



# Transit Station Redevelopment Plan Amendment

Borough of Matawan  
Monmouth County, New Jersey

Original Plan Adopted: February 2001  
First Amendment Adopted: December 1, 2015  
Second Amendment Adopted: May 15, 2018

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# Transit Station Redevelopment Plan Amendment

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Borough of Matawan  
Monmouth County, New Jersey

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Second Amendment Adopted: May 15, 2018

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*The original of this document was signed and sealed in accordance with New Jersey Law.*

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## Introduction

The designation of the land in the vicinity of the Matawan New Jersey Transit Station as a Redevelopment Area in 2001 initiated a process that has the potential to revitalize a large section of the Borough. While the Transit Station Redevelopment Area only extends to the area around the rail station, it serves as a critical northern gateway into Matawan's historic downtown, and along with the downtown, that is the focus of future economic growth and development in the Borough. Properly planned, the new development near the train station could catalyze the rehabilitation of Matawan's Main Street corridor. Present market demands for amenity-rich, high-density development with rail access makes this area a critical asset for the Borough.

The original Redevelopment Plan, adopted in 2001, as *The Redevelopment Plan for the Designated Redevelopment Area in the Vicinity of the Matawan Train Station*,<sup>1</sup> established several basic districts that were separated by use. Beyond these districts and some basic guidelines for residential density and non-residential height requirements, the plan did not establish new zoning standards for the area. Instead, the plan allowed zoning to be established through subsequent consultation with prospective developers.

Draft revisions to the 2001 Redevelopment Plan began in 2014 to create a broader framework by establishing zoning districts with additional guidelines for building and landscape design, and revising

the originally proposed single-use districts to mixed use in order to promote traditional neighborhood development patterns.

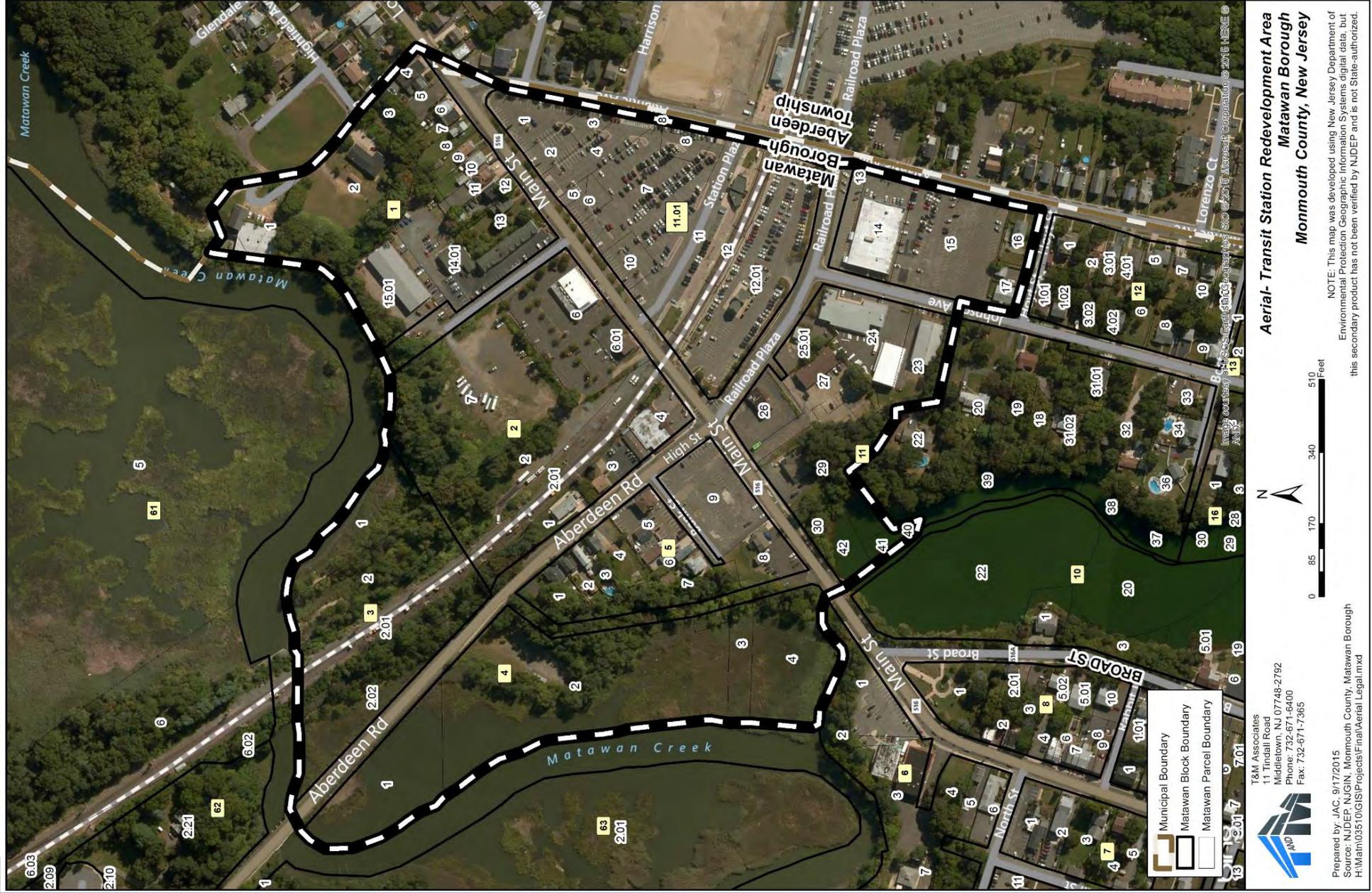
This Redevelopment Plan Amendment is a product of the process that began in 2014 and was recently affirmed in the adoption of the Borough's 2015 Master Plan. More specifically, the Redevelopment Plan Amendment sets standards for the preservation of areas of the Redevelopment Area with environmental constraints, while allowing higher density and mixed-use development within closer proximity to the train station (including moderate to high density residential units complemented by various retail, office, and civic uses that cater to residents and commuters).

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<sup>1</sup> The 2001 *Redevelopment Plan for the Designated Redevelopment Area in the Vicinity of the Matawan Train Station* is referred to in this document as the 2001 Redevelopment Plan. This 2015 Transit Station Redevelopment Plan Amendment is an amendment to the 2001 Redevelopment Plan.

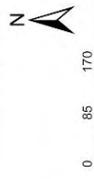
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**Figure 1: Aerial Imagery of the Redevelopment Area**



**Aerial- Transit Station Redevelopment Area  
Matawan Borough  
Monmouth County, New Jersey**

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information Systems digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.



- Municipal Boundary
- Matawan Block Boundary
- Matawan Parcel Boundary

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Prepared by: JAC, 9/17/2015  
Source: NJDEP, NJGIN, Monmouth County, Matawan Borough  
H:\Main\03510\GIS\Projects\Final\Aerial Legal.mxd

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## Area Description

The Transit Station Redevelopment Area is located in northeastern Matawan Borough and is bounded by the Wilson Creek to the west and north, Atlantic Avenue to the east (across which lies Aberdeen Township), as well as Lake Matawan and residential uses to the south. The Redevelopment Area is bisected by the New Jersey Transit North Jersey Coast Line. The anchor of the Redevelopment Area is the Aberdeen-Matawan train station, which is located at the eastern boundary of the Redevelopment Area, along the municipal boundary shared with Aberdeen Township. Adjacent land uses in

Aberdeen Township include primarily residential uses (and some light commercial uses) north along Lower Main Street and to the east of Atlantic Avenue. Residential uses are also prevalent across Atlantic Avenue to the south of the train tracks. Also within Aberdeen Township and across Atlantic Avenue proximate to the train station is a large commuter parking lot. Redevelopment of the properties north of the train station in Aberdeen Township is underway.

The Redevelopment Area consists of the following properties:

**Table 1: Redevelopment Area Properties**

Block	Lot	Acreage
1	1	0.93
1	2	1.47
1	3	0.22
1	4	0.13
1	5	0.19
1	6	0.10
1	7	0.12
1	8	0.15
1	9	0.15
1	10	0.15
1	11	0.15
1	12	0.14
1	13	0.29
1	14.01	1.19
1	15.01	0.93
2	1	0.26
2	2	0.87

Block	Lot	Acreage
2	2.01	1.25
2	3	0.32
2	4	0.31
2	6	1.31
2	6.01	0.16
2	7	2.78
3	1	0.96
3	2	0.99
3	2.01	1.65
3	2.02	1.06
4	1	1.45
4	2	4.13
4	3	0.44
4	4	1.29
5	1	0.37
5	2	0.17
5	3	0.20

Block	Lot	Acreage
5	4	0.31
5	5	0.41
5	6	0.12
5	7	0.49
5	8	0.40
5	9	0.86
11	23	0.60
11	24	0.80
11	25.01	0.24
11	26	0.42
11	27	0.71
11	29	1.20
11	30	0.15
11	40	0.04
11	41	0.11
11	42	0.30
11.01	1	0.44

Block	Lot	Acreage
11.01	2	0.18
11.01	3	0.15
11.01	4	0.42
11.01	5	0.05
11.01	6	0.13
11.01	7	1.18
11.01	8	0.21
11.01	10	0.22
11.01	11	1.38
11.01	12.01	1.91
11.01	13	0.19
11.01	14	0.66
11.01	15	1.34
11.01	16	0.22
11.01	17	0.18



## 2015 Land Uses and Building Plan

These amendments to the Transit Station Redevelopment Plan envision a new neighborhood comprised of a mix of residential, retail, transit, and open spaces. The main areas will focus on the following:

1. Establishment of a mixed use (retail/residential), pedestrian friendly Main Street corridor,
2. Preservation and public enjoyment of the Historic Matawan Train Station,
3. Short and long-term station access improvements, including commuter parking reconfiguration and efficiencies,
4. New mid to high density residential dwellings,
5. Linkages that support the revitalization of Matawan's downtown, and
6. Preservation/establishment of private and public open space for enjoyment of new residents as well as the residents of Matawan and the surrounding areas.

## Redevelopment Plan Objectives

The 2001 Redevelopment Plan is revised to incorporate the following additional objectives:

1. To redevelop the Train Station area in a manner consistent with transit-oriented smart growth in New Jersey, regional rail and roadway circulation infrastructure and economically viable development while recognizing the unique history of the Borough of Matawan and the realistic reuse of this specific area within a mature municipality.

2. To encourage a mixture of uses employing quality design of structures and open spaces to establish a destination within the Borough and the region.
3. To provide for a variety of housing types, both market and affordable, to meet the growing need within the state, to provide housing around transit centers for a variety of household types and income levels.
4. Invest in Public Infrastructure. Improve public facilities and infrastructures. Address parcels of property that are of irregular form and shape, are inadequately sized for proper usefulness and development, and/or are held in multiple ownership. Remove impediments to land disposition and development through the assembly of property into reasonably sized and shaped parcels saved by improved infrastructure and public facilities.
5. Create and Retain Jobs. Promote local job opportunities, economic development and business expansion opportunities.
6. Clean, Eliminate and Prevent Blight. Eliminate and prevent the spread of blight and deterioration and promote the conservation, rehabilitation and redevelopment of the Redevelopment Zone in accordance with the Borough's Master Plan, specific plans, the Redevelopment Plan and local codes and ordinances, all as may be amended from time to time.
7. To organize and consolidate commuter parking opportunities in the Plan Area, promote parking efficiencies and improve station access by consolidating under-utilized off-street parking lots.

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8. To promote and allow access to the Matawan Creek area as well as create a memorial landmark to the victims of the 1916 shark attack incident and related public open space.
9. To establish an area that has vibrant use and activity beyond the current weekday commuter focused activities.

### Land Use Districts

The 2001 Redevelopment Plan is revised to incorporate the following Land Use Districts, as shown in Figure 3 and described below:

#### Historic Station District:

This district is intended to allow for preservation and public enjoyment of the historic train station, while also allowing for some retail, office, and residential activity. A portion of this district shall be retained for a public amenity. Buildings shall be designed to be consistent with the historic character of the existing historic train station building.

1. Permitted Uses
  - a. Civic uses (including open space, public plazas, and gathering spaces)
  - b. Office
  - c. Retail sales and services
  - d. Mixed-use residential (residential above the first floor)
2. Maximum Permitted Residential Density: 50 dwelling units per acre
3. Maximum Permitted Height: Four (4) stories or 55 feet

#### Main Street Corridor / Transit District:

This district is intended to be a connection between the train station area and the surrounding neighborhood, with walkable downtown in

the immediate vicinity of the train station. The district will provide mixed use/retail areas with retail on the ground floor and residential housing above.

1. Permitted Uses
  - a. Retail Sales and Services
  - b. Mixed-use residential (residential above the first floor)
  - c. Flex space (retail/office/residential)<sup>2</sup>
  - d. Bars
  - e. Offices and home offices
  - f. Banks and financial Institutions, excluding drive-up and drive-through facilities
  - g. Restaurants
  - h. Parking structures and wrapped parking decks (lined with development along street front)
  - i. Civic uses (including open space, public plazas, and gathering spaces)
2. Maximum Permitted Residential Density: 50 dwelling units per acre
3. Maximum Permitted Height:
  - a. Parking structures and wrapped parking decks with attached development: Six (6) stories or 75 feet
  - b. All other developments: Four (4) stories or 55 feet.

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<sup>2</sup> “Flex Space” is defined as an adaptable and transitional use of a portion of a building that offers developers flexibility while market factors influence the demand for a variety of end uses. This redevelopment plan permits flex space to accommodate such uses as retail, office space, or residential uses. As the market warrants, flex space allows a portion of a development to switch between the aforementioned uses, for short-term use of a space to test new markets, or for other short-term project needs.

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4. Parking Requirements:

- a. This district must provide sufficient commuter parking (a parking structure/garage or below-ground parking).

- i. 22 dwelling units per acre (multi-family units) permitted within 200 feet from Harrel Street/Railroad Plaza
- ii. 12 dwelling units per acre (townhouse units) for developments located more than 200 feet from Harrel Street/Railroad Plaza

**Mid-Density Waterfront Residential District:**

This district will provide moderate density residential units within close proximity to the views and access of Matawan Creek.

- 1. Permitted Uses
  - a. Multi-family residential
- 2. Maximum Permitted Residential Density: 24 dwelling units per acre
- 3. Maximum Permitted Height: Four (4) stories or 55 feet.
- 4. Must incorporate a memorial and related open space to be dedicated to the shark attack in the vicinity of Dock Street.

- 3. Maximum Permitted Height: Three and one-half (3.5) stories or 35 feet.

**Open Space / Recreation:**

This district will preserve environmentally sensitive lands adjacent to the Matawan Creek and will provide for a recreation element to service the Borough and the lands within the Redevelopment Area.

- 1. Permitted Uses
  - a. Parks
  - b. Open Space
- 2. Maximum Permitted Residential Density: Residential units not permitted

**Transitional Residential / Office District:**

This district will serve as a transition between the Main Street Corridor / Transit District and the area to the south of the Transit Station Redevelopment Area that is predominantly comprised of single family detached. This “transitional” district will provide townhouse and multi-family residential units as well as a mix of office and home office uses.

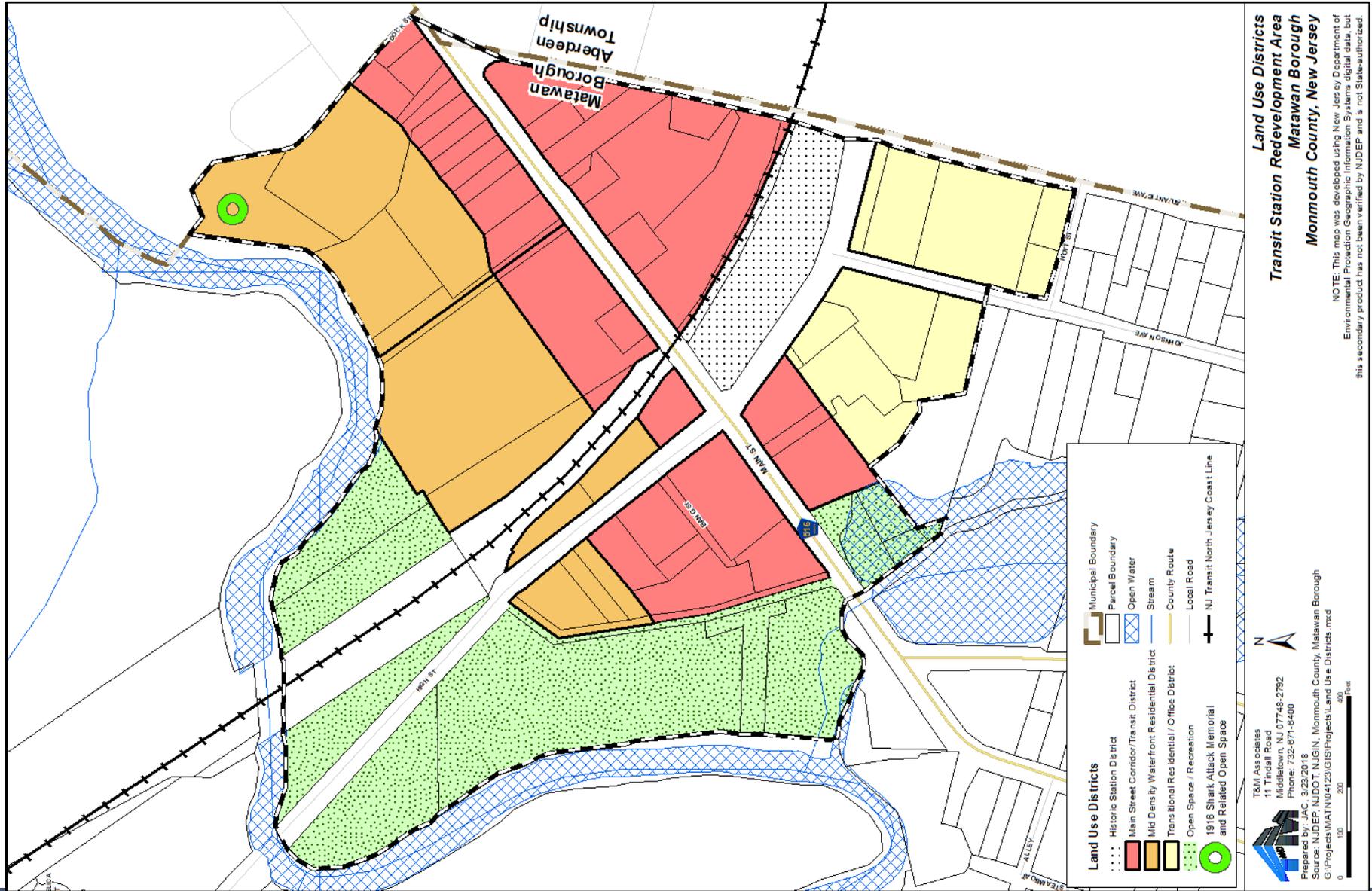
- 1. Permitted Uses
  - a. Multi-family residential
  - b. Townhouse
  - c. Offices and home offices
- 2. Maximum Permitted Residential Density:
  - a. West of Johnson Avenue: 22 dwelling units per acre (multi-family units)
  - b. East of Johnson Avenue:

**Affordable Housing Standards**

For every ten (10) residential units, one (1) affordable unit shall be set aside.

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Figure 3: Land Use Districts



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### Building Design Standards

This section describes guidelines for the Redevelopment Area that will help create a walkable neighborhood with a pedestrian-scaled, memorable community that complements, and provides an extension to, Matawan’s historic downtown area.

The design guidelines are organized around the following objectives:

- Place buildings to frame streets, plazas, and the train station, creating intimate, pedestrian-scaled public spaces, and emphasizing important visual corridors;
- Shape building massing to create a friendly, active relationship to public spaces;
- Locate parking and garages away from view of streets, parks and other public spaces.

### Building Layout and Orientation

- Buildings throughout the Redevelopment Area shall face, frame, and open onto streets, parks, and other public spaces, rather than alleys, driveways, or parking lots.
- The front or side of townhouse or apartment buildings shall face the front or side of other townhouse or apartment building. However, the rear of a townhouse or apartment building shall not face the front of another.
- Buildings should frame intersections, with building mass located close to street corners.
- The use of “build-to” lines,<sup>3</sup> requiring the placement of buildings along the streetscape, shall encourage greater

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<sup>3</sup> In contrast to a setback minimum, a bulk standard traditionally used to create distance between a structure and a public right of way, the build-to is more similar to a setback maximum. Build-to lines can be regulated simply as a maximum

pedestrian activity by defining public spaces. The Main Street Corridor/Transit District shall have a minimum build-to where 75% of the building front façade at ground level must be located along the front setback line. The Mid Density Waterfront Residential district shall have a minimum build-to of 50%. The maximum front yard setback in the Redevelopment Area shall be 10 feet.

- Each principal building with a façade of more than 200 feet shall not exceed 80 feet without a change in façade architecture, including at least a four-foot change in setback, façade color, texture, or design, in order to bring about a varied composition.
- Street trees and decorative lighting should be provided to form a buffer between moving traffic and the pedestrian realm.

### Building Design

Building design guidelines are to promote development that meets the goals and objectives of this redevelopment plan of creating a vibrant, pedestrian-oriented neighborhood. General guidelines are included below, as well as those for residential and commercial development. Recognizing that mixed use development is encouraged, potential projects may not necessarily fit neatly into one category, therefore discretion must be used by potential redevelopers and the Borough to incorporate guidelines from both categories as appropriate.

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setback distance, or combined to include a percentage requirement of how much “structure” must be located along the front setback area.

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**Photo 1: A “framed” streetscape that welcomes pedestrians, and subsequently, businesses, helps define the public realm, such as this scene in downtown Bethlehem, Pennsylvania. Photo credit: American Planning Association.**

### *General Guidelines*

- Main building entries shall be easily identifiable and connect directly to the public sidewalk so as to contribute to the overall liveliness of the pedestrian environment.
- Buildings shall be designed so as to be attractive from all vantage points, such that the same materials, windows and detailing are used on all faces and sides of the building. Blank walls shall not be permitted on any building.
- Buildings with an overall length of over 120 feet shall be designed to create the appearance of having several buildings arranged next to each other in identifiable widths ranging from 16 to 40 feet.
- Buildings of three stories shall have a clear base, middle and top. Architectural devices such as string courses, cornices, sub-cornices, lintels and sills, and or horizontally differentiating surface treatments shall be used to achieve the necessary transitions.
  - The **Base** serves as the lowest one or two levels of the building. Unique materials and variations in window pattern and proportion are encouraged, along with overhangs, light shelves and awnings.
  - The **Middle** should be distinguished from the base and top through the use of a shallow recess, changes in materials or other appropriate means.
  - The **Top** will depend on the size and architectural styling of the building. The top could include the upper floors of a building, or it may only be the roofline. Rooflines may be defined by gabled or other pitched roof forms, parapets balustrades, or cornices, while flat roofs are suitable for certain architectural stylings, or for the installation of a vegetated green roof or garden space. When properly

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screened, roofs may be used to house certain mechanical equipment, such as HVAC units.

- Primary and accent building materials shall include wood clapboard siding, brick, decorative concrete, as well as other natural materials. Synthetic stucco materials are prohibited, in favor of more environmentally friendly substitutes such as fiber-cement. Paneling to a single façade should be avoided, and instead extended around building corners to a logical break in plane.
- Mechanical equipment, generators, HVAC equipment and electronic communication equipment shall be screened or placed so that they are not visible from adjacent buildings or public areas. Interior locations must be utilized where mechanically possible. Any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey and for residential locations.
- Bay windows or other window features may be incorporated into the façade. Corner buildings shall have windows on both street frontages.
- Trash receptacle areas shall be located within buildings or parking areas and screened appropriately.

### *Residential Design*

- Residential areas with this designation in the redevelopment area shall maintain a semi-public space between the sidewalk and the face of the building.
- Stoops, covered or open, can extend directly to the sidewalk or turn sideways from the landing along the façade.
- The finished floor elevation of first floor units should be located at least several steps above grade, in order to provide privacy from the street. This requirement may be waived if ground-floor



**Photo 2: Variation in building materials, architectural stylings, window treatments, porches and stoops help to create a unique character that is distinctive from “cookie cutter” suburban development. Photo credit: American Planning Association**

units are specifically designed to ADA or Universal Design access standards.

- The finished floor elevation of first floor units shall not be more than 4 feet above grade in order to maintain a relationship between the building and the sidewalk.
- Apartment buildings shall have a shared entry and lobby, highlighted by building massing or an overhang.
- Townhouses may have porches or stoops. Porches shall be no less than 6 feet deep and may extend into front yards, provided they are no closer than four feet to any property line.
- Balconies are permitted on all upper-level residential facades.

#### *Non-Residential Design*

- Ground-floor retail, commercial, and civic uses shall be built with a finished floor elevation that is at-grade.
- At least 70% of the retail storefront façade shall be glass; and shall provide views into the store and display areas. Frosted or blocked windows on the first floor shall not be permitted.
- Retractable or fixed awnings may be utilized along retail frontage for protection from rain and sun. Awnings may extend a minimum distance of 4 feet to a maximum distance of 6 feet from the building façade.
- Buildings with multiple retail tenants should provide a separate street-level entrance for each retail tenant or business.

#### *Signage*

- All signage shall be subject to Site Plan review and approval by the Planning Board.
- Signs should be architecturally compatible with the style, composition, materials, colors and details of the building. Signs should not obscure the architectural details of a façade.

## Parking and Loading

1. Considering the desire for higher densities within the Main Street Corridor/Transit District and the importance of quality design, parking requirements are applied on a district-wide basis, rather than under traditional zoning standards in which parking must be contained entirely off-street and onsite.
2. In connection with the redevelopment of the Main Street Corridor/Transit District, parking must be provided, subject to the approval of NJ Transit and the Borough that will meet the long-term needs of NJ Transit.
3. Parking within each district may be met through structured parking, surface parking lots, and on-street parking, as outlined below.
4. Redevelopers may propose parking demand management and project parking solutions, including shared parking arrangements, that reduce parking demand in the redevelopment area. Any such parking demand management approach shall be reviewed and approved by the Redevelopment Entity and Planning Board.

### On-Street Parking

1. On-street parking provides convenient short-term parking options for patrons of retail stores and other drivers, and creates a physical buffer between traffic and pedestrians, making streets safer.
2. On-street parking shall be provided along all streets in the Redevelopment Area.
3. Overnight on-street parking may be permitted on all streets in the Main Street Corridor / Transit District and the Historic Station District.

4. Where overnight on-street parking is permitted, it may be used to meet a portion of the residential parking demand.

### Off-Street Parking

1. No parking is permitted anywhere within the front yard setback of any building, or between a building and a street.
2. The visibility of off-street parking areas from streets, sidewalks, parks, and other public areas shall be minimized and shall be hidden from view by buildings located at the perimeter of each block.
3. Parking may be provided either onsite or offsite for a particular use, but should be located within 500 feet of the use it serves. The Planning Board may allow parking spaces at greater distances if the walkway connecting the parking area to the use it serves is covered or if the Planning Board finds that the walkway is otherwise acceptable.

### Structured Parking

#### *Screening of Structured Parking*

1. In order to be adequately hidden from view of streets, open space, and other public areas, all structured parking areas shall be encouraged to be located:
  - a. Partially or entirely below grade;
  - b. At the center of a building behind or wrapped by residential, retail, or office uses; or,
  - c. Located at the rear of a building away from view of streets, pedestrian paths, and open spaces.
2. Structured parking may be partially visible and does not need to be screened when it is located within the interior of a block and is not visible to streets, open space, or other public areas.

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3. Structured parking one-half level below grade may be permitted in order to minimize the view of parking from the street, particularly for all-residential buildings. When the first habitable floor of a residential building is one-half level above the street level, the residences gain some privacy while still retaining a relationship to the street. Where a parking level is built one-half level below grade, the following shall apply:
    - a. The above-grade portion of the parking level shall be screened from streets, open space, and other public areas with landscaping, trellises, staircases leading to building entries, and other elements.
    - b. Unadorned, plain openings to parking garages are prohibited.
    - c. The finished floor of the first floor of residential space built over any parking shall be no more than four (4) feet above grade.
  4. Where it is unavoidable that parking garages be visible from streets and other public spaces, the following shall apply:
    - a. The garage shall be architecturally screened to harmonize with the building.
    - b. Spandrels and columns shall be designed with a similar void-to-solid ratio as adjacent and nearby buildings.
    - c. Materials, texture, and color of the parking garage façade shall clearly identify itself with the architectural elements that make up adjacent and nearby buildings.
- Design and Access to Structured Parking*
1. To the extent feasible, parking garages shall be integrated with the buildings that they are designed to serve so that access is available on multiple levels. Buildings may be cantilevered over the upper deck level or supported on columns through the parking garage where necessary.
  2. Parking garages shall be designed with internal ramps for vehicular movement between levels. Helical ramps are prohibited.
  3. The closest edge of a parking garage driveway to a street intersection (not including curb radii) shall be at least 60 feet, measured from the intersecting rights-of-way, and shall not otherwise be a hazard to pedestrians.
  4. Pedestrian pathways leading between buildings or within/through buildings to rear parking garages shall be required where necessary, subject to the following standards:
    - a. Pedestrian pathways shall be a minimum width of 10 feet.
    - b. Special paving materials and lighting shall be used to highlight these pathways and distinguish them from driveways.
  5. Shafts or chimneys for parking garage ventilation shall be located to prevent exhausting into nearby windows or air intake ducts in the surrounding buildings.
  6. Every parking facility shall be adequately lighted, subject to the following standards:
    - a. Lighting shall be in accordance with the standards of the Illuminating Engineering Society of North America, as they may be amended or superseded.
    - b. Lighting fixtures should not be mounted higher than between 16 and 25 feet.
    - c. All fixtures shall be shielded to prevent glare beyond the parking area.

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**Surface Parking Lots**

1. Surface parking lots, where permitted, shall be located in the interiors of blocks, behind buildings, and away from view of streets, open space, and other public areas.
2. Minor portions of surface parking lots and driveways, up to 42 feet in width per block face, may be located adjacent to streets. This dimension is sufficient to accommodate a two-way drive aisle and one row of perpendicular parking spaces. In this case, the row of parking spaces shall be screened from the street with low walls and/or landscaping.
3. Driveways to interior parking lots within each block should be consolidated in order to reduce the number of curb cuts on streets.
4. Large areas of surface parking are discouraged; however, if they cannot be avoided, they should be subdivided into smaller lots with pedestrian pathways and adequate landscaping.
5. Textured parking should be provided at driveway/curb cut entrances to parking areas to help highlight pedestrian pathways that cross the vehicular path.
6. Pedestrian pathways leading between buildings or within/through buildings to rear parking lots shall be a minimum width of 10 feet. Special paving materials and lighting shall be used to highlight these pathways.

**Temporary Parking Lots**

1. Temporary parking lots may be necessary in the Redevelopment Area for NJ Transit commuter parking services during the redevelopment of the area.
2. The requirements above that apply to permanent surface parking lots will not apply to temporary parking lots, with the exception of streetscape improvements, which are required.

3. Temporary parking lots shall provide paving, lighting, and drainage improvements that are consistent with and appropriate for the temporary nature of these structures.
4. The duration of any temporary parking lots shall be subject to the terms of the appropriate redevelopment agreement.
5. Temporary parking lots shall be subject to the approval of the Borough of Matawan Planning Board.

**Parking Ratios**

1. The number of parking spaces provided for the various uses is as stated in Section 34-43 “Off-Street Parking and Loading; Driveways” of the Borough’s Development Regulations. However, the residential off-street parking requirement in the Main Street Corridor/Transit District may be reduced to 1.8 parking spaces per each two-bedroom units, and 1.3 spaces per each one-bedroom unit.
2. This parking requirement does not include the parking demand for NJ Transit, and can be modified through the use of the ULI or another shared parking methodology.

**Shared Parking**

1. Considering that the peak residential parking demand for permanent residents occurs during off-peak hours for the train station, shared parking between residential and commuter parking is strongly recommended to help use the parking supply efficiently within the Redevelopment Area and to make efficient use of land devoted to parking.
2. An applicant requesting approval of a shared parking approach shall prepare and submit a shared parking analysis report to the Planning Board and its professionals for review. Such an analysis

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shall demonstrate to the satisfaction of the Board that a shared parking approach between different uses and with proximity to transit facilities warrants a reduction, and that the Borough's and NJ Transit's parking needs are met.

3. The total amount of parking for one or more uses within the Redevelopment Area shall be the sum of the requirements of each individual use. However, the total number of required parking spaces may be reduced by an amount as outlined in the shared parking analysis and approved by the Planning Board, provided the following evidence is provided:
  - a. Credible evidence indicating that the peak parking demand of the two (2) or more uses sharing a parking lot or facility do not coincide; and
  - b. The accumulated parking demand at any one time of the two (2) or more uses sharing the facility do not exceed the total capacity of the facility. Such evidence shall indicate the use of the facility by residents, employees, customers, and visitors on both weekdays and weekends, and both during the day and overnight. The Urban Land Institute shared parking methodology shall be employed when performing the shared parking analyses unless another methodology is specifically approved by the Board or the Board's professionals.
4. Any shared parking facility shall be located no further than 500 feet from the establishment that it serves, as measured between the nearest parking space on the premises to the entrance of the establishment that it serves, unless a greater distance is determined by the Planning Board to be acceptable given the layout and design of the proposed development.

**Payment in Lieu of Parking (PILOP)**

1. The Planning Board may allow applicants whose application for development has insufficient on-site parking to meet the reduced parking requirements of the "Shared Parking" provisions outlined above, provided the following are satisfied:
  - a. Prior to granting a PILOP agreement to an applicant as part of final approval, the Planning Board shall determine that circumstances exist that make the granting of a PILOP appropriate based on the type of use proposed and after due consideration of the impact that granting of a PILOP will have on the area surrounding the development site.
  - b. Nothing in this subsection shall be deemed to serve as an automatic requirement to grant a PILOP agreement, nor in any way diminish the Planning Board's ability to grant full or partial parking exceptions.
  - c. The entry into a PILOP agreement with the Borough of Matawan shall be a condition of any approval by the appropriate Board. Such agreement shall indicate that the Planning Board or appropriate entity has established that there are adequate available parking resources to provide any parking required under the PILOP.
  - d. The PILOP payment shall be established at \$5,000 per required parking space for all uses and \$2,500 per required parking space for any affordable housing unit. The established fees herein shall be reexamined, and may be modified, from time to time, in intervals no greater than once every two years, to ensure that the fees are appropriate for intents and purposes of the PILOP program.

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- e. The PILOP shall be paid in full to the Borough of Matawan prior to the issuance of any certificate of occupancy by the Borough in order to effectuate the objectives of this Redevelopment Plan as it relates to circulation, accessibility, traffic and pedestrian safety and related issues in the Borough.
- f. The proceeds from the PILOP shall be deposited into a fund established solely for the following:
  - i. Acquisition, development, expansion or capital repair of public and municipal parking facilities;
  - ii. Traffic- or transportation-related capital projects;
  - iii. Provision or operating expenses of transit facilities designed to reduce reliance on private automobiles;
  - iv. Programs to facilitate carpooling or ride sharing; and,
  - v. Creating a consistent streetscape for all user groups utilizing all modes of transportation by introducing context-sensitive design elements at intersections and corridors, such as parking meters, wayfinding signage, kiosks, trails, sidewalks, crosswalks, streets and similar improvements that connect users to public and municipal parking facilities throughout the Borough.
- g. The proceeds of such fund shall not be considered a part of the municipal general fund.
- h. The PILOP shall not relieve the applicant or any users of the parking spaces covered under a PILOP agreement from paying any required parking fees to the Borough of Matawan.

### Loading

- 1. The number and location of loading spaces, if any, shall be determined during the site plan review process.
- 2. Any loading spaces shall be located at the side, rear, or interior of buildings, away from the street-facing frontages.

### Parking and Loading Stall Dimensions

- 1. Parking spaces in open-air parking lots shall be a minimum of 9 feet wide by 18 feet in length.
- 2. Parking spaces within parking garages or decks shall be a minimum of 8 ½ feet wide by 18 feet in length.
- 3. All other parking, loading, driveway, and driveway aisle dimensions shall be in accordance with the requirements of the Residential Site Improvement Standards (RSIS), or the Borough of Matawan ordinances as applicable.

### Driveway and Curb Cuts

- 1. In order to maintain a safe walking environment and an attractive streetscape that frames key public spaces, driveways and curb cuts are not allowed along block fronts facing the NJ Transit train tracks or the train station plaza.
- 2. Driveways providing one-way ingress or egress must have a minimum width of twelve (12) feet.
- 3. Driveways providing two-way ingress and egress must have a minimum width of 20 feet.
- 4. No curb cuts shall exceed 20 feet in width.
- 5. Exceptions to requirements 1-4 may be permitted for driveways serving delivery trucks with wide turning radii.
- 6. Shared driveways between two properties, which can minimize the number of curb cuts and impervious surface needed, are

encouraged. Where appropriate, shared driveways shall be implemented by initiating an irrevocable offer of cross-easement between the abutting properties.

### **Bicycle Parking**

1. This Redevelopment Plan encourages the provision of adequate bicycle parking at appropriate locations in order to encourage bicycling as an alternative means of transit.
2. All multi-family, civic, and office buildings shall provide secure, conveniently-accessible indoor bicycle parking and storage rooms. Other uses are encouraged to provide bicycle parking and storage facilities.
3. The appropriate number of bicycle rack spaces, which will be calculated by the Planning Board, shall be provided.
4. In retail areas, centrally-located sidewalk bicycle racks should be provided in clear view of storefronts.
5. Bicycle racks and/or lockers should be provided in proximity of the New Jersey transit station, parking garage, and lot.
6. At least 50 percent of the provided bicycle racks spaces shall be enclosed.

## Planning Relationship

Pursuant to the LRHL, “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan” (N.J.S.A. 40A-12A-7d). The Redevelopment Plan is substantially consistent with the Borough’s Master Plan and is intended to effectuate the goals and objectives of the Borough Master Plan.

### Relationship to Zoning

In order to implement the Plan consistent with the objectives stated herein, the Redevelopment Plan area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. This Plan supersedes the underlying use, bulk, and design standards of the Borough’s Land Use and Development Regulations as they relate to the area governed by this Redevelopment Plan unless noted otherwise. The zoning ordinance is hereby amended for the Redevelopment Plan area by the terms of this Redevelopment Plan in accordance with the LRHL.

The Area shall be redeveloped in accordance with the standards detailed in this Plan. In order to implement the Plan consistent with the goals and objectives herein, the Plan supersedes the use, bulk and design standards provisions of the Borough’s Land Development Ordinance as they relate to the area governed by this Redevelopment Plan. Other Borough regulations affecting development that are in conflict are superseded by this Plan; however, existing engineering standards, definitions and sections of the Land Development Ordinance not covered by his Plan shall apply.

## Municipal Planning Documents

### 2015 Master Plan

Matawan adopted a new Master Plan, including a vision statement, goals, objectives and land use plan element on October 5, 2015 to reflect that Matawan has become a fully developed community, where the majority of future growth will come from redevelopment and rehabilitation of existing development. The updated Master Plan recognized the Transit Station as a central component of a comprehensive revitalization strategy for Matawan.

The 2015 Master Plan provides five goals intended to realize the vision statement. One of these goals, “Stimulate revitalization of Matawan’s downtown through the redevelopment of the Matawan Train Station area,” includes several objectives and recommendations to advance this redevelopment process:

- Leverage redevelopment that supports and provides linkages to revitalization of the Borough’s downtown.
- Modify the redevelopment area plan for the Railroad Improvement District, as appropriate, to be consistent with the recommendations of this reexamination concerning the incorporation of redevelopment plans for the station area.
- Replace existing Railroad Improvement District regulations with an amended redevelopment plan consistent with the recommendations of the 2014 Reexamination Plan, which include:
  - Amending the redevelopment plan to implement a phased approach to redevelopment that targets and prioritizes specific properties in the redevelopment area in order to spur additional development in the area. It is noted that

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the current redevelopment plan no longer employs a phased approach.

- The plan should be designed to support and provide linkages to revitalization of the Borough's downtown.
- The plan should include open space and public recreation amenities, including possible plans for an integrated system of public open spaces and parks with pedestrian linkages that would connect Lake Lefferts and Lake Matawan into a comprehensive public open space amenity for the Borough's residents.
- Rely upon the present redevelopment designation of the station area and request proposals from qualified redevelopers for the redevelopment of one or more phases or parcels within the redevelopment area for transit-oriented development (TOD) consistent with the guidelines and concepts of the NJDOT transit village initiative for mixed use residential, commercial, and non-residential development.
- Pursue implementation of the existing redevelopment area designation as a non-condemnation redevelopment area.
  - Amend the redevelopment plan to implement a phased approach to redevelopment that targets and prioritizes specific properties in the redevelopment area in order to support projects that can be developed relatively quickly and spur additional redevelopment in the area.
  - Particular focus should be placed on the use of municipally-owned parcels in the redevelopment area.
  - Coordinate redevelopment with NJ Transit to maximize opportunities for redevelopment

- Continue to support the Borough's transit village designation by providing a mix of residential and commercial uses as well as a parking deck to provide parking for the new development and train station.

The amendments to this Redevelopment Plan are consistent with the recommendations of the 2015 Master Plan, with one exception. It is noted that the current redevelopment plan no longer employs the phased approach that is recommended in the 2015 Master Plan.

### 2001 Redevelopment Plan for the Designated Redevelopment Area in the Vicinity of the Matawan Train Station

The original 2001 Redevelopment Plan for the Train Station, as adopted, included the following objectives, which continue to remain consistent with the amendments contained herein:

- The Redevelopment Plan should be compatible with the Borough's Master Plan.
- Environmentally sensitive lands should be preserved.
- Pedestrian linkages to the Historic Downtown Business District should be encouraged.
- Provide adequate commuter parking.
- The Borough's Redevelopment Plan should recognize the Redevelopment Plan in neighboring Aberdeen. Both plans should be compatible wherever possible.
- Provide the opportunity to live, work, and shop within the redevelopment area and create a village center.
- The scope of development should not overwhelm existing and/or proposed infrastructure.

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### Neighboring Municipalities

The following is an analysis that compares the Redevelopment Plan Amendment to neighboring municipalities' master plans, as well as the additional aforementioned plans. In general, land uses and zoning plans are complimentary to those in the adjoining municipalities.

#### Aberdeen Township

The Redevelopment Plan Area is located adjacent to Aberdeen Township. Matawan and Aberdeen's geographic ties have resulted in several coordinated or mirrored efforts at land use planning and redevelopment. The two municipalities both have a presence along the Garden State Parkway, and both have recognized the need to provide high-density residential development within close proximity to this transit corridor.

The two municipalities coordinated the initial redevelopment plan around the Aberdeen-Matawan train station. Adjacent to the Borough of Matawan's Transit Station Redevelopment Area and across Atlantic Avenue in Aberdeen Township is another Redevelopment Area. This Redevelopment Plan is substantially consistent with Aberdeen Township's Redevelopment Plan, as evidenced by the following:

- The Aberdeen Township Train Station Redevelopment Plan seeks to promote smart growth planning principles by redeveloping an abandoned industrial site with a mixed-use development consisting of apartments and retail stores in proximity to the Aberdeen/Matawan Train Station.
- The Redevelopment Plan seeks to support transit-oriented development.

- The Redevelopment Plan also seeks to preserve critical environmentally sensitive lands.

The Aberdeen Township Train Station Redevelopment Plan also recognizes the redevelopment efforts underway in Matawan during the time of its adoption in 1999 and subsequent amendments in 2002, 2012, and 2015. Despite the fact that the redevelopment efforts in the vicinity of the Aberdeen/Matawan Train Station are occurring in two different municipal jurisdictions, their interconnectedness is inherent.

#### Monmouth County Master Plan, 2016

The Monmouth County Planning Board adopted its Master Plan on October 17, 2016. The Monmouth County Master Plan outlines the following, goals, principles, and objectives that are supported by and are substantially consistent with this Redevelopment Plan:

**Goal 1:** Promote a comprehensive approach to planning and coordinate these efforts among all levels of government and with our community stakeholders.

**Goal 2:** Promote the protection and conservation of natural and cultural resources to help guarantee our long-term sustainability.

**Principle 2.1 Natural Resources:** These resources are naturally occurring, life-supporting environmental infrastructure that all species rely on and the built environment is dependent upon to function and prosper.

- **Objective A:** Encourage county and municipal actions to identify, promote, and protect natural resources and significant natural features, unique areas, critical habitats, and the potential or known habitats of resident and migratory populations of rare, endangered, and

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threatened species, particularly those that have municipal, county, or statewide significance.

- **Objective B:** Protect, conserve, and enhance the county's significant, diverse, natural, and scenic resources utilizing sound ecological protection and restoration measures.
- **Objective D:** Encourage the sustainable use of public lands in concert with natural resource protection.

**Principle 2.3 Arts, Historic, and Cultural Community Identity:** Our cultural assets and resources reflect our shared heritage. Preserving them helps retain community distinctiveness, instills community pride, supports sustained economic development, attracts reuse and reinvestment, and greatly contributes to our overall quality-of-life.

- **Objective A:** Encourage and support local efforts to identify, preserve, and restore significant historic sites, buildings, structures, and cultural institutions.
- **Objective B:** Reinforce Monmouth County's rich arts, cultural, and historic identity by promoting venues, sites, and events that invite visitors, attract business, and entice residents to discover our vibrant, diverse, and distinct communities.

**Goal 3:** Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay.

**Principle 3.1 Vibrant and Sustainable Communities:** Encourage the creation of vibrant communities through a variety of housing choices, energy and transportation options, recreational and cultural offerings, health and safety initiatives, and business

opportunities that result in a more sustainable and higher quality-of-life for all residents.

- **Objective A:** Promote policies that foster healthy, sustainable, and resilient communities.
- **Objective C:** Encourage the development of a multi-modal transportation and circulation network that promotes walkability and bicycling, links neighborhoods to one another, and connects residents to employment centers and regional facilities.
- **Objective D:** Encourage a range of housing options including types, sizes, styles, and accommodations to meet the needs associated with various lifestyles, life-stages, abilities, and occupations of residents while supporting economic sustainability within the region.
- **Objective F:** Support efforts that increase sustainable infrastructure capacity to accommodate population change, replace aging systems, and encourage investments that provide for safe, sound, resilient, and reliable utility service.
- **Objective G:** Promote vibrancy, attractiveness, and a diverse array of uses, occupations, services, and amenities for downtowns and business districts.

**Principle 3.2 Preservation of Community Character:** Protect and strengthen the established character of municipalities and their distinct qualities.

- **Objective A:** Support retention, preservation, restoration, and improvement of our cultural, historic, and scenic resources that define a community's distinct character.

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- **Objective C:** Promote in-fill development and the adaptive reuse of substandard, underutilized, or abandoned structures that complement or improve adjacent land uses and support or enhance neighborhood character resulting in healthier places to live, work, learn, and recreate.
- **Objective D:** Promote the development and use of design standards that reinforce neighborhood character and improve the appearance and appeal of special improvement districts, commercial districts and corridors, and redevelopment areas.

**Principle 3.3 Housing:** Encourage a variety of new and rehabilitated housing that will enable populations to more readily cycle through different life-stages, giving residents an opportunity to age in place.

- **Objective A:** Encourage municipalities to monitor the evolving housing market and consider the desirability of changing zoning to accommodate shifts in market demand.
- **Objective B:** Encourage housing development in locations that provide access to various modes of travel that could reduce automobile dependency.
- **Objective C:** Promote energy efficient construction and housing systems that reduce long-term costs and maintenance as well as design, technologies, and construction methods that have a lower impact on natural systems.

**Principle 3.7 Investment in Priority Growth Areas and Growth-Impacted Locations:** Aligning state, county, and local investment

strategies improves efficiency, minimizes incompatible land use conflicts, and reduces costs associated with repairing, replacing, and expanding systemic infrastructure.

- **Objective A:** Encourage public infrastructure investments in county recognized priority growth areas and locations that support economic development and redevelopment; particularly locations in existing and planned service areas.
- **Objective B:** Coordinate infrastructure and utility upgrades with economic development and redevelopment activities.
- **Objective E:** Promote roadway and intersection improvements that provide for complete streets, enhance vehicular safety, address capacity issues, and reduce wait times.
- **Objective F:** Focus most public transportation improvements, utility, and infrastructure investment in places where public safety issues are a concern.
- **Objective G:** Work with our transit partners in providing more effective and efficient transportation services and options within the county as well as to and from regional destinations outside the county.
- **Objective H:** Support investment in the preservation of cultural, historic, and scenic resources located in priority growth areas and locations.
- **Objective I:** Support policies and investment in priority growth areas and locations that promote safe, healthy, sustainable, and resilient communities.

The Land Use Element of the Monmouth County Master Plan recognizes the Aberdeen/Matawan Train Station as a Transit-

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Oriented Development Initiative, and also as a Priority Growth-Reinvestment Area/Site (PG-RAS). The Master Plan identifies the PG-RAS as “areas or sites located within the PGIA [Priority Growth Investment Area] where more intense or significant development, redevelopment, revitalization, and hazard mitigation investments are highly encouraged.”

Additionally, the Land Use Element of the Monmouth County Master plan also states, “redevelopment near certain transit stations and access to cultural and recreational amenities should be encouraged as well as multi-modal improvements to the existing transportation network and infrastructure.”

### State Development and Redevelopment Plan (SDRP)

The NJ State Planning Commission is now staffed by the Office of Planning Advocacy (OPA) which is within the Department of State. The OPA has released a draft State Strategic Plan to supersede the current State Development and Redevelopment Plan (SDRP), which was adopted in 2001. Public Hearings were held in February, March, and September of 2012. The draft State Strategic Plan is based upon a criteria-based system rather than a geographic planning area. The draft State Strategic Plan has not been adopted by the State Planning Commission at this time and was put on hold following Hurricane Sandy.

The Redevelopment Plan Amendment is consistent with the plans and policies of the existing SDRP. The SDRP places the Redevelopment Area in both the Metropolitan Planning Area 1 (PA1) and the Environmentally Sensitive Planning Area.

According to the State Plan, most of the communities within the PA1 planning area are fully developed or almost fully developed with little

vacant land available for new development. The Redevelopment Plan Amendment is consistent with the State Plan by preserving and protecting the established residential character of the Borough, promoting economic development by encouraging appropriate infill and redevelopment and promoting a diversification of land uses, promoting a fully intermodal transportation system that will enhance local circulation and reduce automobile dependency, promoting a balance of housing options to meet the needs of all residents, preserving and upgrading the existing utility infrastructure, providing adequate park, recreation and open space facilities, and preserving and protecting valuable historic and natural features within the Borough.

Environmentally Sensitive Planning Areas are characterized by their unique natural features that serve to provide important habitats, scenic vistas, or water supplies. The State Plan seeks to protect these environmental resources through land preservation, accommodate and direct growth toward centers, and protect the character of existing stable communities. Matawan’s goal of transforming its downtown to attract future development and redevelopment away from natural areas is consistent with these goals.

## Administrative and Procedural Requirements

### Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Plan area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. However, any proposed changes in permitted uses, the land use plan, residential density, building height, or the core design concepts in this plan shall require notice and public hearings in a manner similar to the adoption of the original plan.

### Redevelopment Powers

The Borough may also use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this plan. The Borough may enter into agreements with a designated redeveloper or redevelopers in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

### Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls, and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the designated Redevelopment Plan area that it owns or may acquire. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or

redevelopers in connection with the implementation of the Redevelopment Plan.

### Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Borough Council and shall be in effect until the redevelopment of the Redevelopment Plan area as evidenced by the issuance of the Borough of a certificate of project completion in accordance with the Redevelopment Plan.

### Redeveloper Selection

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a designated redeveloper, which may be the property owner. The Borough may undertake a developer selection process that will provide a qualified redeveloper(s) to implement the Redevelopment Plan in a manner that is in the best interest of the Borough. The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper(s) for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force.

- The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
- The redeveloper, its successors, or assignees, shall develop the Redevelopment Plan area in accordance with the Redevelopment Plan.

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- Redevelopment of any parcels in the Redevelopment Plan area owned by NJ Transit, its successors or assignees, shall be subject to separate project agreements between redeveloper and NJ Transit, as deemed necessary by NJ Transit in its sole discretion.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed, or other instruments shall remain in full force and effect.
- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability, and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.

### Redevelopment Entity Review

The Borough Council, acting as the redevelopment entity, shall review all proposed redevelopment projects within the Redevelopment Plan Area to ensure that such project(s) are consistent with the redevelopment plan prior to their submission to the Planning Board. As part of its review, the Borough Council may require the redeveloper to submit its proposed project to a technical review committee or subcommittee of the Borough Council. The technical review committee may include members of the Borough Council and any other members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its recommendations to the Borough Council.

In undertaking its review, the Borough Council shall determine whether the proposal is consistent with this Redevelopment Plan and

relevant redeveloper agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.

### Planning Board Review Process

Pursuant to N.J.S.A. 40A12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the Redevelopment Plan area.

- No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan.
- Regular maintenance and minor repair shall not require Planning Board review and approval.
- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55d-1 et seq. and the Borough's Land Use and Development Regulations.
- As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Borough's Land Use and Development Regulations. The performance guarantees shall be in favor of Matawan Borough, and the Borough Engineer shall determine the amount of any performance guarantees.
- Any subdivision of lots or parcels of land within the Redevelopment Plan area shall be in compliance with the

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Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40A:55D-1 et seq.

- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been “destroyed.”
- The Planning Board may grant relief from the bulk, parking, lighting, architectural, landscaping, and/or sign requirements of the adopted Redevelopment Plan as well as the design standards contained herein where there is a hardship or the granting of such relief will promote the purpose of said plan consistent with the standards established at N.J.S.A. 40:55D-70(c). In no event shall relief be granted by the Planning Board to provide a use or facility that is not permitted by the Redevelopment Plan. A variance for density or height requirements that is greater than 10% of what is permitted will not be permitted without a commensurate amendment to this Redevelopment Plan.
- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and the Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
- Any and all definitions contained within this Redevelopment Plan shall prevail. In the absence of a definition, the definition

found within the Borough’s Land Use Development Ordinance shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be considered invalid.

- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough’s Land Use Development Ordinance and State law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

The above provisions are all subject to approval by ordinance and/or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

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