properties under the "area in need of rehabilitation" designation.

Several months later, the Borough Council looked to determine whether the Halsey Street Lot qualified as an "area in need of redevelopment" to potentially expand the redevelopment designation and gain additional flexibility, including all of the powers provided by the LRHL, as it pursued comprehensive redevelopment of the expanded Metuchen Arts District. Ultimately, the Borough Council, upon favorable recommendation from the Planning Board, designated the property as a "non-condemnation area in need of redevelopment" in June 2024.

In the months that followed, the Borough continued to study and plan the re-purposing, re-use, and transformation of not just the theater, but a larger-scale arts district, which necessitated bringing in additional assistance from the County and State, and designating New Brunswick Development Corporation ("DEVCO"), a private non-profit corporation with extensive experience in arts-related projects in the region, as the conditional redeveloper for the Metuchen Arts District.

Map 2. Project Area Map



METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025  
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Participants and Mayor Jonathan Busch at the Community Meeting held at the Edgar Middle School.



Feedback from the Community Meetings

At the end of January 2025, the Borough facilitated two (2) community meetings at the Edgar Middle School to present goals and objectives for the Metuchen Arts District:

- Leveraging the arts for community and economic development;
- Positioning the arts in relationship to the surrounding area and region; and
- Partnering, financing, and funding to develop and sustain the arts.

The community meetings included an overview presentation that gave background to the various planning actions taken to date and introduced the concept of a re-imagined Forum Theatre, which would allow for a modern space with flexible seating capacity and configurations that could accommodate a wide spectrum of entertainment, cultural, and social programming.

Additionally, the community meetings included several breakout stations for participants to meet the Borough's partners, including the County, State, DEVCO, and Metuchen Arts Council volunteers. The format of the meetings provided opportunities for participants to learn about the project, ask questions, and provide input on the future of the Metuchen Arts District.

At a Borough Council Meeting held in March 2025, the Borough provided a summary of the community meetings and elaborated on the options explored to either renovate the existing theater or reconstruct a new theater, along with the benefits and challenges of each option.

Additionally, the presentation introduced a phasing plan that contemplated the first phase to include the reconstruction of the Forum Theatre, the acquisition of the adjacent gas station property, and the redevelopment of the Halsey Street Lot as "The Residences at the Forum," a multi-family residential building and parking structure, which would serve as a means to sustainably subsidize the reconstructed Forum Theatre.

Based on community input, the second phase anticipates the development of the former gas station property to include additional arts-related uses and a unique food and beverage facility to be integrated with the reconstructed Forum Theatre.

## **1.2 PURPOSE OF THIS REDEVELOPMENT PLAN**

Accordingly, the purpose of this redevelopment plan is to amend the 2023 Redevelopment Plan by providing for an enhanced shared vision and updated zoning standards related to the reconstructed Forum Theatre, adjacent gas station property, narrow strip of land associated with the adjacent University Radiology, and "The Residences at the Forum" concept on the Halsey Street Lot. Additionally, to facilitate a future subdivision involving the Forum Theatre and adjacent properties involving part of the University Radiology property, this amended plan also incorporates the entirety of the University Radiology property and its office use as a permitted principal use.

To that end, in order to stimulate private investment, promote community benefits, prevent further deterioration, and advance desirable rehabilitation and/or redevelopment within the Borough, the Borough Council seeks to rehabilitate and/or redevelop Block 183.02, Lots 1, 2, 3, 4, 5.01, 5.02, 6, 7, 8, 8.01, 9, 10, 11, 12, 13, 14, 15, 16, 17.01, 31, and 32 as well as Block 145, Lots 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94 (collectively, the "Project Area") in accordance with this redevelopment plan entitled "Metuchen Arts District Redevelopment Plan Amended Through April 2025" (the "Redevelopment Plan").

# 2 | REDEVELOPMENT STATUTE

## 2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted the LRHL, which was largely based on the 1949 Blighted Areas Act. The Legislature revised, consolidated, and ultimately replaced the State’s various redevelopment statutes with a new statute concerning redevelopment and housing by the State’s local governments.

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, finding at N.J.S.A. 40A:12A-2.a. that:

*“There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.”*

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting physical development most conducive to the social and economic improvement of the State and its municipalities.

According to the LRHL, before the municipality is authorized to exercise any redevelopment powers, a specified area must be designated a rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a “condemnation area in need of redevelopment” or have been designated as a redevelopment area before the effective date of P.L. 2013, c. 159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared to utilize various planning and financial tools to eliminate the conditions that cause the area to be considered a rehabilitation and/or redevelopment area, to make redevelopment projects more feasible by utilizing financial subsidies or other incentive programs offered by various agencies, and to foster public-private partnerships that facilitate the desired redevelopment of the area.

From a practical standpoint, a redevelopment plan is essentially a combined “mini” master plan and zoning ordinance for the designated rehabilitation and/or redevelopment area, and may prescribe specific zoning regulations and detailed development and design standards that reflect the community’s vision and desired improvement of the area.

The redevelopment planning process has been used successfully throughout the State, including within the Borough, to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

# REDEVELOPMENT IN METUCHEN



## Gulton Tract

The Gulton Redevelopment Area is located in the northwest quadrant of the Borough between the future Middlesex Greenway Extension and the Peter J. Barnes III Wildlife Preserve.

The plan implements the Borough's long-standing vision to reinvest and redevelop the former industrial complex. The plan created an open space parcel that contains a public access drive and public parking area, as well as a series of pedestrian and open space amenities. The parcel will serve as an extension of the Peter J. Barnes III Wildlife Preserve.

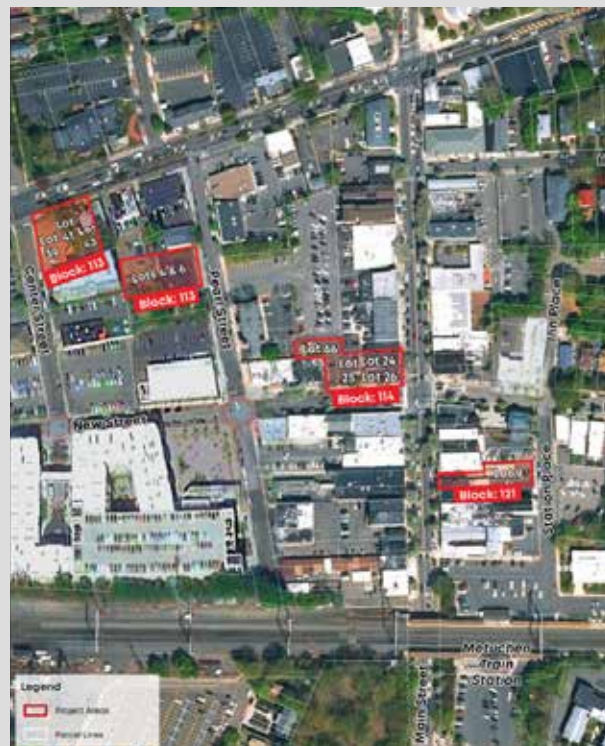
The plan also provides for a unique opportunity to live next to the future park. The Plan called for a high-quality design for the multi-family housing development, which will consist of 272 residences, including over 40 affordable housing units.

## Downtown Redevelopment Plan

Following the adoption of the Borough-wide redevelopment plan, the Borough proactively coordinated several projects throughout the downtown area.

The Downtown Redevelopment Plan, effectively a scattered sites redevelopment plan, was developed to help stimulate interest and unlock the latent value of properties that are too small or constrained to undertake construction on their own. The plan also promotes reduced parking standards for proximate areas to the Metuchen Train Station and a series of streetscape improvements to promote downtown living.

The plan includes four redevelopment projects, three of which include between 14 and 20 residences and affordable units. The fourth project at the heart of downtown provides for a high-quality corner bank building with a screened drive-through and parking area.



## **2.2 ADVANTAGES OF A REDEVELOPMENT PLAN**

The advantages of a redevelopment plan are that it empowers additional municipal authority by permitting the use of special flexible Smart Growth planning tools otherwise not available under conventional zoning, including the following:

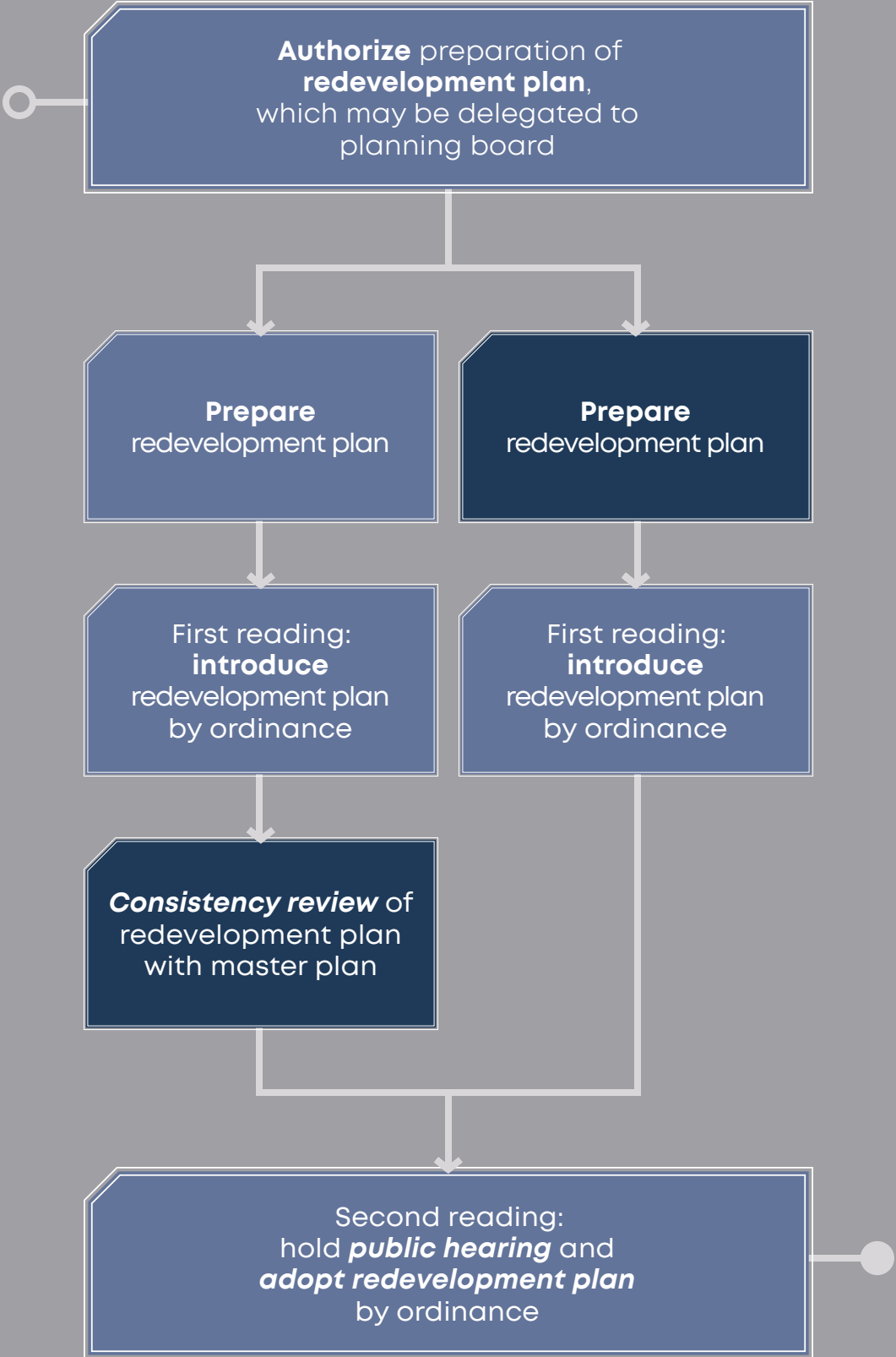
- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, specific areas to be preserved as open space and/or improved as public gathering spaces, parks, or other landscape features, as well as provisions for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe land uses, intensity of uses, residential density, build-to lines, setbacks, height, scale, massing, form, site layout including the location of new structures, parking, and pedestrian improvements, streetscape improvements, and other off-site improvements.
- The exercise of greater control over the design of any project including detailed development and design standards regulating the layout, design, and appearance of future buildings and site improvements.
- The ability to require green infrastructure, sustainable design standards or features, and universal design techniques and strategies be incorporated into the project.
- Empowers the municipality to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period of time.
- Enables the municipality and property owner to work in a public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper (which can be the property owner) and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

## **2.3 REDEVELOPMENT PROCEDURE**

The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body acts in concert with the goals and objectives of the municipality's master plan. Recognizing the planning board's role as the steward of the master plan, these steps require the planning board to make recommendations to the governing body.

A summary of the process is more fully described on the following page.

# REDEVELOPMENT PLAN PROCEDURE SUMMARY



 Governing Body     Planning Board

## REDEVELOPMENT PLAN

Following the designation of a delineated area as a rehabilitation or redevelopment area, a redevelopment plan, or an amendment or revision to an existing redevelopment plan, may be prepared. The following is a summary of N.J.S.A. 40A:12A-7, concerning the procedure for adoption of a redevelopment plan as well as related public hearing requirements:

- Either the governing body can prepare a redevelopment plan, or it can direct the planning board prepare a redevelopment plan, setting forth the goals, objectives, and specific actions to be taken with regard to the designated rehabilitation or redevelopment area in accordance with the criteria established under N.J.S.A. 40A:12A-7.
  - If the governing body prepares the redevelopment plan, the governing body introduces the redevelopment plan via ordinance for first reading and adopts a resolution referring the proposed redevelopment plan to the planning board for review and recommendation to the governing body, in the same manner as adoption of land development ordinances.
    - The planning board, within 45 days after referral, reviews the proposed redevelopment plan and adopts a resolution containing a report and recommendations to governing body. The report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning the inconsistencies and other appropriate matters.
    - The governing body holds a public hearing on the redevelopment plan ordinance and, taking into consideration the recommendations of the planning board, may then act on the redevelopment plan by passing the ordinance adopting the redevelopment plan.
  - If the planning board prepares the redevelopment plan, the governing body is relieved of the referral requirements contained above. After the redevelopment plan is prepared, the governing body introduces the redevelopment plan via ordinance for first reading and thereafter holds a public hearing on the redevelopment plan ordinance, in the same manner as adoption of other municipal ordinances.
- In either case, where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, the governing body also adopts an amendment to the zoning map.

## **2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE**

### **DESIGNATION OF PORTION OF THEATER BLOCK AS A REDEVELOPMENT AREA (2020)**

On August 13, 2018, the Borough Council adopted Resolution No. 2018-192, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the delineated area designated as Block 183.02, Lots 1, 2, 3, 4, 31, and 32 (the property known as the Forum Theatre, located at 312-316 Main Street), Block 183.02, Lot 5.01 (part of the property known as University Radiology, located at 260-264 Amboy Avenue), and Block 183.02, Lots 5.02, 6, 7, and 8 (the property known as the vacant gas station, located at 304 Main Street) met the statutory criteria set forth at N.J.S.A. 40A:12A-3 and/or -5 for designation as a "condemnation area in need of redevelopment" under the LRHL, and whether all or a portion of the delineated area should be designated as a "condemnation area in need of redevelopment."

On November 7, 2019, the Planning Board conducted a public hearing at which it reviewed a report entitled "Area in Need of Redevelopment Preliminary Investigation of the Metuchen Arts District," prepared by LRK, Inc., dated November 29, 2018. This report concluded that the delineated area met the criteria for redevelopment designation pursuant to N.J.S.A. 40A:12A-3 and multiple subsection(s) of N.J.S.A. 40A:12A-5.

The Planning Board opened the hearing to the public for questions and comments, during which a representative of University Radiology, offered a recommendation that the Borough focus only on the strip of land not encompassed by the building on Block 183.02, Lot 5.01, to avoid potential any issues pertaining to its State license.

Following the public hearing, the Planning Board adopted a resolution, finding that the delineated area, including Block 183.02, Lots 1, 2, 3, 4, 31, and 32, part of Block 183.02, Lot 5.01 (excluding the easterly 25 feet of the lot, an area approximately 25 feet by 25 feet), and Block 183.02, Lots 5.02, 6, 7, and 8 met the criteria for designation. The resolution concluded with the Planning Board recommending the Borough Council that the delineated area, as modified, be designated as a "condemnation area in need of redevelopment."

On January 13, 2020, the Borough Council accepted the Planning Board's recommendations and adopted Resolution No. 2020-46, formally designating the delineated area, as modified, as a "condemnation area in need of redevelopment" in accordance with the LRHL.

### **ORIGINAL METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN (2020)**

Following the designation, the Borough began the preparation of a redevelopment plan that would provide a guide for the redevelopment of a portion of the theater block, including establishing an overall vision, goals and objectives, arts-related land uses, and specific bulk regulations and design standards.

On February 18, 2020, the Borough Council adopted Resolution No. 2020-68, directing the Planning Board to prepare a redevelopment plan. The Planning Board, at its meeting on July 16, 2020, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Borough's Master Plan, and directed that the redevelopment plan be transmitted to the Borough Council for adoption; however, it was reserved to explore expanding the project area beyond the portion of the theater block.

## **DESIGNATION OF ENTIRE MUNICIPALITY AS A REHABILITATION AREA (2020)**

In consideration of ongoing planning activities for other site-specific projects, the Borough began to proactively explore additional tools to help prevent further deterioration and promote desirable rehabilitation and redevelopment within the entire municipality, particularly within the downtown area.

On November 12, 2019, the Borough Council adopted Resolution No. 2019-287, referring a proposed designation of the entire area of the municipality as a "rehabilitation area" to the Planning Board for its statutory review pursuant to N.J.S.A. 40A:12A-14(a).

The Planning Board, at its meeting on December 5, 2019, reviewed and considered the proposed designation and, through its adopted resolution, determined that the entirety of the Borough satisfied at least one (1) of the statutory criteria set forth in N.J.S.A. 40A:12A-14(a), specifically that a majority of the water and sewer infrastructure in the entire area of the municipality is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community. As such, the Planning Board recommended the Borough Council that the entirety of the Borough be designated as an "area in need of rehabilitation".

On February 3, 2020, the Borough Council adopted Resolution No. 2020-50, formally designating the entire area of the municipality as an "area in need of rehabilitation."

## **ORIGINAL BOROUGH-WIDE REDEVELOPMENT PLAN (2020)**

The Borough then began the preparation of the original Borough-wide redevelopment plan. On April 27, 2020, the Borough Council introduced Ordinance No. 2020-10, and further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on May 7, 2020, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report of its findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

On May 26, 2020, the Borough Council adopted Ordinance No. 2020-10, formally adopting the original "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" which applied to the entire municipality.

While the redevelopment plan did not authorize a specific project, it provided a mechanism to streamline redevelopment planning and activities, and incorporated by reference the underlying zoning and already adopted site-specific redevelopment plans in effect throughout the Borough.

## **EXPANDED METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN (2023)**

As previously noted, the Borough continued to study and advance planning concepts for the theater block, including potentially expanding on the concept of the Metuchen Arts District to incorporate several properties on the west side of Main Street, including a large surface parking lot more commonly known as the Halsey Street Lot as well as a collection of Victorian-era buildings, several of which have since been demolished.

**METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025**

BLOCK 183.02 LOTS 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; AND

BLOCK 145, LOTS 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

The Borough envisioned an expanded Metuchen Arts District would enable leveraging development potential to facilitate the reactivation of the theater use, create a more inclusive and truly unique place to live, work, and play, and serve as a natural extension of the revitalized downtown area south of the Northeast Corridor.

Therefore, in order to appropriately effectuate the comprehensive rehabilitation and redevelopment of a more expansive Metuchen Arts District as envisioned above, the Borough Council began the preparation of redevelopment plan including Block 183.02, Lots 1, 2, 3, 4, portion of 5.01, 5.02, 6, 7, 8, 31, and 32 (the properties previously designated as a "condemnation area in need of redevelopment") as well as Block 145, Lots 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94 (the properties that fall under the Borough-wide "area in need of rehabilitation").

On June 12, 2023, the Borough Council introduced Ordinance No. 2023-16 and, via Resolution No. 2023-171, further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on June 15, 2023, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report of its findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

On June 26, 2023, the Borough Council adopted Ordinance No. 2023-16, formally adopting the "Expanded Metuchen Arts Redevelopment Plan."

## **DESIGNATION OF HALSEY STREET LOT AS A REDEVELOPMENT AREA (2024)**

On April 29, 2024, the Borough Council adopted Resolution No. 2024-151, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the delineated area designated as Block 145, Lot 78 (the property known as the Halsey Street Lot) met the statutory criteria set forth at N.J.S.A. 40A:12A-3 and/or -5 for designation as a "non-condemnation area in need of redevelopment" under the LRHL, and whether all or a portion of the delineated area should be designated as a "non-condemnation area in need of redevelopment."

On June 6, 2024, the Planning Board conducted a public hearing at which it reviewed the preliminary investigation entitled "Preliminary Investigation of a Non-Condemnation Area in Need of Redevelopment / Halsey Street Lot," prepared by LRK, Inc., dated May 22, 2024. This report concluded that the delineated area met the criteria for redevelopment designation pursuant to subsection(s) "d" and "h" of N.J.S.A. 40A:12A-5.

Following the public hearing, the Planning Board adopted Resolution No. 2024-12, finding that the delineated area met the criteria for designation. The resolution concluded with the Planning Board recommending the Borough Council that the delineated area be designated as a "non-condemnation area in need of redevelopment."

On June 24, 2024, the Borough Council accepted the Planning Board's recommendations and adopted Resolution No. 2024-193, formally designating the delineated area as a "non-condemnation area in need of redevelopment" in accordance with the LRHL.

## **2.5 STATUTORY CRITERIA**

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the provisions listed on the following page.

## STATUTORY REQUIREMENTS OF A REDEVELOPMENT PLAN

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1** | Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- 2** | Proposed land uses and building requirements in the project area.
- 3** | Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- 4** | An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- 5** | Any significant relationship of the redevelopment plan to:
  - (a) the master plans of contiguous municipalities;
  - (b) the master plan of the county in which the municipality is located; and,
  - (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C. 52:18A-196 et al.).
- 6** | As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c. 222 (C. 52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
- 7** | A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
- 8** | Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

# 3 PROJECT AREA DESCRIPTION

## 3.1 OVERVIEW

The Project Area is situated in the south-central region of the Borough, just south of the core of the downtown area, and is located in an essentially mixed-use area that serves as one of the primary gateways to the downtown area.

The Project Area is generally located in the area between the Northeast Corridor and Amboy Avenue (Middlesex County Road 501), and is bisected by Main Street (Middlesex County Road 531). As such, the Project Area, as a whole, is not a contiguous assemblage of properties, but rather three (3) groups of properties that, collectively, comprises approximately nine (9) acres of land.

The portion of the Project Area on the east side of Main Street consists of three (3) properties containing the Forum Theatre, which is owned by the Borough of Metuchen, as well as University Radiology and the vacant gas station, which are separately owned by private entities.

The portion of the Project Area on the west side of Main Street is further bisected by Wernik Place and Calvin Place. On the north side of Wernik Place, this area consists of six (6) properties containing two (2) Victorian-era buildings and predominantly vacant land, all of which are owned by varying but related private entities. On the opposite side of Wernik Place and Calvin Place, this area consists of 11 properties containing more Victorian-era buildings and smaller surface parking areas, which are owned by the same private entity, and one (1) other property containing large surface parking lot more commonly known as the Halsey Street Lot, which is owned by the Metuchen Parking Authority.

Map 3. Tax Map Sheets 48 & 64





*Forum Theatre, looking east*



*Vacant gas station, looking north*



*Amboy Avenue, looking north*



*Main Street and Amboy Avenue, looking northwest*



*Main Street, looking west*

### 3.2 PROPERTY OWNERSHIP

As previously noted, the Project Area is composed of three (3) groups of properties, within which there are 21 individual properties (containing a total of 47 individual tax lots) of varying ownership that, collectively, comprises approximately 9.047 acres of land.

**Table 1. Property Ownership**

Block	Lot(s)	Class	Address	Owner	Acreage*
183.02	1-4, 31-32	15C	312-316 Main St	Borough of Metuchen	0.319
	5.01, 8.01, 9-16, 17.01	4A	260-264 Amboy Ave	Reontgen Metuchen LLC	0.547
	5.02, 6-8	4A	304 Main St	304 Main Street LLC	0.134
145	2	1	355 Main St	Arnolt Bros. Inc.	0.569
	6	1	349 Main St	Arjess Corp	0.388
	9	4A	343 Main St	Martin A & Nancy Jessen	0.466
	13.01	4A	339 Main St	Arnolt Contracting Inc.	0.361
	18.02, 17.01	4A	325-329 Main St	Victorian Restoration Rentals Inc.	0.181
	18.03	4A	16-20 Wernik Pl	Victorian Restoration Rentals Inc.	0.383
	21	4A	323 Main St	Victorian Restoration Rentals Inc.	0.164
	23	4A	315 Main St	Victorian Restoration Rentals Inc.	0.283
	27	4A	280 Amboy Ave	Victorian Restoration Rentals Inc.	0.419
	34	4A	296 Amboy Ave	Victorian Restoration Rentals Inc.	0.517
	38	4A	304 Amboy Ave	Victorian Restoration Rentals Inc.	0.530
	42.01	4A	320 Amboy Ave	Victorian Restoration Rentals Inc.	0.637
	42.03	4A	312 Amboy Ave	Victorian Restoration Rentals Inc.	0.833
	50.05	4A	328 Amboy Ave	Victorian Restoration Rentals Inc.	0.286
	78	15C	Calvin Pl & Cornell St	Metuchen Parking Authority	1.566
	85-88	1	15 Calvin Pl	Arjess Corp	0.190
	89-91	1	Calvin Pl	Arjess Corp	0.137
	92-94	1	7 Calvin Pl	Arnolt Bros. Inc.	0.137
<b>Total</b>					<b>9.047</b>

*Note 1: The acreage values listed are approximate and were derived by calculating the area utilizing available online GIS mapping tools provided by the New Jersey Department of Environmental Protection. Therefore, the acreage values listed in the table above may not match the acreage values found in property tax records.*

### 3.3 PROPERTY ASSESSMENT

Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area. Additionally, property tax records derived from the Borough of Metuchen were reviewed to determine the prior year's property taxes paid.

**Table 2. Property Assessment**

Block	Lot(s)	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	Prior Year Taxes Paid
183.02	1-4, 31-32	\$300,000.00	\$400,000.00	\$700,000.00	\$0.00
	5.01, 8.01, 9-16, 17.01	\$401,000.00	\$739,000.00	\$1,140,000.00	\$82,570.20
	5.02, 6-8	\$126,000.00	\$50,000.00	\$176,000.00	\$11,635.36
145	2	\$200,000.00	\$0.00	\$200,000.00	\$13,222.00
	6	\$154,000.00	\$0.00	\$154,000.00	\$18,510.80
	9	\$149,800.00	\$73,800.00	\$223,600.00	\$14,782.20
	13.01	\$110,000.00	\$190,000.00	\$300,000.00	\$19,113.00
	18.02, 17.01	\$103,000.00	\$333,000.00	\$436,000.00	\$28,823.96
	18.03	\$212,000.00	\$173,000.00	\$385,000.00	\$24,528.35
	21	\$98,000.00	\$48,000.00	\$146,000.00	\$9,652.06
	23	\$131,000.00	\$63,000.00	\$194,000.00	\$12,825.34
	27	\$234,000.00	\$87,000.00	\$321,000.00	\$21,221.31
	34	\$168,000.00	\$93,000.00	\$261,000.00	\$16,628.31
	38	\$246,600.00	\$97,400.00	\$344,000.00	\$21,916.24
	42.01	\$166,000.00	\$10,200.00	\$176,200.00	\$19,495.26
	42.03	\$277,000.00	\$271,000.00	\$548,000.00	\$34,913.08
	50.05	\$94,600.00	\$146,800.00	\$241,400.00	\$15,379.59
	78	\$264,000.00	\$25,000.00	\$289,000.00	\$0.00
	85-88	\$107,000.00	\$0.00	\$107,000.00	\$9,237.95
	89-91	\$100,000.00	\$0.00	\$100,000.00	\$6,371.00
92-94	\$72,000.00	\$0.00	\$72,000.00	\$7,645.20	
<b>Total</b>		<b>\$3,714,000.00</b>	<b>\$2,800,200.00</b>	<b>\$6,514,200.00</b>	<b>\$388,471.21</b>

### 3.4 EXISTING LAND USE

**Sites & Facilities** - The Project Area contains multiple properties that are enumerated through the New Jersey Environmental Management System ("NJEMS"). Sites that are listed on the NJEMS may be regulated by the New Jersey Department of Environmental Protection ("NJDEP") under one or more of its regulatory permitting or enforcement programs, or they may otherwise be of some interest to a NJDEP program. A list of the sites is provided in the table below.

**Table 3. NJEMS Sites**

Site ID	P*	Preferred ID	Site Name	Active	Address
5711	AQ	A1811	Jersey Gas	N/A	304 Main St
18734	AQ	17962	Forum Theatre	No	314 Main St
5711	SRP	009562	Jersey Gas	No	304 Main St
5711	UST	57814	Jersey Gas	Yes	304 Main St

\* Program Names: AQ = Air Quality; SRP = Site Remediation; UST = Underground Storage Tanks

**Utilities** - The Project Area's electricity is provided by Public Service electric and Gas Co. Gas is provided by Elizabethtown Gas Co.

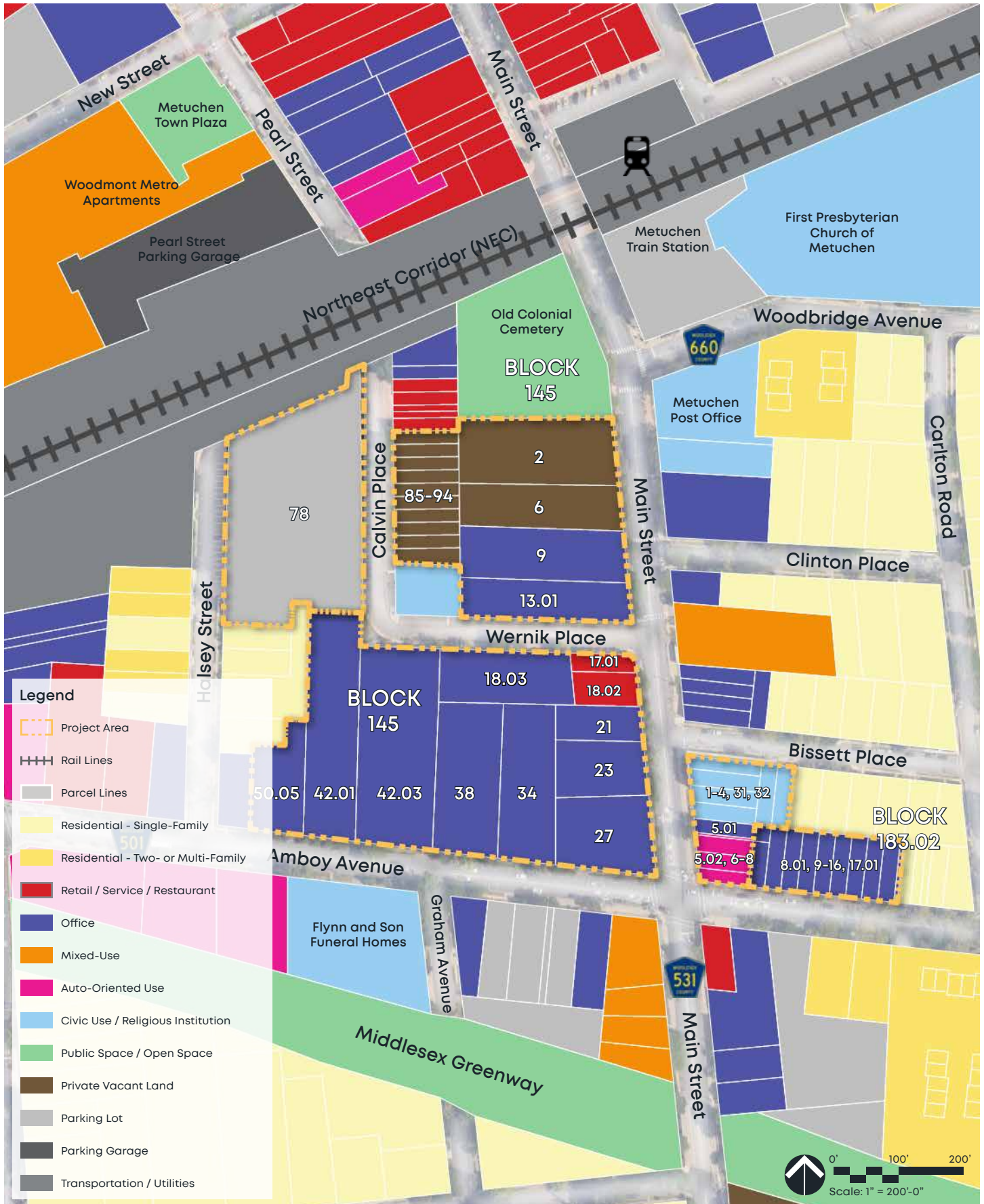
**Land** - According to the NJDEP land use / land cover data, the entirety of the Project Area is considered "Urban." There are no wetlands as identified by NJDEP and there are no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency ("FEMA") within the Project Area.

**Historic Properties** - The Project Area contains several properties that were evaluated as potential significant resources and are listed on 1979/1985 Middlesex County Inventory of Historic, Architectural, and Cultural Resources, among others, including: Block 145, Lots: 2, 6, 9, 13.01, 21 23, 27, 34, 42.03, and 50.05. Additionally, the Forum Theatre is listed on the 1990 Historic Sites Survey as a potential contributing resource. Finally, the Project Area is directly adjacent to the historic Old Colonial Cemetery and proximate to the Metuchen Post Office, which is listed on the National and New Jersey Registers of Historic Places.

**Transportation** - Multiple NJ TRANSIT bus lines run proximate to the Project Area; additionally, the Metuchen Station with service on NJ TRANSIT's Northeast Corridor Rail Line.

**Land Use** - What is unique about the Project Area is, of course, the historic Forum Theatre, which is adjacent to an vacant auto-oriented use and a medical office building. The majority of the Project Area on the west side of Main Street contains mainly Victorian-era buildings which have been converted to office uses, some of which have recently been demolished and are now classified as private vacant land. There is a small multi-tenant building at the corner of Main Street and Wernik Place which contains some personal service businesses, and the Halsey Street Lot provides commuter spaces for the nearby Metuchen Station. As is the nature of a mixed-use area, the Project Area is surrounded by a variety of uses, including single- and two-family dwellings, offices, personal service businesses, a restaurant, a rooming house, and a funeral home. Across the Northeast Corridor to the north is the core of the downtown area, containing a wide variety of uses typically found in an urban area.

Map 4. Existing Land Use Map



METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025  
 BLOCK 183.02 LOTS 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; AND  
 BLOCK 145, LOTS 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

### 3.5 EXISTING ZONING

The majority of the Project Area is situated in the Expanded Metuchen Arts District Redevelopment Plan Area, which, when adopted by the Borough in June 2023, superseded the underlying B-3 Office Business District. The portion of the Project Area containing the majority of the University Radiology property is situated in the R-2 Residential District.

The Expanded Metuchen Arts District Redevelopment Plan envisioned multiple planning areas, each exhibiting differences in planned intensity and nature of development. As such, the redevelopment plan prescribed four (4) distinct planning areas, referred to as Parcels "A" through "D," as further described below:

Within Parcel A, the plan prescribes a re-activated theater use, along with various arts-related and other supportive uses. Within Parcel B, the plan contemplated some arts-related uses fronting Main Street, along with small-scale planned unit residential development and/or multi-family apartments. Within Parcel C, given its location a block away from Main Street, prescribed multi-family apartments and parking structures, with no non-residential uses permitted. Within Parcel D, given its larger land area opposite the Forum Theatre, the plan contemplated a variety of arts-related and other non-residential uses fronting Main Street, along with a variety of residential uses, including multi-family apartments. It is noted that the existing vacant gas station within Parcel A was a pre-existing non-conforming use in the underlying B-3 District, and remains a non-conforming use in the plan.

Where residential uses are permitted, certain maximum residential density and floor area requirements are imposed; however, they can be generously expanded as an overlay to the plan, subject to the terms and agreement of a fully executed redevelopment agreement. Additionally, parking requirements are right-sized given the proximity of the downtown area and the Metuchen Train Station, and liberal bicycle parking requirements are provided.

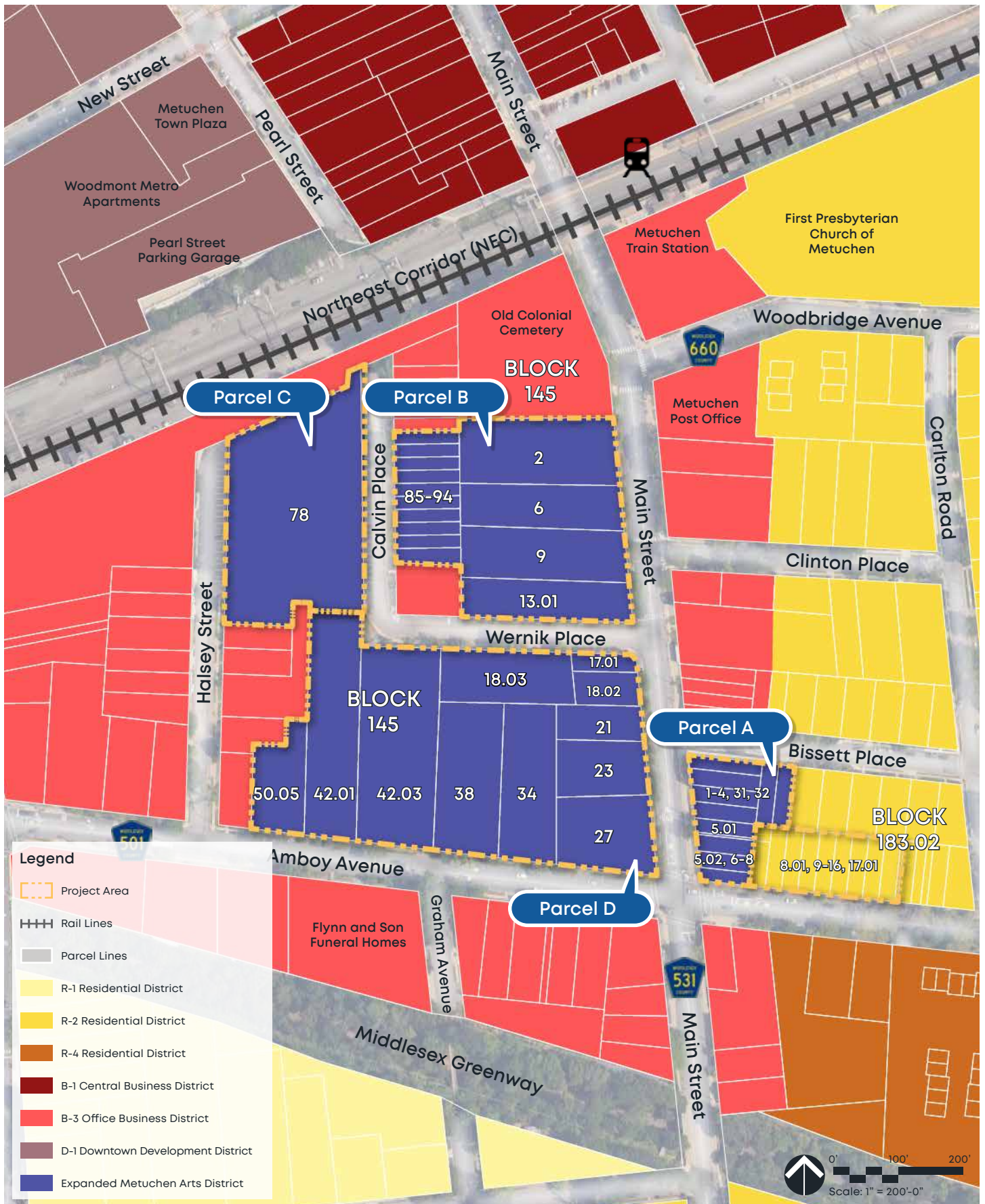
Perhaps most critically, a variety of development and design standards require that all streets be designed as "complete streets," so as to create a sense of place, sense of arrival, enhance the aesthetics of the circulation network, provide traffic calming, and facilitate safe pedestrian movement throughout the Metuchen Arts District.

As to the R-2 Residential District, single-family dwellings are permitted, with typical bulk regulations and other design and landscape standards found throughout the community. It is noted that the University Radiology medical office use is a non-conforming use in the R-2 District, having previously received use and site plan approvals.

Immediately surrounding the Project Area are the remaining portions of the B-3 Office Business District, the R-2 Residential District and R-4 Residential District to the east, and the R-1 Residential District to the south. Across the Northeast Corridor to the north are the B-1 Central Business District and D-1 Downtown Development District,

The permitted principal, accessory, and conditional uses along with permitted bulk standards of the R-2 and B-3 Districts are provided on the following pages. As to the Expanded Arts District Redevelopment Plan Area, the standards can be found in Chapter 6, as modified by this Redevelopment Plan.

Map 5. Existing Zoning Map



METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025  
 BLOCK 183.02 LOTS 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; AND  
 BLOCK 145, LOTS 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

**Table 4. Zoning Chart for the R-2 Residential District**

Applicability			
Block 183.02, Portion of Lot 5.01, 8.01, 9-16, & 17.01			
Permitted Principal Uses			
Single-family detached dwellings; Borough-operated public facilities; and a community residence for the developmentally disabled or victims of domestic violence.			
Permitted Accessory Uses			
Driveways, parking lots, carports containing not more than two motor vehicles and garages containing not more than three motor vehicles; Storage and maintenance sheds; Gardens and landscaped areas, including fountains, ponds and other water features; Greenhouses and other structures used for horticultural purposes; Patios, freestanding decks, gazebos, cabanas and other recreational or ornamental buildings or structures; Swimming pools, tennis courts and racquetball courts; and other uses deemed to be permitted accessory uses.			
Conditional Uses			
Churches and other places of worship; Religious or nonprofit nursery schools, day-care centers and nursing and convalescent homes; Public, nonprofit private and parochial school buildings and convents; Senior citizen shared living residences; and offices and apartments, provided that such are located on a lot fronting on Main Street between the Lehigh Valley Railroad line to the north and the B-2 Neighborhood Business District to the south.			
Bulk Regulations			
Lot		Coverage	
Min. Lot Area (SF)	7,500	Max. Building Coverage	30%
Min. Lot Width (Feet)	62.50	Max. Impervious Coverage	50%
Min. Lot Depth (Feet)	100		
Yards		Height	
Min. Front Yard (Feet)	25	Min. Height (Stories)	N/A
Min. 1 Side Yard (Feet)	8	Max. Height (Stories)	3
Min. 2 Side Yards (Feet)	18	Max. Height (Feet)	35
Min. Rear Yard (Feet)	25		

**Table 5. Zoning Chart for the B-3 Office Business District**

Applicability			
For Reference Only			
Permitted Principal Uses			
Retail shops and stores, provided that they are located fronting on Main Street; Personal service businesses; Physical fitness studios; Offices; Banks and other financial institutions, except drive-in banks; Eating and drinking establishments, except fast-food restaurants and drive-in restaurants, provided that such shall not have an outdoor dining area within 50 feet of residentially zoned land; Funeral homes and mortuaries; Nursery schools and day-care centers; Social halls, clubs, lodges and places of public assembly; Apartments, if located on upper floors above another permitted use at the ground level; Borough-operated public facilities; and, Affordable senior housing.			
Permitted Accessory Uses			
Driveways, parking lots and loading areas; and other uses deemed to be permitted accessory uses.			
Conditional Uses			
Dry-cleaning establishments; Two-family detached dwellings; Drive-in banking facilities; Downtown Gateway Overlay District; and, Class 5 Cannabis Retailers.			
Bulk Regulations			
Lot		Coverage	
Min. Lot Area (SF)	10,000	Max. Building Coverage	40%
Min. Lot Width (Feet)	100	Max. Impervious Coverage	70%
Min. Lot Depth (Feet)	100		
Yards		Height	
Min. Front Yard (Feet)	35	Min. Height (Stories)	2
Min. 1 Side Yard (Feet)	10	Max. Height (Stories)	3
Min. 2 Side Yards (Feet)	40	Max. Height (Feet)	35
Min. Rear Yard (Feet)	25		

# 4 | RELATIONSHIP TO OTHER PLANS

## 4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

As further elaborated in Section 6, the zoning standards as set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area, with the exception of the increased density, floor area ratio, and height overlays, where applicable, which shall constitute as overlay zoning and shall require a fully executed Redevelopment Agreement in order to apply.

## 4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

The Master Plan for the Borough of Metuchen ("Master Plan") was adopted in 1983. The Master Plan provides the following goals:

- Preservation of the Borough's essentially residential character, of the integrity of its neighborhoods, of the viability of its central business district, of levels of municipal services, of fiscal stability, and of its desirability as a community in which to live. Preservation must be balanced with the necessity of an expanding tax base that alleviates an unreasonable tax burden to provide consistent levels of service;
- Traffic and parking problems already exist in Metuchen, and in recognizing this, any development or redevelopment of the central business district should not intensify traffic problems beyond acceptable levels and should be undertaken in conjunction with adequate parking provisions;
- Land uses to be encouraged in any development or redevelopment strategy should be appropriate to the area in which they are proposed, should represent an economic benefit to community, and should serve a valid market to insure the likelihood of their realization;
- Preservation of areas of environmental sensitivity, but surrounding land uses should be planned to ensure maximum public benefit from the resultant open space; and,
- Providing opportunities to meet the housing needs of Metuchen residents and work force should be encouraged. In addition, housing should be considered as a means of creating an expanding market for existing businesses in Metuchen.

In order to effectuate the above goals, the Master Plan endorses the following policies:

- To maintain the Borough's physical and visual identity in the region;
- To improve the competitive position of Metuchen's downtown area;
- To encourage new commercial development, but not at the cost of blighting residential areas; and,
- To improve the overall appearance of the business district.

These goals and policies have remained relevant and incorporated by reference in master plan reexamination reports prepared in 1988, 1994, 2000 and 2006. The latest planning document, the 2016 Master Plan Reexamination Report, recognized that "Metuchen has always been a community concerned with preserving its unique character."

Over time, "the goals and objectives of the Master Plan have been elaborated and characterized to be principally focused on preservation: preservation of the Borough's essentially residential character, maintaining the integrity of its neighborhoods, and ultimately, its desirability as a community in which to live."

It has been the long-standing goal of the Borough to focus development, redevelopment, and growth within and adjacent to the downtown area. The Master Plan further states that the downtown area serves both the residents of the Borough of Metuchen and also the residents of the greater region by providing a business and cultural center. Driving and walking to theaters, restaurants, coffeehouses, shopping, offices, and of course, the train station, are among the many public attractions" of the Borough.

The Borough has been proactive to address the changing circumstances in the downtown by adopting several policies to promote downtown reinvestment. While these efforts have resulted in a resurgence of the Borough's downtown in recent years, the Project Area has largely been inactive and in a state of disrepair for several years.

One of the recommendations from the report states that the Borough should prepare a Vision Plan with community involvement, which would address the downtown area, areas in need of redevelopment, parks and open space, among other key topics.

As such, this Redevelopment Plan is consistent with this vision for the Borough's town center and the Redevelopment Area because it provides for uses that complement recent redevelopment in the downtown area, enhances and expands on the public assembly use, and provides for a public gathering space which can be programmed and designed for a place of the arts, culture and history.

### **4.3 RELATIONSHIP TO CONTIGUOUS MUNICIPALITIES**

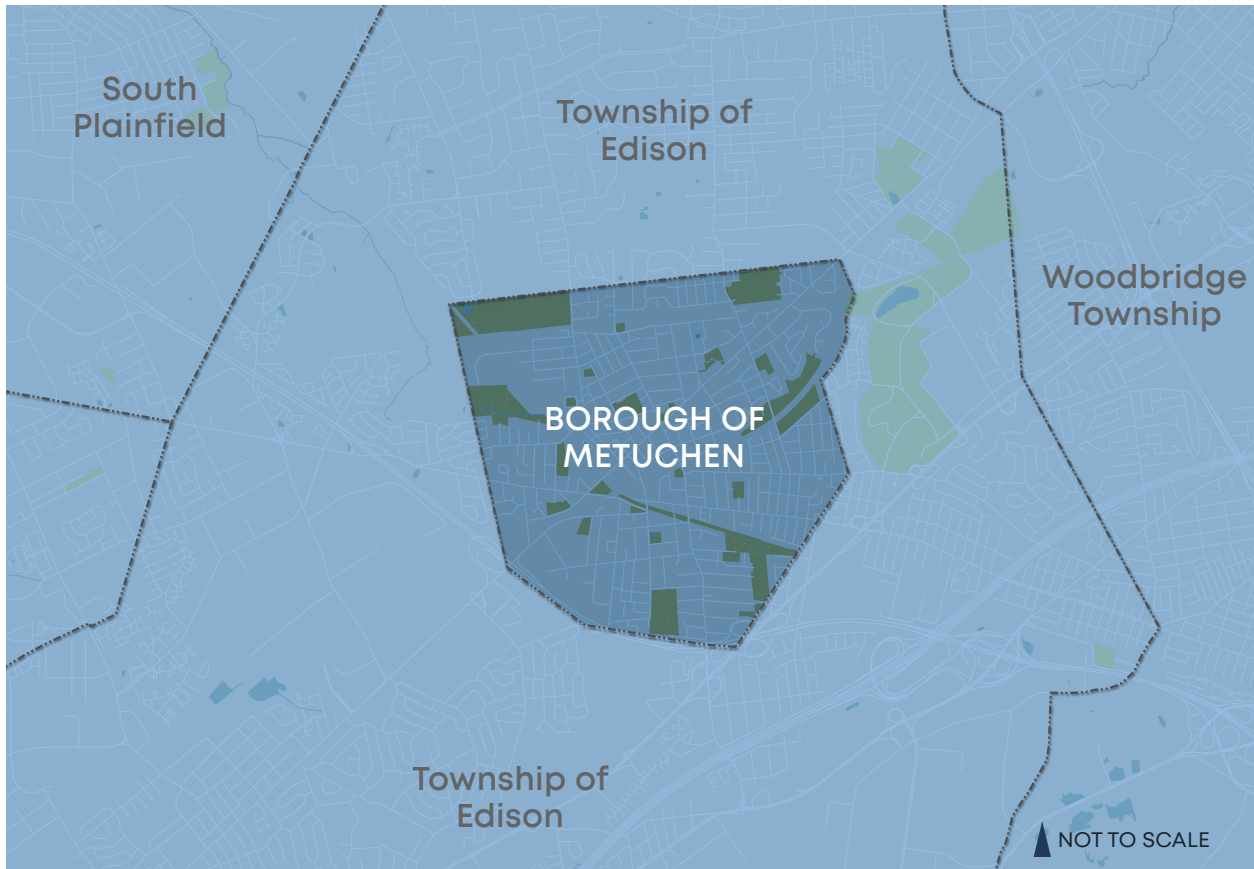
The only municipality adjacent to Borough of Metuchen is the Township of Edison (“Edison” or “Township”), which completely surrounds the Borough. The Project Area is located near the center of Metuchen and does not abut Edison and the uses proposed in this Redevelopment Plan provide an appropriate transition to surrounding residential neighborhoods and takes advantage of the Project Area's proximity to the Metuchen Train Station by encouraging transit-supportive development techniques and strategies.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the master plans of contiguous municipalities.

### **4.4 RELATIONSHIP TO MIDDLESEX COUNTY**

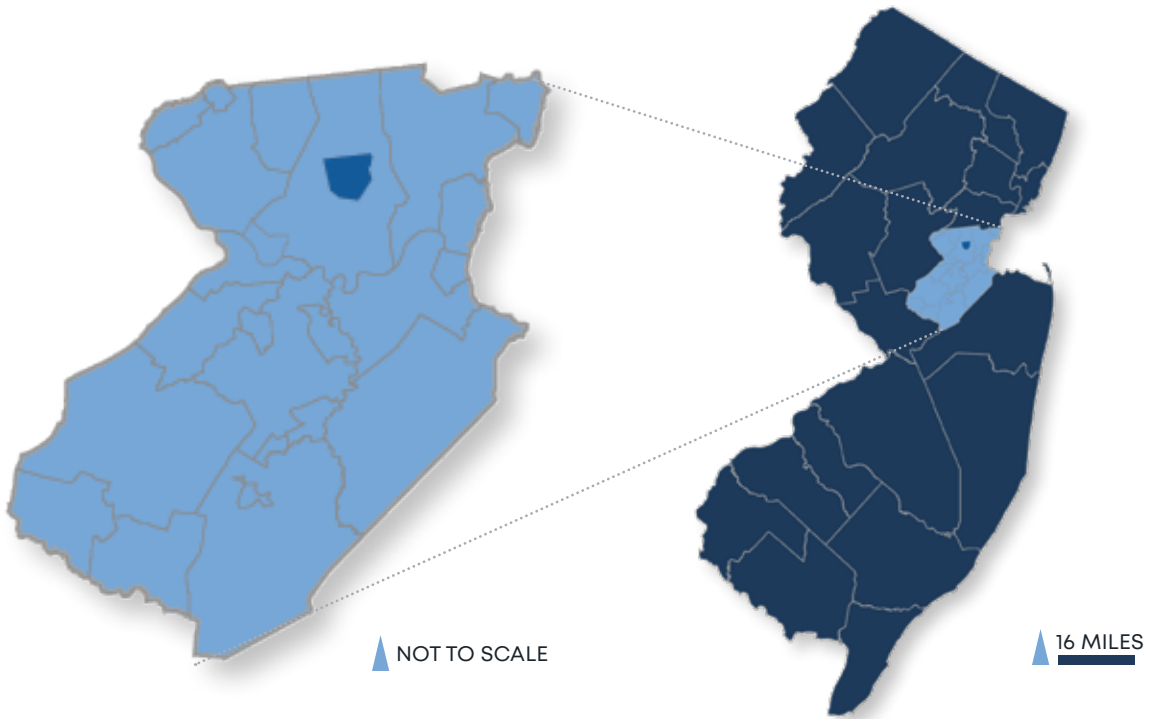
The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Master Plan.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.



Middlesex County

State of New Jersey



## 4.5 RELATIONSHIP TO THE STATE PLAN

### STATE DEVELOPMENT AND REDEVELOPMENT PLAN

In March 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the “SDRP”). The purpose of the SDRP is to:

*“Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”*

The SDRP promotes Smart Growth in New Jersey by guiding State-level development and redevelopment policy as well as local and regional planning efforts to centers and areas where infrastructure is available or could be extended to developed or developing suburbs and urban areas.

According to the SDRP, statewide goals are to be achieved through the flexible application of SDRP’s statewide policies, which are designed to improve the planning and coordination of public policy decisions among all levels of government.

The SDRP’s eight (8) statewide goals are as follows:

**Goal 1:** Revitalize the State’s cities and towns.

**Goal 2:** Conserve the State’s natural resources and systems.

**Goal 3:** Promote beneficial economic growth, development and renewal for all New Jersey residents.

**Goal 4:** Protect the environment, prevent and clean up pollution.

**Goal 5:** Provide adequate public facilities and services at a reasonable cost.

**Goal 6:** Provide adequate housing at a reasonable cost.

**Goal 7:** Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.

**Goal 8:** Ensure sound and integrated planning and implementation statewide.



According to the State Plan Policy Map, the vast majority of Borough of Metuchen, including the entirety of the Project Area, is contained entirely within the Metropolitan Planning Area (PA1), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the SDRP's goals and objectives are as follows:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP provides a series of policy objectives intended as guidelines for planning activities in the Metropolitan Planning Area, including:

- Promote redevelopment and development neighborhoods of Centers;
- Provide a full range of housing choices through redevelopment;
- Promote economic development by encouraging infill development, public/private partnerships and infrastructure improvements that support an identified role for the community;
- Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency;
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile; and,
- Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

## DRAFT STRATEGIC STATE PLAN

In October 2011, the draft State Strategic Plan was proposed as an update to the SDRP. The plan was designed to provide the framework for the State to “focus its policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State’s critical resources.”

The plan outlined four (4) specific goals to guide planning at the State level:

**Goal 1: Targeted Economic Growth:** Enhance opportunities to attract and grow industries of statewide, regional and international importance.

**Goal 2: Effective Regional Planning:** Guide and inform regional planning enabling each region of the State to experience appropriate growth based on its desires and assets.

**Goal 3: Preservation, Protection and Enhancement of Critical State Resources:** Ensure that strategies for growth include preservation, protection and enhancement of the State’s critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.

**Goal 4: Tactical Alignment of Government:** Prioritize effective resource allocation, coordination, cooperation and communication among entities that play a role in meeting the mission of this Plan.

To address the statutory requirement of the State Planning Act relative to coordinating planning activities, the State established a series of the following “Garden State Values” that are intended to advise the criteria for identification of “Priority Growth Investment Areas” throughout the State:

**Value 1:** Concentrate Development and Mix Uses

**Value 2:** Prioritize Redevelopment, Infill, and Existing Infrastructure

**Value 3:** Increase Job and Business Opportunities in Priority Growth Investment Areas

**Value 4:** Create High-Quality, Livable Places

**Value 5:** Provide Transportation Choice & Efficient Mobility of Goods

**Value 6:** Advance Equity

**Value 7:** Diversify Housing Opportunities

**Value 8:** Provide for Healthy Communities through Environmental Protection & Enhancement

**Value 9:** Protect, Restore and Enhance Agricultural, Recreational and Heritage Lands

**Value 10:** Make Decisions within a Regional Framework

The draft plan and the draft Infrastructure Needs Assessment was released for public comment and hearings. Several public hearings were held and a vote had been scheduled in November 2012 to adopt the plan; however, in light of the significant impact of Superstorm Sandy on the State, the vote was postponed and, to this day, the State has not acted on the plan.

# 5 | VISION

## 5.1 BACKGROUND

As previously stated, the Borough seeks to preserve, revitalize, re-purpose, and reuse several underutilized blocks along Main Street and Amboy Avenue as an inclusive place of arts, culture, and history. Anchored by a “boutique multi-purpose arts center,” the Metuchen Arts District can be further activated by a wide range of engaging programs and diverse offerings of cultural celebrations and historic connections.

In 2019, using part of a \$3.5 million grant from the Middlesex County Cultural and Arts Trust Fund, the Borough acquired the Forum Theatre, allowing the Borough to:

- Take ownership to preserve its historical and cultural significance
- Ensure its future as a cornerstone of the community
- Begin the real work of determining how to revitalize and re-envision the theater in an economically viable way

The acquisition of the theater has evolved into a broader plan that involves:

- Creating a more comprehensive Metuchen Arts District
- Enhancing the Borough's cultural vibrancy and quality of life for residents
- Ensuring the Forum Theatre remains a vital part of the community well into the future

Envisioning a more comprehensive Metuchen Arts District required the Borough to think more strategically about broader goals and objectives beyond “just a theater”; for example:

- How will the Borough create synergy with the downtown area by leveraging the arts for community and economic development?
- How can the arts in Metuchen be positioned in relationship to the surrounding area and the regional marketplace for arts and culture?
- How can the Borough properly program and pay to develop and sustain the arts through partnering, financing, and funding?

As implied above, arts-related projects are complex and challenging – they require special expertise, vision, strategy, collaboration, and a solid business plan to be successful.

As such, the Borough brought in specialized expertise and designated DEVCO as the conditional redeveloper for this vital project. Their impressive track record includes over \$3 billion in public-private partnership initiatives including the New Brunswick Performing Arts Center. DEVCO is a private, non-profit corporation originally established to revitalize New Brunswick, it has evolved to play a key role in transformative projects across Middlesex County and the State.

## 5.2 OVERALL VISION

The overall vision for the Metuchen Arts District is to ensure that this particular site continues to be used as a theater, supplemented by a wide range of events spanning film, live performances, music, family events, comedy, magic, and other programs as well as being available for private events.

The Borough has always had a stand-alone theater at this location on Main Street, which opened nearly 100 years ago in 1928. The Forum Theatre was a simple theater – it was never what at the time were called “movie places” or “grand vaudeville theaters”.

Today, the Forum Theatre is in a state of significant disrepair, including visible cracking to the exterior walls and foundation, significant structural problems with the roof, and a large crack in the floor within the main seating area. There are deteriorating conditions on the façade and significant damage to the beloved marquee which is not actually the original, but a later replacement. Inside, there are unsafe conditions related to the foundation, slab, and floor system, and outdated facilities that are not accessible, do not fit today’s needs, and do not meet code. Bringing the theater up to code within its existing physical confines will require eliminating more than half of the current seating capacity.

Beginning in 2018, the Borough began to envision the “next act” for the Forum Theatre and how to maintain it as a centerpiece of a place of the arts, culture, and history. A \$3.5 million grant from Middlesex County jump-started the Borough’s efforts with the funding necessary to evaluate the theater structure and to begin the visioning process for the Metuchen Arts District. In 2019, the Borough acquired the theater with the commitment to preserving its legacy for the community and protecting it from being re-purposed by a third party for something other than a theater at this location.

The Borough was also focused on a careful balance of not just “saving a theater” but “having a sustainable theater.” It would be difficult, if not impossible, for the existing theater to sustain itself on its own, even if it was in good condition.

At this time, the Borough is several years into a process of studying and planning the re-purposing, reuse, and transformation of not just the theater, but revitalization of the surrounding properties that constitute the Metuchen Arts District. The overall vision as stated above is rooted in reactivating the theater use as an anchor that could host a wider range of performances, programs, and events than before.

The Borough explored a range of potential new activities that could not be accommodated within the space of the current theater. Thinking outside the box - that is, the Forum Theater - the Borough imagined a larger-scale Metuchen Arts District that could “foster creativity” as a unique place to play, work, and live - perhaps home to a hub of local “artists-in-residence” - and support the growth of the downtown and local economy.

The Borough envisioned the possibilities to rebuild the theater the way that many long-time residents remember it, or perhaps, rebuild it even better than what it ever was. It was recognized that it would be critical to recapture as much of the original spirit of the place when it was originally built by retaining the memorable details that are so important to the community’s collective memory of the Forum Theatre.



*Renderings presented at the January 2025 Community Meetings, envisioning the reconstructed Forum Theater*

This will be a transformative project that revitalizes the soul of the original theater within a reconstructed Forum Theatre. A modern arts space - commonly referred to as a "black box" - that meets today's code can accommodate a variety of events from concerts, dance performances, and comedy shows to flexible multi-use standing-room gatherings, conventions, and banquets.

The area surrounding the Forum Theatre - including the narrow strip of land associated with the University Radiology and the vacant gas station property, along with several properties across Main Street - provide an opportunity to create an expansive arts and cultural district activated by new indoor and outdoor public gathering spaces and a range of other uses that complement and are integrated with the reactivated theater, and leverage the district's proximity of the nearby transit hub and downtown area.

These uses include performance, exhibit, gallery and/or studio spaces, a variety of food and beverage uses, a range of housing types, collaborative workspaces, technology, life science, medical and other health care related uses, educational institutions, and parking facilities to support the theater, commuters and residents.

As such, this project would allow for the Metuchen Arts District to be a community anchor for home-grown activities ranging from a winter off-season home for Plays in the Park, Dragon Fly Arts, Metuchen Arts Council and Metuchen Downtown Alliance programming, local dance and music groups, after school programs, event rentals, and to provide a safe gathering space for teens.

The Borough recognizes that it is more challenging for a theater to survive as a solo act – it needs to part of holistic economic development plan if the Borough seeks to successfully transform and sustain the theater for future generations.

Given that, the Borough envisions the redevelopment of the Halsey Street Lot as "The Residences at the Forum," a multi-family residential building and parking structure, which would provide necessary parking for new residents within the Metuchen Arts District, event parking held at the reconstructed Forum Theatre, and continue to serve as commuter parking at the Metuchen Train Station.

Ultimately, the flexibility of a modern arts space, additional arts-related uses, and "The Residences at the Forum" not only address several needs of the community, but are necessary to provide sustainable sources of revenue to ensure the reconstructed Forum Theatre's economic viability and relevance for future generations.

The Metuchen Arts District also provides an opportunity to strategically expand the downtown area by extending the Main Street sidewalk treatment along the Old Colonial Cemetery to Amboy Avenue as well as implementing the Borough's Complete Streets Policy, including incorporating pedestrian and bicycle-friendly streetscape elements, internal walkways, active street fronts, and local art, all hallmarks of a transit-friendly place.

Throughout the entire district, multiple / interconnected public gathering spaces are envisioned to be programmable for smaller-scale arts and cultural activities, including potential features such as an open-air stage or performance space, lighting displays, visual art displays, murals, sculptures, as well as accommodations for food trucks and outdoor dining.



Mix of Uses/Integrated with Outdoors



Outdoor Dining



Performance Spaces



Unique Food & Beverage



Restaurants



Multi-use Theater Space



Mix of Housing Types



Outdoor Spaces / Plazas



Parking Structure



Historic Preservation



Gallery Spaces



Live/Work Units / Studios

### 5.3 STATEMENT OF GOALS & OBJECTIVES

The Borough seeks to alleviate the conditions found in the Project Area and support use of property in the area which will better serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following general goals and objectives have been established:

- A. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an “area in need of rehabilitation.”
- B. The stimulation of private investment in the Project Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation.
- C. The making available of the full range of benefits and inducements for the Project Area, including federal, state, county and local government funding.
- D. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents and new businesses to the area, and contributes to the continuing vitality of the Borough.

This Redevelopment Plan is also intended to advance the following specific goals and objectives as it relates to the Project Area:

- A. Leverage the arts for community and economic development.
- B. Position the arts in relationship to the surrounding area and region.
- C. Explore partnering, financing, and funding to develop and sustain the arts.
- D. Leverage opportunities for the Project Area that can benefit residents, businesses and institutions of Middlesex County and advance the County's position as a regional leader in arts, culture, history, and more comprehensively, economic development.
- E. Leverage the Project Area's proximity to the transit hub - the Metuchen station and nearby bus stops - to create a truly unique transit-oriented development.
- F. Promote creative development techniques that deliver better outcomes than existing zoning.
- G. Provide opportunities for enhanced public assembly, institutional and commercial facilities.
- H. Provide for a wide range of new uses and activities along with new public gathering spaces along Main Street and within the Project Area to link to other existing destinations within the Borough, including the nearby downtown, Metuchen Train Station, and Middlesex Greenway.
- I. Explore strategies and variety of potential uses to preserve, potentially relocate, and re-purpose the remaining Victorian-era structures to assist in the viability of rethinking these historic structures that have experienced deterioration and decline.
- J. Extend Main Street's context-sensitive streetscape from the downtown area, along the Old Colonial Cemetery to Amboy Avenue, including wide sidewalks with brick bands, street trees, decorative street lamps, and street furniture..
- K. Implement the Borough's Complete Streets Policy by incorporating pedestrian and bicycle-friendly streetscape elements, traffic calming devices, enhanced crosswalks, and more on all streets so as to advance a unified design and a comprehensive strategy for the Borough's downtown districts.
- L. Identify existing conditions that can be mitigated or improved, including eliminating curb cuts and conflicts between pedestrians/bicyclists and motorists.
- M. Utilize a Smart Growth perspective to review site-specific plans in the broader contexts of the region, County and Borough.

# 6 | PROPOSED ZONING REQUIREMENTS

## 6.1 PURPOSE & OVERVIEW

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development, rehabilitation, and redevelopment, including but not limited to the Municipal Land Use Law (the “MLUL”) at N.J.S.A. 40:55D-1 et seq. and the Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation, or redevelopment of the Project Area shall effectuate the Vision and the established Goals and Objectives of this Redevelopment Plan.
- B. The zoning regulations set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area as provided for in N.J.S.A. 40A:12A-7.c., with the exception of the increased density, floor area ratio, and height overlays, where applicable, which shall constitute overlay zoning and shall require a fully executed Redevelopment Agreement in order to apply.
- C. It is intended and expressly understood that any zoning regulations and development and design standards not specifically addressed in this Redevelopment Plan shall continue to apply as set forth in the Metuchen Land Development Ordinance (the “Ordinance”) and all other codes and regulations as set forth in the Code of the Borough of Metuchen (the “Code”) not contravened in this Redevelopment Plan.
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance and the Code.

This Redevelopment Plan addresses multiple areas within the overall Project Area, each exhibiting differences in planned intensity and nature of development. As such, the Project Area is divided into the following areas:

- A. Parcel A: Block 183.02, Lots 1, 2, 3, 4, portion of 5.01, 5.02, 6, 7, 8, 31, and 32.
- B. Parcel B: Block 145, Lots 2, 6, 9, 13.01, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94.
- C. Parcel C: Block 145, Lot 78.
- D. Parcel D: Block 145, Lots 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, and 50.05.
- E. Parcel E: Block 183.02, portion of Lot 5.01, 8.01, 9, 10, 11, 12, 13, 14, 15, 16, and 17.01.

Additionally, the regulations as prescribed herein shall apply to the boundaries of the above-defined Parcels as generally depicted on Map 6, and not to individual lots that may be created as a result of a consolidation and/or subdivision. In the event there is any discrepancy between the boundaries of the Parcels and individual lots that may be created as a result of a consolidation and/or subdivision, the consolidation and/or subdivision shall control so long as the consolidation and/or subdivision does not substantially deviate from the boundaries of the Parcels and such consolidation and/or subdivision plan is approved by the Director of Economic Development and/or Redevelopment Entity prior to being filed with the Planning Board.

Map 6. Proposed Zoning Map



METUCHEN ARTS DISTRICT REDEVELOPMENT PLAN AMENDED THROUGH APRIL 2025  
 BLOCK 183.02 LOTS 1-4, 5.01, 5.02, 6-8, 8.01, 9-16, 17.01, & 31-32; AND  
 BLOCK 145, LOTS 2, 6, 9, 13.01, 17.01, 18.02, 18.03, 21, 23, 27, 34, 38, 42.01, 42.03, 50.05, 78, & 85-94

## 6.2 LAND USE REGULATIONS

The regulations pertaining to land use regulations contained herein shall apply to all development within the Project Area, which shall supersede current applicable regulations contained in Part III of the Ordinance. The Planning Board shall not grant variances from these regulations as they constitute mandatory components of this Redevelopment Plan. More than one principal use shall be permitted on each Parcel and any individual lot, except to individual lot applications for single- or two-family detached dwellings.

### 6.2.1. PERMITTED PRINCIPAL USES

- A. The following principal uses and structures shall be permitted on Parcel A:
1. Places of public assembly, which shall be a required use, including theaters and spaces for rehearsal, performance, educational, and special events.
  2. Studios for the visual and performing arts, including spaces for rehearsal, performance, educational, and special events.
  3. Museum, exhibit, and gallery spaces.
  4. Retail shops and stores, including specialty retail selling hand-made crafts and similar uses selling artisan merchandise that is not mass-produced.
  5. Artisanal businesses, including manufacturing, fabrication and/or sale of products such as apparel, jewelry, baked goods, food, beverages, furniture, housewares, ceramics, pottery, glassware, paper goods, toys, and similar products.
  6. Makerspaces, including artisan-related crafts such as 3D printing, glassblowing, leather craft, electronics, robotics, laser cutting, textiles, fashion, and similar products.
  7. Eating and drinking establishments, including food/beverage hall, full-service and fast-casual restaurants, coffee shops, taverns, bars, kiosks, market stalls, and food trucks, except fast-food restaurants and drive-in restaurants.
  8. Catering and banquet halls.
  9. Demonstration kitchens.
  10. Brew pubs, distilleries, and wineries.
  11. Schools and educational institutions, including individual and group instruction.
  12. Pocket parks, plazas, and courtyards.
  13. Borough- and/or County-operated public facilities, including community meeting spaces.
- B. The following principal uses and structures shall be permitted on Parcel B:

1. Studios for the visual and performing arts, provided that they front on Main Street, including spaces for rehearsal, performance, educational, and special events.
2. Museum, exhibit, and gallery spaces, provided that they front on Main Street.
3. Retail shops and stores, provided that they front on Main Street, including specialty retail selling hand-made crafts and similar uses selling artisan merchandise that is not mass-produced.
4. Artisanal businesses, provided that they front on Main Street, including manufacturing, fabrication and/or sale of products such as apparel, jewelry, baked goods, food, beverages, furniture, housewares, ceramics, pottery, glassware, paper goods, toys, and similar products.
5. Makerspaces, provided that they front on Main Street, including artisan-related crafts such as 3D printing, glassblowing, leather craft, electronics, robotics, laser cutting, textiles, fashion, and similar products.
6. Artist's body painting and costume studios, body art studios, and tattoo shops, provided that they front on Main Street.
7. Personal service businesses, provided that they front on Main Street.
8. Physical fitness studios, provided that they front on Main Street.
9. Indoor amusement businesses, provided that they front on Main Street, including arcades, axe-throwing, virtual reality, escape rooms, and similar activities.
10. Eating and drinking establishments, provided that they front on Main Street, including food/beverage hall, full-service and fast-casual restaurants, coffee shops, taverns, bars, kiosks, market stalls, and food trucks, except fast-food restaurants and drive-in restaurants.
11. Offices, provided that they front on Main Street, including executive, administrative, general, professional, technology, software, startup/incubator space, medical, dental, health care, veterinary health care offices, rehabilitation facilities, and similar uses.
12. Schools and educational institutions, including individual and group instruction.
13. Residential uses, consisting of any one or combination of the following uses:
  - a. Planned Unit Residential Development ("PURD") including at least two (2) of the following uses: (1) townhomes or stacked townhomes; (2) multi-family apartments in an existing building fronting Main Street, to promote the preservation of historic structures within the Project Area, provided that there are not more than two (2) units located on upper floors above another permitted use at the ground level; (3) live/work units and artist housing/studios; or (4) accessory dwelling units designed as carriage houses, provided that they do not front on Main Street.

- b. Multi-family apartments in a building primarily fronting Calvin Place and/or Wernik Place.

14. Pocket parks, plazas and courtyards.

15. Borough- and/or County-operated public facilities, including community meeting spaces and parking structures.

C. The following principal uses and structures shall be permitted on Parcel C:

1. Residential uses, consisting of any one or combination of the following uses:

- a. Townhomes and stacked townhomes.
- b. Live/work units and artist housing/studios.
- c. Multi-family apartments.

2. Parking structures.

3. Pocket parks, plazas and courtyards.

4. Borough- and/or County-operated public facilities, including community meeting spaces and parking structures.

D. The following principal uses and structures shall be permitted on Parcel D:

1. Studios for the visual and performing arts, provided that they front on Main Street, including spaces for rehearsal, performance, educational, and special events.

2. Museum, exhibit, and gallery spaces, provided that they front on Main Street.

3. Retail shops and stores, provided that they front on Main Street, including specialty retail selling hand-made crafts and similar uses selling artisan merchandise that is not mass-produced.

4. Artisanal businesses, provided that they front on Main Street, including manufacturing, fabrication and/or sale of products such as apparel, jewelry, baked goods, food, beverages, furniture, housewares, ceramics, pottery, glassware, paper goods, toys, and similar products.

5. Makerspaces, provided that they front on Main Street, including artisan-related crafts such as 3D printing, glassblowing, leather craft, electronics, robotics, laser cutting, textiles, fashion, and similar products.

6. Artist's body painting and costume studios, body art studios, and tattoo shops, provided that they front on Main Street.

7. Personal service businesses, provided that they front on Main Street.

8. Physical fitness studios, provided that they front on Main Street.

9. Indoor amusement businesses, provided that they front on Main Street, including arcades, axe-throwing, virtual reality, escape rooms, and similar activities.
  10. Eating and drinking establishments, provided that they front on Main Street, including food/beverage hall, full-service and fast-casual restaurants, coffee shops, taverns, bars, kiosks, market stalls, and food trucks, except fast-food restaurants and drive-in restaurants.
  11. Catering and banquet halls.
  12. Demonstration kitchens.
  13. Brew pubs, distilleries, and wineries.
  14. Offices, provided that they front on Main Street, including executive, administrative, general, professional, technology, software, startup/incubator space, medical, dental, health care, veterinary health care offices, rehabilitation facilities, outpatient or ambulatory care, surgery centers, urgent-care centers, and similar uses.
  15. Co-working & shared spaces and collaborative workspaces.
  16. Banks and other financial institutions, except drive-in banks.
  17. Nursery schools and day-care centers.
  18. Schools and educational institutions, including individual and group instruction.
  19. Residential uses, consisting of any one or combination of the following uses:
    - a. Townhomes and stacked townhomes.
    - b. Live/work units and artist housing/studios.
    - c. Multi-family apartments in a building primarily fronting Amboy Avenue, and which may front on Main Street and/or Wernik Place.
    - d. Multi-family apartments in an existing building fronting Main Street and/or Amboy Avenue, to promote the preservation of historic structures within the Project Area, provided that there are not more than two (2) units located on upper floors above another permitted use at the ground level.
  20. Parking structures.
  21. Pocket parks, plazas, and courtyards.
  22. Borough- and/or County-operated public facilities, including community meeting spaces and parking structures.
- E. The following principal uses and structures shall be permitted on Parcel E:
1. Offices, including executive, administrative, general, professional, technology,

software, startup/incubator space, medical, dental, health care, veterinary health care offices, rehabilitation facilities, outpatient or ambulatory care, surgery centers, urgent-care centers, and similar uses.

2. Studios for the visual and performing arts, including spaces for rehearsal, performance, educational, and special events.
3. Museum, exhibit, and gallery spaces.
4. Retail shops and stores, including specialty retail selling hand-made crafts and similar uses selling artisan merchandise that is not mass-produced.
5. Artisanal businesses, including manufacturing, fabrication and/or sale of products such as apparel, jewelry, baked goods, food, beverages, furniture, housewares, ceramics, pottery, glassware, paper goods, toys, and similar products.
6. Makerspaces, including artisan-related crafts such as 3D printing, glassblowing, leather craft, electronics, robotics, laser cutting, textiles, fashion, and similar products.
7. Artist's body painting and costume studios, body art studios, and tattoo shops.
8. Residential uses, consisting of any one or combination of the following uses:
  - a. Single-family detached dwellings.
  - b. Two-family detached dwellings.
  - c. Live/work units and artist housing/studios.
9. Pocket parks, plazas and courtyards.
10. Borough- and/or County-operated public facilities, including community meeting spaces and parking structures.

### **6.2.2. PERMITTED ACCESSORY USES**

A. The following accessory uses and structures shall be permitted on all Parcels:

1. Driveways, on-street parking, off-street parking areas, including parking structures under or attached to a permitted principal use, private garages, and off-street loading areas.
2. Electric vehicle ("EV") charging infrastructure, including but not limited to electric vehicle supply equipment ("EVSE") and Make-Ready parking spaces, as those terms are defined in P.L. 2021, c.171.
3. Active and passive recreational amenities, including business centers, media rooms, fitness centers, physical fitness studios, courtyards, gardens, pools, roof top terraces, and other similar amenities.

4. Property management and leasing offices.
5. Plazas, courtyards, gardens, patios, pedestrian walkways, alleys, ramps, stairways, and similar types of public and semi-public open spaces.
6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
7. Open trellis and other similar overhead shade / landscape structures.
8. Street furniture, planters, pedestrian-scale lights, and streetlights.
9. Outdoor displays and sales areas.
10. Outdoor seating / dining areas, outdoor dining structures, rooftop bars and dining terraces, kiosks, market stalls, and food trucks.
11. Outdoor stages, platforms, exhibit spaces, and similar types of outdoor places of public assembly.
12. Outdoor art exhibit spaces, and temporary or permanent installations of public art and murals.
13. Community signage, lamppost banners, and digital display screens.
14. Marquees, free-standing signs, and other landmark signage, including such signage extending over the public right-of-way.
15. Signs.
16. Stormwater management structures and facilities.
17. Refuse and recycling enclosures, compactors, and dumpsters.
18. Utility boxes.
19. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

## **6.3 AREA & BULK REGULATIONS**

The regulations pertaining to area, density, floor area ratio, setback, coverage, and height regulations contained herein shall apply to all development within the Project Area, which shall supersede current applicable regulations contained in Part III of the Ordinance. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

### **6.3.1. AREA & BULK REGULATIONS**

- A. The following area and bulk standards shall apply to Parcel A:

#### Area Requirements

1. Minimum Lot Area: 5,000 square feet.

Setback Requirements

2. Minimum Yard Setbacks from all Parcel lines: 0 feet.
3. Minimum Building Separation Distance from existing University Radiology building located on Block 183.02, Lots 5.01, 8.01, 9-16, and 17.01: 5 feet.

Coverage Requirements

4. Maximum Building Coverage: 100%
5. Maximum Impervious Coverage: 100%

Height\*\*\* Requirements

6. Maximum Building Height in stories / feet: 3 stories / 45 feet.

\*\*\*Height is defined in Section 6.4.4. below.

B. The following area and bulk standards shall apply to Parcel B:

Area Requirements

1. Minimum Lot Area: 5,000 square feet.

Density\* Requirements

2. Maximum Residential Density: eight (8) units per acre.

Maximum Residential Density Overlay: 24 units per acre.

In order to utilize the Maximum Residential Density Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*Density is defined in Section 6.4.2. below.

Floor Area Ratio\*\* Requirements

3. Maximum Floor Area Ratio: 0.50.

Maximum Floor Area Ratio Overlay: 1.00.

In order to utilize the Maximum Floor Area Ratio Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*\*Floor Area Ratio is defined in Section 6.4.3. below.

Setback Requirements

4. Minimum Front Yard Setback from Main Street: Prevailing front yard setback of existing buildings along Main Street.
5. Minimum Yard Setback from all other Parcel lines: 10 feet.

Coverage Requirements

6. Maximum Building Coverage: 40%
7. Maximum Impervious Coverage: 80%

Height\*\*\* Requirements

8. Maximum Building Height in stories / feet: 3 stories / 40 feet for buildings fronting Main Street; 3 1/2 stories / 45 feet for all other buildings.

\*\*\*Height is defined in Section 6.4.4. below.

C. The following area and bulk standards shall apply to Parcel C:

Area Requirements

1. Minimum Lot Area: 60,000 square feet.

Density\* Requirements

2. Maximum Residential Density: 36 units per acre.

Maximum Residential Density Overlay: 92 units per acre.

In order to utilize the Maximum Residential Density Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*Density is defined in Section 6.4.2. below.

Floor Area Ratio\*\* Requirements

3. Maximum Floor Area Ratio: 1.25.

Maximum Floor Area Ratio Overlay: 2.75.

In order to utilize the Maximum Floor Area Ratio Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*\*Floor Area Ratio is defined in Section 6.4.3. below.

Setback Requirements

4. Minimum Front Yard Setback from Calvin Place: 0 feet; 15 feet from face of curb.
5. Minimum Front Yard Setback from Halsey Street: 15 feet.
6. Minimum Yard Setback from Northeast Corridor Rail Line: 10 feet.
7. Minimum Yard Setback from Block 145, Lot 50.03: 20 feet.
8. Minimum Yard Setback from all other Parcel lines: 0 feet.
9. For those portions of the building at the third, fourth, and fifth floors, such portions of the building at the third through fifth floors shall be set back a minimum distance of 40 feet from Block 145, Lot 50.03, a minimum distance of 25 feet from Block 145, Lot 50.01, and a minimum distance of 15 feet from Block

145, Lot 42.01.

10. For those portions of the building at the sixth floor, such portion of the building of the building at the sixth floor shall be set back a minimum distance of 60 feet from Block 145, Lot 50.03, a minimum distance of 25 feet from Block 145, Lot 50.01, and a minimum distance of 35 feet from Block 145, Lot 42.01.

#### Coverage Requirements

11. Maximum Building Coverage: 85%
12. Maximum Impervious Coverage: 95%

#### Height\*\*\* Requirements

13. Maximum Building Height in stories / feet: 5 stories / 60 feet.

Maximum Building Height Overlay in stories / feet: 6 stories / 70 feet.

In order to utilize the Maximum Building Height Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

14. Maximum Parking Structure Height in levels / feet: 6 levels / 60 feet.

\*\*\*Height is defined in Section 6.4.4. below.

- D. The following area and bulk standards shall apply to Parcel D:

#### Area Requirements

1. Minimum Lot Area: 5,000 square feet.

#### Density\* Requirements

2. Maximum Residential Density: 20 units per acre.

Maximum Residential Density Overlay: 60 units per acre.

In order to utilize the Maximum Residential Density Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*Density is defined in Section 6.4.2. below.

#### Floor Area Ratio\*\* Requirements

3. Maximum Floor Area Ratio: 0.75.

Maximum Floor Area Ratio Overlay: 1.50.

In order to utilize the Maximum Floor Area Ratio Overlay, there must be a fully executed Redevelopment Agreement at the time of application.

\*\*Floor Area Ratio is defined in Section 6.4.3. below.

#### Setback Requirements

4. Minimum Front Yard Setback from Main Street: Prevailing front yard setback of existing buildings along Main Street.
5. Minimum Front Yard Setback from Amboy Avenue: Prevailing front yard setback of existing buildings along Amboy Avenue.
6. Minimum Yard Setback from all other Parcel lines: 15 feet.

Coverage Requirements

7. Maximum Building Coverage: 75%
8. Maximum Impervious Coverage: 90%

Height\*\*\* Requirements

9. Maximum Building Height in stories / feet: 3 stories / 40 feet for buildings fronting Main Street; 5 stories / 60 feet for all other buildings.
10. Maximum Parking Structure Height in levels / feet: 5 levels / 50 feet.

\*\*\*Height is defined in Section 6.4.4. below.

E. The following area and bulk standards shall apply to Parcel E:

Area Requirements

1. Minimum Lot Area: 5,000 square feet.

Setback Requirements

2. Minimum Front Yard Setback from Amboy Avenue: Prevailing front yard setback of existing buildings along Amboy Avenue.
3. Minimum Side Yard Setback: 8 feet.
4. Minimum Rear Yard Setback: 25 feet.

Coverage Requirements

5. Maximum Building Coverage: 40%
6. Maximum Impervious Coverage: 80%

Height\*\*\* Requirements

7. Maximum Building Height in stories / feet: 3 stories / 35 feet.

\*\*\*Height is defined in Section 6.4.4. below.

F. The following bulk standards shall apply to all accessory structures, inclusive of A/C condenser units, generators, above-ground oil tanks, and other mechanical equipment:

Location Requirements

1. No accessory structure shall be located in a front yard area, unless otherwise specified herein.

#### Setback Requirements

2. Minimum Side and Rear Yard Setbacks for accessory structures not exceeding 100 square feet in area: 3 feet.
3. Minimum Side and Rear Yard Setbacks for accessory structures greater than 100 square feet in area: 5 feet.

#### Height\*\*\* Requirements

4. Maximum Building Height in stories / feet: 1 1/2 stories / 25 feet.

\*\*\*Height is defined in Section 6.4.4. below.

## **6.4 SUPPLEMENTARY REGULATIONS**

The regulations pertaining to supplementary regulations contained herein shall apply to all development within the Project Area, which shall supersede current applicable regulations contained in Part III of the Ordinance. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

### **6.4.1. PERMITTED PROJECTIONS**

- A. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
- B. Non-enclosed one-story porches, porticos, stoops, entrance platforms and uncovered decks leading to the basement, or the ground floor shall be permitted to project not more than four (4) feet into a side or rear yard setback.
- C. Cornices, eaves, chimneys, gutters, downspouts, cantilevered roofs, balconies and bay windows shall be permitted to project not more than three (3) feet from the building into any yard setback.
- D. Belt courses, windowsills and other similar ornamental features may project not more than one (1) foot into any yard setback.
- E. Ramps and stairways leading to a building entrance may project into any yard setback, provided that they do not encroach into the public right-of-way.
- F. Awnings and canopies may project not more than eight (8) feet into any yard setback, provided that they have a minimum vertical clearance of eight (8) feet and shall be set back a minimum of four (4) feet from the curb line along the parking area, driveway or street.
- G. Marquees and free-standing signs shall be permitted to project into the public right-of-way, provided that they have a minimum vertical clearance of eight (8) feet and

shall not extend beyond the face of the curb line along the parking area, driveway or street.

#### **6.4.2. DEFINITION OF DENSITY**

- A. Density shall be calculated by the number of residential units on a Parcel divided by the area of the Parcel in acres, rounded to the nearest hundredths.

#### **6.4.3. DEFINITION OF FLOOR AREA RATIO**

- A. Floor Area Ratio shall be calculated by the gross floor area of all buildings on a Parcel divided by the area of the Parcel in square feet, rounded to the nearest hundredths.
- B. Gross floor area shall be calculated by the total floor area of all stories of all principal and accessory structures on the Parcel, as measured from the outside faces of the exterior walls and including recessed balconies and mezzanines.
- C. If any portion of interior space has a ceiling height of 16 feet or greater on the first floor or 12 feet or greater on all other floors, those portions of the floor area of that space shall be counted twice for the calculation of gross floor area.
- D. For parking structures under or attached to a permitted principal use and free-standing parking structures, the floor area of such structures shall be excluded from the calculation of gross floor area.

#### **6.4.4. DEFINITION OF HEIGHT**

- A. Building height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.
- B. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans, and other similar mechanical equipment) and any associated screening devices, solar panels, bulkheads, stair enclosures, roof access stairwells, elevator penthouses, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, towers, belfries, lanterns, spires, steeples, and other similar elements), provided that such shall not extend more than 10 feet above the allowable building height. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not extend more than three (3) feet above the allowable building height.
- C. Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.
- D. For parking structures under or attached to a permitted principal use and free-standing parking structures, subterranean levels shall be excluded from the calculation of the number of stories or levels.

## 6.5 DEVELOPMENT & DESIGN STANDARDS

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area, which shall supersede current applicable standards contained in Part IV of the Ordinance. Unless specifically superseded below, all other regulations contained in Part IV of the Ordinance shall continue to apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51. These development and design standards shall not apply to individual lot applications for single- or two-family detached dwellings.

### 6.5.1. OVERALL DEVELOPMENT STANDARDS

- A. The overall streetscape along Main Street, Amboy Avenue, and all other locals streets immediately adjacent to the Project Area shall be designed to enhance the public realm, by emphasizing pedestrian safety, accessibility, and connectivity throughout the Project Area..
- B. The overall development shall be designed to provide for a series of interconnected common open spaces, in the form of small-scale public gathering spaces, internal walkways and public sidewalks, to allow for pedestrians to walk throughout the Project Area, as more specifically described below:
  - 1. On Parcels A and D, the public gathering spaces shall be designed to be programmable for smaller-scale arts and cultural activities, including potential features such as an open-air stage or performance spaces, lighting displays, visual art displays, murals, and sculptures, as well as accommodations for food trucks and outdoor dining. Additionally, the portion of Main Street in between Parcels A and D shall be designed with texture-paved or similar special paving treatment, so as to create seamless connectivity, an overall sense of place, a sense of arrival, enhance the aesthetics of the circulation area, temporary drop-off parking, and provide additional traffic calming throughout the Project Area, if practical, in coordination with the County.
  - 2. On Parcels B and D, the overall development shall be designed in a manner whereby buildings front toward existing and proposed streets, alleys, internal walkways and/or shared spaces, such as courtyards and/or gardens, which shall connect to public sidewalks and may provide access to the Old Colonial Cemetery, if practical, in coordination with the Borough. Streets, alleys, internal walkways and/or shared spaces may be located between the front of buildings; however, parking shall not be permitted in the front of buildings.
- C. All local streets adjacent to the Project Area shall be designed as "Complete Streets," and shall include curb bump-outs, raised pedestrian crossings, and/or delineated parallel parking on both sides of the street. Adjacent to Parcel C, a portion of Halsey Street may be designed with head-in parking in lieu of parallel parking, or otherwise designed in collaboration with the Borough in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.
- D. A public sidewalk shall be provided along all street frontages within the Project

Area. Where such sidewalk along the street extends beyond the public right-of-way onto private property, the Redeveloper shall be required to provide a public access easement for the portion of the sidewalk located on private property.

- E. Public sidewalks shall be constructed of materials, colors, and/or patterns consistent with the existing infrastructure in the downtown area and shall be designed to accommodate a regular rhythm of street furniture, benches, bicycle racks, decorative lampposts, planters and/or other landscape features, and street trees, or otherwise designed in collaboration with the Borough in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

## 6.5.2. PARKING REQUIREMENTS

- A. Parking requirements for non-residential uses shall be regulated as follows:
  - 1. There shall be no parking required for non-residential uses on Parcel A.
  - 2. The minimum parking requirement for non-residential uses on all other Parcels shall be regulated pursuant to §110-154.B. and §110-154.F. of the Ordinance.
- B. Parking requirements for residential uses shall be regulated as follows:
  - 1. The minimum parking requirement for residential uses shall be 1.00 parking spaces per dwelling unit, inclusive of live/work units.
  - 2. It is recognized that the residential parking requirements established herein are less than the maximum number of parking spaces required under the New Jersey Residential Site Improvement Standards (“RSIS”) at N.J.A.C. 5:21-1 et seq.
  - 3. Consequently, the Borough Council in adopting this Redevelopment Plan is establishing alternative parking standards from RSIS pursuant to N.J.A.C. 5:21-4.14. (c) that better reflect local conditions, including: i. household characteristics,; ii. access to mass transit; iii. geographic location (e.g., urban versus suburban location); and/or iv. [availability of] off-site parking resources.
  - 4. Tandem parking shall be permitted, provided that both parking spaces are associated with the same dwelling unit.
  - 5. Lease agreements shall include clauses such that tenants are required to primarily park their vehicles within the assigned parking area and may not park on nearby streets or adjacent private parking lots.
- C. Provisions for electric vehicle (“EV”) charging infrastructure and/or stations shall be provided on each Parcel in accordance with State law, including P.L. 2021, c. 171. Installation of electric vehicle supply equipment (“EVSE”) may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c. 171.
- D. Parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban

Land Institute's Shared Parking Analysis or other generally accepted standards applicable to shared parking.

- E. Parking requirements for each Parcel shall be satisfied with parking facilities located on the Parcel, except that parking requirements may be satisfied by relying on parking facilities located on another Parcel or other off-site location, which shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.
- F. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every 10 parking spaces for non-residential uses and a minimum of one (1) bicycle for every dwelling unit for residential uses, with one or more of the following: indoor bicycle storage rooms, appropriately sized storage areas within the building, and/or on wall-mounted hooks, ceiling hooks, or closets within a residential unit, and/or exterior bicycle rack(s). A minimum of 5% of bicycle parking for residential uses shall be provided on the exterior for guests. A minimum of 50% of bicycle parking shall be provided prior to the issuance of any Certificate of Occupancy, with future bicycle parking to be provided upon request by tenants.
- G. Bicycle parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that use will not generate a need for such facilities, or where the anticipated need is less than what would be required under this section or can be accommodated on an adjacent Parcel within the Project Area or on adjacent property outside the Project Area.
- H. Adjacent to Parcel A, on-street loading shall be permitted at times and locations intended to limit traffic disruption, subject to the agency having jurisdiction.

### **6.5.3. PARKING STRUCTURES**

- A. Vehicular access to parking structures shall be designed in a manner that does not negatively affect pedestrian circulation along a public street and/or within the Tract.
- B. All street-facing facades of parking structures shall provide visual interest by utilizing one or more of the following treatments: compatible and/or complementary materials, colors, finishes, and details as found on a primary façade of surrounding buildings; individual openings having the appearance of individual storefronts or windows; exterior cladding in a vine-covered trellis; and/or other treatments acceptable to the Planning Board.
- C. A combination of flowering and evergreen trees shall be provided at intervals of approximately 10 to 20 feet, together with foundation landscaping consisting of shrub plantings, lawn, and other vegetative ground cover, along all exposed facades of parking structures.

### **6.5.4. SURFACE PARKING AREAS**

- A. Surface parking areas shall be located to the rear of a building and/or the interior of the property where its visual impact to adjacent properties and the public right-of-

way can be minimized. Parking areas shall be prohibited in any front yard area.

- B. Surface parking areas shall be suitably buffered and screened from public view. Such screening shall consist of either (1) a combination of landscaping and a low masonry wall or (2) an enhanced landscape buffer. Where a low masonry wall is utilized, such shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style, and character of other improvements within the Project Area. Where an enhanced landscape buffer is utilized, such buffer shall contain layers of ground-level landscaping, shrubs, evergreen trees, flowering trees, and shade trees, and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.
- C. The minimum driveway and surface parking area setback from any Parcel line and buildings, except for those areas necessary for accessing parking structures, loading areas, and servicing refuse and recycling areas, shall be five (5) feet.

#### **6.5.5. LANDSCAPING**

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along all other streets, whether existing or proposed. Any new street tree shall be a minimum size of two-and-one-half (2 1/2) inches in caliper at time of planting.
- B. Shade trees shall be provided within yard areas, along the perimeter of parking areas, and within landscape islands within parking areas, to the extent practical, whether existing or proposed. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.
- C. All portions of the Project Area not utilized by structures or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn, and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas.
- D. On Parcel C, the side yard area adjacent to Block 145, Lot 50.03 shall be intensively and extensively landscaped, utilizing combinations of deciduous, flowering, and evergreen trees, evergreen shrub plantings, lawn, and other vegetative ground cover in order to provide a sufficient buffer and screen for the benefit of the adjacent residence.

#### **6.5.6. LIGHTING**

- A. Decorative lampposts shall be provided along all streets, whether existing or proposed. The type of fixture shall be consistent with the other fixtures utilized elsewhere in the downtown area.
- B. All parking and pedestrian areas shall be provided with pedestrian-scale light fixtures, not exceeding 12 feet in height.
- C. Decorative and/or ambient lighting may be provided by one or more of the following: ground recessed lighting, bollard lighting, wall-mounted and/or recessed lighting.

- D. All fixtures shall be appropriately shielded, non-glare, and full cut-off.
- E. All fixtures shall be LED and shall not exceed a color temperature of 3,300K.

### **6.5.7. SIGNAGE**

- A. All signage, murals, and public art shall be indicated in a comprehensive sign package, including, but not limited to, building-mounted vertical landmark signage, wall-mounted, blade, awning, directional and all other contemplated signage, murals, and/or public art designed in collaboration with the Borough in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

### **6.5.8. BUILDING DESIGN**

- A. All development shall address the following building design standards in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:
  - 1. The architectural design of a building shall provide architectural interest, articulation, and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
  - 2. The building shall be composed of an articulated base, body, and cap across the entire façade. Each element shall be traditionally proportionate to the overall horizontal and vertical dimensions of the façade. Any building four (4) stories in height shall be designed using some combination of massing, scale, roof type, cornice, projections, recesses, materials, colors, and other architectural treatments to minimize the visual impact of the height of such building. Such treatments shall include step-backs and terraces at the 5th and/or 6th floor; such step-backs and terraces shall be a minimum of 5 feet in depth.
  - 3. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of the building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors and details of the front façade.
  - 4. All materials, colors, finishes, and/or details used on the exterior of a building shall be architecturally compatible with the style of such building. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes, and/or details shall have such incorporated into the design of such building.
  - 5. Permitted building materials for street-facing facades shall primarily consist of dimensional brick and/or fiber cement siding, and may include smooth finished stucco and metal. Trim materials and panels may consist of precast stone, wood, fiber cement, and PVC. Vinyl, cultured stone, and EIFS are not permitted building materials on street-facing facades.

6. Any mechanical equipment and HVAC units shall be located either on the ground in the side or rear yard area or on the roof, and screened from public view. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element that has the appearance of a window opening. Through-the-window and exterior wall-mounted HVAC units on street-facing facades shall be prohibited.
7. Rooftop terraces, where provided, shall be designed such that rooftop amenities such as furniture, landscape elements, and overhead structures, shall be securely attached to the rooftop terrace to prevent shifting or falling.

### 6.5.9. SUSTAINABLE DESIGN

- A. All development shall incorporate at least 10 of the following elements from the following Sustainable Design standards or features:

#### Renewable Energy

1. Solar Photovoltaic ("PV") Readiness & sufficient space in order to accommodate future installation of Battery Storage Infrastructure

#### Passive Design

2. Light-Colored, Reflective Roof Surface
3. Architectural Shading Devices
4. Operable Windows

#### Energy Efficiency

5. Occupancy and Daylighting Controls (in Common Areas)
6. Digital Programmable Thermostats
7. ENERGY STAR Certified Appliances
8. ENERGY STAR Certified Light Fixtures
9. ENERGY STAR Certified Windows

#### Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

#### Indoor Air Quality

12. Air Tightness Verification by ASTM Testing

13. Protection/Flushing of HVAC Equipment & Ductwork
14. MERV 8+ Air Filters During Construction; MERV 13+ Air Filters for Occupancy
15. Prohibition of Indoor Combustion Devices
16. Low VOC Interior Paints, Finishes, Adhesives & Sealants
17. Formaldehyde-Free Casework, Cabinetry & Composite Wood Finishes
18. Smoke-Free Building Policy (in Common Areas)

Materials & Resources

19. FSC Certified Wood Products
20. Material Reuse During Construction & Demolition

**6.5.10. ACCESSIBILITY & UNIVERSAL DESIGN**

- A. All development within the Project Area shall comply with federal, state and local requirements regarding accessibility.
- B. All development within the Project Area is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.
- C. All development within the Project Area shall incorporate multiple elements from the following Universal Design techniques and strategies:
  1. Accessible ramps, where necessary, should be integrated in the site and building design to create a dignified, non-discernible and inclusive access point that facilitates mobility for all users.
  2. Accessible on-street parking spaces, where provided, should be located to minimize travel distances to public spaces and building access points.
  3. At least one automated door (via push pad or other means of activation) to a main access point to each building should be provided.
  4. No-step ( $\frac{1}{4}$  to  $\frac{1}{2}$  inch thresholds) access to access points, patios, balconies and terraces should be provided to the extent practical.
  5. Doorways should be specified to have at least 34-inch-wide clear openings, with door handles located between 34 and 38 inches above the floor.
  6. Hallways should be designed to have at least 42-inch-wide clearances, with all controls, switches and outlets within the comfortable reach zone of between 24 and 48 inches above the floor.
  7. Kitchen areas should include cabinetry or areas that allow for a user to work

in a seated position and appliances with controls within reach, in order to be accessible.

8. Countertops, where provided, should be adjustable or designed at different heights, in order to be accessible.
9. Laundry appliances, where provided, should be front-loaded in order to be accessible.
10. Signage should be provided throughout common areas, within sight lines and alternate languages in addition to English.

## **6.6 DEVELOPMENT OF PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**

Provisions for electric vehicle ("EV") charging infrastructure and stations for where parking facilities are provided on-site are regulated in Section 6.5.2. of this Redevelopment Plan.

This Redevelopment Plan anticipates the need for and development of public EV charging infrastructure and stations within the Project Area. Where a portion of the on-site parking facilities, including parking structures, are anticipated to be shared with the public, those parking spaces to be shared with the public are encouraged to be provided with public EV charging infrastructure and stations.

Provisions for the development of public EV charging infrastructure and stations shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

## **6.7 AFFORDABLE HOUSING**

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Project Area, where applicable, shall be addressed in accordance with the Borough's Affordable Housing Ordinance and Housing Element and Fair Share Plan, or, if applicable, in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

# 7 | GENERAL PROVISIONS

## 7.1 APPLICABILITY

The provisions and development procedures contained in this chapter shall apply to all projects within the Project Area.

## 7.2 DEFINITIONS

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

## 7.3 REDEVELOPMENT ENTITY

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of carrying out this Redevelopment Plan.

In doing so, the Borough Council shall have the powers as set forth in N.J.S.A. 40A:12A-15 and N.J.S.A. 40A:12A-22, and all other relevant provisions and statutes, to effectuate all of its duties, responsibilities, and all other activities as permitted by law in the execution and implementation of this Redevelopment Plan.

## 7.4 REDEVELOPER SELECTION

The Redevelopment Entity may, pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, select a single “Redeveloper” or multiple Redevelopers for the rehabilitation and/or redevelopment of the Project Area or portion thereof. Any private Redeveloper(s) wishing to avail itself of the opportunities set forth in the LRHL will be required to contact the Director of Economic Development to present its proposal.

The Redevelopment Entity shall select the Redeveloper(s) based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of this Redevelopment Plan, and any additional criteria that demonstrate the Redeveloper’s ability to implement the Vision and the established Goals & Objectives of this Redevelopment Plan.

## EXCEPTION FOR SINGLE- AND TWO-FAMILY DETACHED DWELLINGS

In the case of individual lot applications for single- or two-family detached dwellings, the Redevelopment Entity shall not be required to select a Redeveloper, and the property owner or any applicant with the property owner's consent, shall not be required to be named a Redeveloper in order to make improvements to the property, so long as the property remains developed with a single- or two-family detached dwelling or is proposed to be developed with a new single- or two-family detached dwelling.

## **7.5 DEVELOPMENT PROCEDURE**

### **7.5.1. CONCEPT PLAN REVIEW**

Any Redeveloper(s) seeking to enter into a Redevelopment Agreement with the Redevelopment Entity shall make a formal proposal to the Director of Economic Development, who may defer to the Redevelopment Entity, and obtain their consent and approval of such proposal.

### **7.5.2. REDEVELOPMENT AGREEMENT**

Once the concept plan has been reviewed and approved by the Director of Economic Development and/or Redevelopment Entity, the Redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions, and continuing controls as may be deemed necessary to effectuate the purposes of this Redevelopment Plan and the LRHL.

Execution of a Redevelopment Agreement shall not be required in order to file any Application for Development as the term is defined in N.J.S.A. 40:55D-3, unless the Application for Development seeks to utilize the increased density, increased floor area ratio, increased height, and/or any other applicable provisions allowed in this Redevelopment Plan.

### **7.5.3. APPLICATIONS FOR DEVELOPMENT**

Preliminary and final site plan and/or subdivision applications for any property within the Project Area shall be in accordance with the requirements of this Redevelopment Plan and all applicable provisions of the Ordinance and the MLUL.

Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity.

### **7.5.4. PLANNING BOARD REVIEW**

Preliminary and final site plan and/or subdivision review shall be conducted by the Planning Board pursuant to the MLUL. Applicants before the Planning Board shall provide public notice of such site plan and/or subdivision application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12(a) and (b).

### **7.5.5. DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN**

All applications requiring relief for deviations from this Redevelopment Plan and/or the Ordinance shall be governed by the MLUL, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)1 through (d)6; (ii) deviating from contractual obligations of a Redeveloper to the Redevelopment Entity; or (iii) deviating from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.
- B. Variances may be granted from provisions set forth in "Area & Bulk Regulations" and "Supplementary Regulations" of this Redevelopment Plan or applicable provisions set forth in Part III Zoning of the Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from provisions set forth in "Development & Design Standards" of this Redevelopment Plan or applicable provisions set forth in Part 3 "Performance Standards" of the Ordinance. Consideration of such exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of any request for waiver of submission requirements shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

### **EXCEPTION FOR SINGLE- AND TWO-FAMILY DETACHED DWELLINGS**

In the case of individual lot applications for single- or two-family detached dwellings, the property owner or any applicant with the property owner's consent, shall not be required to submit a concept plan or enter into a Redevelopment Agreement with the Redevelopment Entity in order to make improvements to the property, so long as the property remains developed with a single- or two-family detached dwelling or is proposed to be developed with a new single- or two-family detached dwelling.

### **7.6 AMENDMENTS TO APPROVED REDEVELOPMENT PLAN**

The Borough may amend, revise, or modify this Redevelopment Plan from time to time in accordance with the provisions of the LRHL, as may be amended from time to time.

### **7.7 DURATION OF REDEVELOPMENT PLAN RESTRICTIONS**

This Redevelopment Plan and any modification thereof shall be in full force and effect for a period of thirty (30) years from the date the Borough first approves this Redevelopment Plan.

### **7.8 CERTIFICATES OF COMPLETION**

Upon completion of any project within the Project Area, the Redeveloper shall submit for a Certificate of Completion.

## **7.9 PROPERTY ACQUISITION**

Parcel A is designated as a "condemnation area in need of redevelopment." The Forum Theatre is already owned by the Borough; the other properties are privately-owned which may be acquired by Borough through arms-length transactions or through condemnation pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C.20:3-1 et seq.).

All other Parcels are designated as either an "area in need of rehabilitation" or "non-condemnation area in need of redevelopment."

The LRHL does not authorize property acquisition by eminent domain of properties designated as either "area in need of rehabilitation" or "non-condemnation area in need of redevelopment." Therefore, eminent domain is not anticipated nor is it enabled by this Redevelopment Plan for those properties. To the extent that any property will be acquired, any such property must be acquired by the Borough or designated Redeveloper(s) through private negotiation with the property owner(s).

Notwithstanding the above, nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

## **7.10 RELOCATION OF DISPLACED RESIDENTS OR BUSINESSES**

There are no residents that presently reside within the Project Area. There are, however, several existing businesses within the Project Area, but they are being incorporated into this Redevelopment Plan. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan.

Notwithstanding the above, in the case where any governmental entity, including the Borough, utilizes eminent domain in accordance with other applicable laws, to acquire any property for a public purpose, then a Workable Relocation Assistance Plan may be required.

## **7.11 DISCRIMINATION BAN**

No covenant, lease, conveyance, or other instrument shall be effectuated or executed by the Redevelopment Entity or any Redeveloper whereby land, structures, occupancy, or use of any part of the Project Area is restricted upon the basis of race, creed, color, national origin/nationality, ancestry, religion, age, sex, pregnancy, gender identity or expression, affectional or sexual orientation, marital status, familial status, or disability or perceived disability. Appropriate covenants shall prohibit such restrictions and shall be included in all instruments.

## **7.12 SEVERABILITY**

If any portion of this Redevelopment Plan, including any word, phrase, clause, section, or provision, should be judged invalid, illegal, or unconstitutional by a court of competent jurisdiction, such order shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

# FORUM

**JAMES & THE GIANT PEACH**  
**THE MUSICAL LIVE**  
**JULY 26 THRU 31**

