

An aerial photograph of a suburban and industrial area. A green horizontal bar at the top contains the title. Below the bar, the date 'January 22, 2021' is centered. A large, irregularly shaped area in the center of the image is highlighted with a semi-transparent orange overlay, indicating the focus of the redevelopment plan. This area includes several large industrial buildings, parking lots, and two prominent cylindrical storage tanks. To the left of the highlighted area is a residential neighborhood with houses and trees, separated by a road and a line of trees. To the right is another industrial area with various buildings and parking lots. The overall scene shows a mix of urban development and open space.

# RIVER ROAD REDEVELOPMENT PLAN

January 22, 2021

**PREPARED FOR THE BOROUGH OF CHATHAM**  
**PREPARED BY TOPOLOGY**

ADOPTED JUNE 2019  
REVISED JANUARY 2021

# ACKNOWLEDGMENTS

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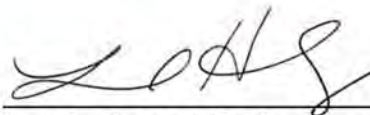
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# INTRODUCTION



The River Road Redevelopment Area ("the Redevelopment Area" or "the Site") has been identified by the Borough of Chatham as a key location to initiate reinvestment around the Borough's eastern gateway. The Redevelopment Area is located at the intersection of River Road and Watchung Avenue and adjacent to the NJ Transit Morris + Essex Line (Figure 1). The larger area has been identified by several documents and reports issued by the Borough, including the 2013 Land Use Element Amendment and 2016 Master Plan Reexamination Report, as a potential location for new development. In addition, NJ Transit has undertaken a study to determine the need and feasibility for a new train station nearby. This Site provides an opportunity for the municipality to allow development that will add diversity to the Borough's housing options, create public amenities, develop a new character for the surrounding gateway area and address needed infrastructure improvements. Furthermore, the 4.54-acre Site lies only one mile south of entrances and exits for New Jersey State Route 24 and is within approximately one mile of three different train stations.

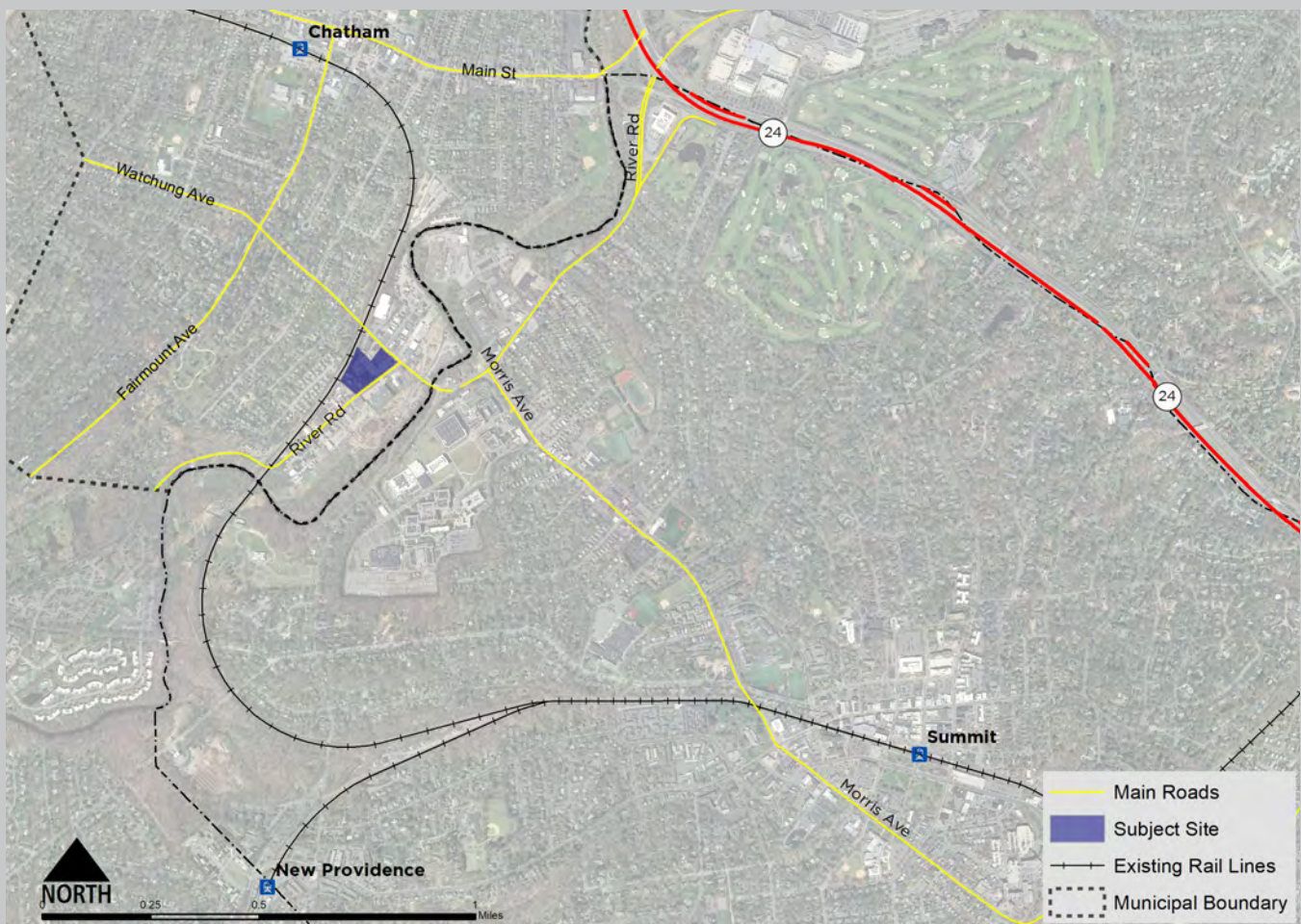
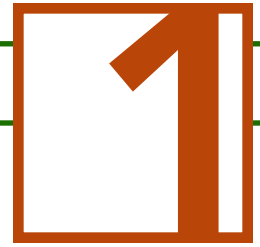


Figure 1: Regional context map for the River Road Redevelopment Area



As the 2016 Master Plan Reexamination Report identifies (see Appendix B: Relationship to Other Plans for additional details), Chatham Borough is “essentially built-out,” with very little vacant land remaining. Redevelopment is necessary in underutilized areas to prevent the Borough from stagnating economically. The redevelopment of this Area is an integral component of the Borough’s broader effort to create healthy, livable neighborhoods that are connected by safe, user-friendly multi-modal streets and transportation networks for Chatham residents, businesses, and visitors (bike, car, pedestrian, and public transit riders). It is the Borough’s goal to link community assets to one another and to the key landmarks in the Borough, such as this Chatham gateway mixed-use area and the downtown core.

In order to effectuate this vision, the Planning Board was directed to study the area by the Borough Council on August 13, 2018. On November 7, 2018 the Planning Board accepted the Preliminary Investigation report prepared by Topology (see Appendix D: River Road North Preliminary Investigation) and resolved to make a recommendation to the Borough Council designating the Area in Need of Redevelopment. The Borough Council accepted the Planning Board’s recommendation and designated the Site as a non-condemnation “Area in Need of Redevelopment” by the Borough Council pursuant to N.J.S.A. 40A:12A-6 et seq. (see Appendix A: Local Redevelopment and Housing Law Regulations and Policy) on November 26, 2018.

In accordance with the LRHL [N.J.S.A. 40A: 12A-7.A.2], this Redevelopment Plan establishes the following proposed requirements for the River Road Redevelopment Area:

- A. Land Uses
- B. Bulk Standards
- C. Design Criteria
- D. Building Requirements

The provisions set forth in this Redevelopment Plan shall supersede, govern, and control the standards set forth in the Land Development Ordinance adopted by the Mayor and Council of the Borough of Chatham on January 29, 1979 by Ord. No. 1-79 as well as any applicable amendments.

It is anticipated that any proposal will be further refined utilizing public outreach, input and codified with amendments, as necessary, and within any Borough agreement(s) or Redevelopment Agreement(s).

# SITE DESCRIPTION



The Redevelopment Area (Figure 2) includes three parcels totaling 4.54 acres, all of which are privately owned. The site is located at the southwest corner of the intersection of River Road and Watchung Avenue with frontages along both streets. The western boundary of the Site is formed by the rail embankment of NJ Transit's Morris + Essex line. The Site's southern property line is shared with a low-intensity industrial user which is common along River Road and Watchung Avenue in this area. Directly northwest along Watchung Avenue from the Site are two parcels of approximately ½ acre each, occupied by Bottle King and Bauer Automotive Truck service.

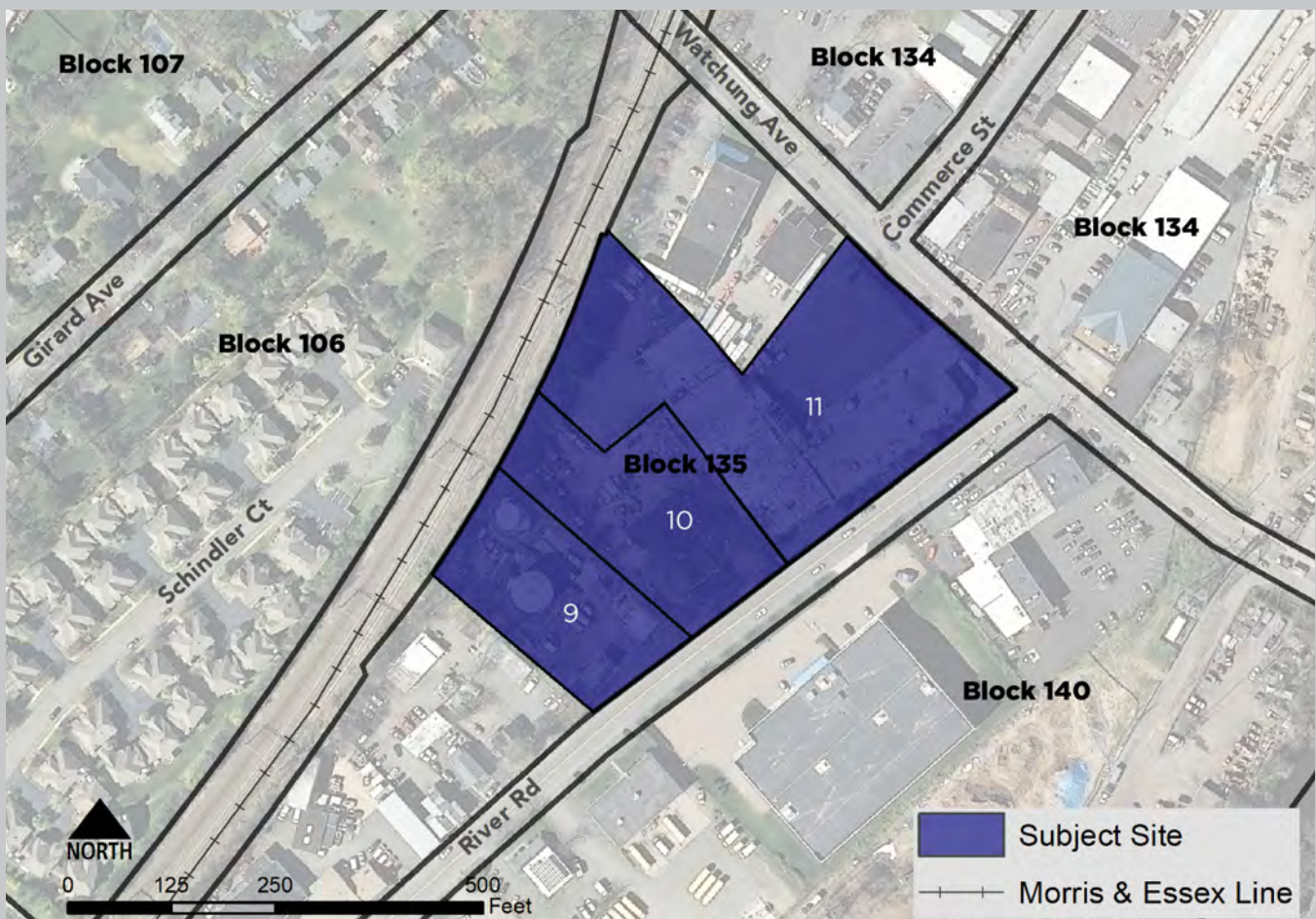


Figure 2: Block + Lots included in the River Road Redevelopment Area

The entire area surrounding the Site on the eastern side of the NJ Transit rail line is predominantly light industrial in nature with commercial users mixed throughout. Some of the larger users in the area are Dreyer's Lumber and The Gravity Vault rock climbing along Watchung Avenue as well as Westy Self Storage, National Manufacturing and First Student bus service along River Road. In addition to these larger users, the remainder of the area east of the rail line is made up of smaller parcels occupied by light industrial businesses like auto repair or service as well

as retail businesses such as party suppliers or construction suppliers. It is also important to note that some of the Borough's culinary establishments are located in the area including Twin Elephant Brewing, Pascarella Brothers Delicatessen, River Grille and Five K Deli. Other than a handful of lots to the south where River Road crosses under the rail tracks there is almost no residential east of the rail line. In contrast, immediately west of the rail line both along Watchung Avenue and south along River Road, development is almost entirely residential in nature and mainly made up of single-family houses.

While detailed descriptions on a lot-by-lot basis are available in the Preliminary Investigation (see Appendix D), it is important to note the lack of uniform improvements in and near the public right of way such as adequate sidewalks, defined driveways and curb cuts, or even curbs. Because the Site seems to have developed without a centralized vision for the area, amenities such as public access, public space and other amenities were not developed. Additionally, improvements such as utility lines are often not as neat, well-located, or tidy as one might find in the predominantly residential or downtown areas of the Borough. While a number of industrial businesses in the area continue to succeed, the changing dynamics and demands in the industrial, manufacturing and logistics industries are affecting this corridor. Many industrial users seek larger, more modern facilities or markets. As a result, some uses—like home heating oil, continue to disappear. Properties similar to those in the River Road Redevelopment Area will have to adjust and reposition to move forward in today's economy. While development in the larger River Road district had skewed toward commercial and industrial uses over past decades, this Plan recognizes the potential and demand for future decades.

Changes in demographic makeup of the Borough also support the need for redevelopment. The Borough experienced sizable population decline throughout the 1980s and 1990s, with only minimal growth in the 2000s and 2010s. However, this recent growth has not been as great as similar communities seeing reinvestment throughout the Greater Morris County area. While the population has become more diverse and has seen median income rise, development and growth has occurred sporadically around the community, either utilizing previous vacant space or tear-downs. Additionally, while similar Transit-Oriented Development communities are seeing a rise in their millennial population during this period, Chatham has seen a loss in the millennial population as well as the population of individuals age 65 and older. These trends support the community's concerns over the lack of affordable housing, the limited number of places available to downsize and the needs for a community that attracts the aforementioned key age market groups. Despite these concerns, single-family homes continue to thrive and expand within the Borough as a result of many other assets like excellent schools, proximity to employment centers and access to rail service.

## 2.1. PROPERTY BACKGROUND

### 2.1.1. HISTORY OF THE SITE

Based on review of historic Sanborn maps (see Figure 3) and historic aerial photography the area remained sparsely developed well into the middle of the 20th century. The area north of Watchung Avenue, especially along Commerce Street, was developed by 1950 with what appear to be relatively small warehouses and industrial buildings. The area south of Watchung Avenue continued to be lightly developed, there were a handful of wooden dwellings as well as several agricultural and manufacturing buildings, including chicken coops and a paint shop.

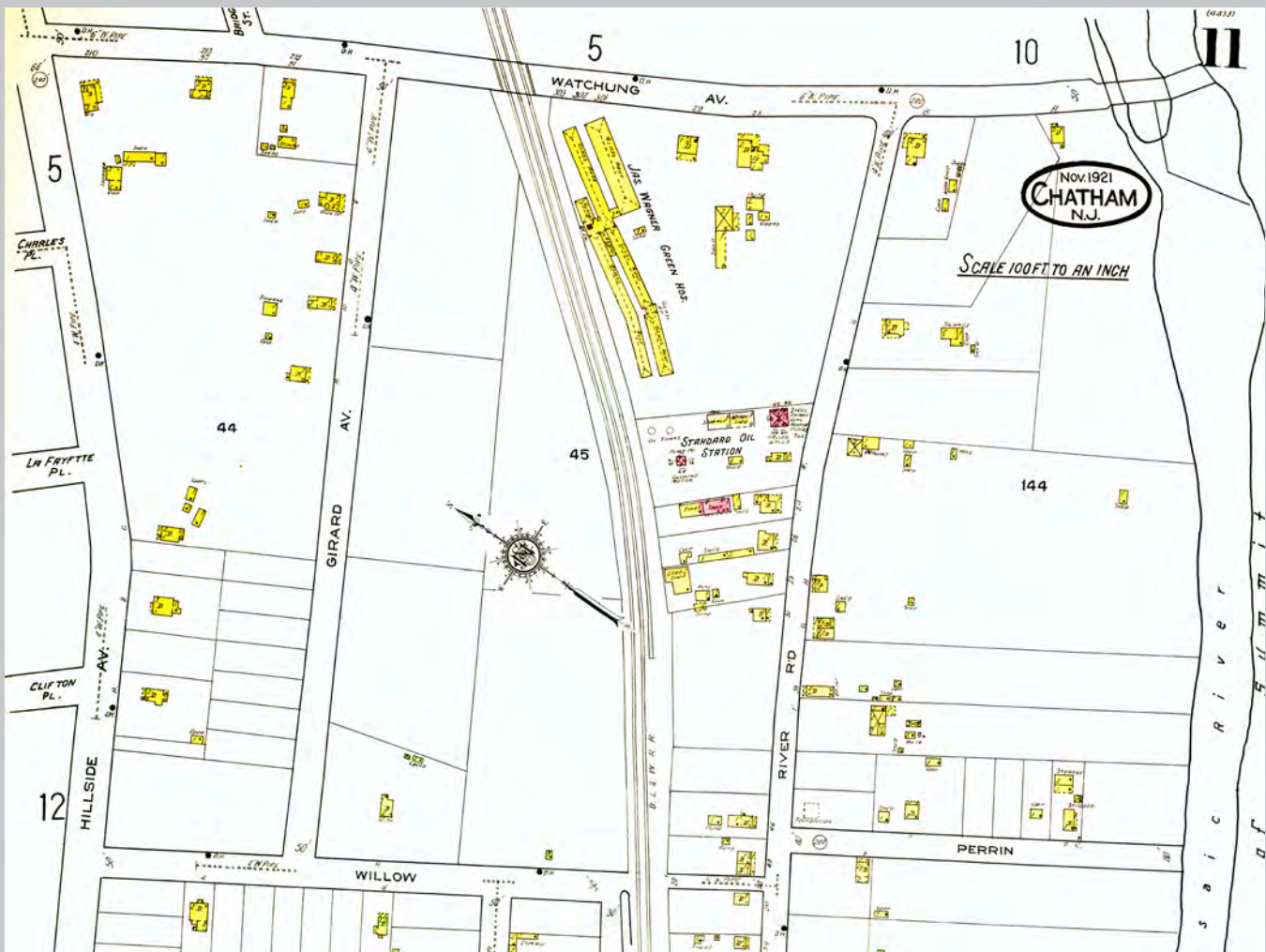


Figure 3: Historic 1921 Sanborn Fire Insurance map of the vicinity around the River Road Redevelopment Area

According to Sanborn maps, by 1909 a florist by the name of J.T. Wagner constructed a large glass-roofed greenhouse just east of the rail line and south of Watchung Avenue. The greenhouse, if not the business, survived through at least 1957, though the aerials show it had been expanded, altered and partially demolished by the time the site seems to have been cleared by the 1960s.

Also, especially noteworthy as it relates to this Redevelopment Area, is the presence of Standard Oil on what is today Block 135, Lot 9. While today this is the site of the Crown Oil business, the use of the site for fuel oil storage and distribution goes back perhaps more than 100 years.

The area in and immediately around this Site was developed with much of its current uses since 1960. The front portion of the National Manufacturing existed at least by 1963, and the current Bottle King and Bauer Automotive sites have been developed since 1969.

Since the 1970s the southwest side of River Road has developed almost exclusively with non-residential uses and predominantly with industrial uses. While buildings and properties have clearly been altered or even razed and rebuilt since, much of the area surrounding the Site existed and achieved its manufacturing and commercial character by the 1970s and 1980s.

## **2.1.2. EXISTING CONDITIONS**

### **A. EXISTING ZONING**

Prior to the adoption of this Redevelopment Plan, the properties within the Redevelopment Area all fell within the same zoning district and overlay district (see Figure 4):

- A.1. All three parcels were in the M-3 Industrial district. This district permits a range of light industrial, office, research, retail trade, retail services, and residential uses.
- A.2. All three parcels also fell within the Gateway Overlay district which requires a larger minimum lot size but also allows for additional height, lot coverage and additional commercial and entertainment uses as well as more flexible residential standards.

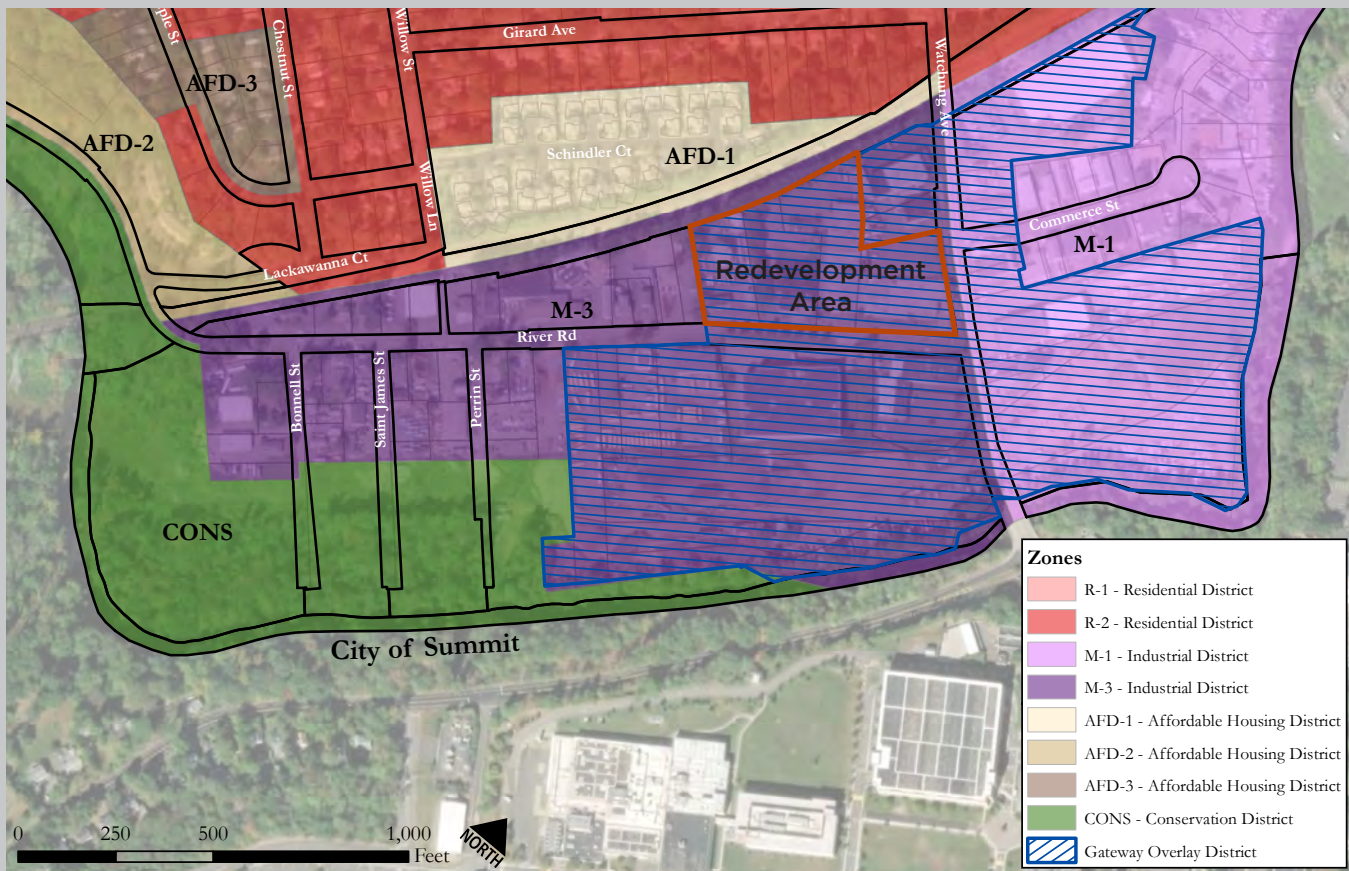


Figure 4: Preexisting zoning in the vicinity of the River Road Redevelopment Area

## 2.1.3. PROPERTY RESTRICTIONS

### A. *CONTAMINATION*

- A.1. At this time, the Borough makes no representations as to the presence of environmental contamination on any parcel within the Redevelopment Area. The redeveloper(s) will be responsible for investigating and remediating any possible contaminations on parcels they seek to redevelop.

### B. *SLOPE*

- B.1. The site slopes from a high point along the NJ Transit rail embankment along the north-west property line down towards River Road. Additionally, along River Road, the property has a gradual slope down towards Watchung Avenue.

## 2.1.4. MOBILITY + CIRCULATION

Circulation has long been a major concern raised by residents and visitors to Chatham Borough. While the River Road area does not offer the same inviting walkable environment found in Chatham's downtown, a similar considerate approach is necessary when guiding redevelopment. While automotive traffic volume is a real concern which needs to be addressed, the circulation of pedestrians and other types of users is an area that should be given appropriate attention.

### A. STREETS IN VICINITY OF REDEVELOPMENT AREA



Figure 5: Mobility network near the River Road Redevelopment Area

**A.1. River Road**

A local street which serves the local businesses, but also provides a major connection south to Chatham Township and beyond. The section of the street adjacent to this Redevelopment Area, continuing south to the rail trestle is predominantly industrial in character, though the development along and served by its route is made up of a mix of uses.

**A.2. Watchung Avenue**

County Route 646 serves as a major connection from Chatham Township and Madison through Chatham Borough to the City of Summit. As with much of the rest of the area, the development along Watchung Avenue contains a mix of uses including industrial. The major importance of the street is the connection it makes in Summit, just east of the Passaic River where it connects with River Road in Summit, Passaic Avenue and Morris Avenue all of which connect to major points of interest or highways.

**A.3. Hillside Avenue**

The first major cross street west of the Redevelopment Area, Hillside Avenue connects to downtown Chatham to the north as well as to Chatham Township to the southwest.

**A.4. River Road (Summit)**

As Watchung Avenue crosses into the City of Summit, the name changes to River Road and bends to the north where it continues on to connect with the John F. Kennedy Parkway and Route 24. Summit's River Road also notably connects with Morris Avenue (see below) as well as Chatham Road which eventually connects back to Chatham Borough to the north.

**A.5. Passaic Avenue (Summit)**

Forming a connection with Watchung Avenue/River Road in Summit, Passaic Avenue provides a main route to the south where it connects to Springfield Avenue near the New Providence train station.

**A.6. Morris Avenue (Summit)**

A major connection between Chatham Borough and its neighbors to the south, Morris Avenue provides access to major points of interest like the Celgene campus, Summit downtown and train station as well as Overlook Medical Center.

## B. RAIL RIDERSHIP

The River Road Redevelopment Area is within close proximity to three train stations served by two NJ Transit rail lines. Proximity to a train station, especially one with direct service to midtown Manhattan, is a major asset for any community and should be a major consideration for developing in this area. The potential for an additional station to serve the Chatham Gateway area is being considered and could bring considerable value and development to the area. The location approximately ¼ mile south of the Site on the Morris + Essex line near where River Road crosses under the rail tracks (see Figure 6) would relieve pressure from the surrounding area stations, accommodate additional commuter parking and create the potential for a very walkable and transit friendly neighborhood around this Redevelopment Area.



Figure 6: Potential location of a new train station in Chatham's Gateway area.

## **B.1. Chatham Station**

Chatham Train Station is less than  $\frac{3}{4}$  of a mile to the north of the Site or about a 4-minute drive. The station is served by NJ Transit's Morris + Essex line and offers direct access to regional centers, including Newark and New York City. Approximately 1,611 riders board every day from the station and the Borough is seeking development that supports and encourages transit use near the station. The trip to Newark's Broad Street Station takes between 25 and 40 minutes with travel to New York's Pennsylvania Station adding an additional 15-25 minutes.

## **B.2. Summit Station**

Summit's train station is located directly adjacent to the City's downtown and is just over 1.5 miles to the southeast of the River Road Redevelopment Area. The station is one of NJ Transit's most used stations, with an average of 3,880 weekday boarding in 2017. This well-used station is served by two different NJ Transit rail lines, the Morris + Essex line as well as the Gladstone Branch. Both lines offer direct service to New York's Pennsylvania Station though the Gladstone Branch is often routed to Hoboken during rush hour. The trip to Newark's Broad Street Station takes between 20 and 35 minutes with travel to New York's Pennsylvania Station adding an additional 15-25 minutes.

## **B.3. New Providence Station**

The New Providence train station is located approximately 1.25 miles south of the site. The station is located on the border of Summit and New Providence and is a relatively lightly used station averaging only 556 riders boarding trains at the station every weekday in 2017. The station is served by NJ Transit's Gladstone Branch which offers direct service to New York's Pennsylvania Station but is typically routed to Hoboken Terminal instead during rush-hours. The trip to Newark's Broad Street Station takes between 25 and 40 minutes, with travel to New York's Pennsylvania Station adding an additional 15-25 minutes.

## *C. BUS ACCESS*

The location is not extremely well served by bus service, with the nearest bus stop approximately ¼ mile away. The bus stop is located to the east on River Road in Summit and is served by the NJ Transit 70 bus line. This line connects downtown Newark with Florham Park by way of Irvington, Maplewood, Millburn, Summit, and Livingston with stops at major points of interest such as Newark Pennsylvania Station, Irvington Bus Terminal, downtown Millburn, downtown Summit, the Short Hills Mall and the Livingston Mall.

## 3.1. THE REDEVELOPMENT AREA

The River Road Redevelopment Area includes the following block and lots (see Figure 7):

Block 135, Lot 9

Block 135, Lot 10

Block 135, Lot 11

## 3.2. PROJECT AREA MAP



Figure 7: Block + Lots included in the River Road Redevelopment Area

## 3.3. GOALS + OBJECTIVES

In order to successfully achieve the vision for redevelopment for this area and alleviate existing challenges, any proposed redeveloper(s) and project(s) must meet the following goals and objectives. These objectives build on and expand the priorities and best practices identified in the 2000 Master Plan and 2016 Master Plan Reexamination.

Especially relevant for any redevelopment on this Site is the following text from the Master Plan Reexamination and Update report adopted by the Borough in November of 2016.

*The same level of attention and energy that has been applied to the Main Street business district (including the historic districts) should be applied to the industrial districts at the eastern end of Watchung Avenue, along River Road and Commerce Street. Recent developments in the area (i.e., the expansion of Dreyer's Lumber and the construction of the Westy self-storage facility) should be capitalized upon to spur additional improvements to the structures and landscape of these areas. Design standards should be a consideration in these areas as well as the other commercial districts in the Borough.*

- 3.3.1. FOCUS ON THE LOCAL CONTEXT AND ENSURE ALL DEVELOPMENT CONTRIBUTES TO THE COMMUNITY AND A LOCAL SENSE OF PLACE.
  - A. *Maintain and build on the unique character of the neighborhood and Borough and contribute to the well-being of its citizens.*
  - B. *Ensure redevelopment considers the impacts on existing infrastructure and community facilities and provides adequate open space and recreation opportunities for residents.*
- 3.3.2. CONTRIBUTE TO A HEALTHY MIX OF RESIDENTIAL PROPERTIES AVAILABLE IN THE BOROUGH.
  - A. *Develop new housing stock to meet affordable housing goals in order to allow a variety of family types and persons of all ages to live in the community.*
  - B. *Promote desirable neighborhood environments through good civic design.*

- 3.3.3. PRESERVE, ENHANCE, COMPLEMENT AND INCREASE THE HISTORICAL CHARACTER OF THE BOROUGH.
- A. *Guide redevelopment so that projects are performed in a manner and style compatible with the desired character of the surrounding area.*
  - B. *Encourage the development of districts that have a look and feel consistent and compatible with the character of their location.*
- 3.3.4. IMPROVE THE UTILIZATION AND APPEARANCE OF THE BOROUGH'S INDUSTRIAL DISTRICT
- A. *Guide redevelopment that will improve the appearance of industrial areas, including strong direction for building design and regulation of outdoor space.*
  - B. *Encourage redevelopment that attract or support high quality jobs and buildings that will enhance the economy and increase tax revenues.*
  - C. *Promote building design that is considerate of local climate, environment, culture and economic conditions and minimizes environmental impact while contributing to the area's character.*
  - D. *Ensure the expansion, preservation and maintenance of open space within and around and redevelopment projects.*
- 3.3.5. BALANCE THE TRANSPORTATION NEEDS OF ALL USERS AND CONTRIBUTE TO THE RESILIENCY AND LONG-TERM EFFECTIVENESS OF THE BOROUGH'S MOBILITY NETWORKS.
- A. *Avoid the location of uses and intensity of uses in locations which result in congestion, blight or danger to pedestrians.*
  - B. *Facilitate the improvement of public infrastructure through the efficient expenditure of public funds and encourage the coordination and alignment of improvements with redevelopment projects.*
  - C. *Facilitate redevelopment planning that incorporates safe pedestrian and bicycle pathways.*
  - D. *Enhance the pedestrian experience to the greatest extent possible by pursuing streetscape improvements and design guidelines that accommodate and cater to pedestrians in the area.*

## 4.1. DEFINITIONS

(See Appendix C)

## 4.2. USES

### **4.2.1. PERMITTED PRINCIPAL USES**

- A. Art Galleries
- B. Artisan Workshop
- C. Brewery
- D. Brewpub
- E. Business Services
- F. Child Care Centers
- G. Co-Working
- H. Community Center
- I. Convenience Store
- J. Financial Institutions, Including Banks
- K. Hotel
- L. Indoor Commercial Recreation/Fitness Club
- M. Live/Work Lofts
- N. Market
- O. Multifamily
- P. Museum
- Q. Office
- R. Personal Services
- S. Public Open Space
- T. Public Purpose Use
- U. Recreational Instruction
- V. Restaurants
- W. Retail Services
- X. Retail Trade
- Y. Theater
- Z. Mixed-use buildings comprised of any of the above permitted uses

### **4.2.2. ACCESSORY USES**

- A. Automotive Share
- B. Outdoor Eating and Drinking Establishments
- C. Roof Deck
- D. Any other use determined to be customary and incidental to permitted principal uses.

## **4.2.3. CONDITIONAL USES**

- A. Educational Instructional Use
  - A.1. Any combination of Educational and/or Institutional uses occupy no more than 15% of project gross floor area.
- B. Institutional Use
  - B.1. Any combination of Educational and/or Institutional uses occupy no more than 15% of project gross floor area.

## **4.2.4. PROHIBITED USES**

- A. Adult Entertainment Use
- B. Automotive Rental
- C. Automotive Repair
- D. Automotive Sales
- E. Drive Through
- F. Nightclubs
- G. Service Station

## **4.3. DEVELOPMENT PROGRAM**

### **4.3.1. AREA + BULK REQUIREMENTS**

For the purposes of this Redevelopment Area, the rear yard shall be considered that yard which borders the Morris + Essex rail line. If no yard borders the rail line, the rear yard shall be that yard which is opposite River Road. River Road shall be considered the front yard for any property which borders the River Road right of way.

- A. *Residential uses shall not be located underneath any non-residential uses.*
- B. *All residential units located on the ground floor must have direct access from the outside.*
- C. *Lot Area (minimum): 30,000 square feet*
- D. *Lot Width (minimum): 120 feet*
- E. *Lot Depth (minimum): 250 feet*
- F. *Publicly Accessible Open Space (minimum): 7,500 square feet within the overall Redevelopment Area.*
  - F.1. The required publicly accessible open space may be provided partially or entirely off site, and may be in the form of payment in lieu.

- G. Impervious Coverage (maximum): 85%*
- H. Building Coverage (maximum): 75%*
- I. Building Setback Requirements (feet)*
  - I.1. Setback from River Road
    - a) Minimum: 10
    - b) Maximum: 20
  - I.2. Setback from Watchung Avenue
    - a) Minimum: 20
    - b) Maximum: 30
  - I.3. Side yard setbacks:
    - a) Minimum: 10
  - I.4. Rear yard setbacks:
    - a) Minimum: 15
  - I.5. Canopies and cornices shall be excluded from the setback requirements.
  - I.6. Redeveloper(s) shall be responsible for obtaining approval from applicable county, regional, and state agencies for any public improvements, public access or building projections above the right-of-way line.

#### **4.3.2. BUILDING HEIGHT STANDARDS**

##### ***A. MEASUREMENT***

Building height shall be defined as the average of the distance from the original ground elevation at the nearest property lot line, as determined from United States Geological Survey maps, to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridge for a gable, hip, or gambrel roof.

- A.1. Rooftop Appurtenances including architectural features such as spires, cupolas, domes, and belfries, are permitted to exceed the listed maximum height, as long as they are uninhabited, their highest points are no more than 15 feet above the maximum overall height of the building, and as long as the total area enclosed by the outer edges of the appurtenances, measured at the maximum overall height of the building, does not exceed 15 percent of the total horizontal roof area of the building.

- A.2. Stairs and Elevator Penthouses that project above the maximum overall height of the building shall count toward the 15 percent allowance. Equipment screens which project above the maximum overall height of the building shall also count toward the above 15 percent allowance.
- A.3. Parapet Walls permitted up to five feet in height, as measured from the maximum height limit, or finished level of roof. A guardrail with a surface of at least 70 percent open or with opacity of not more than 30 percent (as viewed in elevation) shall be permitted above a parapet wall or within two feet of a parapet wall, provided that such guardrail is not more than four feet in height. Such restriction on guardrail height shall not apply when located beyond two feet from a parapet wall, in which case the guardrail shall be exempt from parapet height requirements.
- A.4. Mechanical Equipment shall be set back from all building facades by at least 10 feet and screened from new and existing sidewalk view as well as the views from the rail embankment to the greatest extent possible.
- A.5. Solar Energy: Solar panels are permitted on flat roofs anywhere below the parapet, regardless of building height. Portions of taller solar installations that are higher than 4 feet may be subject to limits on roof coverage and height. On sloping roofs, panels may be flat-mounted but should not exceed 18" above the roofline. The location, height and design of solar installations will ultimately be decided by the Borough Council.
- A.6. Green Roof: Vegetated roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to

## **B. MAXIMUM PERMITTED BUILDING HEIGHT**

- B.1. Project-Wide Maximum Height: 4 stories/48 feet
  - a) Maximum height for any structure within 50 feet of the Watchung Avenue right of way shall be no more than 3 stories /36 feet.
  - b) Maximum height for any structure within 50 feet of the River Road right of way (limited to a distance of within 250 feet from Watchung Avenue) shall be no more than 3 stories /36 feet.
- B.2. Maximum height shall be consistent with floor-to-floor standards below.

## **C. FLOOR-TO-FLOOR HEIGHT REQUIREMENTS**

- C.1. Finished residential first floor shall be at least 24 inches above the exterior grade.
- C.2. Up to four (4) feet of underground parking may be exposed above grade and not be counted towards the total story height maximum.

	Minimum	Maximum
Ground Floor	12 Feet	15 Feet
Upper Floors	10 Feet	13 Feet

### **4.3.3. PARKING**

#### **A. AUTOMOTIVE PARKING**

- A.1. All parking areas shall meet or exceed Americans with Disabilities Act (ADA) standards.
- A.2. Compact car spaces measuring a minimum of eight feet six inches (8'6") feet wide by sixteen (16) feet deep, shall be permitted provided the total number does not exceed 20% of the total parking provided.
- A.3. Vehicular access to parking facilities shall be located and designed to minimize conflicts with pedestrian circulation.

- A.4. Redeveloper(s) may utilize a shared parking scheme when calculating off-street parking obligations for mixed-use structures. Redeveloper(s) of single-use structures, with valid off-site parking agreements, may also utilize a shared parking scheme when calculating combined parking obligations. Shared parking calculations shall be based upon a widely-accepted methodology, such as those published by the Urban Land Institute (ULI), the Institute of Traffic Engineers or recognized Parking Consultant (Parking Demand, 4th Edition, or other widely accepted models. If utilized, proposals incorporating a shared parking component shall be substantiated by a study to be prepared by a licensed Professional Engineer or recognized parking consultant.

## ***B. ELECTRIC VEHICLE REQUIREMENTS***

All private parking facilities shall provide adequate electrical infrastructure to service potential future electrical vehicle charging stations. These “charger ready” spaces shall have the capacity to be dedicated to specific tenants, who shall be permitted to install their own electric vehicle chargers.

- B.1. At least 20% of spaces in private facilities shall be improved as “charger ready” spaces.
- B.2. At least 10% of all publicly accessible spaces shall be equipped with electric vehicle charging stations at the time such facility is put into service.
- a) It is recommended that an additional 5% of the total publicly accessible number of spaces be dedicated for electric vehicle parking, but only improved as “charger ready” spaces when facility is initially constructed.
  - b) It is suggested that 75% of installed charging stations be of a make and model compatible with the greatest number of electric vehicles in service at the time of installation. Up to 25% of charging stations may be suitable for specialized vehicles (i.e. those that are not compatible with the greatest number of electric vehicles in service at the time of installation)

## C. MINIMUM PARKING RATIOS

C.1. Minimum off-street parking requirements shall be in compliance with the bulk standards outlined in this document.

Use	Minimum Parking Requirement
Art Gallery	3.0 spaces per 1,000 sq ft
Artisan Workshop	1.5 spaces per 1,000 sq ft
Automotive Share	1.0 space per four rental vehicles
Brewery	3.0 spaces per 1,000 sq ft
Brewpub	3.0 spaces per 1,000 sq ft
Child Care Center	1.0 space per staff member plus 1.0 space per 10 students at peak capacity
Co-Working	3.0 spaces per 1,000 sq ft
Convenience Store	5.0 spaces per 1,000 sq ft
Educational Institutional Use	1.0 space per 10 students
Hotel	1.0 space per room
Institutional Use	4.0 spaces per 1,000 sq ft
Live/Work Loft	1.2 space per unit
Multifamily	1.8 space per unit
Museum	3.0 spaces per 1,000 sq ft
Office	3.0 spaces per 1,000 sq ft
Outdoor Eating and Drinking Establishment	1.0 space per four seats in dining area(s)
Public Open Space	- None
Restaurant	1.0 space per three seats in dining area(s)
Restaurant, Liquor Licensed	1.0 space per three seats in dining area(s), plus 1.0 space per two seats in lounge or bar area(s).
Roof Deck	- None
Theater	1.0 space per 5 seats
All other uses	4.0 spaces per 1,000 sq ft

## *D. ON-STREET PARKING*

- D.1. On-street parking shall not be allowed in conjunction with any projects under this Redevelopment Plan.
- D.2. Any existing parking spaces located on public streets will not count towards meeting minimum parking requirements laid out in this Plan.

## *E. BICYCLE PARKING*

- E.1. Minimum bicycle parking requirements shall be in compliance with the bulk standards outlined in this document.

Use	Bike Parking (Indoor)	Bike Parking (Outdoor)
Artisan Workshop	None	
Automotive Share	None	2.0 per 5 vehicles stored outdoors
Business Service	None	2.0 spaces per 5,000 sq ft
Convenience Store	None	2.0 spaces per 1,000 sq ft
Educational Institution Use	2.0 spaces per 20 protected automobile spaces	3.0 spaces per 10 students
Financial Institution	None	2.0 spaces per 5,000 sq ft
Hotel	None	None
Institutional Use	2.0 spaces per 20 protected automobile spaces	2.0 spaces per 5,000 sq ft
Live/Work Loft	None	0.10 spaces per unit
Market	None	2.0 spaces per 5,000 sq ft
Multifamily	0.25 spaces per unit	0.10 spaces per unit
Office	1.0 space per 10,000 sq ft	1.0 spaces per 15,000 sq ft
Outdoor Eating and Drinking Establishment	None	2.0 spaces per 5,000 sq ft
Personal Service	1.0 space per 15 employees	2.0 spaces per 5,000 sq ft
Public Open Space	None	2.0 spaces per 5,000 sq ft
Restaurant	1.0 space per 15 employees	2.0 spaces per 5,000 sq ft
Restaurant, Liquor Licensed	1.0 space per 15 employees	2.0 spaces per 5,000 sq ft
Retail Service	1.0 space per 15 employees	2.0 spaces per 5,000 sq ft
Retail Trade	1.0 space per 15 employees	2.0 spaces per 5,000 sq ft
Roof Deck	None	None
All other uses	2.0 spaces per 20 protected automobile spaces	2.0 spaces per 5,000 sq ft

- E.2. Two (2) bicycle parking spaces outdoors is equivalent to one (1) hump bicycle rack.
- E.2. Location + Design of Facilities
  - a) Site plans shall show the proposed location of bike parking/storage facilities on the site and on the building floor plan design. A construction detail of the bike rack or facilities shall be provided.
- E.3. Indoor Bicycle Parking Requirements
  - a) Where indoor bike parking is required, bike parking facilities shall be at least as protected and secure as any automobile parking provided.
  - b) Any required indoor bicycle parking/storage room must be located in a convenient and accessible location to a public sidewalk with no more than three (3) vertical steps between the bicycle room and the sidewalk. Ramps and elevators may be utilized to provide access to bike storage not located at the ground-floor level.
  - c) Indoor parking shall, at a minimum, consist of a room within a residential building or workplace, a secure enclosure within a parking garage, or a cluster of bike lockers at a transit center or other setup providing similar security and protection from the elements.
- E.4. Outdoor Bicycle Parking Requirements
  - a) All required outdoor bicycle parking must be convenient and accessible to a main building entrance and street access.
  - b) Bicycle parking shall be sited in a highly visible location, such as within view of passers-by, retail activity, office windows, an attendant or other personnel to discourage theft and vandalism and promote awareness of existence and availability.
  - c) Bicycle parking shall be located so as not to block the pedestrian path on a sidewalk or within a site. A minimum of six (6) feet of unobstructed passage is required on public sidewalks.
  - d) Size and style of bike rack shall be approved by the Borough.

- e) Bicycle parking facilities within an automobile parking area shall be separated by a physical barrier (i.e., bollards, reflective wands, curbs, wheel stops, poles, etc.) to protect bicycles from damage by cars.
- f) Bike racks must be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.
- g) All bike racks shall be located at least 24 inches in all directions from a wall, door, landscaping, or other obstruction that would render use of the racks difficult or impractical.

#### **4.3.4. LOADING**

- A. *The specifics regarding loading zones and considerations will be addressed within Redevelopment Agreement(s).*
- B. *The number of loading zones or areas should be kept to a minimum by sharing both on-street and off-street loading areas among uses where appropriate.*
- C. *Appropriate accommodations near main residential entrances and significant commercial and/or public spaces, out of the flow of traffic, should be reserved for pick-up and drop-off of passengers.*
- D. *Appropriate siting of loading areas to accommodate commercial deliveries, including parcel drop off, residential moving, and other larger deliveries, should be off-street and away from the public realm.*

#### **4.3.5. ACCESS + CIRCULATION**

Critical to the success of this Redevelopment Plan is, at minimum, mitigation of vehicular traffic generated by new development. Ideally, the redevelopment of River Road will go further than solving for new impacts and will create the impetus to address wider circulation and congestion issues that have challenged the Borough for many years. The following framework for addressing traffic has been crafted with this major goal in mind.

The minimum parameters to which future traffic studies must respond:

- Watchung Avenue Congestion
- Turning movements to/from River Road
- Turning traffic from Fairmount to Watchung

A flexible yet prescriptive approach to traffic mitigation is required when addressing any proposed redevelopment through this plan. Prior to the execution of any Redevelopment Agreement(s) (a prerequisite to proceeding before the Planning Board), interested entities must submit, among other things, a Traffic Impact Statement and mitigation proposal.

Given that redeveloper(s) proposals may vary with regard to size, land use, timing and similar factors, the following multi-step process allows proposals to be carefully evaluated in a thoughtful, transparent way:

**A. METHODOLOGY.**

The following study parameters are intended to produce new insights and intelligence regarding the way people and vehicles move to, from and through the area of River Road proximate to the Study Area. Submitted studies shall focus on safety, design and efficiency of multi-modal operations rather than just traffic capacity and level of service. Traffic studies shall evaluate pedestrian and automotive traffic patterns, sufficiency of pedestrian crossings and sidewalk widths and development.

**B. GEOGRAPHIC SCOPE.**

Traffic studies shall be comprehensive and consider district-wide impacts and opportunities. The following list of intersections should be considered the minimum scope for assessment, but redeveloper(s) or their mobility professionals may broaden the scope if determined to be appropriate. Traffic counts and modeling shall be required at the following locations (see Figure 8):

- B.1. River Road + Watchung Avenue
- B.2. Watchung Avenue + Hillside Avenue
- B.3. Watchung Avenue + Fairmount
- B.4. Watchung Avenue + Commerce Street
- B.5. Watchung Avenue + Passaic Avenue/River Road (Summit)
- B.6. River Road + Morris Avenue (Summit)
- B.7. As indicated above, submissions may include a broader geographic scope. Expansion of scope specifically encouraged if it would reveal opportunities to reduce congestion by facilitating turning movements or addressing other identified issues.



Figure 8: Intersections requiring traffic counts and modeling

## C. MODELING.

Analysis scenarios shall be determined on a case-by-case basis depending on the unique characteristics of any project. As indicated above, each scenario will include an evaluation of multi-modal intersection and roadway segment Level of Service, Vehicle Miles Traveled, Induced Traffic and Safety analysis. If the project has the potential to impact acceptable thresholds or modal priorities as established by the NJDOT or others, the nature of those impacts shall also be studied. Regardless, the following scenarios shall be considered as part of any study:

- C.1. Existing Conditions – The most recent available traffic conditions and physical geometry.
- C.2. Project Trip Distribution with Select Zone Analysis – Multi-modal Trip Generation, Distribution, and Assignment. Project VMT.
- C.3. Existing + Project Conditions – Existing Conditions geometry plus project generated traffic and proposed geometric changes.
- C.4. Cumulative Conditions – Future year traffic conditions reflecting build out of any remaining (unbuilt) components of the Redevelopment Plan as well as any other “pipeline” projects nearby.
- C.5. Cumulative + Project Conditions – Cumulative Conditions plus project generated traffic and proposed geometric changes.
- C.6. Scenario modeling shall identify and evaluate the impacts of alternative mitigative measures as may be identified by redeveloper(s). The methodology contained herein was informed by the Multi-Model Transportation Impact Study Guidelines published by San Luis Obispo County, California. Redeveloper(s) and their professionals are welcome to consult those guidelines for additional detail with regard to technical approach.

***D. SPECIFIC CONCEPTS FOR CONSIDERATION.***

Redeveloper(s) are welcome to identify and incorporate their own mitigating measures into the scenario modeling analysis described above. That said, the Borough has already identified a number of their own inquiries and concepts that shall be assessed as part of any submission:

- D.1. Dedicated right and left turn lanes from River Road on to Watchung.
- D.2. Increasing the radius of the south-west corner of the River Road and Watchung Avenue intersection.
- D.3. Coordination of traffic signal sequencing with related signalization both in Chatham Borough, Chatham Township and the City of Summit.
- D.4. Any additional improvements or considerations that would advance the objectives listed at the beginning of this section.

- E. *As indicated in Section 5.4.3 below, any redeveloper(s) seeking to implement any portion of this Plan shall submit a traffic study consistent with the standards contained herein. The following process is provided to guide the efficient preparation of reports:*
- E.1. Pre-submission meeting with Borough officials, including engineer, administrator and other officials as may be appropriate. Redeveloper(s) shall present proposed scope and/or proposed modifications to the framework articulated above. Study should only commence after the appropriate Borough officials confirm approach and methodology.
  - E.2. Submission and Review of materials by Borough officials and technical professionals. Additional information to be requested on an as-needed basis. Review memorandum shall be generated by Borough officials or technical professionals that includes, among other things, a scope of required improvements to be incorporated as obligations within a Redevelopment Agreement(s) to be executed between Borough and Redeveloper(s).
  - E.3. Redevelopment Agreement(s) to be executed and shall contain specific obligations for infrastructure improvements.
  - E.4. Local site plan review, as specified in Section 5.5.3.
  - E.5. Inter-agency review and permitting, as specified in Section 5.5.

## 4.4. DESIGN STANDARDS

### 4.4.1. BUILDING DESIGN

Architectural design as well as the overall site layout should reflect a context specific and locally influenced intention. Chatham has a history of eclectic and interesting buildings with architecturally unique details. Projects within this Redevelopment Area should pay attention to details and enhancements in a similar creative, diverse approach. Human scaled spaces and features should emphasize a pedestrian focused environment which encourages active use and establishes a unique sense of place for both residents and visitors. Design features should be considerate of existing buildings while contributing to and defining a strong and contemporary personality.

Architectural and design precedents shall be presented to the public during an input period and will inform the final architectural design that will be contained within the Redevelopment Agreement(s). These architectural standards will be drafted in order to, but not limited to, regulate the following components:

- Type, make, and color of facade materials.
- Type and placement of exterior fixtures.
- Dimensions of building and windows.
- Dimension, make and quality of windows.
- Lighting and signage design.

#### **4.4.2. OPEN SPACE + PLAZA DESIGN**

Public open space shall be provided at the ground level. This may be accomplished either fully within one area or split between no more than three (3) separate areas, which may be provided offsite. Public open space shall be visible and accessible from the public right of way. The space must include protected open space which can function for planned programming or informal, unplanned, passive recreation such as is the case in Figure 9.



Figure 9: North Point Gateway + Pocket Park, Cambridge, MA. Flexible outdoor space able to accommodate various types of activities throughout the year.

The landscaping shall be thoughtful with a distinct design narrative of high-quality plantings, ample seating, quality walking paths, and amenities as seen in Figure 10.



Figure 10: Tooley Street Parklet, London, England. Sculpturally interesting public seating along a well-traveled corridor.

A majority of the public space should be a creative, inviting space intended to be used by residents and visitors. It should be designed to be attractive and well-lit for all hours of the day. Seating should be incorporated into the design through features like raised planters and benches, or accommodation of movable tables and chairs which provide flexibility. Outdoor electrical outlets should be installed as well as other modern amenities people seek out. Buildings and trees should be placed in a way that is considerate of natural lighting and aware of seasonal conditions so as to be inviting at all times of the year. Open space should be designed to look like a seamless extension of the surrounding neighborhood and new development, while encouraging public use. Bistro lighting is encouraged above and throughout plazas and pathways. Design should provide for possible small group programming including live music, book clubs or co-working.

Public open space should be designed to allow for access by all people regardless of age, ability, and mobility and therefore should strive to go beyond ADA compliance to create a truly accessible public space.

#### **4.4.3. MOBILITY IMPROVEMENT DESIGNS**

This Redevelopment Plan governs an extremely important location adjacent to a significant intersection and gateway for this Chatham. While the addition of new residential offerings will help the area become more vibrant and activated, the adequate and high-quality provision of infrastructure to support mobility throughout the area will need attention beyond traditional interventions. It is critical that the public realm is improved to accommodate the increase in use and attraction.

Interventions and enhancements should create safe and comfortable areas that attract pedestrian activity to give people a reason to linger and explore. Vehicular circulation should be calmed and balanced with the needs of pedestrians. The public realm should be landscaped to include native vegetation for year-round enjoyment to complement the urban fabric. Details including, but not limited to landscaping, street furniture, public amenities, shade trees and signage will be detailed and included as part of any Redevelopment Agreement(s) associated with this Redevelopment Plan. All power lines should be buried within the Redevelopment Area and along all streets listed within this section.

Final designs will be subject to public outreach and approval by the Borough.

To guide any future project, it is envisioned that the following standards be met with any proposed redevelopment project for the following streets (see Figure 11) adjacent to any proposed project(s).



Figure 11: Both Watchung Avenue + River Road will be required to implement improvements and amenities to create an improved public realm.

## **A. *SITE WIDE REQUIREMENTS***

- A.1. Improvements must include the installation of appropriate reflective striping and signage that assist in increasing motorists' awareness of pedestrians and bicyclists.
- A.2. Additional amenities should include, but should not be limited to, bicycle racks, seating, public art, landscaping and pedestrian-focused amenities.
- A.3. Street trees shall be placed at intervals of not more than 24 feet.
- A.4. Wide pedestrian-friendly sidewalks along a downtown commercial retail strip which allows outdoor dining as well as various programmed activities.

## **B. *RIVER ROAD***

As a local street and one that will likely be affected the most by any development within this Site, River Road should be carefully considered as both the main corridor servicing a variety of businesses as well as a street with significant potential to be transformed into a broadly accommodating corridor.

- B.1. Minimum twelve (12) feet wide travel lane (each way)
- B.2. Minimum ten (10) feet wide sidewalk (each side)

## **C. *WATCHUNG AVENUE***

Watchung Avenue will continue to be a main thoroughfare serving the Site and immediate neighborhood in addition to neighboring municipalities and beyond. This street will need to efficiently serve automotive traffic passing through the area, but it should also balance the needs of a variety of other users and modes of transport including short, local trips in a pleasant and safe way.

- C.1. Minimum twelve (12) feet wide travel lane (each way)
- C.2. Minimum ten (10) feet wide sidewalk (each side)

## **D. INTERNAL CIRCULATION + SITE ACCESS**

- D.1. Two curb cuts or vehicle access points shall be permitted on the River Road street frontage. One curb cut or vehicle access point shall be permitted on the Watchung Avenue frontage.
- D.2. Building entrances shall connect to public sidewalks and shall not use connections with automotive circulation routes for pedestrian connections.

## **E. PEDESTRIAN CONNECTIONS**

- E.1. All reasonable efforts shall be made to connect on-site and internal pedestrian circulation paths with off-site sidewalks and the larger pedestrian network.
- E.2. Pedestrian crossings are required, pending analysis of pedestrian safety and traffic flow, at the intersection of:
  - a) River Road + Watchung Avenue
  - b) Watchung Avenue + Commerce Street
  - c) River Road mid-block crossing no less than 200 feet from Watchung Avenue.
- E.3. Crosswalk treatment shall be designed to maximize visibility.
- E.4. Crosswalks shall be a minimum of ten (10) feet wide.

## **4.5. UTILITIES**

### **4.5.1. GENERAL REQUIREMENTS**

- A. *The Redeveloper will make a good faith and diligent effort in partnership with the Borough and with JCP+L, to enable all above-ground utilities to be buried. Among other factors, cost and aesthetics should be considered.*
- B. *All easements shall comply with Borough requirements. Exact locations for utility lines and easements shall be established at time of preliminary site plan approval or subdivision.*
- C. *Remote readers for all utilities, in lieu of external location of the actual metering devices, are preferred.*

## **4.5.2. WATER + SEWER**

Redeveloper(s) must comply with all applicable building codes and standards. For water and sewer, Redeveloper(s) must model and provide guidance to the Borough on existing service and capacity to ensure proper service for any development proposed.

## **4.5.3. STORMWATER**

The Redeveloper(s) is encouraged to employ a combination of best practices for stormwater management, especially the following:

- A. *Incorporate street trees, green-roofs, planting beds, and other green infrastructure elements into planned building and landscaping designs to reduce runoff and improve local water quality.*
- B. *Maximize water capture and reduce pooling during heavy precipitation events with structural and passive non-structural stormwater management techniques.*
- C. *Integrate planted areas, greenways, green roofs, and bio-swales that filter runoff and maximize on-site infiltration.*
- D. *Reduce usage of impervious pavement or ground coverings to encourage groundwater recharge and slow the impact of water enter stormwater systems.*
  - D.1. Projects that successfully incorporate pervious surfaces on 20% of their site can receive a 10% reduction in impervious coverage calculations.
- E. *Deliberate use of native and naturalized plant species that thrive in the local climate and complement water management strategies.*
- F. *Fully integrated structural and non-structural stormwater management interventions which allow systems to complement and compensate for shortcomings and soften failure events.*

## 4.6. AFFORDABILITY

All development pursued under this Redevelopment Plan shall comply with Chapter 69 of the Borough of Chatham's Land Development Regulations.

Pursuant to N.J.S.A 40A:12A-7(b) and the New Jersey Fair Housing Act (N.J.S.A 52:27D-301 et. Seq.), this Redevelopment Plan incorporates the affordable housing requirements set forth in the Chatham Borough Land Development Regulations and further supported by the Borough's Housing Element and Fair Share Plan (2016).

The Borough of Chatham Planning Board has adopted a Housing Element and Fair Share Plan (the "Fair Share Plan") pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1 et seq.



## **5.1. VALIDITY OF PLAN**

If any section, subsection, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be deemed by a court of competent jurisdiction to be invalid, such part(s) shall be severed and the invalidity thereby shall not affect, impair or invalidate the remainder of the Redevelopment Plan.

## **5.2. COMPUTATIONS**

When a numerical calculation of zoning standards for a particular lot results in a fractional number, such numbers shall be rounded down to the next whole number for fractions less than .500 and rounded up for fractions .500 and above.

## **5.3. OTHER ACTIONS BY THE BOROUGH IN FURTHERANCE OF THE PLAN**

Other actions may be taken by the Borough in its sole discretion, to further the goals of the Plan. These actions may include, but shall not be limited to, provisions for public infrastructure necessary to service new development and vacation of public utility easements and other easements and rights-of-way as may be necessary for redevelopment. The costs for such actions shall be borne by the designated redeveloper(s); however, the Borough will consider incentives or offsets as appropriate in the Borough's sole judgment and discretion.

## **5.4. BOROUGH DESIGNATION – REDEVELOPMENT AGREEMENT**

### **5.4.1. USAGE OF THE WORD "DEVELOPER"**

Anytime the word "developer" is utilized in this Redevelopment Plan, the same shall mean the redeveloper or redeveloper(s) that are to be designated by the Borough in accordance with this Redevelopment Plan.

### **5.4.2. STANDING BEFORE PLANNING BOARD**

Only redeveloper(s) designated by the Borough by resolution of the Chatham Borough Council may proceed to implement the redevelopment

projects set forth in this Redevelopment Plan before the Planning Board. In order to assure that the vision of this Redevelopment Plan will be successfully implemented in an effective, comprehensive and timely way, and in order to promptly achieve the public purpose goals of the Plan, the Chatham Borough Council, acting as the Redevelopment Entity, will select the redeveloper(s) in all areas governed by this Redevelopment Plan. Any party not specifically designated as the “redeveloper” as set forth above shall not have the standing to proceed before the Planning Board for site plan approval.

### **5.4.3. PROCEDURAL STANDARDS FOR REDEVELOPER APPLICATIONS**

- A. *Implementation of this Redevelopment Plan may only be conducted by designated redeveloper(s) subsequent to execution of a Redevelopment Agreement(s) satisfactory to and authorized by the Borough Council. The procedural standards contained herein provide both a minimum list of submission items that prospective redevelopers shall submit for review as well as a framework for the Borough’s evaluation of such proposals. The Chatham Borough Council, acting as the Redevelopment Entity may, at any time, entertain unsolicited proposal(s) from a prospective redeveloper(s) for redevelopment of one or more parcels. The project vetting process shall be based upon submission of following materials. The Borough Council may, in their sole discretion, either waive the requirement to submit specific items listed below and/or request additional submission materials that are considered necessary to adequately evaluate proposals for specific sites:*
  - A.1. Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, number and type of dwelling units, if any, retail and or commercial uses, parking, traffic circulation, flood mitigation, landscaping, open space, construction schedule, including estimated pre-construction time period to secure permits and approvals, and other elements are consistent with the objectives and standards of this Redevelopment Plan.
  - A.2. Any proposals incorporating a shared parking scheme shall be accompanied by a study, prepared by a licensed Professional Engineer, or recognized parking consultant that details the analysis underlying any proposal to reduce parking requirements.

- A.3. Visualization tools that will be necessary and/or useful for local officials and/or redeveloper(s) to communicate development proposals to the public. At minimum, redeveloper(s) shall provide access to “augmented reality” simulations that Borough officials, professionals and the public can use to view specific development and design proposals in the context of outdoor, existing conditions. Additional specifications in this regard can be provided upon request.
- A.4. Documentation evidencing the financial responsibility and capability of the proposed redeveloper(s) with respect to carrying out the proposed redevelopment including but not limited to: type of company or partnership, disclosure of ownership interest, list of comparable projects successfully completed, list of references with name, address and phone information, list of any general or limited partners, financing plan, and financial profile of the redeveloper(s) entity and its parent, if applicable.
- A.5. Traffic studies consistent with the requirements contained in Section 4.4.3. of this Redevelopment Plan (Access + Circulation). Submission materials shall include written reports, raw data (i.e. traffic counts), editable “Synchro” files upon which conclusions were based, as well as animated depiction of traffic flow in all evaluated scenarios including no-build condition; build condition without mitigative measures; and build condition with proposed mitigative measures (as applicable). Prior to preparation of traffic studies, prospective redevelopers and/or their professionals shall consult with the Borough to ascertain the most up-to-date baseline condition (i.e. that includes all approved, un-built projects).
- B. *Prospective redeveloper(s) of publicly-owned parcels shall submit the following additional information intended to expedite finalization of terms and conditions ultimately to be included in a Redevelopment Agreement(s) and/or purchase and sale agreement(s):*
  - B.1. Terms and conditions for the sale of land, including, but not limited to: transactional structure (sale/lease); financial terms; proposed covenants; etc.
  - B.2. Municipal-ownership of certain parcels in the Redevelopment Area may lend themselves to a transactional structure that would satisfy minimum requirements for issuance of a

“Special Concessionaire Permit” by the New Jersey Division of Alcoholic Beverage Control (see N.J.S.A. 33:1-42; N.J.A.C. 13:2-5.2). In their applications, prospective redeveloper(s) of publicly-owned property shall include an indication of interest in pursuing a Special Concessionaire Permit in coordination with the Borough along with relevant business terms, including, among other things, structure of proposed licensure fees.

## 5.5. APPROVAL PROCESS

This Redevelopment Plan requires the redeveloper(s) to submit all plans to the Borough Council for review and authorization to proceed before the Planning Board prior to submitting a site plan or subdivision application to the Planning Board. Where specificity is not provided in this Plan, particularly but not exclusively regarding parking decks, roadways, open space and landscaping, such specificity shall be provided to the Borough Council for review and authorization prior to submission to the Planning Board and execution of a Redevelopment Agreement(s). The Borough, by and through the Borough Council, acting as the redevelopment agency, will be required to review and authorize same as a condition precedent to submission of an application before the Planning Board.

### **5.5.1. BOROUGH REVIEW**

The Chatham Borough Council, acting as the Redevelopment Entity, shall review and approve, in a manner consistent with the Redevelopment Plan and the Borough Master Plan all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with this Redevelopment Plan and any relevant Redevelopment Agreement(s). Such review shall occur prior to the submission of an application for approval of the redevelopment project(s) to the Planning Board. 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 this Plan.

#### ***A. SCHEDULE***

Prior to any submission to the Planning Board, the redeveloper(s) shall submit a site plan package for review and approval by the Borough Council, in consultation with its consultants. This site plan package may, as the Borough Council may require, include, but is not limited to, the documents listed below. The Borough Council may

request additional reasonable analyses and information as required to make a decision. All submissions shall meet design standards enumerated in this Redevelopment Plan and indicate any variances from this Redevelopment Plan.

- A.1. Boundary survey of the property Including easements, water bodies, parcel numbers, street names, route numbers, adjacent properties and other landmarks.
- A.2. The location, size, height, floors and use of all proposed and existing buildings.
- A.3. The location, size and type of all parking spaces, loading areas and sidewalks.
- A.4. A landscaping plan.
- A.5. The location of any outside storage of equipment, supplies, materials, or vehicles.
- A.6. The height, location, type, lighting and square footage of proposed signage.
- A.7. The location, type and size of all entrances to the site or rights-of-ways located on or adjacent to the site.
- A.8. The location, type and size of any primary drain fields or reserved drain fields.
- A.9. The location, size and type of any trash disposal facilities.
- A.10. Outside lights, streetlights or other lighting mechanisms.
- A.11. Existing and proposed finished contours at two (2) foot intervals.
- A.12. The location of any buffers, including berms, trees and fencing, used to minimize the visual, sound, lighting or any other negative impacts of the project.
- A.13. The location of all utility lines.
- A.14. The location of any conservation easements dedicated open space, recreational facilities or similar areas.
- A.15. The location of any emergency service facilities, such as fire suppression lines, hydrants or other facilities.
- A.16. The location of any permanent stormwater management structures or devices.
- A.17. The location of any gas tanks, pumps or other facilities that may require additional federal, state or local permits.

- A.18. The location and type of soils, water features and wetlands.
- A.19. A schematic drawing, artist rendition or elevation drawing of the site and any buildings located on the site.
- A.20. The location and size of any monuments, statues or similar features.
- A.21. The location and type of any historic building, feature or any archaeological sites.
- A.22. The location of any rights-of-way, adjacent or nearby road improvements and uses of adjacent properties.
- A.23. An Erosion and Sediment Control Plan that meets the regulatory requirements.
- A.24. Any local, county, state or federal permits required for development of the site.
- A.25. A community impact statement and traffic impact statement.

## **5.5.2. PLANNING BOARD REVIEW PROCESS**

After the Borough review process noted above is completed, all development applications shall be submitted to the Borough of Chatham's Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not been designated by the Chatham Borough Council as a redeveloper(s), a Redevelopment Agreement(s) has not been fully executed and the development application is not submitted with a letter of approval from the Chatham Borough Council.

## **5.5.3. SITE PLAN + SUBDIVISION REVIEW**

Prior to commencement of construction, site plans for the construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.), shall be submitted by the applicants for review and approval by the Planning Board of the Borough of Chatham so that compliance with this Redevelopment Plan can be determined.

Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan and the subdivision ordinance of the Borough of Chatham. No construction or alteration to existing or proposed buildings shall take place until a site

plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

In addition to the above-mentioned items, the following items shall be submitted as part of a site plan application:

**A. MANDATORY SUBMISSIONS**

- A.1. All leases, licenses or agreements securing off-site parking
- A.2. Technical loading and unloading study including but not limited to a list of expected deliveries, analysis of loading space required for each delivery, and the ability to specify the delivery time of each delivery.
- A.3. Copy of applications or conceptual designs that have been or will be submitted to NJDOT.
- A.4. Technical memorandum outlining energy efficiency strategies.
- A.5. Streetscape/landscape design package including name of designer and design drawings.

**B. CONDITIONAL SUBMISSIONS**

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Chatham Borough Council and Chatham Borough Planning Board. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan, the Redevelopment Agreement(s), and the subdivision ordinance of the Borough, except that where this Redevelopment Plan contains provisions that differ from those in the subdivision ordinance, this Plan shall prevail.

- B.1. When proposing the use of ground mounted electrical transformers within the confines of the Redevelopment Area, a narrative explanation shall be provided that identifies other possible locations and feasibility considerations of each site and provides an explanation for the reasonable infeasibility of alternative sites.

- B.2. When proposing accessory roof decks, a report including design drawings and operations shall be provided.

#### **5.5.4. APPROVALS BY OTHER AGENCIES**

The redeveloper(s) shall be required to provide the Borough with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the Redevelopment Agreement(s) to be executed between the redeveloper(s) and the Borough.

## **5.6. DEVIATIONS**

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason for exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12.a. and b.

Notwithstanding the above, any changes to the uses permitted in this Redevelopment Area shall be permitted only by means of an amendment of the Redevelopment Plan by the governing body, and only upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

## 5.7. SEVERABILITY

The provisions of this Redevelopment Plan are subject to approval by Ordinance. 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, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

## 5.8. ADVERSE INFLUENCES

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

## 5.9. NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be effected or executed by the Borough of Chatham or by a redeveloper(s) or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough of Chatham, or the redeveloper(s), upon the basis of race, creed, color, national origin, ancestry, affectional preference, marital status or gender in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color, national origin, ancestry, affectional preference, marital status, gender, or disability.

## 5.10. REDEVELOPMENT ACTIONS

The Borough of Chatham shall have such powers and duties as set forth in the Local Redevelopment and Housing Law and as may be conferred by this Redevelopment Plan, including, but not limited to, the authority to acquire real property without eminent domain, to relocate residents and businesses, to designate redeveloper(s), to establish clear terms and conditions for redevelopment through the negotiation, execution, and administration of Redevelopment Agreement(s), and to do such other things as permitted by law.

## 5.11. TAX EXEMPTIONS + PUBLIC FINANCING TOOLS

- 5.11.1. Projects undertaken within the Redevelopment Area pursuant to this Redevelopment Plan may be eligible for tax exemptions and/or abatements and payments in lieu of taxes ("PILOT"), pursuant to N.J.S.A. 40A:21-1, et seq. (a "Short-Term PILOT") and N.J.S.A. 40A:20-1, et seq. (a "Long-Term PILOT"). Redevelopers will be required to submit an application for review by the Borough Mayor and Council and, if approved, the Borough will enter negotiations for a financial agreement for payments in lieu of taxes (a "PILOT Agreement"), subject to approval by ordinance. The decision to approve or reject an application for a Short-Term PILOT or Long-Term PILOT and to approve or reject the adoption of a PILOT Agreement will be in the sole and exclusive discretion of the Borough.
- 5.11.2. If the Borough determines based upon the scope of a project, the particular public value or benefits associated with a project, or difficulty in financing of a project that public assistance may be warranted, it may consider approval of a redevelopment area bond, pursuant to the Redevelopment Area Bond Law, N.J.S.A. 40A:12A-65, et seq. (the "RAB Law"). The decision to approve financial assistance through a redevelopment bond or bonds under the RAB Law will be in the sole and exclusive discretion of the Borough.

## 5.12. RELOCATION REQUIREMENTS

Implementation of this Redevelopment Plan may require the displacement and relocation of businesses located within the Redevelopment Area. At the time of property acquisition, the actual extent of displacement will be confirmed, and if it is necessary, a Workable Relocation Assistance Plan will be prepared and submitted to the New Jersey Department of Community Affairs for approval. The Borough will comply with the requirements of the New Jersey State relocation statutes and regulations as applicable and will provide all benefits and assistance required under applicable law.

## 5.13. ESCROWS

At a minimum, the Redevelopment Agreement(s) shall provide that the redeveloper(s) shall be responsible to post sufficient escrows to cover any and all costs of the Borough and the professional consultants retained by the Borough to remake the Redevelopment Agreement(s), any financial agreement, undertake any studies in connection with the project, review the proposed redevelopment project, and advise

the Borough on any and all aspects of the redevelopment process and as otherwise set forth in the Redevelopment Agreement(s).

In addition, the Borough has incurred costs for professional consultants in connection with the preparation and adoption of this Redevelopment Plan, as well as the redevelopment investigation and studies supporting the designation of the Redevelopment Area. Upon designation, and as a condition of any Redevelopment Agreement(s), redeveloper(s) to be designated will be required to pay a one-time pro-rata administrative fee which shall serve as reimbursement toward such costs to the Borough to defray its costs in connection with the redevelopment.

## 5.14. INFRASTRUCTURE

The redeveloper(s), at the redeveloper(s)' cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with traffic control measures, water service, sanitary sewer service, stormwater management, and flood mitigation measures to the project, in addition to all required tie-in or connection fees. The redeveloper(s) shall also be responsible for providing, at the redeveloper(s)' cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on and off-site traffic controls and road improvements for the, project or required due to the impacts of the project. The Borough will consider incentive offsets as appropriate in the Boroughs' sole judgment and discretion.

## 5.15. SHARED INFRASTRUCTURE

- 5.15.1. Cost sharing methodology shall be defined in the Redevelopment Agreement(s) for each respective parcel. In addition to public improvements included in this Plan, the methodology shall account for any and all previous infrastructure contribution made by the redeveloper(s) related to the implementation of the Post Office Plaza Redevelopment Plan.
- 5.15.2. Electric Utility Improvements should make commercially reasonable best efforts to locate transformers in locations that do not negatively affect the pedestrian experience.

## **5.16. PROCEDURES FOR AMENDING THE PLAN**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A request for same may be submitted to the Chatham Borough Council. The Borough of Chatham reserves the right to amend this Plan. A non-refundable application fee of \$10,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Borough. The Borough, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey and other additional professionals as may be required by the Borough.

## **5.17. REDEVELOPMENT PLAN DURATION**

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restriction with respect thereto shall be in effect for a period of fifty (50) years from the date of adoption of this Redevelopment Plan by the Chatham Borough Council.

## **5.18. CERTIFICATES OF COMPLETION**

Upon completion of a project, the redeveloper(s) shall submit for a Certificate of Completion. Concurrently, a zoning ordinance amendment shall be submitted to the Chatham Borough Council requesting that the zoning for the subject parcel(s) be incorporated into the Borough Code to ensure that the standards remain applicable.

## **5.19. LAND USE MAP AMENDMENTS**

The adoption of this Redevelopment Plan or any amendments thereto shall automatically allow for any necessary modifications to the official Chatham Borough Land Use Map to ensure consistency between the two documents.

## **5.20. ADDITIONAL SUPERSEDING PROVISIONS**

The standards contained within this Redevelopment Plan shall supersede any conflicting standards contained within the Land Development Ordinance (LDO) of the Borough of Chatham or other applicable Borough of Chatham codes or ordinances.

## **5.20.1. TERMS AND DEFINITIONS**

- A. *Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of the Borough of Chatham.*

## **5.20.2. OTHER APPLICABLE DESIGN AND PERFORMANCE STANDARDS**

- A. *Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Land Development Ordinance of the Borough of Chatham.*

## **5.21. OTHER PROVISIONS**

- 5.21.1. This Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved public utilities, recreation and community facilities and other public improvements. This Redevelopment Plan has laid out various programs and strategies requiring implementation in order to carry out the objectives set forth herein.
- 5.21.2. This Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- 5.21.3. The diagrams, images and other graphic representations provided in this Redevelopment Plan are intended to provide a framework for interpretation of the written standards and regulations contained herein. Nothing in this Redevelopment Plan shall preclude the partial redevelopment of a block depicted in such diagrams, images or other graphic representations, provided that such subdivision or re-subdivision and partial redevelopment of a block is fully in conformance with the written standards and regulations contained herein.
- 5.21.4. Final adoption of this Plan by the Borough Council of the Borough of Chatham shall be considered an amendment of the Borough Zoning Map.
- 5.21.5. The NJ Department of Transportation (DOT) shall have final authority over street design and related specifications with respect to all State roadways.

## 5.22. OTHER REDEVELOPMENT ACTIONS

In carrying out this Redevelopment Plan, the Borough of Chatham and any designated redeveloper(s) may be required to undertake a variety of redevelopment actions. These may include, but will not be limited to:

- 5.22.1. Consolidation and/or subdivision of tax lots.
- 5.22.2. Acquisition and assembly of suitable parcels of land for the construction of the uses set forth in this Redevelopment Plan.
- 5.22.3. Clearance of abandoned, deteriorated, obsolete structures or uses or structures, or remains of structures, on underutilized land areas, where necessary.
- 5.22.4. Construction of new structures or other improvements.
- 5.22.5. Provisions for public infrastructure necessary to service and support new development, including improved streetscapes and beautification of the area.
- 5.22.6. Vacation of public utility easements or rights-of-way as may be necessary for redevelopment.

## 5.23. PUBLIC IMPROVEMENT APPROVALS

In cases where third party governmental approvals are pending at the time of project completion, the Borough of Chatham may in its discretion allow a certificate of occupancy to be issued for site while public improvements are pending. It is anticipated that the conditions required to issue a certificate of occupancy will be specified in a Redevelopment Agreement(s) to be negotiated between designated redeveloper(s) and the Borough of Chatham. It is recommended that this aspect of potential Redevelopment Agreement(s) be structured to require redeveloper(s) to work collaboratively with the Borough's professionals to design the required improvements and, in cases where the municipality applies for permits directly, redeveloper(s) shall facilitate the Borough's efforts to obtain permits from requisite third-party agencies. The following steps are recommended in cases where certificates of occupancy may be issued prior to implementation of all public approvals:

## **5.23.1. STEP 1: ENGINEERING STUDIES / PRELIMINARY ANALYSIS**

Redeveloper(s) shall prepare required technical memoranda that may be required by a third-party governmental agency on a pre-application basis. The memorandum will be presented to the municipality for the municipality to use for coordination with third-party agencies. Redeveloper(s)' professionals shall attend all required coordination meetings prior to preparing application materials.

## **5.23.2. STEP 2: ENGINEERED PLANS**

Once authorization to design is granted, the Redeveloper(s) shall prepare engineered design documents suitable for public bidding and in accordance with applicable requirements and standards for approval. The Redeveloper(s) shall coordinate with the Borough and the Borough's professionals on all final designs.

## **5.23.3. STEP 3: PERMIT APPLICATIONS + SUPPORTING MATERIALS**

At such a time when the Redeveloper(s) and the Borough agree on the final engineered design, the Redeveloper(s) shall provide all necessary materials to support the requisite application(s) to the applicable approval agency, which the Borough shall, in turn, submit for approval. The Redeveloper(s) shall support the Borough during the requisite application review process on an as needed basis. The Redeveloper(s) shall maintain an escrow account to compensate the Borough's professionals for work required to facilitate receipt of necessary approvals.

## **5.23.4. STEP 4: CONSTRUCTION BOND**

Once approvals are obtained, the Redeveloper(s) shall post a bond in an amount necessary to cover the construction cost, which shall be based upon the awarded contract amount.

## **5.23.5. STEP 5: CONSTRUCTION BIDDING + CONTRACT ADMINISTRATION**

The Borough shall be responsible for projects requiring public bidding and construction contract administration.

## **5.23.6. STEP 6: POST-DESIGN + INSPECTION SERVICES**

The Redeveloper(s)' consultants shall provide all post-design engineering services; inspection coordination and other services as may be required as part of any approval process. Redeveloper(s)' consultants shall be approved as may be necessary for construction inspection and other services as may be applicable.

## **5.23.7. STEP 7: AS-BUILT CERTIFICATION**

Redeveloper(s)' consultant shall provide as-built certification documents and other close-out materials as may be required in accordance with any approval process and shall provide support at such a time when new improvements are accepted by third party agencies.

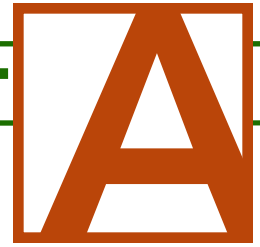


New Jersey's Local Redevelopment and Housing Law (the "LRHL") empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be transformed to advance the public interest. Once an area is designated "in need of redevelopment" in accordance with statutory criteria, municipalities may adopt redevelopment plans and employ several planning and financial tools to make redevelopment projects more feasible to remove deleterious conditions. A redevelopment designation may also qualify projects in the Redevelopment Area for financial subsidies or other incentive programs offered by the State of New Jersey.

## A.1. PROCESS

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the LRHL. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires the Governing Body and Planning Board interact to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

- A.1.1. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5).
- A.1.2. The resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers for use in a redevelopment area other than the use of eminent domain (non-condemnation redevelopment area) or whether the redevelopment area determination shall authorize the municipality to use all those powers for use in a redevelopment area, including the power of eminent domain (condemnation redevelopment area).
- A.1.3. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included and investigated. A statement setting forth the basis of the investigation or the preliminary statement should accompany this map.
- A.1.4. The Planning Board must conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.

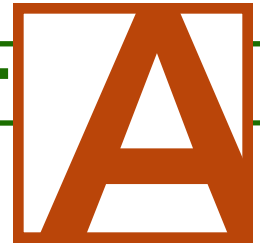


- A.1.5. The Governing Body may accept, reject, or modify this recommendation by adopting a resolution designating lands recommended by the Planning Board as an "Area in Need of Redevelopment." The Governing Body must make the final determination as to the Non-Condensation redevelopment area boundaries.
- A.1.6. If the Governing Body resolution assigning the investigation to the Planning Board states that the redevelopment determination shall establish a Condemnation redevelopment area, then the notice of the final determination shall indicate that:
  - A. *The determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the Redevelopment Area, and*
  - B. *Legal action to challenge the final determination must be commenced within forty-five (45) days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.*
- A.1.7. A redevelopment plan may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the "Area in Need of Redevelopment."
- A.1.8. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance. Only after completion of this process is a municipality able to exercise the powers under the LRHL.

## A.2. REDEVELOPMENT PLAN CONTENT

The LRHL identifies required components to be included in a redevelopment plan. In accordance with N.J.S.A 40A:12A-7a, a redevelopment plan must include an outline for the planning, development, redevelopment or rehabilitation of a project area which is sufficient to indicate:

- A.2.1. 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.
- A.2.2. Proposed land uses and building requirements in the project area.



- A.2.3. 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.
- A.2.4. An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan.
- A.2.5. 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.).

## B.1. 2000 MASTER PLAN

This Redevelopment Plan is largely consistent with the 2000 Chatham Master Plan. While there are no conflicts in relations to the Redevelopment Plan, there are goals that directly correlate especially well with that of the Redevelopment Plan.

- To promote the establishment of appropriate population densities and the concentrations that will contribute to the wellbeing of persons, neighborhoods, the community and regions, and preserve the environment.
- To promote a desirable visual environment through creative development techniques and good civic design and arrangements
- To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight or a danger to pedestrians.
- To encourage municipal action to guide appropriate use and development of all lands in this state in a manner which will promote the public health safety morale and general welfare.
- To provide sufficient space in appropriate locations for variety of residential and recreational uses and open space, both public and private according to their respective environmental requirements in order to meet the needs of all citizens.
- To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.

In addition to the above goals. The following Implementation Strategies identified by the 2000 Master Plan align with the purpose of this Redevelopment Plan.

- Apply design principles to create and preserve spatially defined visually appealing and functionally efficient places in ways that establish a recognizable identity, create a distinct character and maintain human scale.
- Develop plans in collaboration with appropriate communities' organizations and agencies not rationally involved in the comprehensive planning process.
- Residential neighborhood design should balance safety and security considerations with the need to maintain accessibility and openness.
- Promote market-based incentives to encourage transit carpooling, park-and-ride, telecommuting, flexible hours, minibuses, biking and walking.



## **B.2. MASTER PLAN UPDATES**

### **B.2.1. 2016 MASTER PLAN RE-EXAMINATION AND UPDATE REPORT**

This Redevelopment Plan is consistent with the Borough's 2016 Master Plan Re-examination and Update Report. While there are no conflicts, several of the Re-examination's stated goals line up especially well with content in this Redevelopment Plan. First, the intention to maintain and promote a reasonable diversity of residential housing types within the Borough is something this Plan, and redevelopment of the River Road Redevelopment Area, addresses. Adding residential units at the Borough's eastern gateway will not only add a housing type that is already underrepresented in the community, but can also help allow the Borough to grow, without adding pressure on the single-family districts to alter the character or density already established. The second goal of the 2016 re-examination report that is especially relevant for this Redevelopment Plan is the intention to balance the transportation needs of all users. This Redevelopment Plan anticipates development on the site that takes full advantage of the proximity to three train stations, significant and convenient highway access and a convenient location within the region. In addition, this Plan requires redeveloper(s) to undertake significant traffic studies and to address any issues while also incentivizing improvements to the area.

### **B.2.2. 2016 HOUSING ELEMENT AND FAIR SHARE PLAN**

This Redevelopment Plan is consistent with the content contained within the 2016 Housing Element + Fair Share Plan and the regulations laid out in section 6.5. of this Plan are consistent with, and implement, the requirements of the Housing Element + Fair Share Plan.

### **B.2.3. 2013 LAND USE ELEMENT AMENDMENT**

This Redevelopment Plan relies heavily on the vision and planning that was laid out in the 2013 Land Use Element Amendment. The Amendment was adopted by the Borough on November 13, 2013 and very clearly states the Borough's intentions for the River Road + Watchung Avenue area. The 2013 document states the Borough's desire "[t]o expand and improve the utilization, accessibility, range of permitted uses, and overall character of the Borough's industrial districts" and to specifically that "[t]he River Road/Watchung Avenue gateway into the Borough should be a welcoming and well-defined, mixed-use entry into the community with

its own character.” That intention is incorporated into the guidelines and regulations included in this Plan. The Amendment’s position that “[p]edestrian accessibility should be improved within this gateway area and along River Road, with development of a continuous sidewalk and streetscape character that incorporates pedestrian facilities and amenities” is furthered by specific requirements as well as an overall guiding principal that safe, human-oriented design is current best practice. This Plan recognizes the Amendment’s goal that “[o]pportunities for larger-scale multi-family and mixed-use development should be provided within the River Road/Watchung Avenue gateway” and, while furthering this effort, also aims to ensure any redevelopment fits within the larger context of the neighborhood, Borough and region. In recognition of the potential impact of development contemplated in the Amendment, it is expected that “[f]uture transit connections should also be explored to serve the River Road/Watchung Avenue gateway, including shuttle bus links to existing NJ Transit stations.” The ideas, goals and vision reviewed above provides much of the foundation from which this Plan is developed. This Plan aims to implement and build off of the 2013 Land Use Element Amendment with any redevelopment. Directly relevant and consistent with the goals of this Plan are the following goals stated in the 2013 Amendment document:

- To leverage future development opportunities along the River Road/Watchung Avenue gateway area resulting from the cleanup of contaminated sites, from the establishment of a greenway along the Passaic River, from revitalization of sites in nearby Summit, and from modernizing the zoning regulations that govern these areas.
- To encourage new investment that creates high quality jobs and buildings that enhance the local economy.
- To provide a welcoming, well-defined entry into the Borough by improving and expanding pedestrian accessibility in the River Road/Watchung Avenue gateway area and along River Road and enhancing and defining the streetscape with components that draw thematically on the river as an essential part of the Borough’s history.
- To seek outside funding and partners to explore future transit connections to support transit-oriented development (TOD) opportunities at the River Road/Watchung Avenue gateway area, including shuttle bus service to existing NJ Transit stations and the feasibility of a new station anchoring the area.
- To improve the appearance and function of individual sites and public streets through building design, site design and regulation of outdoor storage.



- To promote the appropriate scale of future development, including providing some opportunities for large-scale, pedestrian-oriented development in the River Road/Watchung Avenue gateway area and the south side of River Road.
- To promote the appropriate mix of uses in key locations, including multi-family residential uses, neighborhood oriented commercial uses, and mixed-use development in the River Road/Watchung Avenue gateway area, as well as smaller scale commercial, residential, and mixed-use buildings (commercial with apartments on upper floors) along the northwest side of River Road.
- To incorporate a mix of housing types along the south side of River Road and the River Road/Watchung Avenue gateway area to better serve aging residents and young professionals, including incorporating low- and moderate-income housing as may be required by the State.
- To promote development that preserves light, air and open space and minimizes environmental impact.

## **B.2.4. 2012 COMPLETE STREETS POLICY PLAN**

This Redevelopment Plan has been written to incorporate and complement many of the ideas and proposals included in the 2012 Complete Streets Policy Plan. The 2012 Plan was an amendment to the Circulation Element of the Borough's Master Plan and was adopted on March 21, 2012. The Complete Streets Plan's stated vision is to:

*Develop strategies, policies and goals that promote individual and community health and sustainability through the provision of transportation options that encourage physical activity by preserving and enhancing the existing assets of Chatham Borough.*

The location of the Redevelopment Area is such that any project pursued through this Plan is intended to spur the development of a walkable, bikeable and generally mixed-modal neighborhood. The potential for the development of a new train station in close proximity to the Redevelopment Area is especially complimentary to many of the goals of both this Plan and the 2012 Complete Street Plan in that it would enable the larger Chatham Gateway area to be a truly transit oriented area. Building on the Complete Streets Plan's intentions to "[e]nhance current walking and bicycling opportunities through... improvements, including sidewalks and traffic calming" this Plan requires significant traffic studies and modeling to



inform any project in this Area and sets minimum standards for sidewalks and other pedestrian amenities. This Plan fully incorporates the idea that, as the 2012 Policy Plan expresses, there should be “consideration of specific ... needs of children, older adults, and people with disabilities” when implementing “projects at and near ...transportation hubs”. Any project resulting from this Redevelopment Plan should fit with the goal stated in the Complete Streets Plan that “projects reflect and consider the environmental, cultural and historic context of the Borough”. In addition to the specific goals addressed above, which line up well with elements throughout this Plan, the overall intent and aim of this Redevelopment Plan is compatible with the 2012 Complete Streets Policy Plan and no conflicts are identified.

## **B.2.5. 2010 CHATHAM BOROUGH OPEN SPACE + RECREATION PLAN**

This Redevelopment Plan is substantially consistent with, and does not conflict with, the 2010 Chatham Borough Open Space + Recreation Plan. It should be noted that while focusing new development to be within previously developed areas and including open space in new development projects is not explicitly identified within the 2010 Plan, both of these aims further the general intention of maintaining existing open space and seeking new opportunities to add open space.

## **B.3. MORRIS COUNTY MASTER PLAN**

This Redevelopment Plan is consistent with the 1975 Morris County Master Plan, which aims to address sprawl and sustainability in the greater region. Pursuant to N.J.S.A. 40A: 12A-7(a)(5), this Redevelopment Plan relates directly to the goals and objectives of the Morris County Master Plan, including:

- Make fuller use of existing transportation lines and facilities. The County Plan forecasted that transit would achieve a greater influence on the region's development as an imperative alternative to private automobile use and its peripheral impacts of congestion, pollution, and encouragement of sprawl.
- Promote a greater diversity of housing types. The County Plan encourages adequate housing provisions for the elderly, young persons, and those who need affordable housing. Consequently, goals for the County's future should include a variety of housing, capable of creating homes for all residents.
- Find a more feasible alternative to the present situation of “strip mall” commercial development found on major roads, and single-family homes on unnecessarily large lots.



- “Cluster” future growth around definable town centers and transportation facilities to include commercial and office employment as well as residential, with land use intensity decreasing as distance from the town center increases.

## **B.4. 1998 UNION COUNTY MASTER PLAN: ADJACENT COUNTY MASTER PLAN**

This Redevelopment Plan is substantially consistent with the 1998 Union County Master Plan, which aims to expand housing options, promote sustainable growth, and encourage diverse transit options. This Redevelopment Plan relates directly to the following goals and objectives identified in the Union County Master Plan:

- Promote the provision of a broad range of housing opportunities for all income levels and household types by encouraging the maintenance or rehabilitation of the existing housing stock and through the construction of new housing units.
- To facilitate the development of Union County by directing new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities and to revitalize the urban centers and corridors within the County.
- To promote the development of an improved and balanced, multi-modal transportation system that integrates and links highway, bus, rail, air, waterborne transport systems and pedestrian and bicycle facilities.

## **B.5. NEW JERSEY STATE DEVELOPMENT + REDEVELOPMENT PLAN**

The Redevelopment Area is located within Planning Area 1 (PA-1). As documented in the State Development + Redevelopment Plan, the following intent was identified for PA-1:

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



This Redevelopment Plan will upgrade the use of land in a waning industrial area to continue economic development; expand housing options to provide a balanced residential population; manage local traffic congestion and reduce pollution; and take advantage of connections within and between the Metropolitan Planning Area, suburban employment centers, and the Philadelphia and New York metropolitan areas.

## **B.6. NEW JERSEY SMART GROWTH PRINCIPLES**

Smart Growth in New Jersey encourages a compact form of development and redevelopment in recognized Centers, as stipulated in the State Development and Redevelopment Plan, including existing infrastructure that serves and enhances the economy, the community, and the environment. This Redevelopment Plan reflects an innovative Smart Growth concept and conforms to New Jersey's Smart Growth Principles, including:

- It recognizes and builds off of a synergistic mix of land uses in a compact, clustered area and contributes to a range of housing choices.
- The planned public amenities and urban design contribute to a walkable neighborhood that offers upgrades for all users.
- This Redevelopment Plan continues to build on the Borough's efforts to spark development and redevelopment and direct growth to areas with existing infrastructure.
- This Redevelopment Plan provides a framework for equitable, predictable, and efficient development decision making.
- The Redevelopment Plan expands upon a collaborative and transparent redevelopment process.

## **B.7. 2011 NEW JERSEY STATE STRATEGIC PLAN**

The New Jersey State Planning Commission released its final draft of the State Strategic Plan (SSP) on November 14, 2011. Compared to the State Development and Redevelopment Plan, the SSP emphasizes a more "proactive, aggressive, and strategic approach to planning for the State's future. An approach that aligns clear goals with sound decision making and coordination among government entities which will better position New Jersey for growth opportunities and allow New Jersey to once again compete for and capitalize on growth opportunities."



Central to the SSP is its contemplation of development in Smart Growth locations and regional centers. This Redevelopment Plan furthers the following objectives, goals, and findings of the SSP:

- Creates a neighborhood orientation to transit that is intended to serve residents, visitors, and commuters. The SSP projects that housing and development with rich transit options are the preferred choices future home buyers will put at a premium.
- Effectuates the following "Garden State Values:" 1) Concentrate Development and Mix Uses; 2) Prioritize Redevelopment, Infill, and Existing Infrastructure; 3) Increase Job and Business Opportunities in Priority Growth Investment Areas; 4) Create High-Quality, Livable Places; 5) Provide Transportation Choice + Efficient Mobility of Goods; 6) Diversify Housing Opportunities; and 7) Make Decisions with Regional Framework.



## **ADULT ENTERTAINMENT USE**

- A. Offers as one of its principal purposes the sale, rental, exhibit, or display of any of the following: books, magazines, publications or other printed materials, photography, videotapes, or audiotapes, still or moving films, computer disks, computer games, CD ROMs, DVDs, or any other media or tangible item of any kind, depicting or exhibiting a specified anatomical area or a specified sexual activity as each is defined herein; or
- B. Regularly features live performances characterized by the depiction of a specified anatomical area or by a specified sexual activity as each is defined herein; or
- C. Regularly shows films, motion pictures, video cassettes, slides, or other photographic or film representations which depict or describe a specified anatomical area or specified sexual activity as each is defined herein.
- D. "Adult entertainment use" shall also include establishments which constitute adult bookstores, adult video stores, adult motion-picture theaters, and/or adult novelty/gift shops.

## **ART GALLERIES**

A room or rooms where works of art, including, without limitation, paintings, sculptures, pottery, glass, and weaving, are exhibited and displayed for sale and/or public education and enjoyment. Framing services and sales of art supplies may also be provided in conjunction with any principal gallery use.

## **ARTISAN WORKSHOP**

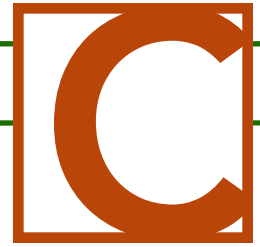
An establishment for the preparation of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, baked or prepared food and drink, and similar items by one or more artisans. Excluded from this definition is welding, powder coating, and the servicing or repair of motor vehicles. Display, and/or sale of artisan products is permitted only for products prepared on-site.

## **AUTOMOTIVE RENTAL**

Any establishment that makes motorized vehicles available for use by the general public on a limited time basis measured in increments of one day or more.

## **AUTOMOTIVE REPAIR**

The land and buildings designed and used for the mechanical, structural and/or cosmetic repair of motor vehicles for monetary compensation, and where no outside vehicle storage on the premises is allowed for more than one week.



## **AUTOMOTIVE SALES**

The use of any building, land area or other premises for the display and sale of new or used automobiles generally, but may include light trucks or vans, trailers, or recreation vehicles and including any vehicle preparation or repair work conducted as an accessory use.

## **AUTOMOTIVE SHARE**

Any establishment that makes motorized vehicles available for use by members of a service on a limited time basis, usually for durations of less than a day.

## **BREWERY**

An establishment licensed, under N.J.S.A 33:1-10, to manufacture alcoholic beverages and to sell and distribute the products to licensed wholesalers and retailers. Such uses may manufacture, sell and serve alcoholic beverages to consumers on a licensed premise for consumption on site, but only in connection with a tour of the brewery, or for consumption off the premises. Breweries may include warehousing and off-site distribution of alcoholic beverages consistent with state law and applicable licensing from the Borough of Chatham.

## **BREW PUB**

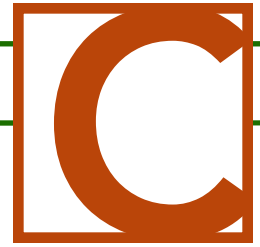
An establishment, with license from the State under N.J.S.A. 33:1-10, where alcoholic beverages are brewed and manufactured, served and consumed on the premises, and which is operated in conjunction with a restaurant use. Such uses shall be used principally for the purpose of providing meals to its customers with adequate kitchen and dining room facilities immediately adjoining licensed brewery facilities.

## **BUSINESS SERVICES**

Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment service; management and consulting services; protective services, equipment rental and leasing; commercial research; development and testing; photo finishing, and personnel supply services.

## **CHILD CARE CENTERS**

An institution or place, for which, upon completion, a license is required from the New Jersey State Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq., and which, for compensation or otherwise, receives for temporary custody six or more children under the age of six years, apart from their parents or legal guardians, during part or all of the day but for not less than three hours each day.



## **CO-WORKING**

An office use in which common and unassigned office space is made available to individuals and companies on a short-term basis, including daily rates. Assigned office spaces and longer lease periods may be included in this definition so long as they are still provided access to common use space and common facilities. Long-term assigned (increments greater than 1 month) office space without access to common-use space and common facilities shall not be considered to fall within the definition of Co-Working.

## **COMMUNITY CENTER**

A building used for recreational, social, educational and cultural activities, open to the public or a designated part of the public and owned and operated by a public or nonprofit group or agency. The facilities shall not include any living-quarters.

## **CONVENIENCE STORE**

A retail store that sells general merchandise, limited grocery items with less than 4,000 square feet of gross floor area and open for business more than 15 hours a day. The sale of prepared foods, not made-to-order, for off-site consumption may be included in this definition so long as the sale of prepared foods is subordinate to the sale of general merchandise and grocery items.

## **DRIVE THROUGH**

A commercial facility or structure that is designed to allow patrons to order and receive goods and services via a service window or mechanical device while remaining in their vehicles.

## **EDUCATIONAL INSTRUCTION USE**

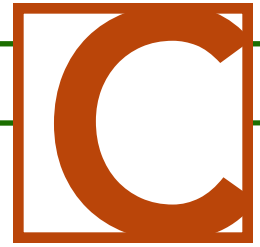
Educational instruction, including dance, music, and art schools, as well as tutoring and test preparation services, provided in a room or series of room(s). Retail sales of materials directly related to instructional activity conducted on-site may be provided in conjunction with principal educational instruction use. Educational instruction shall not include recreational instruction, as defined in this chapter.

## **FINANCIAL INSTITUTIONS, INCLUDING BANKS**

Any institution wherein business of a primarily monetary nature is transacted, such as banks, savings and loans associations and mortgage companies.

## **HOTEL**

A facility offering transient lodging accommodations to the general public which may include additional facilities and services, such as restaurants, meeting rooms, and recreational facilities.



## **INDOOR COMMERCIAL RECREATION/FITNESS CLUB**

A commercial facility enclosed within a building designed and equipped for the conduct of sports and other recreational activities as a business and open to the public for a fee and/or on a membership basis. Includes athletic clubs, tennis clubs, squash clubs, health and fitness clubs, swim clubs, indoor climbing, and similar recreation and fitness activities. This definition includes accessory snack/juice bars and retail sales of related sports apparel and equipment, provided such uses do not exceed a combined 1,500 square feet of floor area.

## **INSTITUTIONAL USE**

A nonprofit or quasi-public use or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purpose.

## **LIVE/WORK LOFTS**

A live/work unit is defined as a single unit (e.g., studio, loft, or one bedroom) consisting of both a commercial/studio space and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant and the work space shall be related to the visual arts.

## **MARKET**

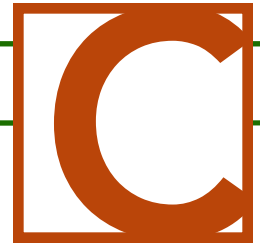
A retail or wholesale store that primarily sells food, including canned and frozen foods, fresh fruits and vegetables, and fresh (raw) and prepared meats, fish and poultry. A market shall be defined as less than 20,000 square feet in size.

## **MULTIFAMILY**

Three or more dwelling units within a single building that share common horizontal separations and that have an entrance to each dwelling by direct access from the outside or through a common hall.

## **MUSEUM**

Premises used for the exhibition of objects of cultural, historical, or scientific interest, and which may include the collection or preservation of such objects, for the recreation or cultural education of the public.



## **NIGHTCLUB**

Any premises licensed to provide for the on-premises consumption of alcoholic beverages, and where the principal use or function during regular meal hours (i.e., between 10:00 a.m. and 11:00 p.m.) is the sale of food, and the principal use or function after regular meal hours is the selling of alcoholic beverages and incident thereto may be the retail sale or consumption of food as a permitted use, consistent with N.J.S.A. 33:12 et seq., and where any of the following elements exist: (a) more than thirty (30%) percent of the floor area of the establishment is devoted to an entertainment portion of the business; or (b) the occupancy rate is either more than 130% of the number of seats or less than 12 square feet per occupant. Entertainment shall not include background music, whether live or recorded, whose primary purpose is to create an atmosphere or ambiance.

## **OFFICE**

A room or group of rooms used for conducting the affairs of a business, professional, service, industry, or government. For purposes of permitted uses within zoning districts, offices shall mean all offices with the exception of medical/dental offices and professional offices.

## **OUTDOOR EATING AND DRINKING ESTABLISHMENTS**

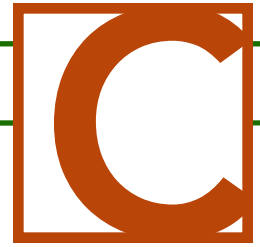
Retail establishments selling food and drink for consumption on or off the premises wherein a part or all of the dining area is located outdoors, or where customers or patrons purchase or receive food outdoors.

## **PERSONAL SERVICES**

Establishments primarily engaged in providing services involving the personal care of a person, his or her personal goods or apparel, including the following: day spas, hair salons, beauty salons, and barbershops; skin care and nail salons; shoe repair; clothing and garment services such as cleaning, pressing, rental, and tailoring; licensed massage therapy, bodywork and somatic therapy (See Chapter 289 of the Chatham Borough Code for permit requirements); funeral services; pet grooming and pet day care. Recreational instruction and educational instruction uses are not included in the definition of personal services.

## **PUBLIC OPEN SPACE**

Includes only that part of the ground area of a zoning lot which is devoted to outdoor active or passive recreational space, greenery and services which are normally carried on outdoors. Open space must conform to the minimum dimensions prescribed for the appropriate district and may not be devoted to private roadways open to vehicular transportation, accessory off-street parking space or accessory of street loading berths. There shall be no private structures on the ground, except structures which are privately-owned and publicly accessible with prior authorization by the Summit Common Council.



## **PUBLIC PURPOSE USE**

The use of land or buildings by the Borough of Chatham or any other officially created authority or agency thereof.

## **RECREATIONAL INSTRUCTION**

Recreational instruction, including yoga, Pilates, martial arts, and personal training studios (but excluding health clubs), provided in a room or series of rooms. Retail sales of good directly related to instructional emphasis on-site may be provided in conjunction with the principal recreational instruction use.

## **RESTAURANTS**

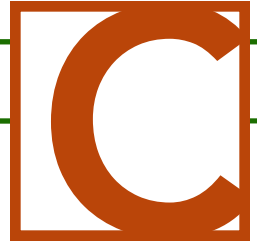
Establishment where food and drink is prepared, served, and consumed within an enclosed building, and wherein food is served primarily by providing table service. "Table service" is defined as taking customer's orders at tables where they will be served. No restaurant shall have any walk-up windows nor any drive-through aisles or windows.

## **RESTAURANT, LIQUOR LICENSED**

Any premises licensed to provide for the on-premises consumption of alcoholic beverages, and which at all times meets all of the following elements: (a) the sale of alcoholic beverages is incidental to the sale of food and not the primary source of revenue for the premises; (b) no "cover" or other minimum fee is charged to enter the premises at any time, provided, however that this provision shall not be construed to apply to fixed price meals, or complimentary glasses of champagne on holiday occasions such as Thanksgiving or New Year's Eve, or during special events; and (c) the occupancy rate is either no more than 130% the number of seats or no fewer than 12 square feet per occupant.

## **RETAIL SERVICES**

Establishments providing services, as opposed to products, to the general public, including, but not limited to, finance, real estate and insurance, travel agencies, copying, mailing and packing services, and photographic services. Educational instruction and recreational instruction services are excluded from this definition of retail services for purposes of uses permitted within zoning districts. No retail service use shall have any walk-up windows nor any drive-through aisles or windows.



## **RETAIL TRADE**

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption. Even though certain establishments, including but not limited to hardware, paint, glass and wallpaper stores, may do a substantial portion of their business with contractors, they are included in this definition of retail trade. No retail trade establishment shall have any drive-through vehicular aisles or windows, or any service to the public in that manner.

## **ROOF DECK**

An open common space available to tenants and their guests located on the roof of the building.

## **SERVICE STATION**

Land and buildings provided for the sale of fuel, lubricants and automotive accessories, maintenance and minor repairs for motor vehicles, but not for vehicle body repairs or painting, car washing operations, car or truck rentals, parking for a fee, outside storage of motor vehicles on the premises for more than one week, or any other activity not specifically a part of the service station use.

## **THEATER**

A facility used for viewing of live performances and/or films - excluding adult entertainment uses.



# PRELIMINARY INVESTIGATION

## RIVER ROAD NORTH Chatham Borough, NJ

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Prepared By: **Topology**  
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