

Amended Roche Diagnostic Redevelopment Plan

**Block 2301, Lot 1
11 Franklin Avenue**

Prepared for:

**Belleville Township
Essex County, New Jersey**

**January 2018
Amended per
Planning Board Recommendations
February 8, 2018
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Section 1: Introduction

Block 2301, Lot 1 (the “Roche Diagnostic Area”, “Redevelopment Area”, or “property”) is an established Redevelopment Area located in the southerly portion of Belleville Township near the border of Belleville and the City of Newark. On June 11, 2013, the Township Council, acting on the recommendations of a preliminary investigation completed by the Township Planning Board, designated the Roche Diagnostic Area as an “Area in Need of Redevelopment” pursuant to the provisions of the Local Redevelopment and Housing Law (“the LRHL”). The Township Council subsequently adopted a Redevelopment Plan entitled Redevelopment Plan, Block 2301, Lot 1, Roche Diagnostic (“2013 Redevelopment Plan” or “Redevelopment Plan”), on August 27, 2013. The 2013 Redevelopment Plan outlines the redevelopment process and the basis for the property’s designation as an Area in Need of Redevelopment and establishes goals, objectives, land use and development requirements intended to govern the redevelopment of the property. On December 19, 2016, the 2013 plan was amended by Township Council pursuant to Ordinance No. 3463.

The 2013 Redevelopment Plan contemplated the redevelopment of the Roche Diagnostic Area with a mix of uses including “a variety of medical and wellness services and facilities and supporting activities, such as a hotel, restaurants, a pharmacy and retail stores.”¹ The 2013 Redevelopment Plan permitted a variety of commercial, personal service, office, gasoline service stations with convenience centers and medical uses as principal uses, certain retail uses as conditional uses, and provides for accessory uses deemed customary and incidental to permitted principal and conditional uses.

The 2016 Redevelopment Plan Amendment amended the list of permitted principal uses to stimulate redevelopment activity within the Redevelopment Area in a manner consistent with the goals and objectives of the Township Master Plan and the 2013 Redevelopment Plan. The December 19, 2016 amendment established development requirements for new uses where appropriate to ensure the Redevelopment Area is redeveloped in a functional and aesthetically pleasing manner.

In January of 2018, modifications primarily to signage and definitions pertaining to convenience stores with fuel sales are proposed to accommodate a permitted use. A section has also been added that allows the Planning Board to grant “c” or bulk variances in instances of “undue hardship”.

The proposed December 2020 amendment would permit a portion of the redevelopment area to be developed with mixed-use residential buildings in a form based configuration provided environmental remediation was performed to meet accepted residential standards.

¹ Redevelopment Plan, Block 2301, Lot 1, Roche Diagnostic (July 2013), p. 21.

Section 2: Area Description

The Redevelopment Area is an 18.71-acre tract of land located ~~located~~ *situated* in the southerly portion of Belleville Township proximate to the Belleville-Newark border. A *Boundary Map of the redevelopment plan area is included in Appendix C.*

~~The property is vacant with respect to use and is improved with the remnants of the previously existing industrial operation. The 2013 Redevelopment Plan, attached hereto as Appendix A, provides an overall description of the Redevelopment Area.~~

The redevelopment area is located at ~~11 Franklin Avenue~~, at the intersection of Franklin Avenue (CR-645) and Mill Street. The area is bounded by Mill Street to the northeast and Franklin Street to the southeast. It is surrounded by a variety of uses. Across Mill Street is the Mill Street Redevelopment Plan area containing senior housing, market rate housing, and a senior citizen center. To the southeast, across Franklin Avenue, is Branch Brook Park which is owned by the Essex County Park Commission and located within both the Township of Belleville and the City of Newark. To the south of the property is the Clara Maass Medical Center. Finally, to the northwest are single-family detached homes along Montgomery Place and to the west is the former Morris Canal.

Recently, construction of commercial development within the redevelopment plan area has begun. The area now contains a self-storage facility, a Wawa Convenience Store and gas dispensary, and recently, in November 2020, conditional site plan approval was received for a Starbucks Cafe with indoor and outdoor seating, a walk-up service window and a drive – up service aisle. New lighting, new access roadway and traffic signalization has also been installed.

Section 3: Redevelopment Plan Amendment Goals and Objectives

The ~~2013~~ Redevelopment Plan was prepared in order to achieve the following goals and objectives:

1. Improve the aesthetic appearance of the Redevelopment Area and correct the public health and safety hazards that exist on the site.
2. Create a first class mixed use district that includes state of the art medical service uses to support Clara Maass Medical Center.
3. Enhance the overall neighborhood with a quality development plan.
4. Increase property value and tax revenues in the Redevelopment Area.
5. Preserve as many of the large caliper trees as feasible within the Redevelopment Plan.

~~This Redevelopment Plan Amendment recognizes that the goals and objectives of the 2013 Redevelopment Plan remain valid. This Redevelopment Plan Amendment also establishes the following additional objective:~~

6. Expand the use of principal uses permitted in the Redevelopment Area to spur redevelopment in the Redevelopment Area and diversify the types of services available within the Redevelopment Area.

~~This Redevelopment Plan Amendment recognizes that the goals and objectives of the 2018 Redevelopment Plan remain valid. This Redevelopment Plan Amendment also establishes the following additional objective:~~

7. **Permit a wide variety of housing types, including senior housing, so that all types of families at all income groups can be housed in this new Belleville neighborhood.**
8. *Establish a new walkable neighborhood within the redevelopment area that establishes new pedestrian connections to the surrounding areas, parks and medical facilities.*
9. *Add a new mixed use residential neighborhood that takes the form of a traditional town center surrounding an open public gathering place able to accommodate programmed events, green space and casual seating.*
10. *Establish a new Belleville Morris Canal Park to commemorate and celebrate this important element of historic infrastructure.*
11. *Strengthen pedestrian and bicycle connections to Branch Brook Park and other local destinations surrounding the redevelopment area.*
12. *Provide for senior housing opportunities that keep up with the needs of Belleville Township's growing population of older residents and insure that aging-friendly planning projects and programs are incorporated into this new community.*

Section 4: Form Based Development Requirements

1. *The redevelopment area shall be divided into two districts as identified in Figure 6 - Redevelopment Area District Map. They include the Residential Mixed Use District and the General Commercial District.*

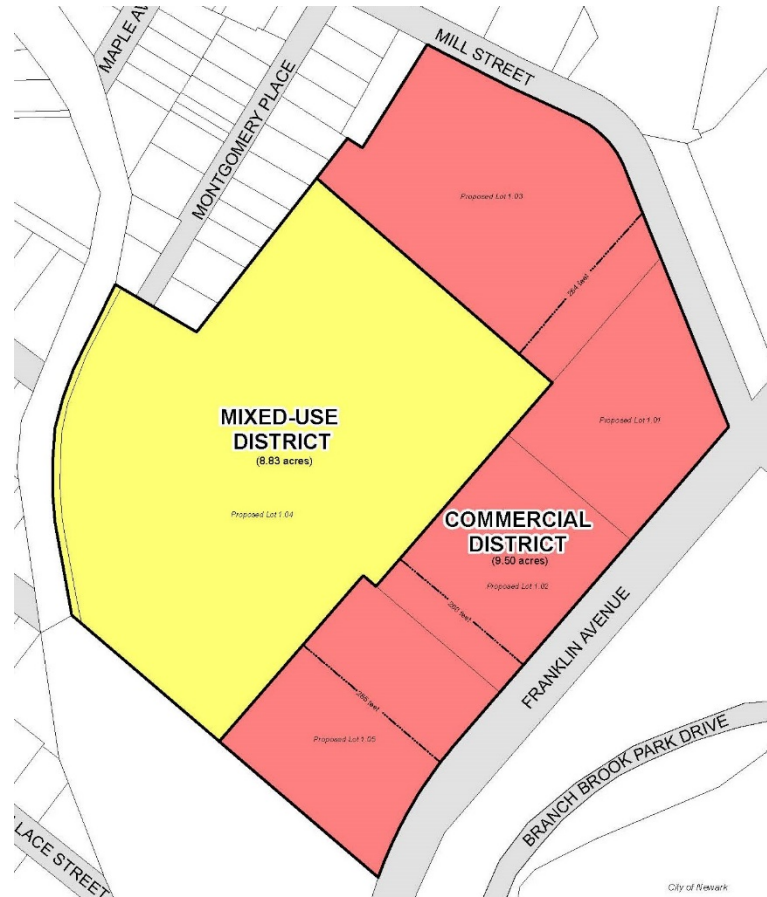


Figure 6 - Redevelopment Area District Map

2. *The General Commercial District shall be maintained and continue to permit the uses controlled by area, yard, bulk and maximum square footage. The placement and design of any future commercial building along Franklin Avenue shall be situated so as not to block access or views into Mixed Use Plaza.*
3. *The Residential Mixed Use District shall be designed to develop a new village style neighborhood loosely following the Concept Plan depicted in Figure 7. The building and street locations and sizes are not meant to be exact. Their exact locations shall be determined at the level of Site Plan review. The development shall maintain the characteristics outlined below:*
 - i. *The buildings shall be focused around two major open space nodes.*

- ii. *One node shall be purely residential with buildings situated around a private outdoor amenity space that includes customary outdoor amenities, and at a minimum, includes a pool, grass and paved sunning areas with lounge chairs, barbeque facilities, tables and a gas fire pit. A fenced dog run with water and benches shall also be provided within the Residential Mixed Use District area.*
- iii. *The second node shall include mixed-use residential buildings. Buildings 1 & 4 are required to incorporate retail and restaurant uses on the ground floor with adjacent outdoor dining facilities. Buildings 2 & 3 have the option to develop the ground floor with retail, restaurant, interior amenity space and/or office space.*
- iv. *The Concept Plan in Figure 7 – Form Based Concept and Required Open Space Map Identifies the location of the Belleville Morris Canal Park, the open space nodes and the approximate location of the surrounding buildings and roadways.*
- v. *All buildings within this node are permitted to develop the second floor or portion of the second floor(s) with office uses.*
- vi. *A minimum of 10,000 square feet of floor area shall be provided to the Belleville Township Board of Education to be used for office space or Pre-K classroom space and incorporated into a phase one building at no cost for a period of 5 years. The condition of the space to be rented and details of the lease shall be addressed in the redevelopment agreement.*
- vii. *This mixed use residential second node of open space area shall be remain privately owned but be opened to the public and contain, at a minimum, the following amenities; an amphitheater, a fountain, the Belleville Morris Canal Park, grass or artificial turf play surfaces and movable tables and chairs, lighting, wifi, electric connections for audio and visual events and holiday lighting.*
- viii. *The building areas adjacent to the amenity space shall not include parking. They shall be occupied by interior amenity space, building services or residential units. This requirement is intentional and it is not what is depicted in the concept plan design.*
- ix. *Construction of the open space node improvements shall be required in conjunction with the construction of the first building around each node.*
- x. *All Mixed Use buildings shall be constructed with direct access to internal streets.*
- xi. *All internal streets shall be publicly accessible.*

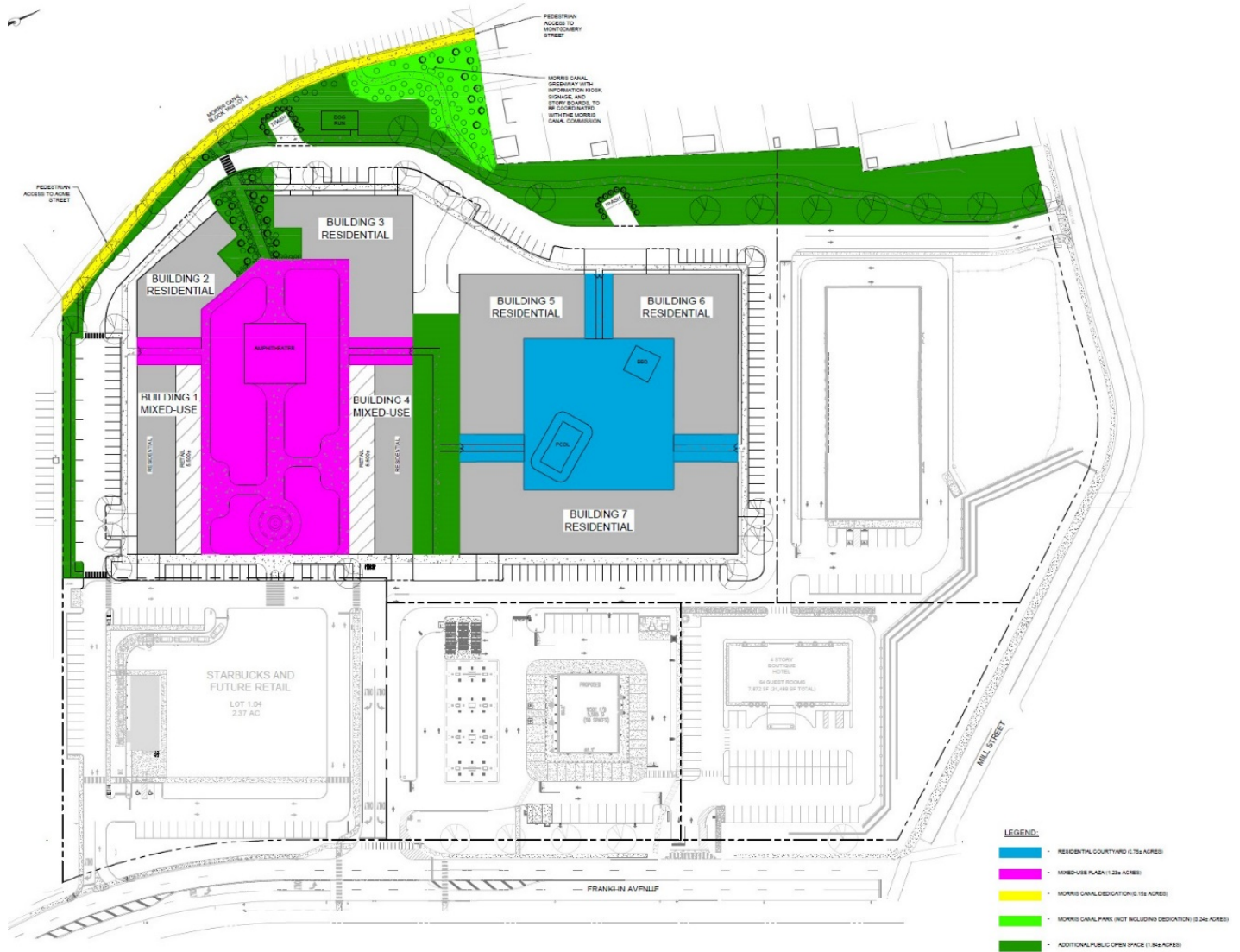


Figure 7 – Form Based Concept and Required Open Space Map

4. Phasing within the Residential Mixed Use District

- i. Buildings 1-4, the mixed use plaza and the Belleville Morris Canal Park shall be constructed as part of Phase 1 and opened when the first unit is open for occupancy. The park area shall not be utilized for staging during phase 2 construction.
- ii. Buildings 5-7 and the residential courtyard shall be developed as Phase 2.
- iii. Outdoor Amenity space shall be shared between all Phase 1 and 2 building occupants.

- iv. *The Planning Board shall be satisfied that adequate roadway access is constructed to safely accommodate vehicular and pedestrian circulation for each phase.*
- 5. *The Belleville Morris Canal Park shall be opened to the public from dawn to dusk. It is to be improved by the redeveloper with site plan approval from the Planning Board. To insure it remains as an open public recreation space a public access and conservation easement shall be required and implemented through the redevelopment agreement. The park area may remain in private ownership but it shall be maintained by the redeveloper or their successors. At a minimum, walkways, lighting, landscaping, seating, trash receptacles and interpretive signage shall be provided in the park.*
- 6. *The minimum required open space is as follows:*

<i>Land Use Sub-districts and Open Space Areas</i>		
<i>District</i>	<i>Area (Acres)</i>	<i>% of Sub-district</i>
<i>Commercial District Lots 1.01, 1.02, 1.03, 1.05</i>	<i>9.5</i>	
<i>Mixed-Use Residential District Lot 1.04</i>	<i>8.83</i>	
<i>Residential Courtyard</i>	<i>0.75</i>	<i>8%</i>
<i>Mixed-Use Plaza</i>	<i>1.23</i>	<i>14%</i>
<i>Morris Canal Dedication</i>	<i>0.15</i>	<i>2%</i>
<i>Morris Canal Park</i>	<i>0.24</i>	<i>3%</i>
<i>Additional Public Open Space</i>	<i>1.84</i>	<i>21%</i>
<i>Site wide Area</i>	<i>18.33</i>	

Section 5: 2018 2020 Land Uses and Design Standards with Proposed

The 2016 Redevelopment Plan Amendment served to expand the list of permitted uses within the Redevelopment Area to provide for additional flexibility and facilitate the timely redevelopment of the Redevelopment Area. The 2018 Redevelopment Plan Amendment is revised to incorporate the following with proposed changes/additions highlighted in **bold** and *italics* and deletions shown in strikethrough.

1. General Commercial District Permitted Principal Uses

In the Redevelopment Area, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for one or more of the following principal uses:

- a. Pharmacy with drive-through facilities²
- b. Hotels and conference center, which may include an on-site restaurant
- c. Dispensing opticians
- d. Fast food restaurants and coffee service outlets with drive-through facilities²
- e. Fitness center
- f. Sit down eating and drinking establishments
- g. Home health agencies, visiting nurses' service, homemakers' service
- h. Ambulance services
- i. Medical and dental offices
- j. Medical-related administrative offices
- k. Research, development and testing services
- l. Professional offices
- m. Massage therapy and health spa
- n. Personal services such as barber and beauty salons, dry cleaners
- o. Finance and insurance, including banks with drive-through facilities²
- p. Business services, duplicating
- q. Wireless facilities
- r. Social service providers
- s. Medical, surgical and dental equipment sales and service (wholesale and retail)
- t. Retail goods and services with a maximum floor area of 50,000 square feet ~~for~~ **with no individual store having an excess of 15,000 square feet in floor area.** ~~individual stores which shall include but not be limited to retail convenience stores with fuel sales.~~
- u. **Retail convenience store with fuel sales**
- v. Self-storage facilities

2. Residential Mixed Use District Permitted and Prohibited Principal Uses

- a. **Permitted residential uses of the following classifications: ~~with residential units only permitted above the ground floor~~**
 - i. **Multi-family dwellings – to be permitted in buildings 1 thru 7.**
 - ii. **Mixed-use commercial-residential buildings - to be required in buildings 1 and 4 and permitted in buildings 2 and 3.**
 - iii. **Live-work units - to be permitted in buildings 1 thru 4**
 - iv. **Age-restricted housing- to be required in buildings 5 thru 7.**

² All drive-through facilities shall be located to the rear or side of the building.

b. Ground floor retail-

Required on the Plaza Frontage of Buildings 1 and 4; and

Permitted on the entire ground floor of Buildings 1 thru 4; and

Ground floor retail is defined as - Premises available for the commercial sale of merchandise and prepared foods, and premises available for commercial services such as personal care, pet care/ boarding, and tutoring but excluding general offices, professional or medical offices and industrial manufacturing activity. Examples of permitted uses include, but are not limited to: markets, stores, outlets, convenience centers, pop-up storefronts, galleries, entertainment establishments, arts and crafts activity businesses, dance and fitness studios, restaurants, cafes, bars, breweries, night clubs, etc.

c. Office Uses-

Permitted in Building 2 and 3 on the ground floor and buildings 1 thru 4 on the 2nd floor.

Office Uses to be defined as any professional or general office, co-working space, and medical offices but excluding clinics, rehabilitation facilities and urgent care facilities.

d. Pre-Kindergarten Class Rooms-

Permitted in Buildings 3 and 4 on the ground floor.

e. All Retail sales and service uses, including a walk-up ATM on the facade are permitted within the ground floor space, except the uses prohibited in paragraph d. herein.

f. Prohibited Uses

- i. Auto and body repair,*
- ii. Auto sales, auctions and dealerships,*
- iii. Truck, motorcycle or recreational vehicle sales, auctions and dealerships,*
- iv. Used car storage*
- v. Gas stations,*
- vi. Car washes,*
- vii. Self-storage facilities,*
- viii. Drive-up facilities of any kind, except exterior walk-up outdoor pick-up of car service related to the current Covid-19 health crisis are permitted*
- ix. Hotels and motels*
- x. Lumber yards, junk yards and other open air storage or sales facilities*

3. Permitted Accessory Uses

- a.** In the Redevelopment Area, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for accessory uses customary and incidental to principal ~~and conditional~~ uses are permitted in the Redevelopment Area.

- b. Accessory residential uses may include, but not be limited, to residential lobbies, amenity spaces, mechanical areas, parking, etc., and shall be permitted on the ground floor.

~~3. Permitted Conditional Uses~~

- ~~a. Retail uses totaling a maximum of 50,000 square feet with no individual store having an excess of 15,000 square feet in floor area. [editor's note – This text was moved text to the permitted use list]~~

4. Area and Bulk Regulations

~~a. Permitted Principal Uses~~

a. For all zones and all permitted uses except a retail convenience store with fuel sales

(except retail convenience store with fuel sales)

- i. Minimum lot size: one acre
- ii. Minimum front yard setback to *Franklin Avenue*: 15 feet
Minimum Front Yard setback to Mill Street: 40 feet
- iii. Minimum front yard setback to internal street *curb: 8 15 feet* ~~10 feet~~
- iv. Minimum distance to residential district: 15 feet
- v. Minimum distance between buildings: *15 30 feet along secondary building sides and -60 feet along the building length.* ~~20 feet~~
- ~~vi.~~ Maximum building height: ~~four~~ *five stories above grade at building edge.* However, the Redevelopment Plan permits an increase in the number of stories to a maximum of seven stories to allow for the construction of *It is noted that this redevelopment plan permits additional levels of parking underneath the building in addition to the 5 stories permitted above grade.* ~~or structured parking or a mixed-use building.~~
- vii. Maximum impervious coverage for overall *Redevelopment Area* ~~tract~~: 75 percent
- ~~b. In addition to the above requirements the following~~ ***Additional bulk and design regulations that shall apply to all the Residential Mixed-Use Zone uses:***
 - i. *Maximum of 530 dwelling units or a density of 60 dwelling units per acre, (whichever is less), to be calculated within the Mixed-use Residential District Boundary area identified in Figure 7.*
 - ii. *A minimum of 280 Age-Restricted Senior Housing units shall be located in buildings 5-7 around the residential courtyard.*
 - iii. *Bedroom mix/distribution for Age-Restricted Senior Housing shall be:*
 - 1. *1-bedroom units: 60%*
 - 2. *2-bedroom units: 40%*

- 3. Studio units: 20% maximum For buildings consisting of eight (8) or more dwelling units:**
- iv. *A Maximum of 240 Non-Age Restricted Housing units shall be located in buildings 1-4.*
 - v. *Bedroom Mix for Non-Age Restricted Housing shall be:*
 1. *1-bedroom units: 80 % maximum*
 2. *2-bedroom units: 20 % maximum*
 3. *Studio units: 20% maximum*
 - vi. *The floor plan layout for age restricted units is flexible and may contain traditional dining rooms, dens, studies, etc. The floor plan for non-age restricted units shall be of the open floor plan type. Any rooms such as a den, family room, study, library, etc. will count as an additional bedroom and require an additional parking space for each additional room.*
 - vii. *Maximum Building Height/stories - 5 stories with a maximum height of 65 feet.*
 - viii. *Additional Building floor Area Permitted: An enclosed rooftop amenity space of up to 12 feet in height and covering a maximum of 20% of the total roof area of the individual building on which it is located is permitted and it shall not be counted towards the maximum building height or number of stories provided improved rooftop outdoor amenity space is made available to tenants in conjunction with the indoor amenity space. Each building is permitted this additional amenity area.*
 - ix. *The Mixed Use Plaza, Amenities and Programing*
 1. *Outdoor markets and outdoor festivals are to be made part of the plaza and surface parking lot programing. The plaza shall accommodate special annual public events as is outlined in the Redevelopers agreement entered into between the Township and the developer of the project. All future owners will be bound by the special event agreements outlined within the redevelopment agreement and plan.*
 2. *Movable tables and chairs and furnishings, decorative surface treatment, trees, landscaping, string lights across the plaza to avoid lite poles within, free Wi-Fi service, entertainment support facilities of electrical outlets for speakers and live entertainment, audio/video presentations, shall be provided for in the plaza. The plaza may also contain gas fire pits, life-sized game boards and other similar outdoor festival equipment.*
 - *Indoor shared amenity space shall be provided at a rate of: 20 square feet of interior amenity floor area per unit.*

- *Improved shared outdoor surface amenity space shall be provided at a rate of: 30 square feet of outdoor amenity floor area per unit.*
- *Shared outdoor public space shall be provided as identified in Section 4 and Figure 7 - Required Outdoor spaces. The required space identified in Figure 7 shall be interpreted to include the per unit area requirements listed in items i. and ii.*
- *The dog may be provided within the Belleville Morris Canal Park. If it is to be within the park it shall be open to the public, if it is outside the park it would be for residents only. The dog run shall not be permitted within the Mixed Use Plaza open space node.*
- *Indoor shared amenity space shall contain, at a minimum, a club room with kitchen facilities for when tenants hold group events or host visitors, a gym with fitness equipment, yoga room, game room with pool-table, ping pong table and other play tables and video games shall be provided. Other additional amenities such as a business center, toddler play area, roof top passive space and other newly evolving residential amenities that are considered customary should be considered.*

x. — Maximum height of rooftop structures: 10 feet

e. — Building amenities for residential development: multi-family, mixed-use residential, and live-work units,: 50 square feet of floor area per unit shall be used for residential amenity space that may include but not be limited to gyms, lounge, roof deck, dog runs.

i. —

a. — Permitted conditional uses

- i. Minimum lot size: 1.6 acres for retail uses
- ii. Minimum front yard setback: 15 feet
- iii. Minimum setback to residential districts: 50 feet
- iv. Minimum side and rear yard setback, each: 20 feet
- v. Minimum distance between buildings: 20 feet

c. Area and Bulk Regulations for Retail convenience store with fuel sales

- i. Minimum lot size: one acre
- ii. Minimum front yard setback: 30 feet to Franklin Avenue
- iii. Minimum front yard setback to internal street: 30 feet
- iv. Minimum side yard setback: 10 feet
- v. Minimum rear yard setback: 20 feet
- vi. Minimum distance to residential district: 20 feet

5. Off-street parking and circulation

a. General Provisions

- b. All parking spaces within any parking area shall be clearly marked and maintained to show the parking arrangement within said parking area.
- c. All standard parking spaces shall measure no less than 9 feet in width by 18 feet in length. *A maximum of 20% of all parking spaces may be compact spaces. All compact spaces shall measure no less than 15 feet in width by 18 feet in length.*
- d. All lighting for off-street parking areas shall be so arranged and shielded as to reflect the light downward and prevent any light from shining directly on adjoining streets, residential zones and residential buildings.
- e. Parking lot lighting shall provide a maintained average illumination level of 0.5 footcandles.
- f. The number, location, size and marking of spaces shall conform to the design requirements required for such spaces by the State of New Jersey (barrier-free design (N.J.S.A. 52:32-12)) and the Americans with Disabilities Act of 1990.
- g. Parking may be located under the building, underground, **above ground within an enclosed building or garage** or ~~on the~~ **in** surface lots.
- h. All parking lots shall be interconnected within the Redevelopment Area.
- i. *Internal roadways shall be designed to, eliminate superblocs, reduce and minimize vehicular and pedestrian conflicts at intersections and create a free and safe flow of traffic.*
- j. *Areas between residential and/or mixed-use buildings shall not be automobile oriented and shall include, internal sidewalks and pathways, open space and pedestrian plazas. Parking and vehicle circulation shall be located on the periphery of the mixed-use residential and residential buildings.*

d. Parking ratios

Use Type	Minimum off-street parking spaces per square feet of building floor area*
Retail & Personal Service	1 space per 275 square feet
Medical Office	1 space per 275 square feet
Fitness/Rehab	1 space per 200 square feet
Laboratory	1 space per 500 square feet
Hotel	1 space per room
Restaurant	1 space per 150 square feet
Pharmacy	1 space per 500 square feet
Ambulance Service	1 space per employee
Professional & Other Office	1 space per 350 square feet
Massage Therapy/Health Spa	1 space per 350 square feet
Financial and Banks	1 space per 400 square feet

<i>School or Pre-Kindergarten</i>	<i>1 space per class room</i>
Retail convenience store with fuel sales**	1 space per 150 square feet
Self-Storage Facility	1 space per 5,500 square feet or 0.75 spaces per 100 storage units, whichever is greater^
<i>Residential Use Type</i>	<i>Minimum off-street parking spaces per unit*</i>
<i>Multi-Family Dwellings</i>	<i>1.0 space per bedroom</i>
<i>Live-Work Units</i>	<i>1.0 space per bedroom</i>
<i>Age-Restricted Housing</i>	<i>0.5 space per bedroom</i>
<i>Mixed-Use Commercial Residential</i>	
<i>Commercial</i>	<i>1.0 space per 800 square feet, after the first 500 square feet per tenant.</i>
<i>Residential Units</i>	<i>Studio or 1 bedroom unit: 0.5 space per unit 2 bedroom unit: 1.0 space per unit 3 or more bedrooms: 1.5 spaces per unit</i>
<i>Residential Units Visitor Parking ***</i>	<i>1 visitor space for every 10 resident spaces</i>
<p>*A reduction in the minimum required parking ratio is permitted with a comprehensive parking plan for the entire Redevelopment Plan based on shared parking agreements or specific parking demand information, mass transit utilization, use of on-street parking, including testimony by a professional traffic engineer documenting actual parking usage experiences for proposed uses <i>at the discretion of the Planning Board.</i></p> <p>**Each fueling position associated with such use may be considered one (1) parking space.</p> <p>^Self-storage facilities shall be required to provide adequate loading areas and on-site circulation to accommodate the use. The number of loading spaces and design of on-site circulation shall be subject to the review and approval of the Township Planning Board, and any development application proposing such a use shall provide an analysis of on-site loading and circulation facilities for consideration by the Board.</p> <p>*** <i>Visitor Parking – Any multi-family residential project or building containing 40 dwelling units or greater shall be required to provide visitor parking spaces in addition to the minimum per unit space requirements of this chapter. There shall be a minimum of 1 visitor space for every 10 resident spaces. The spaces shall be labeled as visitor parking and be evenly dispersed throughout the project when there are multiple residential buildings. These spaces shall not be rented from off-site locations.</i></p>	

e. Interior parking lot landscaping

- i. One shade tree or ornamental tree with foliage no lower than a height of 7 feet shall be provided for every 25 parking spaces.
- ii. Each shade tree shall be planted in an area with a minimum of 125 square feet.

6. Pedestrian Accessibility

- a. Sidewalks shall be provided around the perimeter of the Redevelopment Area, along all adjacent streets, and connecting all uses along internal street(s).
- ~~b. All sidewalks shall be a minimum of 5 feet wide and shall be durably paved and smoothly surfaced to provide for the free movement of pedestrians.~~
- c. All sidewalks must be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the Americans with Disabilities Act. *Exemptions to incorporate stairs within some sidewalks when connecting the site interior to Franklin Avenue and Mill Street may be warranted.*
- d. *Sidewalks shall be a minimum of 6 feet fronting residential ground-floor uses and 8 feet fronting retail ground-floor uses.*
- e. ~~Any~~ *All garaged access driveways shall require utilize drop curbs along the main internal roadway and driveway aprons to meet elevated sidewalk. Curb returns at driveways are prohibited.*
- f. *Sidewalks shall all be located along both sides of internal roadways, where feasible.*
- g. *Pedestrian access to the adjacent Clara Maass facility site shall be provided to the Planning Boards satisfaction.*

7. Trees

- a. A number of specimen trees exist on the property. The Comprehensive Plan for the Redevelopment Area shall preserve the maximum feasibly number of healthy, mature trees.

8. Trash

- a. ~~Trash receptacles~~ *Trash dumpsters* shall be enclosed within a *decorative* solid masonry enclosure *and behind a solid decorative door*.
- b. Such facilities shall be designed so that they fit within an overall project design.
- c. Provisions for the collection, disposal and recycling of recyclable materials shall be subject to any other applicable ordinances of the Township of Belleville.
- ~~d. Trash enclosures shall be located to minimize public view of the enclosure. vehicular and pedestrian conflicts during collection.~~
- e. *Trash enclosures shall be screened and landscaped.*

9. Building Design

- a. *The visual terminus of the new main project entry street is an important project element. The view from the entrance will likely be the short side, or width, of one of the mixed use residential buildings. This façade shall be designed and treated as a*

formal building front and architecturally appointed attractively as a front – not a typical building side to accommodate its importance.

- b. All building shall be constructed with high quality durable materials in both the exterior and interior. The interior of every unit shall all be improved with high quality finishes, central air, and a washer/dryer and master bedroom with walk-in closet.*
- c. Building wall offsets, including both projections and recesses, shall be provided along any street-facing building wall measuring greater than 50 feet in length in order to provided architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall.
- d. Vertical offsets can include pilasters, projecting bays, changes in façade materials and balconies.
- e. The architectural treatment of a façade shall be completely continued around all ~~street facing~~ facades of a building. All sides of a building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details.
- f. The shape, pitch and color of a roof shall be architecturally compatible with the style, materials and colors of such building.
- g. All buildings shall feature a base, *middle and a distinctive* cap.
- h. ~~If the building has a flat roof,~~ A parapet shall project vertically to hide any roof-mounted mechanical equipment. Additionally, a cornice *or other decorative fenestration* shall project out horizontally from the façade and shall be ornamented with moldings, brackets or other details.
- i. Roof top heating, ventilating and air-conditioning (HVAC) systems, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be inconspicuous as viewed from the street and adjacent properties *both within and around the redevelopment plan area.*
- j. All façade air conditioning, heating units or PTAC units shall be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids. Vent grills shall be hidden behind decorative iron or metal work which complements the style of the building.*
- k. *Façade materials for residential uses may include a mix of composite stone masonry units, brick, decorative metal, glass and fiber cement siding. ~~and~~ Fiber cement panels, concrete or split face block, and aluminum or vinyl siding are prohibited.*
- l. All building design and landscaping shall be designed to be attractive from each vantage point and be consistent in their quality and finish on all elevations.*
- m. Buildings shall be designed using a color palette that complements the architectural context of the surrounding area.*

- n. *The visual impact of any parking facilities, or other accessory utility structures shall be minimized and screened to the greatest extent feasible.*
- o. *Blank or featureless walls shall be avoided are prohibited.*
- p. *High quality durable decorative materials shall be incorporated in to the ~~ground floor~~ façade. ~~along a public R-O-W.~~*
- q. *Residential and retail entrances shall be at street level and open directly onto the sidewalk or plaza areas. Multi-unit residential building may be designed with main lobby points of ingress and egress, however, all residential building fronting on internal or external roadways shall also incorporate traditional front stoops. This will provide: a second means of access to those units, increase safety by providing eyes on the street from the residences, improve the attractiveness of the building façade and create an essential neighborhood characteristic for this new community.*
- r. *Garages*
 - i. *Buildings on stilts with exposed first floor parking are prohibited.*
 - ii. *Ground floor garages adjacent to ~~Washington Street or any side~~ any internal or external street shall are encouraged to be wrapped by a permitted or accessory first floor use or the residential lobby. Any ~~upper floor~~ exposed garage or garage exposed on a non-street frontage façade shall contain punched openings designed to maintain the look of the residential windows on the balance of the building. These openings shall also incorporate decorative screening, metal or grills to shield internal garage lighting.*
 - iii. *All garages shall incorporate a decorative garage door that is consistent with building design that is electronically controlled opening and closing immediately for the traveling vehicle.*
 - iv. *Driveways accessing parking or a garage shall not utilize curb returns. They shall instead maintain the continuation of the sidewalk treatment across the driveway and incorporate a driveway apron and drop curb at the street.*
 - v. *One driveway, ~~on each street shall be permitted at~~ a maximum width of 24 feet, is permitted for each building. An additional access driveway shall be permitted for and below grade parking to avoid internal ramps.*

10. Landscaping and Open Space Requirements

- a. Any area not used for building, structures or paved areas shall be planted with an all-season ground cover or lawn and other landscape materials including, but not limited, trees, shrubs, plants, etc. Approaches to all structures and entrances shall be attractively shrubbed and planted.
- b. A minimum 50-foot landscape buffer to all residential ~~properties~~ **homes** abutting the Redevelopment Area shall be provided. Within the 50-foot landscape buffer all existing, healthy trees shall be maintained. The existing vegetation shall be supplemented by evergreens and understory shrubs to form a dense screen.

- i. At the time of installation, evergreens shall be a minimum of 8 feet in height and understory shrubs shall be a minimum of 36 inches in height.
 - ii. Evergreens and shrubs shall be planted in a staggered fashion.
 - iii. ***Accessory structures may be permitted within buffer. Any accessory structures shall be enclosed with same combination of façade materials as principal structures and shall have foundation landscaping.***
- c. Trees shall be planted along both sides of any new interior street at a rate of 1 tree per 50 35 linear feet. Trees shall be planted between the street and the required sidewalks. Street trees shall be located at least 2.5 feet away from the curb.
- d. Landscaping planting details. Plant selection should conform to the following general design principles:
- i. All landscape plants should be native species and typical full specimens conforming to the American Association of Nurserymen Standards (ANA) for quality and installation.
 - ii. Local soil conditions and water availability should be considered in the plan selection. All plants shall be tolerant of specific site conditions.
 - iii. Landscaping shall not inhibit access by emergency vehicle or inhibit visibility within required vehicular site triangles.
 - iv. ***A large majority of the plants introduced will be native species and will consist of a mix of shade trees, flowering trees, shrubs, and perennials. Once established they will require minimal watering and maintenance. A variety of plant types and species is desirable to provide seasonal interest, increase biodiversity, and to provide habitat and a food source for pollinators. Typical native plants to be considered, but not limited to, are as follows:***
 - (1) ***Shade Trees: Red Maple, Sugar Maple, Red Oak, Tupelo***
 - (2) ***Evergreen Trees: Eastern White Pine, Eastern Red Cedar, American Holly***
 - (3) ***Shrubs: Winterberry Holly, Red Twig Dogwood, Virginia Sweetspire, New Jersey Tea, Arrowwood Viburnum, Mount Laurel, Witch Alder, Spicebush, American Pussy Willow, Smooth Hydrangea***
 - (4) ***Perennials: Bee Balm, Black-eyed Susan, Cone Flower, Butterfly Milkweed, Liatris, Monarda, Phlox, Blue Flag, Mountain Mint, Fox Glove, Obedient Plant***
 - (5) ***Grasses Switchgrass, Indian Grass, Carex***
 - (6) ***Cherry Trees will be introduced at select areas in order to reinforce the strong landscape and visual connection to the surrounding neighborhood and historic Branch Brook Park where the species is prevalent.***
- e. General Planting Specifications
- i. Deciduous trees shall be a minimum of two and one-half inch (2.5”) caliper measured six (6) inches above the ground surface at the time of installation. Size of evergreens and deciduous shrubs shall be allowed to vary depending on setting and type of shrub.

Only nursery-grown plant materials shall be acceptable horticultural standards. Dead or dying plants shall be replaced during the following planting season and guaranteed by the landscape contractor for a period of one (1) year.

- ii. All plant materials, planting practices and specifications shall be in accordance with the “American Standards for Nursery Stock” by the American Association of Nurserymen Standards.
- iii. The plant species selected should be hardy for the particular climatic zone in which the development is located and appropriate in terms of function and size.
- iv. A landscape plan shall be prepared by a registered landscape architect in conformance with the aforementioned requirements.
- v. *A consistent landscape vocabulary of plants will reinforce greenway and pedestrian connections within the property and to off-site destinations such as Branch Brook Park, the Morris Canal Greenway and to Franklin Avenue and Mill Street. The landscape plan will reflect the informal landscape character of the surrounding neighborhood and Branch Brook Park.*

f. Residential/Mixed-use Plaza Specifications

- i. *Open Space designated for public use shall include walkways and plaza niches designed to accommodate passive recreation, sitting, and outdoor dining. Seating options (moveable tables and chairs, seat walls, planters) will allow for flexible programming and use of the space. An open lawn area, plaza area, fountain and an amphitheater type feature will provide a space for community gatherings. A focal element such as a water feature will act as a visual terminus when approaching from the east and west. The amphitheater shall be a raised covered structure of attractive modern design equipped with lighting and sound fixtures. Its placement size and design shall be reviewed and approved by the Planning Board.*
- ii. *The Morris Canal Greenway will be planted with native shade and flowering trees. Shrubs and perennials will enhance pedestrian gateways, and incorporate iterative interpretative displays. areas. New plants will be integrated with existing mature trees identified to be preserved.*
- iii. *A landscaped gateway area shall be located across from the Morris Canal greenway to serve as a connection between the greenway and the main plaza area. The space will serve as a pedestrian connector and will be enhanced with layered plantings consisting of a perennial border, shrub layer; and clusters of flowering and evergreen trees adjacent to the residential units.*
- iv. *Streetscapes will be enhanced with plantings and street trees providing shade and creating a pedestrian friendly environment.*
- v. *All buildings shall be set back to provide space for a front yard to include landscaping and streetscape furniture such as benches, bicycle racks, and trash receptacles.*
- vi. *Trash enclosures will be screened and softened with a mix of native shrubs, flowering trees and grasses.*

- vii. *Open space designated for residents shall include residential amenities such as, pools, club houses, and outdoor BBQ and fire pits. Open space designated for residents shall be restricted or gated from other areas.*
 - viii. *Lighting in open spaces shall be a mix of lighting including accent, string, and bollard lighting.*
 - ix. *The public node plaza entry ~~A visual terminus, such as a landscaped berm, to~~ shall be developed with a fountain ~~or monument, shall be incorporated toward the western end of the main access road from Franklin Avenue.~~ Shade trees shall be planted surrounding fountain elements. Fountain shall incorporate ledge seating.*
- g. Fences**
- i. *No chain link fences shall be permitted.*
 - ii. *Barbed wire, razor wire, or other such materials are prohibited on any fence within the Redevelopment Area.*
 - iii. *Fences in a side or rear yard area shall have a maximum height of 5 feet.*
 - iv. *Retaining walls shall be constructed of a material, or clad with a material, that complements the design of buildings and landscaping on the site.*

11. Site Signage

Architecturally designed monument signs, easily readable, are encouraged as entry elements at each of the main drive entrances. On-site directional signs shall be of consistent design with materials and colors that complement the buildings. On-site directional signs may be lighted either internally or externally, consistent with good wayfinding. Traffic signs on the main roadways shall be consistent with those found on Township streets and/or industry standards for such signage.

Entry monumentation for the Redevelopment Area is intended identify entrances to the project and establish an architectural and aesthetic theme for signage within the Redevelopment Area. A graphic signage theme shall be developed for the entire Redevelopment Area. National franchises and corporations shall develop sign packages that blend established corporate branding graphics and logos with the established architectural and aesthetic theme for signage within the Redevelopment Area.

An important consideration in these design guidelines is the hierarchy of signage that is necessary in this development. The Redevelopment Plan will incorporate six levels of signage, which are discussed in greater detail below: (1) major project entry monumentation, (2) project directional signage, (3) tenant and address signage, (4) building identification signage, (5) street and traffic control signage, and (6) temporary signage.

All signage shall comply with the following standards:

- a. General
 - i. No sign shall be closer than ten (10) feet to the front or exterior side property line.

- ii. No sign shall encroach into the public right-of-way.
 - iii. No sign shall be roof-mounted.
 - iv. No sign is to be directly painted onto any wall, building, or structure.
 - v. No pole signs shall be allowed.
 - vi. Metal or plastic faced letters or signs that are backlit or externally illuminated shall be allowed. Signage incorporating static LED messaging shall be prohibited, except that static LED messaging shall be permitted to advertise fuel prices for gasoline service stations within convenience centers.
- b. The following standards shall apply to single-tenant or single-parcel businesses:
- i. Wall signs shall be limited to identification of business or identifying logo.
 - ii. Street addresses shall be incorporated into the face or structure of all freestanding signs and on buildings.
 - iii. Wall signs shall be limited as follows:
 - (1) Two (2) per street frontage, not to exceed two (2) per business.
 - (2) Maximum 70 square feet in each sign area per sign consistent with Figure 2.
 - (3) Maximum vertical dimension of a wall sign shall not exceed six (6) feet.
 - iv. Monument type (freestanding) signs shall conform to the following:
 - (1) Maximum Number: One (1) per frontage, but not to exceed a total of two (2) freestanding signs.
 - (2) Maximum Sign Area (lettering): 52 square feet per each side of sign.
 - (3) Maximum Height: Not to exceed eight (8) feet consistent with Figure 3.
 - v. Ancillary signage such as directional signs (loading areas, shipping and receiving, guest and employee parking, building identification, etc.) and stop signs must be specified as part of a comprehensive sign program for the entire project.
 - vi. Retail convenience stores with fuel sales canopy signage and fuel pump banner signage may be specified as part of a comprehensive sign program for the entire project subject to the approval of the board.
 - vii. Canopy signage measuring up to 17 square feet in sign area (See example in Figure 4) and fuel pump banner signage measuring up to 40 square feet in sign area per sign as illustrated in Figure 5.
- c. The following standards shall apply to multi-tenant or multiple use businesses:
- i. General Sign Requirements
 - (1) Wall signs shall identify the individual business, use, or identifying logo.
 - (2) All projects with more than two (2) tenants or uses shall develop a comprehensive sign program.
 - (3) Street addresses shall be incorporated into the face or structure of the freestanding sign and on buildings.

- (4) *All signs are subject to site plan review.*
- ii. Wall signs shall conform to the following standards:
- (1) Maximum Number: One (1) per business per street or parking area frontage, not to exceed two (2) per business.
 - (2) Maximum Sign Area: Four (4) percent of the building face, not to exceed 32 square feet.
 - (3) Maximum Height: Not to project above the roofline. The overall vertical dimension of a wall sign shall not exceed four (4) feet for individual tenants.
 - (4) No roof signs shall be allowed.
 - (5) *No signs above the first floor are allowed*
- iii. Monument type (freestanding) signs shall conform to the following:
- (1) Maximum Number: One (1) per entrance drive.
 - (2) Maximum Sign Area (lettering): 48 square feet per each side of sign.
 - (3) Maximum Height: eight (8) feet.
- iv. *Mixed-use/residential signage shall conform to the following:*
- (1) *All signs shall be flush mounted and project no more than 15 inches.*
 - (2) *Maximum Residential Signage: One (1) sign per building may be permitted, not to exceed 20 square feet.*
 - (3) *Maximum Ground-floor Commercial Signage: Each such use fronting on a public street or plaza may be permitted one (1) exterior sign not to exceed five (5%) percent of area of the storefront (ground floor) to which it is attached. Retail uses that tenant multiple building bays may incorporate an additional logo sign above each bay. Each tenant may be permitted one blade sign, in addition to the other signs permitted above.*
 - (4) *Blade signs may project a maximum of 30 inches from the building and must be at least 8 feet above the sidewalk.*
 - (5) *No sign shall be flashing or animated.*
 - (6) *Illuminated Box signs are prohibited.*
 - (7) *Billboards and signboards are prohibited.*
 - (8) *Window signs shall not exceed twenty (20) percent of the window surface on which the display appear.*
 - (9) *All signs shall be prohibited above the second floor.*
 - (10) *Gooseneck lighting, back-lit halo lit signage / lettering and internally illuminated channel letters are permitted provided they are no greater than 18 inches in height.*
 - (11) *No phone numbers or e-mail addresses are permitted on permanent signage.*
 - (12) *Each garage entrance shall be permitted one international P parking sign no greater than 6 square feet.*

- (13) *The building address number ~~and tenant address~~ shall be provided above the entrance or on the transom at a dimension no taller than 12 inches.*

Additionally, specialized signs shall comply with the standards enumerated below:

- d. Major Project Entry Monumentation: major project entry monumentation shall be located at each entrance to the project area.

Lighting for the major project entries shall illuminate not just the graphics but the entire monument composition. Up-lighting for the accent of trees or other planting may be used as well. All monuments will be lighted from the front with fixtures compatible with the overall site lighting and planting themes. Internally-lit signage at entries is prohibited.

The major project entry monuments shall establish a palette of material and elements to be repeated in other identification, directional, and informational signage throughout the project. Individual tenants ~~are~~ shall ~~to~~ draw from this palette and/or complement its elements in their own development.

- e. Project Directional Signage: the directional signage, like the major project entry monuments, shall be a composition of elements that reinforces the overall aesthetic theme of the Redevelopment Area. Materials and forms will draw from the main entry monument design.

Lighting shall be concentrated on the directional graphics. The size, style, and color of the signage graphics shall be identical to that of the main entry monument.

- ~~f. Tenant and Address Signage: each tenant will provide a permanent address/identification sign at the entrance to their projects. The theme established at the major project entry shall be maintained in the design and implementation of the individual tenant signage.~~

~~Individual tenant signage shall blend with its setting and shall reflect, in scale and location, the pedestrian nature of the project. Single tenant site entry signs shall include the name/logo of the tenant and the street number of the building. Tenant signage will have concealed lighting from the front and will illuminate the entire sign, not just the graphics.~~

~~Multiple tenant sites will be allowed signage displaying only the street address at the vehicular entry. Tenant identification signage will be located at the pedestrian entrance to the building. The tenant identification signage shall be located directly on the building or, when the entrance is predominantly glass, shall be freestanding. Freestanding signage shall be located as near the main pedestrian entrance of the building as practical.~~

12. Affordable Housing and Age Restricted Housing

All buildings and units within Phase 2, located around the Residential Courtyard shall be limited to Age restricted housing with a head of household being 55 or over. Fifteen

percent (15 %) of the units within Phase 2 shall be on-site units that are affordable to low and moderate income tenants with bedroom distributions, completion/occupancy of the affordable units and marketing of the units in conformance with Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1 et seq. UHAC requirements.

The affordable housing obligation units will not have the option to be transformed into a payment in lieu to satisfy the above requirement but the 280 Phase 2 units will be exempt from the Affordable Housing Development Fees of Belleville.

13. Other Standards

All public utility facilities, including but not limited to electrical and telephone wires, sewers and sewer connections, and gas and water lines shall be installed beneath the surface of the ground to the maximum extent practicable.

a. Mechanical Equipment and Utilities Standards

- i. All mechanical equipment including utility meters, shall be located internally within a building, ~~or to the side or rear of a principal building and it which case it shall be totally screened from view.~~*
- ii. ~~Where feasible,~~ All new utilities shall be located underground.*
- iii. All retail security gates, if constructed, must be inside any glass windows.*

b. Lighting

- i. All lighting shall be provided in accordance with the standards of the Township's Zoning Ordinance.*

Section 6: Relationship to Zoning Ordinance and Deviations and 2013 Redevelopment Plan

Effect of Plan Amendment

This Redevelopment Plan amendment shall supersede the applicable provisions of the Township of Belleville Zoning and Land Development Ordinance except where otherwise noted. ~~The 2013 Redevelopment Plan, and amendment adopted in 2016, shall remain in effect to the extent that it has not been amended herein.~~

~~This plan amendment incorporates design guidelines for signage, landscaping, and architectural standards, which shall not change regardless of subsequent amendments, revisions, additions or deletions to the Belleville Zoning and Land Development Ordinance.~~

Deviations May Be Granted

Any deviation from a standard, which would typically result in a “d” variance pursuant to N.J.S.A. 40:55D-70d, shall be addressed as an amendment to this Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations, which would result in a “d” variance. The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Redevelopment Plan, and the Belleville Township Zoning Code if applicable, to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c and the power to grant waivers from the standards of the Redevelopment Plan, and the Township of Belleville Code if applicable, to the same extent as the Board may grant relief from subdivision and site plan regulations pursuant to N.J.S.A 40:55D-51.

For the purpose of this Redevelopment Plan the deviations from the requirements set forth in Sections ~~1-12~~ 4,5 and 8 shall be treated as variances. ~~and deviations from the requirements set forth in Sections 5-12 shall be treated as waivers.~~

~~The Planning Board may grant deviations from the Redevelopment Plan. These deviations may be classified as "c" or bulk variances. The granting of such deviations shall not be considered an amendment this Redevelopment Plan and may be granted where:~~

- ~~(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property within the redevelopment area, or~~*
- ~~(b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property within the redevelopment area, or~~*
- ~~(c) by reason of an extraordinary situation uniquely affecting a specific piece of property within the redevelopment area or existing structures lawfully constructed thereon, the strict application of the regulation of the Redevelopment Plan, would result in particular and exceptional practical difficulties to, or exceptional and undue hardship upon the redeveloper of such property, or~~*
- ~~(d) the purposes of this Redevelopment Plan would be advanced by the deviation and the benefit of the deviation would substantially outweigh any detriments.~~*
- ~~(e) the applicant demonstrates that the variance(s) can be granted without substantial detriment to the public good and that the granting of the variance will not substantially impair the intent and purpose of the Redevelopment Plan.~~*

Terms and Definitions

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Land Development Ordinance of the Township of Belleville. In the event of a conflict or contradiction between the terms and definitions of this Plan and the Land Development Ordinance, this plan shall control.

Section 7: Planning Relationship – Belleville Township Master Plan and Planning for Other Jurisdictions

Belleville Township Master Plan

The Township's most recent Master Plan was adopted by the Township Planning Board in 2009. The Planning Board ~~recently is conducting~~ *adopted* a Master Plan Re-examination *Report in January of 2019*. ~~that will be forwarded to Belleville Township Council by early 2018.~~ The current Township Master Plan *and Re-examination* establishes 19 goals and objectives that form the policy framework of the Master Plan's requisite elements and Township Land Development Ordinance. The implementation of this Redevelopment Plan Amendment will serve to advance the following goals and objectives of the Township Master Plan:

- *Goal #1: To continue to encourage a wide variety of housing types at a range of sale and rental levels so that all types of families at all income groups can be housed in Belleville; to provide for residential growth at current densities and permit higher density development in limited areas.*
- Goal #2: To continue to encourage a balance of land uses to include diversified residential areas, commercial areas to serve the residents of Belleville and nearby communities, and office industrial areas to provide jobs and strengthen the tax base.
- *Goal #4: To encourage the construction of senior citizens housing for market rate senior citizen housing and for Belleville's low and moderate income senior citizens.*
- Goal #5: To provide for the rehabilitation or reconstruction of older non-residential areas to maintain existing jobs and to produce new jobs; and to encourage the re-use or reconstruction of existing commercial and industrial structures which have been vacated.
- Goal #6: To encourage the revitalization of the business areas through proper land use controls, provision of off-street parking and provision of other public improvements.
- *Goal #7: To provide adequate community facilities to serve Belleville's residents in terms of schools, parks and playgrounds, libraries, senior citizen centers, firehouses and other municipal buildings.*
- *Goal #8: To provide adequate community services for Belleville's residents, businesses and industry in terms of police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs and senior citizens services.*
- Goal #12: To enhance community appearance and the visual environment by encouraging good design for new and rehabilitated buildings, through the proper planning of streets and landscaping of public and private property and through the use of design review where neighborhoods or business areas are being revitalized.
- Goal #15: To conduct the Township's planning program within the framework of a regional setting and fully cognizant of the needs and rights of Belleville's neighboring communities and Essex County.

The 2009 Master Plan also notes that the future use of the Redevelopment Area was a “major planning issue for Belleville” during the Master Plan Reexamination process. The Township, recognizing this “as a rare opportunity to create an attractive, tax-generating employment center,” amended the Land Use Plan “to permit the redevelopment of the 18.5 acre Roche Diagnostic tract as a mixed use development zone which recognizes both the potential importance of the Clara Maass Medical Center as a future focal point for local and regional medical activities.”³ This Redevelopment Plan Amendment remains consistent with the Township Master Plan.

Contiguous Municipalities

Belleville Township is bordered by the City of Newark to the south, Bloomfield Township to the west, Nutley Township to the north, and the Passaic River to the east. The Redevelopment Area is located proximate to the Belleville-Newark Border. As noted in the 2013 Redevelopment Plan, “The implementation of the Redevelopment Plan will generate substantial benefits to both Newark and Belleville residents. The proposed uses in the Redevelopment Plan would supplement and support the existing Clara Maass Hospital. It will improve the health of all residents and provide employment opportunities for a full range of workers.”⁴ This remains the case. ~~in 2018.~~

Essex County

Essex County’s last Land Use Element was completed in 1969. *It is outdated*. ~~The Plan is outdated and therefore is not applicable in terms of consistency with this Redevelopment Plan. Amendment.~~

State Development and Redevelopment Plan

Belleville Township is located in the Metropolitan Planning Area (PA1) according to the State Plan Policy Map. According to the SDRP, PA1 is targeted for much of the State’s future growth and redevelopment. The primary objective of the SDRP is to guide development to areas where infrastructure is available or can be readily extended such as along existing transportation corridors, in developed or developing suburbs, and in urban areas. The State Plan’s intentions for this area are to provide for much of the State’s future development, promote growth in cities, promote growth in compact forms, protect the character of existing stable communities, protect natural resources, redesign areas of sprawl, reverse the trend toward further sprawl, and revitalize cities and towns. The redevelopment of the Redevelopment Area is substantially consistent with the SDRP as it provides for mixed use development and contributes toward the overall revitalization of Belleville Township while providing a range of services to the Township and region.

³ Belleville Township Master Plan, adopted January 8, 2009, p. 31.

⁴ 2013 Redevelopment Plan, p. 17.

As noted in the 2013 Redevelopment Plan, the implementation of the Redevelopment Plan will advance the following goals and policies of the SDRP:

- **Revitalize the State’s Cities and Towns:** Protect, preserve and develop the valuable human and economic assets in cities, towns and other urban areas. Plan to improve their livability and sustainability by investing public resources in accordance with current plans which are consistent with the provisions of the State Plan. Leverage private investments in jobs and housing; provide comprehensive public services at lower costs and higher quality; and improve the natural and built environment.
- **Conserve the State’s Natural Resources and Systems:** Conserve the state’s natural resources and systems as capital assets of the public by promoting ecologically sound development and redevelopment in the Metropolitan and Suburban Planning Areas, accommodating environmentally designed development and redevelopment in Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas, and by restoring the integrity of natural systems in areas where they have been degraded or damaged.
- **Promote Beneficial Economic Growth:** Promote socially and ecologically beneficial economic growth, development and renewal and improve both the quality of life and the standard of living of New Jersey residents. Encourage economic growth in locations and ways that are both fiscally and environmentally sound.
- **Preserve and Enhance Areas with Historic, Cultural, Scenic Open Space, and Recreational Value:** Enhance, preserve and use historic, cultural, scenic, open space and recreational assets by collaborative planning, design, investment and management techniques. Locate and design development and redevelopment and supporting infrastructure to improve access to and protect these sites

Administrative and Procedural Requirements

~~The administrative and procedural requirements of the 2013 Redevelopment Plan, attached hereto as Appendix A, shall remain in effect and shall govern the implementation of this Redevelopment Plan Amendment.~~

~~The 2013 Redevelopment Plan contains provisions related to relocation, acquisition of property, waivers from Redevelopment Plan requirements, review procedures, conflict and severability, amendments to the Redevelopment Plan, certificates of completion and compliance, and selection of redeveloper(s).~~

Section 8: Definitions

Retail convenience store with fuel sales shall mean a retail convenience store with ancillary fuel sales located on the same lot and planned, operated, and maintained as an integrated operation. The term may include accessory on-premises consumption of food and beverages sold on site.

Self-storage facility shall mean a facility where secured areas in a structure are rented to individuals only for storage of household items and other non-hazardous, non-perishable durable goods. Such facility shall not provide for the outside storage of vehicles, recreational vehicles, boats, or other motorized vehicles.

Live-Work units shall mean a dwelling unit that is designed to provide space in which to conduct a business or trade, including but not limited offices, studios, or workshops.

~~Age-Restricted Housing shall include all types of housing occupied by an elderly person as defined by the Township's Zoning Ordinance and includes active adult housing, independent or semi-dependent congregate care and assisted living facilities, senior housing, retirement housing, continuous care retirement communities, nursing homes and convalescent centers.~~
mean senior housing where:

- i. The head of household is 55 years of age or greater, and*
- ii. There shall be prohibited from permanent residency any person younger than 19 years of age; and*
- iii. In the event of the death of a head of household meeting the above stated age requirements, a remaining spouse of less than 55 years of age shall be permitted to continue to reside.*

Section 9: Administrative and Procedural Requirements

Acquisition and Relocation

The entire area governed by this Redevelopment Plan is designated as Not to be Acquired. No relocation is necessary within the plan area.

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Township Mayor and Council may amend, revise, or modify this Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes necessary and appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. Any proposed changes in the Redevelopment Plan or its development standards, including changes to permitted uses, building height, building setbacks, parking requirements, open space, or other bulk standards, shall require notice and public hearings in a manner similar to the adoption of the original Plan and as required by statute.

Redevelopment Powers

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

Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Township of Belleville Mayor and Council, and shall be in effect until the Mayor and Council shall, by ordinance, adopt new regulations to supersede those found in this Redevelopment Plan.

Selection of Redeveloper(s) [Editor's note – section copied from original 2013 plan]

In order to assure that the vision of the Redevelopment Plan will be successfully implemented in an effective and timely way in order to promptly achieve the public purpose goals of the Plan, the Mayor and Council, acting as the Redevelopment Entity, will designate the redeveloper(s) for any redevelopment project in the area governed by this Redevelopment Plan. All redeveloper(s) will be required to execute a redevelopment agreement satisfactory to the Mayor and Council as one of the requirements to be designated as the redeveloper(s).

It is anticipated that the implementation of this Redevelopment Plan may utilize a process for the competitive selection of one or more redeveloper(s). The intent of this section of the Plan is to set forth the procedural standards to guide redeveloper selection. The Mayor and Council, acting as the redevelopment entity may, at any time, proactively solicit potential redevelopers by utilizing appropriate methods of advertisement and other forms of communication, or may, in its discretion, entertain an unsolicited proposal from a prospective redeveloper(s) for redevelopment of one or more redevelopment parcels.

The selection of a redeveloper by the Mayor and Council, the Township of Belleville's Redevelopment Entity, for the Redevelopment Area may be based on a competitive selection process. Under a competitive selection process, which may be undertaken from time to time in the discretion of the Mayor and Council, an applicant for selection as a redeveloper will be required to submit materials to the Mayor and Council that specify their qualifications, financial resources, experience and design approach to the property in question. The competitive selection process will likely include the submission of some or all of the following materials (additional submission materials may be requested by the Mayor and Council as deemed appropriate to the lands in question):

- *Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, number and type of development, parking, traffic circulation, landscaping and other elements are consistent with the objectives and standards of this Redevelopment Plan.*

- *Anticipated construction schedule, including estimated pre-construction time period to secure permits and approvals.*
- *Documentation evidencing the financial responsibility and capability with respect to carrying out site environmental remediation, the proposed redevelopment and/or rehabilitation 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, and financial profile of the redeveloper entity.*

The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. *The redeveloper shall carry out site environmental remediation required by NJDEP and as certified by a NJ Licensed Site Remediation Professional (LSRP). The redeveloper shall complete the specified improvements and remediation in accordance with the Redevelopment Plan, applicable redeveloper agreement, and any approved site plans. The redeveloper shall secure the financial mechanism(s) for funding and performing the remediation, and for providing future oversight of the engineering and institutional controls that become part of the remediation (to inspect and maintain in good repair the soil and groundwater remediation controls into the future), all as determined by the LSRP and NJDEP.*
2. *The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.*
3. *Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.*
4. *The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.*
5. *The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure related to their project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric, water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting*

and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the redeveloper's agreements with the Township. All utilities shall be placed underground.

- 6. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage Law, where applicable.*
- 7. In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal land Use law.*

Section 10: Redeveloper Obligations

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Township, acting as the Redevelopment Agency, and a designated redeveloper. The following restrictions and controls on redevelopment shall apply notwithstanding the provisions of any zoning or development ordinance or other regulations now or hereafter in force:

- *The redeveloper will be obligated to carry out the specified improvements in accordance with this Redevelopment Plan.*
- *The redeveloper, its successors or assignees, shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.*
- *The redeveloper, its successors or assignees, shall manage the public plaza space in accordance with the agreement set forth in the original developer's agreement as they may be amended from time to time by the City Council.*
- *Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.*
- *The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.*
- *The redevelopment agreement(s) shall provide provisions requiring that sufficient funds be deposited by the redeveloper in escrow to pay for and allow the Township and/or the Township Planning Board to hire their own independent planning and engineering professionals, and any other experts the Township deems necessary or desirable, to review the proposed plans of the redeveloper(s).*
- *The redevelopment agreement(s) shall provide provisions for the appropriate relocation assistance in compliance with all applicable Federal or State laws for any residents removed as a result of any redevelopment project(s).*

Section 11: Planning Board Review Process

Pursuant to N.J.S.A. 40A:12A-13, all applications for development of sites governed by this Redevelopment Plan shall be submitted to the Township Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the redevelopment area:

- *All applicants shall meet with the Planning Board Technical Review Subcommittee, present their design, and work with them to receive their feedback prior to a hearing of the full Board.*
- *No building or zoning permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Planning Board, or the Township Mayor and Council if necessary.*
- *Regular maintenance and minor repair shall not require Planning Board review and approval.*
- *As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Township's Land Use Ordinance. The performance guarantees shall be in favor of the Township of Belleville, and the Township Engineer shall determine the amount of any performance guarantees.*
- *Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the Local Redevelopment and Housing Law and N.J.S.A. 40:55D-1 et seq.*
- *Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."*
- *The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants or other provisions, and through agreements between the redeveloper and Township pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.*
- *The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution*

thereto, shall, whether on-site or off-site, be subject to a redevelopment agreement with the Township of Belleville, as the municipal redevelopment agency.

- *A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Township Ordinance, State law, and the redevelopment agreement. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analyses prepared by the Township or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Township shall be specified in the redevelopment agreement.*
- *This Redevelopment Plan requires the redeveloper to submit all plans to the Township Manager for review, in consultation with the Township's consultants, 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 Redevelopment Plan, particularly but not exclusively regarding parking decks, roadways, open space and landscaping, such specificity shall be provided to the Township Manager for review, in consultation with the Township's consultants, and authorization prior to submission to the Planning Board and as may be required the redevelopment agreement between the Redeveloper and the Township. The Township Manager's review, in consultation with the Township's consultants, and authorization to proceed shall be a condition precedent to submission of an application before the Planning Board.*
- *After the Township Review process noted above is complete, all development applications shall be submitted to the Township'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 Township as a redeveloper(s) and a Redevelopment Agreement has not been fully executed.*

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

Section 12: Amendment to Zoning Map and Development Regulations

The Township's Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area as illustrated in the Redevelopment Area Boundary Map.

The development standards set forth in this Redevelopment Plan shall supersede the Land Use Ordinance of the Township of Belleville. In all other instances, or where development standards are not set forth within this redevelopment plan, the Township Land Use Ordinance shall remain in full force and effect.

Section 13: Appendix A – Signage Figures

Figure 1: Architectural Characteristic and Rendering of Service Station with Convenience Centers

Figure 2: Representative Wall Sign

Figure 3: Representative Free Standing Monument Sign

Figure 4: Representative Canopy Signage

Figure 5: Representative Fuel Pump Banner Signage

Figure 1: Architectural Characteristic and Rendering of Gasoline Service Station with Convenience Centers



Figure 2: Representative Wall Sign

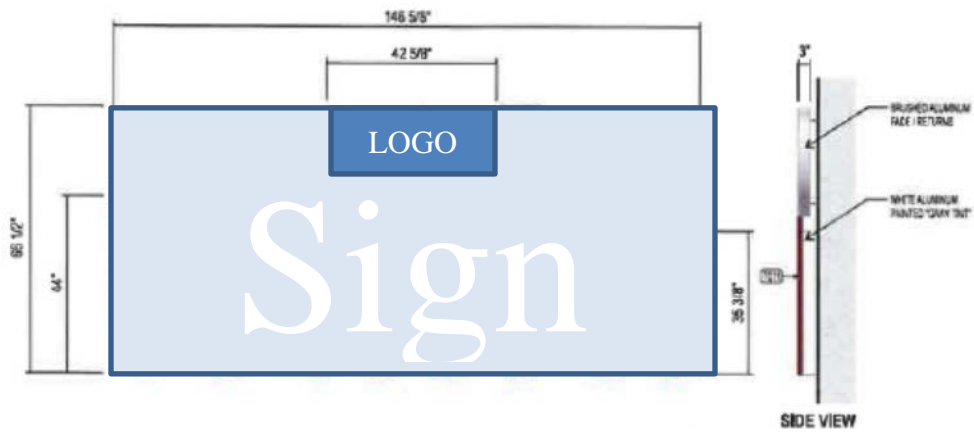


Figure 3: Representative Free Standing Monument Sign

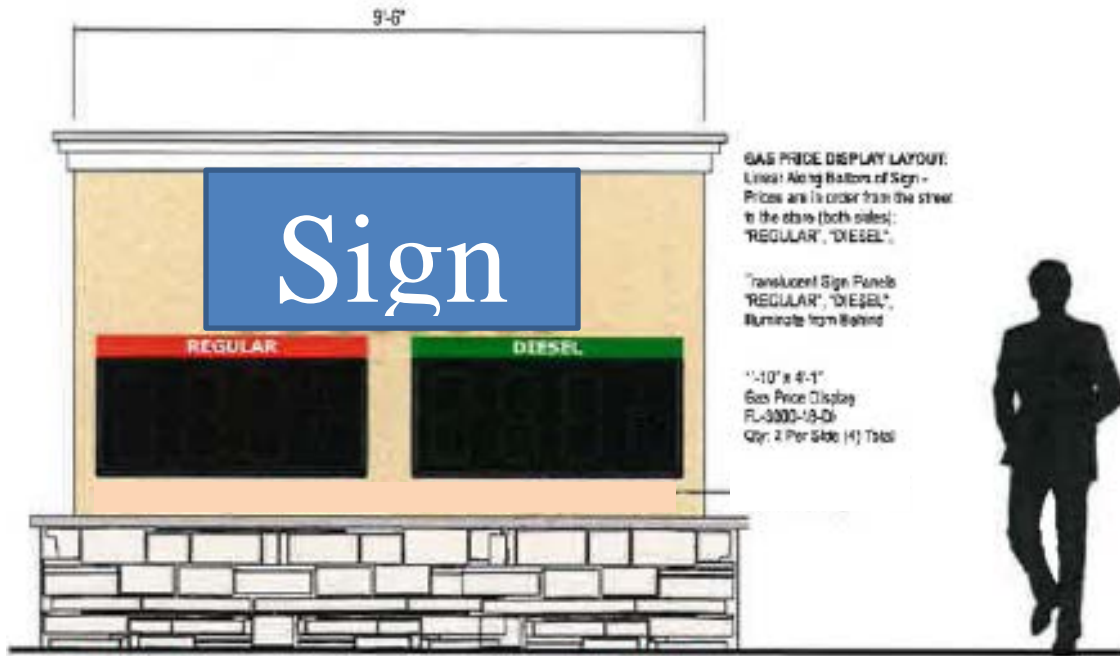


Figure 4: Representative Canopy Signage

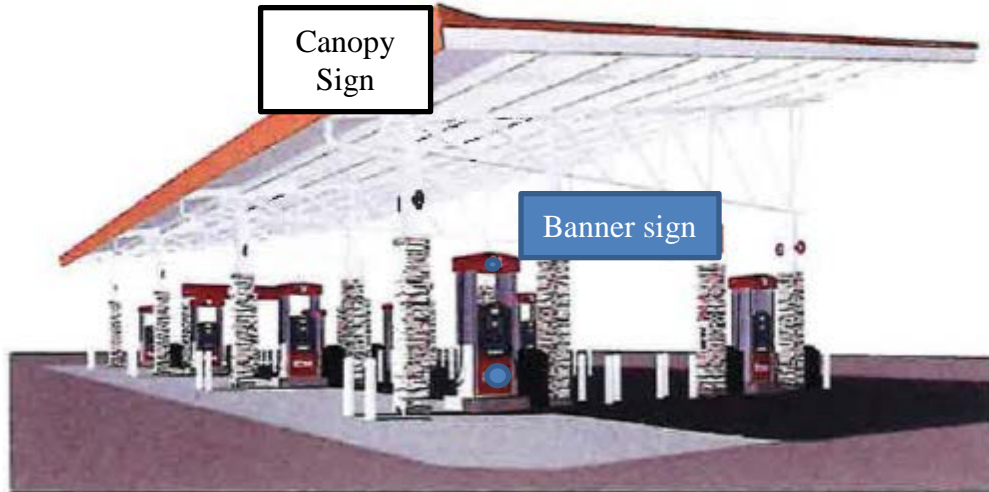


Figure 5: Representative Fuel Pump Banner Signage



Section 14: Appendix B - Resolutions and Summary of Remedial Status

Resolutions and Summary of Remedial Status

IX. APPENDIX

RESOLUTIONS

K#10
2-22-11

..... Resolution of the Township of Belleville, N. J.

No. 11-64
TITLE:

Date of Adoption February 22, 2011

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF BELLEVILLE TO INVESTIGATE WHETHER CERTAIN PROPERTIES IN THE TOWNSHIP SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT

Approved as to Form and Legality: [Signature] Township Attorney

Factual contents certified to by: _____ Title

Mayor _____ Council Member [Signature] Township Attorney Presents the following Resolution

Council Member [Signature] Moved for the adoption of the Resolution

Seconded by Council Member [Signature]

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N. J.:

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

WHEREAS, pursuant to N.J.S.A. 41:12A-6 of the LRHL the Municipal Council (The "Township Council") of the Township of Belleville (The "Township") must authorize the Township Planning Board to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, the Township Council desires the Township Planning Board conduct an investigation to determine whether Block 2301, Lot 1 meets the criteria set forth in N.J.S.A. 40A:12A-5; or (ii) pursuant to N.J.S.A. 40A:12A-3 are necessary, with or without change in their condition, for the effective redevelopment of the proposed redevelopment area.

NOW, THEREFORE, BE IT RESOLVED:

1. The Township of Belleville Planning Board is hereby authorized and directed to conduct an investigation pursuant to and in accordance with the procedural requirements of N.J.S.A. 40A:12-6, to determine whether the above referenced properties satisfy the criteria set forth in N.J.S.A. 40A:12A-5 (or, if and as applicable, N.J.S.A. 40A:12A-3) to be designated as an area in need of redevelopment.
2. As part of its investigation, and before proceeding to public hearings on the matter, the Township of Belleville Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained therein, and shall attach thereto a statement setting forth the basis for the investigation.
3. The Township of Belleville Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area.
4. At the hearing, the Township of Belleville Planning Board shall hear from all persons who are interested in or would be affected by a determination that the area(s) delineated in the notice is a redevelopment area. All objections to a determination that an area is an area in need of redevelopment and evidence in

Resolution No. 11-64

support of those objections shall be received and considered by the Township of Belleville Planning Board and made part of the public record.

5. After conducting its investigation, preparing a map of the proposed redevelopment area, and completing a public hearing at which all objections to the designation are received and considered, the Township of Belleville Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate all or some of the above properties as an area in need of redevelopment.
6. This Resolution shall take effect immediately.
7. That a copy of this resolution shall be published as required by law, within ten (10) days of its passage.

IDENTIFIED SIGN COPY
Kenneth A. Cavanaugh
 Municipal Clerk

Adopted by the Municipal Council of the Township of Belleville, N. J. — Date Feb. 22, 2011

RECORD OF VOTE									
COUNCIL MEMBER	YES	NO	N.V.	AB.	COUNCIL MEMBER	YES	NO	N.V.	AB.
KENNEDY	X				NOTARI	X			
COZZARELLI	X				ROVELL	X			
NICOSIA	X				STRUMOLO BURKH	X			
KIMBLE	X								

Sign: X—In Person Vote N.V.—Not Voting AB—Absent

Certified to be true this 22nd day of Feb. 2011.

Kenneth A. Cavanaugh
 Municipal Clerk

This Resolution when adopted must remain in the custody of the Municipal Clerk. Certified copies are available.

K#23
9-25-10

Resolution of the Township of Belleville, N. J.

No. 12298

Date of Adoption September 25, 2012

TITLE:

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF BELLEVILLE TO INVESTIGATE WHETHER PROPERTY LOCATED AT 11 FRANKLIN AVENUE (ROCHE PROPERTY) LISTED AS BLOCK 2301, LOT 1, ON THE TOWNSHIP OF BELLEVILLE TAX MAP SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT

Approved as to Form and Legality
[Signature]
 Township Attorney

Factual contents certified to by
 This

Mayor
 Council Member *[Signature]* Presents the following Resolution

Council Member *[Signature]* Moved for the adoption of the Resolution

Seconded by Council Member *[Signature]*

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.:

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

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the LRHL the Municipal Council (the "Township Council") of the Township of Belleville (the "Township") must authorize the Township Planning Board to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, the Township Council desires the Township Planning Board conduct an investigation to determine whether property located at 11 Franklin Avenue (Roche Property) listed as Block 2301, Lot 1 on the Township of Belleville Tax Map meet the criteria set forth in N.J.S.A. 40A:12A-5 or (ii) pursuant to N.J.S.A. 40A:12A-3 are necessary, with or without change in their condition, for the effective redevelopment of the proposed redevelopment area.

NOW, THEREFORE, BE IT RESOLVED:

1. The Township of Belleville Planning Board is hereby authorized and directed to conduct an investigation pursuant to and in accordance with the procedural requirements of N.J.S.A. 40A:12-6, to determine whether the above referenced properties satisfy the criteria set forth in N.J.S.A. 40A:12A-5 (or, if and as applicable, N.J.S.A. 40A:12A-3) to be designated as an area in need of redevelopment.
2. As part of its investigation, and before proceeding to public hearings on the matter, the Township of Belleville Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained therein, and shall append thereto a statement setting forth the basis for the investigation.
3. The Township of Belleville Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area.
4. At the hearing, the Township of Belleville Planning Board shall hear from all persons who are interested in or would be affected by a determination that the area(s) delineated in the notice is a redevelopment area. All objections to a determination that an area is an area in need of redevelopment and evidence in

Resolution No. 12-298.....

- support of those objections shall be received and considered by the township of Belleville Planning Board and made part of the public record.
5. After conducting its investigation, preparing a map of the proposed redevelopment area, and completing a public hearing at which all objections to the designation are received and considered, the Township of Belleville Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate all or some of the above properties as an area in need of redevelopment.
 6. This Resolution shall take effect immediately.
 7. That a copy of this resolution shall be published, as required by law, within ten (10) days of its passage.

MEMORANDUM THIS COPY
Keeley P. Cavanaugh
 Municipal Clerk

Adopted by the Municipal Council of the Township of Belleville, N. J. — Date Sept 25, 2012

RECORD OF VOTE									
COUNCIL MEMBER	YES	NO	N.V.	AB.	COUNCIL MEMBER	YES	NO	N.V.	AB.
COZZARELLI	X				NOTARI	X			
KENNEDY				X	ROYELL	X			
NICOSIA	Y				STRUMOLO BURKE	X			
KIMBLE				X					

Sign: X—Indicates Vote N.V.—Not Voting AB—Absent

Certified to by me this 25th day of Sept. 2012
Keeley P. Cavanaugh
 Municipal Clerk

This Resolution when adopted must remain in the custody of the Municipal Clerk. Certified copies are available.

**"RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BELLEVILLE
DESIGNATING BLOCK 2301, LOT 1 AN AREA IN NEED OF REDEVELOPMENT"**

RESOLVED BY THE PLANNING BOARD OF BELLEVILLE, NJ:

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

WHEREAS, pursuant to N.J.S.A. 41:12A-6 of the LRHL the Municipal Council ("Township Council") of the Township of Belleville ("Township") authorized the Township Planning Board on February 22, 2011 to conduct a preliminary investigation to determine whether the property, 11 Franklin Avenue, an 18.71 acre tract at the southwest corner of the intersection of Franklin Avenue (CR-645) and Mill Street, Block 2301, Lot 1(i) meet the criteria set forth in N.J.S.A. 40A:12A-5; or (ii) pursuant to N.J.S.A. 40A:12A-3 are necessary, with or without change in their condition, for the effective redevelopment of the proposed redevelopment area.

NOW THEREFORE, BE IT RESOLVED by Belleville Township:

1. The Township of Belleville Planning Board at a public Planning Board hearing on October 11, 2012 reviewed the redevelopment study and testimony of special planning consultant, John Madden pursuant to and in accordance with the procedural requirements of N.J.S.A. 40A:12-6, to determine whether the above reference properties satisfy the criteria set forth in N.J.S.A. 40A:12a-5 (or, if and as applicable, N.J.S.A. 40A:12A-3) to be designated as an area in need of redevelopment.
2. The Township of Belleville Planning Board, gave due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area.
3. At the hearing, the Township of Belleville Planning Board heard from all persons who were interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area. All objections to a determination that an area is an area in need of redevelopment and evidence in support of those objections were received and considered by the Township of Belleville Planning Board and made part of the public record.
4. The Planning Board found that the subject property at Block 2301, Lot 1 meets the following statutory criteria for an area in need of redevelopment.


Criteria D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.


- The Study Area, in its current state, is detrimental to health and safety.

- Soil contamination including arsenic, lead copper, residual fuel oil, PAH, PCB and metals contamination.
- Ground contamination including trichloroethene, tetrachloroethene and arsenic.

Criteria H. The designation of the delineated area is consistent with smart growth planning principals adopted pursuant to law or regulation.

- Located in a mixed land use area that is a compact community with high-density development potential.
 - Located in a zoning district that permits a range of housing development.
 - Located in a walkable neighborhood, where there is a contiguous sidewalk network.
 - Potential for the creation of a distinctive project, which would enhance this southern portion of the Township.
 - Usage of existing water, sewer, electric, roadway infrastructure.
 - Proximity to New Jersey Transit bus stop, which is served by three bus lines and 0.7 miles north of the New Jersey Transit Light Rail Line's Branch Brook Park Station.
5. After conducting its investigation, preparing a map of the proposed redevelopment area, and completing a public hearing at which all objections to the designation were received and considered, the Township of Belleville Planning Board recommends to the Township that it should designate all of the above properties as an area in need of redevelopment.
6. This Resolution shall take effect immediately.


 Chairman, RAYMOND VENIERO 12-13-12


 Secretary, VINCENT STRUMOLO, SR. 12-13-12

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Resolution of the Township of Belleville, N. J.

No. 13-159
TITLE:

Date of Adoption... June 11, 2013...

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BELLEVILLE IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY DESIGNATING PROPERTY KNOWN AS 11 FRANKLIN AVENUE, AN 18.71 ACRE TRACT AT THE SOUTHWEST CORNER OF THE INTERSECTION OF FRANKLIN AVENUE (CR-645) AND MILL STREET, BLOCK 2301, LOT 1 ON THE TAX MAP OF THE TOWNSHIP OF BELLEVILLE AS AN AREA IN NEED OF REDEVELOPMENT

Factual contents certified to by

Approved as to Form and Legality
Township Assessor
Mayor Thomas Murnighan
Council Member Kennedy
Seconded by Council Member Powell
Township Attorney
Presents the following Resolution
Moved for the adoption of the Resolution

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.:

WHEREAS, the Mayor and Council ("Council") of the Township of Belleville, by Resolution adopted on February 22, 2011, authorized and directed the Planning Board of the Township of Belleville ("Board") to conduct an investigation, hold a public hearing, and make a recommendation to the Council as to whether property known as 11 Franklin Avenue, an 18.71 acre tract at the southwest corner of the intersection of Franklin Avenue (CR-645) and Mill Street, Block 2301, Lot 1 on the tax map of the Township of Belleville, (referred to as the "Proposed Redevelopment Area"), or any part thereof was an area in need of redevelopment in accordance with criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the Proposed Redevelopment Area is an 18.71 acre tract located at 11 Franklin Avenue at the southwest corner of the intersection of Franklin Avenue and Mill Street, Belleville; and

WHEREAS, the Council, by Resolution adopted on February 22, 2011 also retained the services of John Madden, P.P. as a professional planner in order to prepare an investigation report as to whether the Proposed Redevelopment Area was an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. and whether Block 2301, Lot 1 meets the criteria set forth in N.J.S.A. 40A:12A-5 or pursuant to N.J.S.A. 40A:12A-3 are necessary, with or without change in their condition, for the effective redevelopment of the Proposed Redevelopment Area; and

WHEREAS, John Madden, P.P. prepared a report entitled "Redevelopment Study Area Determination of Need, Block 2301, Lot 1, ("Determination of Need Report"), along with a map showing the boundaries of the Proposed Redevelopment Area, both of which were available for public inspection in the office of the Municipal Clerk; and

WHEREAS, the Planning Board gave notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or who would be affected by determination that the area delineated in the notice is a redevelopment area. At that hearing, held on October 11, 2012, all objections to a determination that an area is an area in need of redevelopment and evidence and support of those objections were received and considered by the Township of Belleville Planning Board and made part of the public record; and

WHEREAS, the Planning Board held the duly noticed public hearing on October 11, 2012 and reviewed the Redevelopment Study and testimony of John Madden pursuant to and in accordance with the procedural requirements of N.J.S.A. 40A:12A-6 to determine whether the above referenced property satisfied the criteria set forth in N.J.S.A. 40A:12A-5 (or, if and as applicable, N.J.S.A. 40A:12A-3) to be designated as an area in need of redevelopment; and

Resolution No. 13-159.....

WHEREAS, the Planning Board found that Block 2301, Lot 1 on the Tax Map of the Township of Belleville meets the following statutory criteria for an area in need of redevelopment:

Criteria D. Areas with building or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

- The Study Area. In its current state, is detrimental to health and safety.
- Soil contamination including arsenic, lead copper, residual fuel oil, PAH, PCB and metals contamination.
- Ground contamination including trichloroethene, tetrachloroethene and arsenic.

Criteria H. The designation of the delineated area is consistent with smart growth planning principals adopted pursuant to law or regulation.

- Located in a mixed land use area that is a compact community with high-density development potential.
- Located in a zoning district that permits a range of housing development.
- Located in a walkable neighborhood, where there is a contiguous sidewalk network.
- Potential for the creation of a distinctive project, which would enhance this southern portion of the Township.
- Usage of existing water, sewer, electric, roadway infrastructure.
- Proximity to New Jersey Transit Light rail Line's Branch Brook Park Station.

WHEREAS, after conducting its investigation, preparing a map of the proposed redevelopment area, and completing a public hearing at which all objects to the designation were received and considered, the Township of Belleville Planning Board recommended to the Township that it should designate all of the above properties as an area in need of redevelopment; and

WHEREAS, on December 13, 2012, the Board adopted a Resolution memorializing its decision to recommend that the Proposed Redevelopment Area be designated as an area in need of redevelopment by the Council, which resolution was duly forwarded to the Council on or about December 27, 2012 for its consideration; and

WHEREAS, the Council, having reviewed the Report prepared by John Madden, P.P. and in consideration of his presentation to the Governing Body together with the Board's recommending Resolution, has determined to accept the Board's recommendation and hereby declares the Proposed Redevelopment Area as an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Belleville as follows:

1. Based upon the Report prepared by John Madden, P.P. and his sworn testimony before the Council, the Council finds that the Proposed Redevelopment Area satisfies the following criteria in order to be declared an area in need of redevelopment.

N.J.S.A. 40A:12A-5(d) Criteria D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage,

Resolution No. 13-159

deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

- The Study Area. In its current state, is detrimental to health and safety.
- Soil contamination including arsenic, lead copper, residual fuel oil, PAH, PCB and metals contamination.
- Ground contamination including trichloroethene, tetrachloroethene and arsenic.

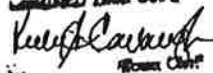
N.J.S.A. 40A:12A-5(h) Criteria H. The designation of the delineated area is consistent with smart growth planning principals adopted pursuant to law or regulation.

- Located in a mixed land use area that is a compact community with high-density development potential.
- Located in a zoning district that permits a range of housing development.
- Located in a walkable neighborhood, where there is a contiguous sidewalk network.
- Potential for the creation of a distinctive project, which would enhance this southern portion of the Township.
- Usage of existing water, sewer, electric, roadway infrastructure.
- Proximity to New Jersey Transit Light rail Line's Branch Brook Park Station.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council as a result of the Report, testimony presented by John Madden, P.P. and the recommendation of the Planning Board finds that the Proposed Redevelopment Area satisfies the criteria set forth in **N.J.S.A. 40A:12A-5(d)** and **N.J.S.A. 40A:12A-5(h)** in order to be declared an area in need of redevelopment and hereby declares the Proposed Redevelopment Area to be an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, **N.J.S.A. 40A:12A-1, et seq.**

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the following: Mayor and Council Members, Township Manager, Township Planner, Township Engineer, Township Attorney, Clerk of adjacent municipalities, Essex County Planning Board, Commissioner, Department of Community Affairs, Zoning Officer of the Township of Belleville, Secretary to the Belleville Planning and Zoning Boards, the Belleville Planning Board Attorney and the Belleville Zoning Board Attorney

BE IT FURTHER RESOLVED that a copy of this resolution shall be published, as required by law, within ten (10) days of its passage.

WILLIAM EDWARD IMAN COPEL

 Municipal Clerk

Adopted by the Municipal Council of the Township of Belleville, N. J. -- Date June 11, 2013

RECORD OF VOTE									
COUNCIL MEMBER	YES	NO	N.V.	AB.	COUNCIL MEMBER	YES	NO	N.V.	AB.
COZZARELLI	X				NOTARI	X			
KENNEDY	X				ROVELL	X			
NICOSIA	X				STRUMOLO BURKE	X			
KIMBLE	X								

Sign: X - Indicates Vote N.V. - Not Voting AB - Absent

Certified to be true this 11th day of June, 2013.


 Municipal Clerk

This Resolution when adopted must remain in the custody of the Municipal Clerk. Certified copies are available.

SUMMARY OF REMEDIAL STATUS – ROCHE MOLECULAR SYSTEMS

SUMMARY OF REMEDIAL STATUS ROCHE MOLECULAR SYSTEMS – BELLEVILLE, NEW JERSEY PREPARED BY LANGAN ENGINEERING & ENVIRONMENTAL SERVICES - JUNE, 2013

Introduction

The purpose of this document is to:

- Provide a summary of remedial progress Roche Molecular Systems, Inc. Site in Belleville, New Jersey
- Provide insight on the remedial path forward for the Site.

Site Location and Setting

The Roche Molecular Systems, Inc. (RMS) Belleville site (the Site) is located at 11 Franklin Avenue in Belleville, Essex County, New Jersey and is identified as Block 2301, Lot 1 within Belleville Township.

The Site, a former manufacturing facility, consists of approximately 18.7 vacant acres. The Site comprises two parcels, referred to as "tiers" based on their distinct elevations. Much of the Site (approximately 17.8 acres) is comprised of the "Upper Tier." The 50,000 square-foot main building was demolished in 2010 and occupied the central portion of the Site. Two open excavation areas exist where the basement areas of the former building were located. The floor slab of the building was also removed, however, the general area of the building has scattered demolition debris, including rebar-reinforced concrete fragments. There is also a concrete railroad trestle and former concrete coal bunkers on the Upper Tier immediately adjacent to the former boiler house area on the Lower Tier. In the southeastern section of the Site a concrete retaining wall separates the Upper Tier from the Lower Tier of the Site. The Lower Tier occupies approximately 0.9 acres and is adjacent to Mill Street. The elevation drops approximately 25 feet from the Upper Tier to the Lower Tier. There are former building slabs and foundations present in a portion of the Lower Tier.

Site Background

The northeastern portion of the Site was operated as a copper rolling mill from 1814 to 1939, by Hendricks Copper Rolling, Inc. The mill produced a diverse range of copper products including rivets and sheeting for copper ceilings; copper sheathing used in the construction of sea-going vessels; and copper wire for the telegraph industry. The remainder of the property was undeveloped, with the exception of the presence of an "Abandoned Canal" noted on a 1938 Sanborn Fire Insurance Map along the western property boundary. This was formerly a section of the Morris Canal of New Jersey (1829-1929).

The Andrew Jergens Company (Jergens) purchased the property in 1939. Following (or concurrent with) the purchase of the property, the copper rolling mill facility was razed, and Jergens redeveloped the property for the manufacture of lotions, hand/face creams, and detergents. The principal raw materials for these products were soap (in powder and/or flake form), isopropyl alcohol (IPA), glycerin and water. Jergens' operations remained largely unchanged from the early 1940s until 1975, when Jergens sold the facility to Hoffmann-La Roche Inc.

Roche purchased the Site in 1975 from Jergens for its affiliate, Roche Diagnostic Systems, Inc. (currently Roche Molecular Systems, Inc.) to manufacture clinical diagnostic kits for use in the health care industry. Roche's operations at the Site consisted of research and development, preparation of diagnostic kits, packaging, and the repair of diagnostic equipment. The Roche operations did not involve bulk chemical use and consequently there was no bulk solvent chemical storage during the period Roche operated the facility.

The layout of the facility remained nearly unchanged from the time Roche purchased the property from Jergens, until 2010 when demolition of Site structures commenced. The only changes Roche made to the former Jergens facility were the addition of a boiler plant in 1982, and alterations to the interior floor plan of the Main Building. Roche's divested approximately 4.5 to 5 acres of the southern vacant portion of the Site in 1975.

Current Regulatory Status

New Jersey's Industrial Site Recovery Act (ISRA) was triggered in the spring of 2006 by the announcement of RMS's planned closure of the Belleville facility in 2008. ISRA, a real estate transaction driven statute, requires that an industrial site that is being closed must be investigated for soils and ground water impacts and remediated, as necessary. Since 2008, there have been significant changes in the New Jersey Department of Environmental Protection (NJDEP) laws and regulations largely as a result of the adoption of the Site Remediation Reform Act (SRRRA) in May, 2009. These changes include the promulgation of the amended Administrative Requirements for the Remediation of Contaminated Sites (ARRCS rules) at N.J.A.C. 7:26C during May 2012 and the amended Technical Requirements for Site Remediation (Tech Regs) at N.J.A.C. 7:26E, also during May 2012. In addition, new regulations for the adoption of Remediation Standards occurred in 2008 at N.J.A.C. 7:26D.

One of the most significant changes brought about by SRRRA was the privatization of remediation oversight, resulting in the requirement that a site be overseen by a new class of certified professional, a Licensed Site Remediation Professional (LSRP). The SRRRA legislation required the retention of a LSRP by May 7, 2012. Mr. Nicholas DeRose, P.G., LSRP of Langan Engineering and Environmental Services, Inc. (Langan) was retained by RMS for this Site. The LSRP has the authority to approve all remedial activities required by NJDEP regulations and has the obligation to inform remediating parties of their regulatory obligations. All phases of the remedial process can be

approved by the LSRP and work can proceed without NJDEP approval with the exception of post remedial monitoring and maintenance activities for restricted use remedies which require NJDEP issuance of a Remedial Action Permit subsequent to completion of the remedial action. Ultimately, the LSRP approves no further action through issuance of a Response Action Outcome (RAO) which has the equivalent standing of former No Further Action letters issued by NJDEP and provides a covenant not to sue from NJDEP as an operation of law.

Various phases of a Remedial Investigation have been completed at the Site in accordance with a Remedial Investigation Work Plans (RIWP) prepared by TRC Solutions, Inc. (TRC) in 2007 and 2008 and a Remedial Investigation Work Plan Addendum (Addendum) prepared by Langan in May, 2012. This summary is based upon data generated by the activities completed to date. The RI consisted of a comprehensive soils quality characterization, and a preliminary ground water investigation. Included in this investigation was a geophysical survey to identify potential unknown and buried contamination sources. The remedial investigation for soil is largely complete, except for a need to delineate soil impacts for a limited number of Areas of Concern (AOCs).

The groundwater remedial investigation is incomplete, because additional plume characterization is required on-site and also off-site delineation is required. Potential off-site sources of groundwater impacts may also need to be investigated.

Soil Investigations

A Preliminary Assessment/Site Investigation (PA/SI) was completed in 2007 and various phases of a Remedial Investigation (RI) have been completed since then. Based on the recent changes in NJDEP regulations, all AOCs were re-evaluated by the LSRP and an updated PA/SI was submitted to the NJDEP on August 24, 2012 that identified a total of 61 AOCs. Three "No Further Action" (NFA) approvals have closed three of the 61 AOCs. The three NFAs were issued by the NJDEP in 1994 in relation to the removal of several underground storage tanks (USTs). An updated Case Inventory Document was also submitted to NJDEP on 24 August 2012, providing a comprehensive listing and a figure showing the locations of all AOCs.

The Remedial Investigation Work Plan Addendum (RIWP Addendum), dated May 2012, proposed further investigation at 28 AOCs to fill data gaps and address new requirements of the current NJDEP regulations. The results of the 2012 soil "data gaps" RI were reported in a Supplemental Remedial Investigation Interim Report (Supplemental RIIR) dated September 28, 2012. The recommendations include additional investigation of nine AOCs to complete the soils RI. Of these nine AOCs, there are two AOCs (located on the Lower Tier) where potential non-aqueous phase liquids (NAPL) or possible fuel oil were observed in soil samples collected just above the top of the bedrock surface. Therefore, a bedrock investigation is recommended to determine the possible presence and extent of NAPL within the bedrock. It is anticipated that this work would proceed as part of a Phase 2 Ground Water RI.

With the exception of the nine AOCs requiring further investigation, all remaining AOCs require no further investigation. This includes 20 AOCs that will be included in a forthcoming Remedial Action Outcome (RAO) submission to NJDEP based on Langan's conclusion that no further action is required.

Results of the soil investigations indicate that arsenic and polynuclear aromatic hydrocarbons (PAHs) are present in shallow soil (from ground surface to depths of 3 to 4 feet below grade) at concentrations that are greater than NJDEP Soil Remediation Standards (SRS) over much of the Upper Tier. Arsenic and PAHs are also present on the Lower Tier but are distributed throughout the soil column and not limited to the shallow soils.

Petroleum hydrocarbons (from fuel oil), polychlorinated biphenyls (PCBs), and various metals (other than arsenic, including aluminum, antimony, beryllium, cadmium, copper, lead, manganese mercury, and zinc) are present in localized portions of the Site at concentrations that are greater than the SRS.

A comprehensive investigation was completed during 2012 to determine if there is a source of volatile organic compounds (VOCs) within the footprint of the former main building and there were no indications of a remaining source for VOCs in soil. This suggests that significant remediation of VOCs in soil is not likely.

Ground Water

Ground water is impacted by two VOCs, trichloroethene (TCE) and tetrachloroethene (perchloroethene or PCE) plus two metals, arsenic and lead.

The distribution of TCE concentrations in groundwater and the results of a soil gas survey indicated that a potential TCE source area may be present in the vicinity of the former Main Building, however, the specific source of the TCE has not been confirmed by soil sampling to date and recent sampling suggests there is no significant source remaining in soils beneath the former building.

The detection of PCE in an intermediate bedrock monitoring well (MW-25) at the upgradient property boundary indicates a potential off-site source of the PCE in bedrock groundwater. Further assessment is recommended to better understand the magnitude of PCE concentrations in groundwater that may be originating from off-site.

Based on our current assessment of ground water analytical data in accordance with NJDEP regulations and technical guidance related to Vapor Intrusion; no potential impacts to buildings associated with vapor intrusion have been identified.

Although elevated concentrations of arsenic have been identified in soil throughout the Site, the arsenic exceedances in groundwater were identified primarily in monitoring wells in the Lower Tier and in off-site monitoring well MW-27. Further assessment of the soil data, monitoring well specifications, and groundwater data is needed to evaluate the potential source(s) of the arsenic concentrations in groundwater. The lead impacts

in groundwater were detected in overburden monitoring wells located closer to the northern perimeter of the Site and require confirmation.

These contaminants of concern were also present in excess of the ground water quality standards in two production wells, which were installed by prior Site owners. One of the two production wells is inactive and is located on the Upper Tier. The second production well (on the Lower Tier) was recently abandoned in accordance with NJDEP regulations. These sample results will also require confirmation using proper well sampling procedures as not all samples were collected following current NJDEP sampling protocols for inorganics and metals.

TCE and PCE are related compounds, which are not found naturally in the environment and which have been found to originate on Site via a suspected historic release. By contrast, arsenic is found naturally in ground water in the northern New Jersey Piedmont region (in which Belleville is located) and its presence in ground water beneath the RMS facility may be related to the local bedrock geology unlike the case of the arsenic concentrations that were found in the surface soils.

The initial ground water RI indicates that further investigation of ground water will be required. This additional ground water investigation may lead to further investigations depending on the outcome. It is expected that the next round of groundwater monitoring will be completed by early 2013. We anticipate that a Phase 2 ground water RI will be conducted in 2013 with likely supplemental ground water RI activities taking place in 2014.

Remedial Action Concepts

Based on the findings of the investigations completed to date, remediation of soil to unrestricted use remediation standards has been determined not to be feasible for either the Upper or Lower Tier. Future remedial activities will likely focus on implementing a restricted use remedy through engineering and institutional controls that would include a combination of soil cover, pavement and buildings to address potential direct contact risks associated with impacted soil. In addition, selected AOCs may be targeted for soil excavation and, or treatment.

In 2012, significant progress was made in further characterizing soil impacts and in the evaluation of remedial alternatives. Next phases of work will focus on both completion of the soil remedial investigation including further characterization of the soil impact to ground water pathway. In addition, the findings of the Phase 1 ground water remedial investigation will be evaluated in light of the recent soil remedial investigation findings to develop and implement the Phase 2 ground water remedial investigation. In addition, these findings should be assessed to determine the next steps for further evaluation of potential remedial alternatives.

Based on completion of these activities, we anticipate that a remedial alternative can be selected for the Site; however, it is necessary to complete additional investigation and

remedial design activities. Based on the current rate of progress, a Remedial Action Work Plan will likely be prepared by late 2014.

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Section 15: Appendix C – Redevelopment Plan Area Boundary Map

(Editor’s Note: Attached is the current plan boundary map in the Plan. It will be re-drafted by CME for better legibility)

MAP I – ENVIRONMENTAL DATA

