

**MILLTOWN FORD AVENUE REDEVELOPMENT PLAN**

**FOR**

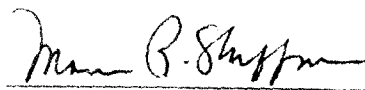
**FORD AVENUE REDEVELOPMENT AREA**

**BLOCK 58, LOTS 1.01, 1.02, 1.03 & 1.07  
BLOCK 59.01, LOT 5.01  
BOROUGH OF MILLTOWN  
MIDDLESEX COUNTY, NEW JERSEY**

**PREPARED FOR**

**BOROUGH OF MILLTOWN**

**MARCH 15, 2002  
REVISED July 28, 2004  
REVISED April 24, 2009**



**MARCIA R. SHIFFMAN, P.P., AICP, CLA  
N.J.P.P. LICENSE NO. 2428**

**TABLE OF CONTENTS**

1. Introduction ..... 1

2. Description and Conditions of the Site..... 1

    A. Location..... 1

    B. History..... 1

    C. Current Zoning..... 2

    D. Master Plan..... 3

    E. Adjacent Land Uses ..... 4

    F. Existing Conditions..... 4

3. General Redevelopment Objectives ..... 5

4. Redevelopment Plan..... 5

    A. Definitions..... 5

    B. Type of Redevelopment Project..... 6

    C. Relationship of Redevelopment Plan to Local Objectives..... 6

    D. Proposed Land Uses and Building Requirements in the Project Area..... 6

5. Provisions for Temporary or Permanent Relocation of Residents in the Project Area ..... 10

6. Identification of Any Property within the Redevelopment Area to be Acquired..... 11

7. Significant Relationship of Redevelopment Plan to the Master Plans of Contiguous Municipalities, County, State Development and Redevelopment Plan..... 11

8. Relationship to Pertinent Municipal Development Regulations ..... 11

9. Developer Selection..... 12

10. Developer Designation Process..... 12

11. Procedures for Changing Redevelopment Plan ..... 13

12. Maps ..... 13

## **1. Introduction**

Under the New Jersey Local Redevelopment and Housing Law of 1992 (C.40A:12A-1 et seq.), a municipality may designate an area as a "Redevelopment Area" or as an "Area in Need of Redevelopment" upon finding that certain conditions exist within a given delineated area. Conditions that help qualify an area for this designation include dilapidation, substandard buildings, abandonment, obsolescence and stagnant productivity.

The Borough Council of the Borough of Milltown adopted a resolution on February 13, 2001 requesting that the Planning Board conduct a preliminary investigation to determine whether the Ford Avenue Site (Block 58, Lots 1.01, 1.02, 1.03 & 1.07) meets the criteria to be classified as a redevelopment area in accordance with the Local Redevelopment and Housing Law. The Council's resolution indicated that it believes that the Ford Avenue site, which was previously utilized by the Michelin Tire Company and various other entities including the Chickapee Corporation, has continued to deteriorate, and is not being properly maintained, is now in a dilapidated state, and poses a potential health and safety risk to the residents of Milltown. That report was prepared and identified existing conditions which formed the basis for findings related to a redevelopment area designation for the Ford Avenue Site. The Planning Board conducted a public hearing on May 8, 2001 and adopted the report and recommended the area be designated as an area in need of redevelopment.

Based upon the recommendation of the Planning Board that the Ford Avenue Site is "an area in need of redevelopment," the Mayor and Council of the Borough of Milltown undertook a number of actions to prepare and implement a redevelopment plan for the site. On September 13, 2001, Ordinance 01-1112 was adopted which created the Ford Avenue Redevelopment Agency. On April 22, 2002, Ordinance No. 02-1120 was adopted which approved the "Milltown Ford Avenue Redevelopment Plan for the Ford Avenue Redevelopment Area." On August 23, 2004, Ordinance No. 04-1185 was adopted which approved the revised "Milltown Ford Avenue Redevelopment Plan for the Ford Avenue Redevelopment Area." Finally on August 22, 2005, Resolution No. R05-198 reaffirmed that the Ford Avenue Site is an "area in need of redevelopment" and its designation as a redevelopment area.

## **2. Description and Conditions of the Site**

### **A. Location**

The Ford Avenue Redevelopment Site is approximately a 21.5± acre tract consisting of five (5) contiguous lots which front on the south side of Ford Avenue between Main Street and Brook Drive. The Mill Pond and Lawrence Brook are immediately to the south and west with Main Street to the east. The area is known as Lots 1.01, 1.02, 1.03 and 1.07 in Block 58 and Lot 5.01 in Block 59.01 as shown on the Milltown tax maps (see map #1 in Section 12). For clarification, please note that previous site descriptions had included only four lots since lot 5.01 in Block 59.01 had been developed and incorporated into Lot 1.03 in Block 58. However, the tax map continues to show Lot 5.01 in Block 59.01 as a separate tax lot. The site abuts a former Raritan River Railroad spur to the south. The spur is no longer functional and considered abandoned.

### **B. History**

Industrial use of the site dates back to the mid 1850's when the Meyer Rubber Company developed the original complex. Meyer ceased operations in 1896 with the India Rubber Company coming on the scene. After a short time, India Rubber was succeeded by the International Rubber Company, which was ultimately taken over by the Michelin Tire Company in 1907. The complex was expanded with new buildings and improvements. Michelin remained in operation until the spring of 1930 when it closed its doors. Since then a number of companies have operated businesses in the former Michelin

complex including such names as Chickapee of J&J, Heiding Feld Printing Company, Algro Knitting Mills and Alphaduct Wire.

**C. Current Zoning**

The Ford Avenue Redevelopment Site is currently located within two (2) zoning districts (see map #2 in Section 12). The front portion of Lot 1.01 at the corner of Main Street and Ford Avenue is contained within the B-2 Commercial Center Zone. The remainder of the study area is contained within the M-1 Light Industrial Zone. The following list describes the permitted principal, accessory and conditional uses within each of these existing zoning districts.

**B-2 Commercial Center Zone**

1. Permitted Principal Uses

- a. All uses permitted in Chapter 34-21 1b. of the B-1 Zone.
- b. Restaurants, except drive-in, drive-thru, carry out or fast food restaurants.
- c. Lawn and garden shops.
- d. Professional offices.
- e. Medical and radiologic laboratories.
- f. Computer or electronic services or rentals.
- g. Retail integrated developments of such uses as retail stores and shops, personal service establishments, professional and business offices, banks, and restaurants housed in an enclosed building or buildings and utilizing such common facilities as customer parking areas, pedestrian walks, truck loading and unloading space, utilities and sanitary facilities and other necessary and appropriate uses, subject to and in conformance with the regulations specified herein.

2. Permitted Accessory Uses

- a. Off-street parking spaces, parking garages and off-street loading areas.
- b. Enclosed storage of goods incidental to the conduct of the retail business not exceeding ten (10) percent gross lot area and not exceeding maximum impervious coverage requirement of this zone.
- c. Fences, walls and hedges.

3. Conditional Uses

- a. Public utility facilities required to provide the direct service of the utility to the consumers such as transformers and pumping stations but excluding warehouses, service or storage and treatment facilities.
- b. Automobile service and repair garages, gas stations.
- c. Fraternal, charitable and philanthropic institutions.

- d. Drive-in banks.
- e. Satellite dish antennae.
- f. Home occupation. Customary home occupations, such as but not limited to dressmaking, millinery and home cooking, provided that such occupations shall be conducted solely by resident occupants of the building and that not more than the equivalent of one-third (1/3) of the area of one (1) floor shall be used for such purposes and that no display of products or advertising of any kind shall be visible from the street. No equipment shall be used in such an occupation, which is not usually found in the home. Structural or architectural changes shall not be permitted to accommodate the occupation.
- g. Home professional offices.
- h. Movie theaters per Ordinance #957.

**M-1 Light Industrial Zone**

1. **Permitted Principal Uses**

- a. Business, administrative, professional and governmental offices.
- b. Light industrial manufacturing, fabrication processing and assembling of products.
- c. Wholesale offices and showrooms with accessory storage of goods.
- d. Warehousing of finished products and material for distribution.
- e. Electrical, heating, ventilating, air-conditioning, plumbing and refrigeration equipment sales and services businesses.
- f. Computer and/or electronic assembly, service or rental.
- g. Lumber, building materials and equipment storage yards.

2. **Permitted Accessory Uses**

- a. Off-street parking, loading and ramp area.
- b. The enclosed warehousing and storage of goods and products.
- c. Garage space necessary to store any vehicle on the premises.
- d. Fences, walls and hedges.

3. **Conditional Uses**

- a. Public utility facilities required to provide the direct service of the utility to the consumers.
- b. Satellite dish antennae.

**D. Master Plan**

Dating back to the 1959 Master Plan, the study area has generally been designated for Industrial use. The study area has contained present and previous uses such as Michelin, Chikapee of J&J, Middlesex Container,

Herman Warehousing, Swing Rite Doors, Pinella Painting and others. However, both the 1989 Master Plan and the 1996 Master Plan update recognized the abandonment of the industrial use of the past and recommended that a portion of the site be utilized for affordable senior housing with the remainder being designated for light industrial use. The 2002 Master Plan Reexamination Report recommended that the redevelopment plan for this area include affordable housing. Both the 2003 Amended Housing Element and Fair Share Plan and the 2007 Milltown Housing Element and Fair Share Plan affirmed that the Ford Avenue Redevelopment Site should be used to meet the Borough's affordable housing obligation.

**E. Adjacent Land Uses**

The study area which is situated within the center of the Borough includes the following adjacent land uses (see map #3 for an aerial photograph of the study area):

- North: The northern boundary of the study area is defined by Ford Avenue, the United Way facility located on Lots 2.01 and 2.02 and single-family residential uses located within Block 59.01. The uses along the northern side of Ford Avenue include single-family, multi-family, retail and other business operations.
- South: The abandoned railroad spur and the Mill Pond with associated floodplain and wetland areas are to the south.
- East: Main Street is the eastern border of the study area. Retail and bank uses lie on the east side of Main Street north of the Mill Pond bridge crossing.
- West: The western border of the study area is defined by an unimproved section of Brook Drive and the Lawrence Brook. The Lawrence Brook centerline defines the municipal boundary with East Brunswick Township.

**F. Existing Conditions**

The Ford Avenue Site contains nine (9) industrial structures generally of masonry construction ranging from one to three stories in height; however, the existing smoke stack is considerably taller. The structures have been segmented into twenty-five (25) different building components. The total gross square footage of all buildings is approximately 583,000 s.f. There are several existing businesses currently operating within the complex. Many of the building components remain vacant.

Overall the facility is in very poor physical condition. This is evident since a significant number of the buildings in the redevelopment area are in a deteriorated, dilapidated, under maintained or substandard condition. The site design exhibits poor pavement conditions as well as an antiquated site layout, which was conducive to industrial uses of the past. There has been a continued presence of vacancy, abandonment or underutilization of the property. The buildings are unsafe due to the dilapidation and have fallen into such a state of disrepair that many of the buildings are untenable. The facility has become a security problem, an attractive nuisance for children in the area and is a potential fire hazard due to the abandonment. The existing conditions create a detrimental effect on the health, safety, morals and welfare of the community.

The analysis of the Ford Avenue Redevelopment Site concluded that conditions do exist that meet the necessary criteria to determine that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5.

**3. General Redevelopment Objectives**

- A. Encourage a mixed-use development, which includes several forms of residential uses, commercial/business uses and public purpose uses.
- B. Create renewed value in the land and entities operating on the land for both public and private purposes.
- C. Improve the Borough's Main Street image by replacing the vacant and poorly maintained buildings and site amenities with new, carefully designed, appropriately located and oriented residential, commercial and public purpose facilities.
- D. Provide improved public access to the Mill Pond and provide a public purpose open space buffer along the pond's edge. In addition, provide public purpose open space areas in other places within the Redevelopment area.
- E. Attract appropriately sized retail and services business, which will provide more stability for the Main Street business district and integrate well with existing neighboring residential uses and proposed residential elements.
- F. Preserve and/or restore existing landmark structures, if possible.
- G. Provide housing opportunities which will enable the Borough to address its affordable housing obligation.

**4. Redevelopment Plan**

**A. Definitions**

The following terms in this report shall have the following meanings as defined by NJSA 40:12A-3.

"Redeveloper" means any person, firm, corporation or public body that shall enter into, or propose to enter into, a contract with a municipality or other redevelopment entity for the development or rehabilitation of an area in need of redevelopment, or in an area in need of rehabilitation, or any part thereof, under the provisions of this act, or for any construction or other work forming part of a redevelopment or rehabilitation of the project.

"Redevelopment" means clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant of dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

"Redevelopment agency" means a redevelopment agency created pursuant to subsection a. of section 11 of P.L. 1992, c. 79 (C.40A:12A-11) or established heretofore pursuant to the "Redevelopment Agencies Law," P.L. 1949, c. 306 (C.40:55C-1 et seq.), repealed by this act, which has been permitted in accordance with the provisions of this act to continue to exercise its redevelopment functions and powers.

"Redevelopment area" or "area in need of redevelopment" means an area determined to be in need of redevelopment pursuant to N.J.S.A. 40A:12A-05 and N.J.S.A. 40A:12A-6 as made pursuant to the authority of Article 8, Section 3, paragraph 1 of the Constitution.

“Redevelopment plan” means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need-of-rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.

“Redevelopment project” means any work or undertaking pursuant to a redevelopment plan; such undertaking may include any buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping, and administrative, community, health, recreational, educational, and welfare facilities.

“Rehabilitation” means an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.

“Rehabilitation area” or “areas in need of rehabilitation” means any area determined to be in need of rehabilitation pursuant to (C.40A:12-14).

“Senior Housing” means age-restricted housing for permanent residents aged fifty-five (55) years or over and sixty-two (62) years or over as defined by the Fair Housing Act of 1988 as amended.

#### **B. Type of Redevelopment Project**

The redevelopment project may include the rehabilitation of existing structures for adaptive reuse if those structures are capable of being rehabilitated for the required uses and/or complete razing of the existing development to accommodate new development. The preparation of Phase I Environmental Assessments, Adaptive Reuse Studies (if applicable), Environmental Impact Statements and Traffic Impact Statements by competent experts are a mandatory component to any redevelopment project at this redevelopment site.

#### **C. Relationship of Redevelopment Plan to Local Objectives**

The redevelopment plan promotes and recommends the creation of a mixed use district in the center of the Borough. This mixed use plan promotes the General Redevelopment Objectives in Section 3 above and is consistent with the current zoning, which permits a variety of residential and commercial activity. This existing zoning is consistent with the Land Use Element of the Master Plan, which maps Ford Avenue as a mixed-use area. Therefore it would be appropriate for the Ford Avenue Redevelopment Area to contain a mixed use redevelopment plan. The redevelopment plan is consistent with the objectives of the 2003 and 2007 Housing Element and Fair Share Plan by addressing the Borough’s affordable housing obligation.

#### **D. Proposed Land Uses and Building Requirements in the Project Area**

The creation of a mixed use overlay zone identified as the “Ford Avenue Redevelopment Zone” is recommended. This zone should be applied to the entire redevelopment area including Lots 1.01, 1.02, 1.03 and 1.07 in Block 58, Lot 5.01 in Block 59.01 and to adjacent Lots 1, 2, 3, 4, 5.02, 6, 7, 8, 9 and 10 in Block 59.01 and Lots 2.01 and 2.02 in Block 58, which front on Ford Avenue but which are not contained in the redevelopment area. These



adjacent out-parcels are being included in the overlay zone in an effort to bring these existing residential and non-profit uses into conformity with the overlay zoning. (See map #2 in Section 12)

It is the intention of this Redevelopment Plan to subdivide the redevelopment area through the use of new public or private right-of-ways to gain access to all portions of the site and create separate parcels for the mix of uses.

The following uses are permitted in the redevelopment plan:

1. Single-Family Residential
2. Townhouse Residential
3. Midrise Housing
4. Senior Housing
5. Commercial and Business Use
6. Community Service Use

Residential uses shall include age-restricted and non-age restricted units except that the age-restricted requirement does not apply to existing single-family lots that front on Ford Avenue.

The following Use and Bulk Regulations, as indicated in the 1994 Comprehensive Development Ordinance for the Borough of Milltown, shall apply to the respective use groups within the Ford Avenue Redevelopment zone unless said use is controlled by Residential Site Improvement Standards or specific standards are included in this plan.

a) **SINGLE-FAMILY RESIDENTIAL USE** shall comply with the R-4 Single-Family Residential Zone Standards.

b) **TOWNHOUSE RESIDENTIAL USE** shall comply with the following regulations:

(1) The tract size shall be a minimum of four (4) contiguous acres.

(2) The tract shall have not less than two hundred (200) feet of frontage upon a public street which pre-exists the development or which will be constructed in accordance with the approved application for development and other applicable standards and specifications.

(3) The maximum density of the townhouse parcel contained within the Redevelopment Area shall be twenty (20) dwelling units per acre.

(4) The maximum building coverage of the townhouse parcel shall not exceed seventy (70) percent. The maximum coverage by all impervious surfaces and structures of the Townhouse parcel shall not exceed eighty (80) percent.

(5) No building shall be closer than twenty (20) feet to an existing or proposed public right-of-way, nor closer than ten (10) feet to any collective parking lot; no closer than fifteen (15) feet to any curb line or cartway of an internal, private street; no closer than twenty (20) feet to all other tract boundaries; and no closer than twenty (20) feet to any structure which contains a dwelling unit when the structures are placed side wall to side wall, forty (40) feet when placed side wall to rear wall and forty (40) feet when placed rear wall to rear wall, and no closer than twenty (20) feet to a detention basin.

(6) A deck or patio is permitted to project not more than eight (8) feet into the minimum building setback.

(7) The front facade of any structure containing more than one dwelling unit shall not continue on the same plane without incorporating architectural features that provide variations in the facade to create a desirable visual environment. Acceptable features may include, but are not limited to, bay windows, recessed entryways, porches, gable windows, building offsets and gable walls.

(8) Not less than three (3) nor more than eight (8) townhouse dwelling units shall be contained within any one structure.

(9) The application shall include a plan for the storage and collection of solid waste and recyclables. Garbage and refuse collection may be provided as curbside pick up from each individual unit or at centralized collection points within the development. Collection shall be the responsibility of the entity responsible for maintenance of the common elements within the development. If centralized collection points are provided, they shall be suitable for containerized collection and screened from view by solid fence, block wall or other suitable material. Screening shall be on three sides.

(10) The maximum building height for townhouse units shall be thirty-five (35) feet and 2 ½ stories.

(11) Each dwelling unit shall contain a minimum of 300 cubic feet of storage area. The storage area shall be in addition to the floor area requirements for each dwelling unit but may be included within the confines of the garage, basement or cellar. Where provided within a garage, storage space shall be in addition to the space required for a vehicle.

(12) Each dwelling unit shall have a private ground patio or deck area accessible directly from the rear or side of the unit having a total area of at least one hundred (100) square feet.

(13) The width of each dwelling unit shall be not less than twenty (20) feet.

(14) Townhouse dwelling units may be platted as fee simple lots or in condominium ownership. Fee simple townhouse lots shall not be less than one thousand (1,000) square feet in an area with a minimum width of twenty (20) feet and a minimum depth of fifty (50) feet.

(15) Parking shall comply with Residential Site Improvement Standards. Off-street parking spaces shall be developed as a combination of attached one or two-car garage, paved driveway and off-street parking. The residential one-car garage and driveway combination shall provide a minimum driveway width of ten (10) feet with a minimum length of eighteen (18) feet between the face of the garage door, the cartway of the street or sidewalk. The deed restrictions and covenants of the residential townhouse units shall prohibit the conversion of the required garage space to living space.

(16) All proposed restrictive covenants, articles of incorporation, master deed and by-laws or other documents in conjunction with the creation of a homeowners association, a trust or other vehicle to provide for ownership and maintenance of common land or facilities shall be submitted to the Borough for the review and approval by the Borough Planning Board and approved by the Borough Attorney prior to the final approval of any proposed subdivision or any proposed site plan.

c) **MIDRISE AND SENIOR HOUSING USE** shall comply with the following regulations:

(1) **PERMITTED ACCESSORY USES** shall include:

- (a) Management and administrative office space serving only the Mid-Rise and Senior Citizen buildings. This office space shall not exceed 1,000 s.f. of gross floor area in any one building.
- (b) The building(s) may provide a maximum of 500 square feet of medical facilities floor area to allow for periodic visits by one or more members of the medical profession for consultation and/or treatment of the building residents as required by any applicable federal, state or local regulation.
- (c) Off-street parking and loading areas
- (d) Fences, walls and hedges
- (e) Private, non-commercial recreation facilities for the exclusive use of the residents of the buildings.
- (f) Signs as permitted by the Planning Board
- (g) All uses considered by the Planning Board to be customary, incidental and subordinate to the principal uses.

(2) **BULK REGULATIONS** applicable to the Midrise and Senior housing lots or parcels:

- (a) Minimum lot or parcel area: 1 acre
- (b) Maximum lot or parcel density: 50 dwelling units per acre
- (c) Minimum setback to any lot or parcel line: 20 feet
- (d) Maximum lot or parcel building coverage: 70%
- (e) Maximum lot or parcel impervious coverage: 80%
- (f) Maximum building height: Five (5) stories and fifty (50) feet
- (g) Parking shall comply with Residential Site Improvement Standards

(3) **ADDITIONAL REGULATIONS** applicable to the Midrise and Senior housing buildings:

- (a) The housing units shall be contained within mid-rise building(s) as defined by Residential Site Improvement Standards and may be in condominium ownership and/or rentals.
- (b) No dwelling units shall be permitted in any basement area.
- (c) All elevators shall provide adequate width, depth and door width for use by stretchers or other patient transport devices used by the Milltown Emergency Service agencies.

4) **COMMERCIAL AND BUSINESS USES** shall comply with the Permitted Principal and Accessory Uses, Prohibited Uses, Off-street Parking and Loading Regulations and the Sign Regulations contained in the B-2 Commercial Center Zone Standards.

(1) Midrise Residential use above Commercial/Business use within a mixed use building is permitted with the following regulations:

- (a) Residential uses shall not occupy the ground floor.
- (b) In no instance shall a commercial or business use be located above a residential use or on the same floor as a residential use.
- (c) Parking for residential uses shall comply with the New Jersey Residential Site Improvement Standards.

(2) Bulk Regulations applicable to the Commercial Business lots or parcels:

- (a) Minimum lot parcel area 20,000 s.f.
- (b) Minimum setback to any lot or parcel line 10 feet
- (c) Maximum building height
 

Stories	8 stories
Feet	50 feet

- (d) Maximum lot or parcel building coverage 70%
- (e) Maximum lot or parcel impervious coverage 80%

e) **COMMUNITY SERVICE USE** shall comply with the CS Community Service Zone Standards.

f) **OTHER PROVISIONS applicable to the REDEVELOPMENT AREA:**

(1) The overall Redevelopment Area residential density shall not exceed 15.10 dwelling units per acre or the maximum residential unit count as described in the Developer's Agreement, whichever is less.

(2) The overall Ford Avenue Redevelopment Area residential unit count shall not exceed 324 units. The residential unit mix, unit types, bedroom counts and affordable unit requirements shall be as follows:

- 64 affordable units (25% senior units)
  - 13 one-bedroom
  - 38 two-bedroom
  - 13 three-bedroom
- A minimum of 100 and a maximum of 125 townhouse units (fee simple or condominium):
  - Limited to one and two bedrooms
  - Individual units shall not exceed 2,400 square feet
- Not more than 163 non-age restricted midrise condominium units:
  - 25% one-bedroom, with a maximum unit square footage of 850 square feet
  - 75% two-bedroom, with a maximum unit square footage of 1,300 square feet

2) The overall Redevelopment Area building coverage shall not exceed sixty (60) percent.

3) The overall Redevelopment Area impervious coverage shall not exceed seventy-five (75) percent.

4) The overall Redevelopment Area Commercial/Business floor area shall not be less than 10,000 square feet or more than 25,000 square feet.

**5. Provisions for Temporary or Permanent Relocation of Residents in the Project Area**

There are no residences contained within the redevelopment area. Therefore, this redevelopment plan should not require the relocation of any residents. However, there are several active commercial and business uses within the redevelopment area.

Relocation, temporary and/or permanent, of families, individuals and businesses displaced as a result of implementation of this Redevelopment Plan will be carried out by the Redevelopment Agency in accordance with the provisions of the State of New Jersey Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and Relocation Assistance Act of 1971 (N.J.S.A. 20:4-1 et seq.) the rules and regulations promulgated there under. Business being relocated will be provided the opportunity to relocate to an alternate location or to obtain a payment in lieu of continuing in business, as per State law.

**6. Identification of Any Property within the Redevelopment Area to be Acquired**

It is the Borough's intention that property acquisition necessary to implement the Redevelopment Plan will be carried out by designated private developers negotiating with property owners.

The right to condemn property is reserved if private negotiations fail and the property or properties in question are judged essential to achieve objectives intended by the Plan. In cases where the designated redeveloper and a private property owner cannot agree on the terms of purchase, and as a last resort after other means have been exhausted, the developer may request that the Redevelopment Agency use its power of eminent domain, specifying the means that have been applied to purchase the property. If the Redevelopment Agency agrees to acquire by condemnation, the developer will pay all costs of acquisitions/condemnation, including legal and appraisal costs. The Redevelopment Agency may require a refundable cash deposit accompanying this request.

To the extent that properties may be subject to title problems, the Redevelopment Agency may relieve the properties of these problems through use of eminent domain.

**7. Significant Relationship of Redevelopment Plan to the Master Plans of Contiguous Municipalities, County, State Development and Redevelopment Plan**

- A. The redevelopment area is located in the south central portion of the Borough on the municipal boundary with East Brunswick Township. The adjoining lands on the south side of Lawrence Brook in East Brunswick are zoned RP Rural Preservation. The proposed redevelopment area will provide for a mixed use development which is more compatible with the adjacent East Brunswick zoning than the existing underutilized and under maintained manufacturing and light industrial uses.
- B. The proposed redevelopment area is consistent with the overall land uses provided in the County Master Plan.
- C. The redevelopment area is located in the Metropolitan Planning Area as indicated on the New Jersey State Development and Redevelopment Plan Policy Map (March 1, 2001). The State Development and Redevelopment Plan defines the purpose of the Metropolitan Planning Area (PA1) as follows:

*"This planning area is to provide for much of the State's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities."*

The Milltown Ford Avenue Redevelopment Plan is consistent with these purposes as enumerated in the State Development and Redevelopment Plan.

**8. Relationship to Pertinent Municipal Development Regulations**

The uses in the redevelopment area shall be limited to those permitted in this plan. This redevelopment plan shall constitute an overlay zone for the area contained in the plan. The Zoning Map of the Borough of Milltown is hereby amended to designate the area set forth in this plan as the "Ford Avenue Redevelopment Zone". (See Map 2 in section 12) Further, the requirements set forth in this redevelopment plan shall supersede Chapter XXXIV, Comprehensive Development in the redevelopment area covered by this redevelopment plan.

## 9. Developer Selection

The Redevelopment Agency intends that the selection of developers to implement redevelopment plans be accomplished through an open and competitive process. The Redevelopment Agency, however, reserves the right to waive this policy, by resolution of the governing body, if it judges that specific circumstances justify doing so. If the Redevelopment Agency determines that a competitive process is to be pursued for redevelopment of the entire area, a section or sub-sections, the competitive developer selection process may include:

- a. Preparation of developer qualifications, guidelines to selection and phasing of solicitations.
- b. Preparation and approval of developer solicitation materials (Request for Qualifications).
- c. Advertisements and direct solicitation of developers.
- d. Review of developer qualifications. Selected developers invited to submit proposals (Request for Proposals).
- e. Review of developer proposals, including conceptual site plans, leading to selection of developers.
- f. Negotiations with selected developers, leading to developer agreements.
- g. Redevelopment Agency designation of developers, based on agreements between developers and the Redevelopment Agency

If negotiations with a selected developer are unsatisfactory, the Redevelopment Agency will terminate the negotiation and begin again with another developer until a satisfactory agreement is reached. The Redevelopment Agency may also restart the developer solicitation process. It is the Redevelopment Agency's intention to continue this process until agreements have been reached with developers regarding the entire Redevelopment Area.

Developer agreements will include such issues as developer responsibilities for public facilities, relocation responsibilities, local employee recruitment policies, adherence to design guides, approval of all firms which become members of the development team, timely inception of construction, phasing, and other considerations. The Redevelopment Agency reserves the right to change developers in the event of failure to perform in accordance with the agreement.

## 10. Developer Designation Process

When the Redevelopment Agency determines that a competitive process is to be pursued for the redevelopment, the developer designation process may include the following steps:

- a. Begin developer solicitation process by releasing Requests for Qualifications (RFQ) for the Redevelopment Area.
- b. Review responses to RFQ for:
  - (1) Team qualifications
  - (2) Experience
  - (3) Financial capacity
- c. Select developers to respond to Request for Proposals (RFP)
- d. Evaluate RFP responses on the basis of:
  - (1) Project concept, program, phasing and consistency with general redevelopment area goals.
  - (2) Conceptual site plan
  - (3) Parking and circulation plan
  - (4) Community purpose plan
  - (5) Acquisition plan
  - (6) Relocation plan
  - (7) Infrastructure plan
  - (8) Open space plan
- e. Award developer(s) exclusive rights to negotiate with the Redevelopment Agency