

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE NO. 2019-16

ADOPTING THE REDEVELOPMENT PLAN ENTITLED “DEPOT AND PINE
REDEVELOPMENT AREA” PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on January 7, 2019, the municipal council (the “**Township Council**”) of the Township of Verona (the “**Township**”) adopted Resolution No. 2019-30 authorizing and directing the Planning Board of the Township (the “**Planning Board**”) to conduct a preliminary investigation to determine whether certain properties, identified as Block 2301, Lots 1-19 on the Township’s Tax Maps (collectively, the “**Study Area**”), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, on February 5, 2019, a public hearing was conducted by the Planning Board, with notice having been properly given pursuant to *N.J.S.A. 40A:12A-6(b)(3)*, at which the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at *N.J.S.A. 40A:12A-5 et seq.*, for designating the Study Area as a Non-Condemnation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Redevelopment Law, the Township Council caused a redevelopment plan for the Redevelopment Area to be prepared by Jason L. Kasler, AICP, PP, of Kasler Associates, PA, entitled “Depot and Pine Redevelopment Area” (the “**Redevelopment Plan**”); and

WHEREAS, the Township Council desires to have the Planning Board review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law; and

WHEREAS, subject to receipt of the Planning Board’s recommendations concerning the Redevelopment Plan, the Township Council believes that the adoption of the Redevelopment Plan is in the best interests of the Township and the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER ORDAINED, pursuant to *N.J.S.A. 40A:12A-7(e)*, the Township Council hereby refers the Redevelopment Plan, as described on Exhibit A attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations and submit same to the Township Council within 45 days after referral, as required by the Redevelopment Law.

BE IT FURTHER ORDAINED, contingent upon the receipt of the Planning Board’s recommendations, the Township Council hereby adopts the Redevelopment Plan, pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

BE IT FURTHER ORDAINED, the zoning ordinances of the Township are hereby amended to include the amendments indicated in the Redevelopment Plan and the provisions therein.

BE IT FURTHER ORDAINED, the Township Council shall serve as Redevelopment Entity for purposes of implementing the Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.

BE IT FURTHER ORDAINED, in case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

BE IT FURTHER ORDAINED, if any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, this ordinance shall take effect 20 days after final passage and publication as prescribed by law.



ATTEST:


JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE VERONA-CEDAR GROVE TIMES, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF JUNE 6, 2019 AND JUNE 20, 2019.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

INTRODUCTION: April 22, 2019
PUBLIC HEARING: June 17, 2019
EFFECTIVE DATE: July 8, 2019

EXHIBIT A

DEPOT AND PINE REDEVELOPMENT AREA
REDEVELOPMENT PLAN

Prepared For:

Township of Verona

Bloomfield Avenue

Verona, New Jersey 07044

2019

**Depot and Pine Redevelopment Area
Redevelopment Plan
Block 2301, Lots 1-12, 14-19
Township of Verona, New Jersey**

Prepared By:

Kasler Associates

34 Littlebrook Road

Springfield, NJ 07081

Depot and Pine Redevelopment Area Redevelopment Plan

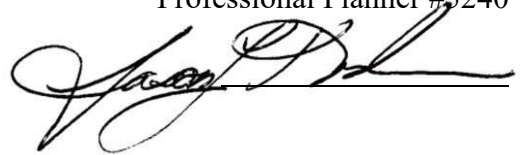
PREPARED FOR
THE TOWNSHIP COUNCIL AND
THE PLANNING BOARD
OF THE
TOWNSHIP OF VERONA, NJ

PREPARED BY
KASLER ASSOCIATES, PA
34 LITTLE BROOK ROAD
SPRINGFIELD, NEW JERSEY 07081

April 22, 2019

The original document was signed and sealed on April 22, 2019 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

Jason L. Kasler, AICP, PP
Kasler Associates, PA
Professional Planner #5240

A handwritten signature in black ink, appearing to read "Jason L. Kasler", written over a horizontal line.

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1. INTRODUCTION

A. BASIS FOR THE PLAN

This Redevelopment Plan has been prepared for an area comprised of eighteen (18) parcels located in the western most portion of the Township of Verona (the “**Township**”) in the County of Essex (the “**County**”) in the State of New Jersey (the “**State**”). The Study Area as identified herein is bounded by Personette Avenue to the north, Bloomfield Avenue and Pine Street to the south, Linn Drive to the west and Depot Street to east. The Study Area consists of Tax Lots 1 through 12 and 14 through 19 in Block 2301 (the “**Study Area**”) as per the Township’s tax maps. Note that Lot 13 in Block 2301 does not exist.

The Township Council has determined by Resolution No. 2019-55, adopted on February 11, 2019, that the Study Area qualified as a “non-condemnation area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the criteria specified in the New Jersey Local Redevelopment Housing Law (the “**LRHL**”) at N.J.S.A. 40A-12A-5. This Redevelopment Plan has been prepared to provide the development regulations and other standards to guide in the redevelopment of the Redevelopment Area.

B. PURPOSE/VISION

The Redevelopment Plan sets standards for construction of buildings and other improvements in the Redevelopment Area. The Redevelopment Plan is intended to promote a cohesive economic environment accentuating the Township’s proximity and access to mass transit and to integrate a future development project with the surrounding neighborhood through appropriate building scale, location, artistic elements, bikeways, walkways, and landscaping. The Redevelopment Plan is designed to meet these objectives through commercial and mixed-use development, providing new residential options and new businesses to the Township.

C. NOTES ON PLAN TERMINOLOGY

For the purposes of this Redevelopment Plan, a conscious distinction is made in the regulations between “shall” and “should.”

- ☐ “Shall” means that a developer is required to comply with the specific regulation, without any deviation.
- ☐ “Should” means that a developer is encouraged to comply but is not required to do so.

D. DEFINITIONS

The definitions set forth in the Township’s Zoning and Land Use Regulations shall apply to this Redevelopment Plan. If a term used in this Redevelopment Plan is not defined in the Zoning

Ordinance of the Township, the definition in the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.* (the “**MLUL**”), or the LRHL, shall apply.

2. CONTEXT

A. SURROUNDING AREA CONTEXT

The Redevelopment Area is comprised of eighteen (18) parcels located on the north side of Bloomfield Avenue in the western most portion of the municipality. The Redevelopment Area is bounded by Personette Avenue to the north, Bloomfield Avenue and Pine Street to the south, Linn Drive to the west and Depot Street to the east. The Redevelopment Area consists of Tax Lots 1 through 12 and 14 through 19 in Block 2301 as per the Township’s tax maps. The Redevelopment Area is approximately twelve (12) acres in size.

The Redevelopment Area’s locational context within the Township is shown on Figure 1. The Redevelopment Area is located in an area of the Township characterized by a mixture of public facility uses such as the Fire Department, Community Center and various outdoor athletic fields, residential lots, commercial and light industrial uses and the former railroad right of way that borders the area to the west side.

B. RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The most recent 2009 Master Plan for the Township was adopted in March of 2010 (the “**Master Plan**”). The most recent re-examination report, which was adopted in conjunction with the 2009 Master Plan in March of 2010, includes both general and specific planning recommendations.

The Master Plan has many goals and objectives, of which, the following are pertinent to the subject properties:

1. To encourage municipal action to guide the appropriate use or development of all lands in this Township, in a manner that will promote the public health, safety, morals, and general welfare.
2. To secure safety from fire, flood, panic and other natural and manmade disasters.
 - a. Maintain adequate water service to the Township.
 - b. Maintain and improve the storm drainage system serving the Township.
 - c. Maintain adequate sanitary sewer service for the Township.
3. To provide adequate light, air and open space:
 - a. Provide appropriate levels of recreational opportunities to efficiently and adequately serve the residents of the Township.

- b. Promote the conservation of environmental resources and the natural appearance of the Township.
- 4. To ensure that the development of the Township does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole;
 - a. To ensure that the relationship of the proposed development of the municipality, as developed in the Master Plan is not in conflict with the master plans of contiguous municipalities, the master plan of the County, the State Development and Redevelopment Plan, adopted pursuant to the “State Planning Act,” sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 *et seq.*), and the district solid waste management plan required pursuant to the provisions of the “Solid Waste Management Act,” P.L.1970, c.39 (C.13:1E-1 *et seq.*) of the County.
- 5. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of people, neighborhoods, communities and regions and preservation of the environment;
 - a. Preserve the environmental resources of the Township by locating conservation parklands and easements where necessary; by limiting development in environmentally sensitive areas; by encouraging the preservation of specimen trees and general landscaping; and by preservation of the Township's natural character.
 - b. Preserve environmentally sensitive lands by identifying wetlands and preserving them according to the rules and regulations promulgated by the New Jersey Department of Environmental Protection.
 - c. Preserve environmentally sensitive lands by identifying steep slopes and deterring development on said lands.
- 6. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
 - a. Provide adequate community facilities in the Township by maintaining and improving necessary facilities such that the Township is efficiently and adequately served, and that all such facilities be barrier free.
- 7. To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all the citizens of Verona;

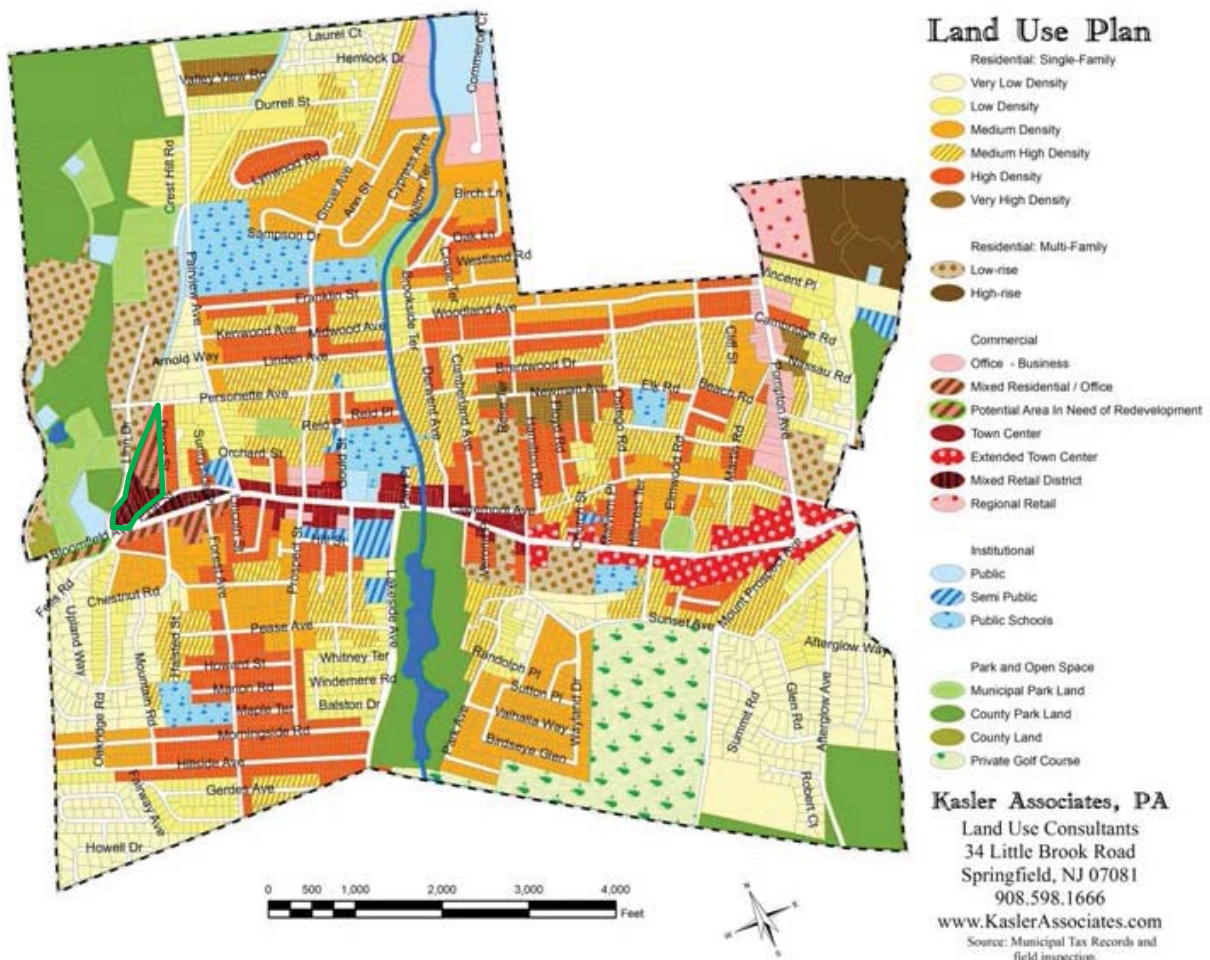
- a. Preserve and promote a balanced variety of residential, commercial, public, recreation and conservation land uses.
 - b. Preserve and protect the established primarily residential character of the Township by maintaining and improving neighborhood quality in existing residential areas.
 - c. Encourage future housing construction that is compatible with the existing character of the Township without increasing housing density in established residential areas.
 - d. Maintain and improve the existing quality of housing.
 - e. Encourage modifications and/or additions to existing housing in light of current trends of completely razing the existing home and rebuilding anew.
 - f. Guide the future development and/or redevelopment of land within the Township so as to incorporate new construction without undue disruption to the established character of the Township.
8. Continue to recognize the Central Business District as the primary location for pedestrian-oriented business serving the community.
- a. Encourage the renovation and rehabilitation of existing buildings and storefronts.
 - b. Encourage general maintenance and upkeep of buildings, storefronts and public areas.
 - c. Encourage lot consolidation to enhance opportunities for infill development and redevelopment.
 - d. Promote pedestrian activity in the Central Business District with active retail ground floor uses.
 - e. Encourage mixed-use developments.
 - f. Discourage parking areas in the front yards.
 - g. Support developments that are pedestrian scaled and support retail activity in the Central Business District.
 - h. Promote the conversion of existing light industrial uses to uses that are more compatible to the land uses surrounding the existing light industrial use.
9. To encourage the location and design of transportation routes that will promote the free flow of traffic while discouraging the location of such facilities and routes that result in congestion or blight;
- a. Maintain the efficiency of the Township's circulation system by continued upgrading of streets and intersections.
 - b. Develop a balanced circulation system incorporating the needs of pedestrians, bicycles, autos, trucks and buses.

- c. Provide municipal parking areas in support of commercial enterprises in the central business district.
 - d. Encourage the use of alternative forms of mass transportation.
 - e. Encourage the protection of the residential character by discouraging cut through traffic.
- 10. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
 - a. Reduce the cutting of trees on private property through tree preservation regulations.
 - b. Support the planting and maintain trees along public rights-of-way.
- 11. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the Township and to prevent urban sprawl and degradation of the environment through improper use of land;
 - a. Encourage the protection and preservation of historic sites and buildings.
- 12. To encourage planned unit developments that incorporate the best features of design and relate the type, design and layout of residential, commercial, and recreational development to the particular site;
- 13. To encourage senior citizen community housing construction;
 - a. Maintain the redevelopment of the Hilltop property with, in part, age-restricted housing.
- 14. To continue to meet the municipal obligation to provide the Township its fair share of affordable housing meeting the requirements set forth by the New Jersey Council On Affordable Housing (“COAH”).
- 15. To encourage coordination of the various public and private procedures and activities shaping land development.
 - a. Maximize leveraging of public and private funds.
 - b. Implement a downtown revitalization program.
 - c. Develop alternative parking and circulation configurations in the downtown that directs customers, employees, commuters and residents to designated parking areas or structured parking behind business.
 - d. Enhance and maintain attractive gateways to the Township.
 - e. Assess the redevelopment potential of properties in the Central Business District and on Pompton Avenue.

- f. Provide the necessary infrastructure to support business development in all business districts.
16. To promote utilization of renewable energy resources.
 - a. Promote Leadership in Energy and Environmental Design (“LEED”) principles that would promote construction of buildings that are environmentally responsible, profitable and healthy places to live and work.
 - b. Encourage the utilization of new solar technology and other clean fuels.
17. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
 - a. Assure adequate collection, disposal and recycling of solid waste materials.

The Master Plan recommends the subject properties to be Mixed Retail and Mixed Residential / Office. (The subject properties have been outlined in green).

Figure 1



The following pages are from the adopted 2009 Master Plan description of the Mixed Residential/Office Use and Mixed Retail Use districts.

Mixed Residential / Office Use

This land use classification provides the foundation for the establishment of a new zoning district entitled Mixed Office Use (MO) from the existing C-2 zone. This land use classification proposes residential and professional office uses as principal uses.

These districts are found along the south side of Bloomfield Avenue from the municipal boundary to the west and Lincoln Street to the west and the western side of Depot Street. There are 16 lots in this mixed-use classification of office and residential uses comprising 9.64 acres. The zoning ordinance to effectuate this newly created land use category should indicate whether these uses should be mutually exclusive or inclusive. If the ordinance purposes inclusivity, it must also indicate to what degree of mixture is required.

Map 8 – 9: Land Use Plan – Mixed Office Use



Photo 8-9: Proposed Mixed Office Use District

Photo 8 - 10: Proposed Mixed Office Use District



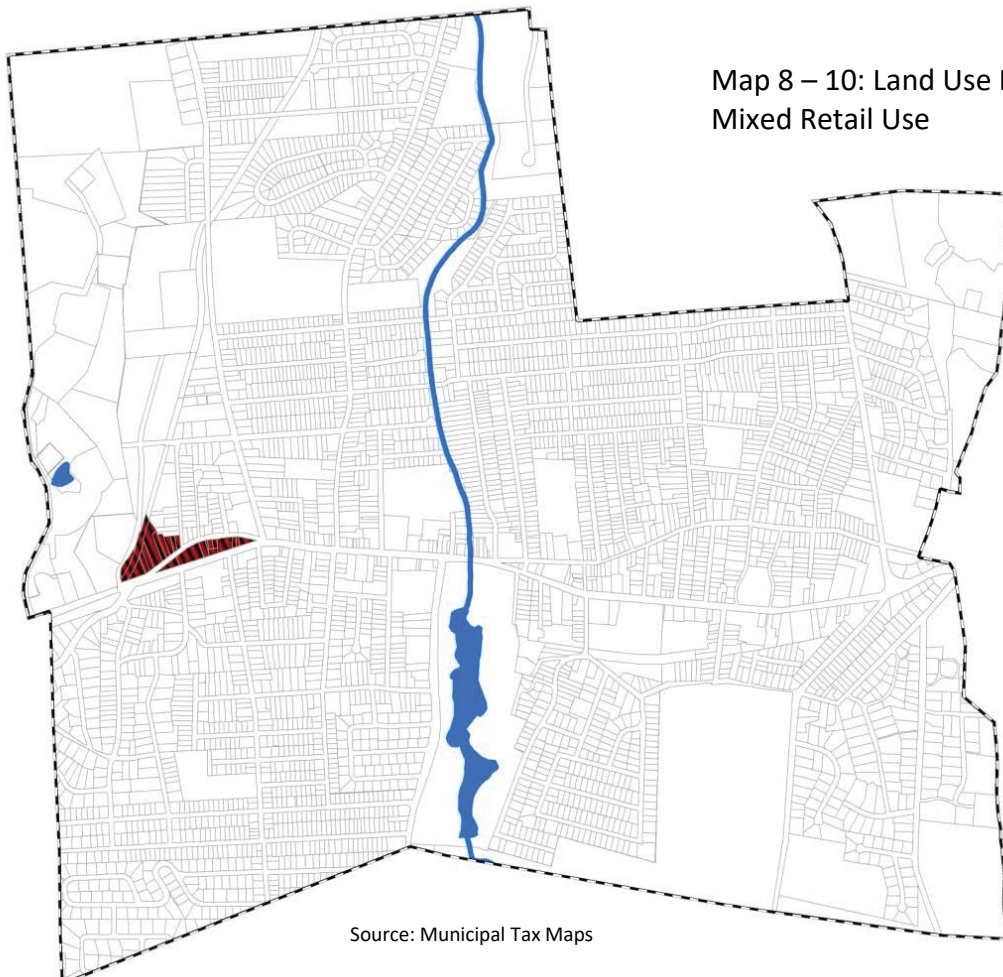
Mixed Retail Use

This land use classification provides the foundation for the establishment of a new zoning district entitled Mixed Retail Use (MR) from the existing C-2 zone. This land use classification proposes residential, professional offices and limited retail uses as principle uses.

This district is located along the northern and southern sides of Pine Street. There are 22 lots in the proposed Mixed Retail use classification comprising 7.01 acres. The zoning ordinance to effectuate this newly created land use category should indicate whether these uses should be mutually exclusive or inclusive. If the ordinance purposes inclusivity, it must also indicate what degree of mixture is proposed.



Photo 8 - 1: Proposed Mixed Retail Use



Map 8 – 10: Land Use Plan –
Mixed Retail Use

Source: Municipal Tax Maps

This Redevelopment Plan is consistent with the above goals and recommendations.

C. RELATIONSHIP TO ZONING ORDINANCE

This Redevelopment Plan shall supersede all provisions of the Zoning Ordinance of the Township of Verona regulating development in the Redevelopment Area. In any situation where zoning issues are not specifically addressed herein, the Township Zoning Ordinance shall be applicable. Final adoption of this Redevelopment Plan by the Township Council of the Township of Verona shall be considered an amendment of the Township of Verona Zoning Map.

3. PLAN CONSISTENCY REVIEW

A. RELATIONSHIP TO MASTER PLANS OF ADJACENT MUNICIPALITIES

This Redevelopment Plan provides for the redevelopment of previously developed sites in an area already served by infrastructure and transit. The Township adopted a new Master Plan and Re-examination report in March of 2010. This Redevelopment Area is generally located in the western most portion of the Township. Verona borders the Township of Cedar Grove to the northeast, the Borough of North Caldwell to the northwest, the Borough of Essex Fells to the west, the Township of West Orange to the south, and the Township of Montclair to the southeast. This Redevelopment Plan is consistent with development trends promoting mixed-use development observed in adjacent municipalities.

B. RELATIONSHIP TO THE ESSEX COUNTY MASTER PLAN

The Essex County Master Plan was prepared in or around 1980. Due to the significant changes in the County since that time, both in terms of land use, socioeconomic and demographics, many aspects of the Essex County Master Plan may not be specifically relevant to this Redevelopment Plan.

D. RELATIONSHIP TO THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

The New Jersey State Development and Redevelopment Plan (SDRP) was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

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

A revised version of the SDRP was adopted by the State Planning Commission in 2001. This

Redevelopment Plan is consistent with the SDRP, as it represents the smart growth principles set forth and detailed in both documents. In particular, this Redevelopment Plan promotes the redevelopment and reuse of previously developed properties in a previously developed area well served by infrastructure and transit. This Redevelopment Plan therefore furthers the goals, strategies and policies of the SDRP.

4. REDEVELOPMENT ACTIONS

A. *OUTLINE OF PROPOSED ACTIONS*

1) Demolition

It is anticipated that sites in the Redevelopment Area will be cleared of existing buildings, parking lots and other improvements including any vegetation. This Redevelopment Plan proposes a significant change in use over the current conditions, and there is no reason to retain any of the existing structures or vegetation.

2) New Construction and Environmental Remediation

Construction of new structures and other improvements will take place as proposed in Chapters 3 and 4 of this Redevelopment Plan. Environmental remediation would take place as necessary to effectuate the plan. Infrastructure will be constructed as determined by the Township's professional consultants for the project. The redeveloper(s) must adhere to the overall parameters for development presented in Chapters 3 and 4 of this Plan. Once a redeveloper is selected, the redeveloper(s) will be required to enter into a redeveloper's agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

B. *PROPERTIES TO BE ACQUIRED*

Although not anticipated, property acquisition may be undertaken by the Township to complete the redevelopment project.

C. *OTHER ACTIONS*

In addition to the demolition and new construction described above, the Township Council may undertake other actions to further the goals of this plan. These actions may include, but shall not be limited to: (1) provisions for public infrastructure necessary to service new development; (2) environmental remediation; (3) vacation of public streets, utility easements and other easements and rights of way as may be necessary for redevelopment. See subsection 5(l) of this Redevelopment Plan for requirements for the provision of infrastructure to serve the Redevelopment Area.

In order to provide additional recreation facilities and open space for residents of new housing and those within the existing neighborhood, the redeveloper(s) shall create adequate facilities

on site and shall contribute to the creation of such facilities within the vicinity of the Redevelopment Area. Such improvements to local facilities shall be determined by the Township, including but not limited to expansion(s) to the Township of Verona's existing bike path/route and other means of enhancing the bikeability, walkability, and connectivity of the community

5. GENERAL PROVISIONS

A. EASEMENTS

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Engineer of the Township of Verona.

B. SITE PLAN AND SUBDIVISION REVIEW

After the execution of a redevelopers agreement as set forth in Section 5(J) and prior to commencement of construction, a site plan for the construction and/or rehabilitation of improvements within the Redevelopment Area, prepared in accordance with the requirements of the MLUL, shall be submitted by the redeveloper(s) for review and approval by the Township Municipal Planning Board.

Any subdivision or consolidation 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 Township, except that where this Redevelopment Plan contains provisions that differ from those in the subdivision ordinance, this Redevelopment Plan shall prevail.

C. IMPACTS FROM CONSTRUCTION

The redeveloper(s) shall make every effort to minimize impacts from construction and other redevelopment actions on existing uses, parking and circulation patterns in the vicinity of the Redevelopment Area. The redeveloper(s) shall work with the Township to develop a plan for staging of equipment, vehicles and materials and/or for the parking of employee vehicles in such locations to minimize impacts on the residential communities to the east and south of the site.

D. APPROVALS BY OTHER AGENCIES

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

E. NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Council or by a redeveloper or any of his successors or assignees, whereby land within

the Redevelopment Area is restricted by the Township Council, or the redeveloper, upon the basis of race, creed, color, or national origin 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 or national origin.

F. DURATION OF THE PLAN

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of approval of this Redevelopment Plan by the Township Council.

G. DEVIATION REQUESTS

The Township Municipal Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures 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 developer of such property. The Township Municipal 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 the 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 *N.J.S.A. 40:55D-12a* and *b*.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area or changes to the bulk requirements listed in Chapter 3 of this Redevelopment Plan shall be permitted only by means of an amendment of the Redevelopment Plan by the Township 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.

H. ESCROWS

The redeveloper(s) shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Township to review the proposed redevelopment project and advise the Township on any and all aspects of the redevelopment process.

I. INFRASTRUCTURE

The redeveloper(s), at its cost and expense, shall provide all necessary engineering and traffic studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and stormwater sewer service 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, street trees, street lighting and its pro rata share of on- and off-site traffic controls and road improvements for the project or required as a result of the impacts of the project.

J. REDEVELOPER'S AGREEMENT

The Township and the redeveloper(s) shall enter into a redeveloper's agreement as permitted by the LRHL at *N.J.S.A. 40A:12A-9*. The redeveloper's agreement shall contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project.

6. OTHER PROVISIONS

In accordance with the LRHL, the following statements are made:

- ☐ The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Redevelopment Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Redevelopment Plan.
- ☐ The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- ☐ As described in Chapter 2, this Redevelopment Plan is substantially consistent with the Master Plan for the Township of Verona. As described in Chapter 5, the Redevelopment Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan and the draft State Strategic Plan.
- ☐ This Redevelopment Plan shall supersede all provisions of the Zoning Ordinance of the Township regulating development in the area addressed by this Redevelopment Plan, except where specifically mentioned within the text of this Redevelopment Plan. In all situations where zoning issues are not specifically addressed herein, the Township Zoning Ordinance shall, however, remain in effect. Final adoption of this Plan by the Township Council shall be considered an amendment of the Township Zoning Map.
- ☐ If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to

the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

- ☐ If an affordable housing obligation is generated by a proposed project in the Redevelopment Plan Area, then said obligation shall be addressed in the Redevelopment Agreement.

7. PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended subject to full compliance with all requirements of all applicable New Jersey State laws. The party requesting the amendments shall be required to post an escrow to defray the Township's costs in connection with the requested amendment. The Verona Township Council, 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.

RESOLUTION 2019-01

PLANNING BOARD of the TOWNSHIP OF VERONA

Review of Township of Verona Ordinance 2019-16 for Consistency with Master Plan

WHEREAS, The Governing Body of the Township of Verona passed Ordinance number 2019-16 (the “Ordinance”) on first reading; and

WHEREAS, the purpose of the Ordinance is to adopt the Depot and Pine Redevelopment Plan; and

WHEREAS, in accordance with NJSA 40A:12A-1 et seq., the New Jersey Local Redevelopment and Housing Law, the Planning Board is to determine whether the Ordinance is consistent with the Township of Verona Master Plan; and

WHEREAS, in accordance with NJSA 40A:12A-7, the Planning Board shall transmit to the Governing Body a report containing its recommendation concerning the Redevelopment Plan; and

WHEREAS, at a meeting held on May 23, 2019, the Planning Board considered the Ordinance in accordance with its statutory obligation.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of Verona, that:

The Ordinance is consistent with the Master Plan;

The Planning Board recommends that the Redevelopment Plan be modified to include:

- the addition of bulk standards;
- the addition of defined uses;
- the addition of requirements for distance between buildings;
- a provision setting forth how municipal services such as refuse pick up, will be handled;
- a provision setting forth parking location and parking standards;
- a provision for the location of mail boxes and recycling stations;
- a provision governing the style of building and other specifics relating to aesthetic appearance;
- the addition of an affordable housing component;
- allowance for traffic flow;
- a provision for storm water management;
- a provision that environmental impact analysis be a prerequisite to building.

NOW THERREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Township Manager, Township Council and Township Clerk.

Approved: May 23, 2019

Yes

No

Abstain

Chairman Larry Lonergan

Mr. Jim Kirby

Councilman Alex Roman

Mayor Kevin Ryan

Ms. Jessica Pearson

Mr. Steven Neale

Mr. Tim Camuti

Mr. Al DeOld