

CHESTERFIELD TOWNSHIP

Redevelopment Plan
Block 105 Lot 1
404 Ward Avenue

Adopted by Ordinance No. 2023-3 on April 27, 2023

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Appendix A Ward Avenue Redevelopment Area

I. Introduction

In 2020 the Chesterfield Township Committee authorized the Planning Board to conduct a preliminary redevelopment investigation to determine whether certain identified properties qualified as a non-condemnation area in need of redevelopment in accordance with the criteria defined in New Jersey's Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).¹ The Township undertook the redevelopment planning initiative after observing that many of the study area properties were either vacant or underutilized, and that these conditions had persisted for several years. The preliminary redevelopment needs investigation report dated September 2022 provides an overview of the Township's redevelopment planning process, a detailed description of the study area, an outline of the redevelopment criteria, a review of the relationship of the study area to the Township's master plan and to the State Plan and explains the conditions that warranted the redevelopment area designation. On September 22, 2022, in accordance with resolution 2022-9-13, after a public hearing and recommendation from the Planning Board, Township Committee designated the study area properties as a Non-condemnation Area in Need of Redevelopment. The areas designated as in need of redevelopment in 2022 are in three distinct areas of the Township. This redevelopment plan applies only to lot 1 in block 105, consisting of approximately 22.4 acres within the "Ward Avenue Study Area".

This particular site is bound on two sides by Township roads and on two sides by land that contains the Garden State Correctional Facility. Though the site has locational challenges and is constrained by the presence of freshwater wetlands and buffers, the site also offers an opportunity to accommodate a relatively low impact commercial use that respects the site's environmental constraints and that will benefit the community and advance the public welfare. This redevelopment plan establishes permitted uses, standards, and design controls to enable and encourage development of the site; and sets the stage for discussions about a Payment in Lieu of Taxes (PILOT) that may benefit the Township and enable greater investment by the redeveloper. Since most of the land in Chesterfield has been or will be either preserved for agricultural use or developed in the Old York Village receiving area as part of the Transfer of Development Rights planning effort, there are limited locations where commercial redevelopment may be appropriate and feasible. This lot is in one of the few areas where there is opportunity to encourage creative redevelopment and infill that will support the Township's overall land use goals.

II. Redevelopment Plan Requirements

The redevelopment planning process allows the Township to take a proactive approach to supporting appropriate development and high-quality design, by identifying opportunities that may otherwise be overlooked in the private market and by working with property owners and redevelopers to create mutually beneficial development opportunities and outcomes. The Township aims to utilize the tools provided in the Local Redevelopment and Housing Law (LRHL) to enhance opportunities for adaptive reuse, revitalization, and redevelopment that support the

¹ Resolution 2020-6-11 on June 25, 2020

Township's land use planning goals and ensure that the Township is ready for change when it comes.

Following the designation of an area in need of redevelopment, the Township Committee may prepare, or direct the Planning Board to prepare, a Redevelopment Plan for the Redevelopment Area. The Redevelopment Plan must contain an "outline for the planning, development, redevelopment or rehabilitation of the project area" sufficient to cover the items set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7). The requirements include:

- a. Relationship to local objectives
- b. Proposed land uses and building requirements
- c. Identification of any land to be acquired
- d. Relationship to Master Plans of adjacent towns, County, and State Plan
- e. Housing Provisions (if applicable)
- f. Relationship to municipal Master Plan
- g. Relationship to Township's land development regulations (supersede existing or optional overlay)

The redevelopment planning process empowers the Township to establish new zoning parameters that reconsider the status quo and to set the stage for the type of development that the Township wants to facilitate in terms of use and operations, coordinated improvements, unified design, and integration of uses.

III. Property Description

The property that is the subject of this redevelopment plan, lot 1 in block 105, is located on the western edge of the Ward Avenue Redevelopment Area (illustrated in Appendix A), at the northeast corner of Ward Avenue and Hogback Road. The property to the west across Hogback Road is in Bordentown Township and is developed with Bordentown Regional High School. The property to the north and east is developed with a correctional facility (prison) owned by the State of New Jersey Division of Institutions. The properties to the south across Ward Avenue are not within the designated redevelopment area, but are developed with residential, agricultural, and utility uses. The property was formerly developed with a farmhouse and appurtenant buildings but had fallen into such disrepair that in 2021 the Township required the owner to demolish the structures and clear the site.

IV. Redevelopment Plan Goals and Objectives

- A. Enable the transformation of this underused and deteriorated site and encourage the location of attractive, well-organized, and clean businesses that are suited to the surrounding area and fit into the existing land use framework, and that will contribute to a vibrant local economy.

- B. Promote the design of buildings that complement the agricultural character of the Township and that respect the scale of surrounding uses.
- C. Protect freshwater wetlands and stream corridors to protect habitat and promote resiliency, and to retain existing vegetative buffers to the extent possible.
- D. Integrate stormwater management and green infrastructure thoughtfully within the development plan.
- E. Provide for maximization of private investment through the attraction of qualified redevelopers capable of securing private financing commitments and utilizing the tools provided in the NJ Local Redevelopment and Housing Law and the NJ Long Term Tax Exemption Law, and capable of demonstrating a financial commitment upon the execution of a redevelopment agreement with the Township.

V. Applicability of Redevelopment Plan and Relationship to Municipal Development Regulations

The requirements and standards set forth below for lot 1 in block 105 shall supersede the underlying zoning requirements for the subject property. However, where the regulations and standards in the redevelopment plan are silent, the standards of the Land Development Ordinance applicable to site development shall apply to the redevelopment plan. The adoption of this redevelopment plan shall constitute an amendment to the Chesterfield Township Zoning map.

All applications for development within the redevelopment area shall be submitted to the Planning Board for site plan and/or subdivision approval as required by Municipal Land Use Law and Township Code section 130-90. The redeveloper may apply to the Planning Board for “C” variances or design waivers, but a designated redeveloper may not request a “D” variance. Requested deviations from the redevelopment plan standards related to use, height, or floor area ratio requirements must be submitted to the Township Committee, and if agreeable shall be addressed via an amendment to the Redevelopment Plan.

VI. Relationship to Local Objectives and Planning Policies

The central goal of Chesterfield Township’s Master Plan and other planning documents is to promote and retain the industry of agriculture. All of the Township’s planning efforts over the last several decades have focused on this goal: to protect the viability of agriculture and availability of valuable farm soils while balancing farming with a reasonable amount of development and residential housing. In furtherance of these policies, the Township has planned and implemented a comprehensive growth management program (TDR) with agriculture at its core. In order to continue these policies into the future, the Township has identified the Ward Avenue Redevelopment Area as an area that can accommodate some low impact non-residential development without undermining the essential balance between agriculture, residential, and non-residential development.

This redevelopment plan will allow the Township to utilize the tools provided in the Local Redevelopment and Housing Law (LRHL) to enhance opportunities for redevelopment that support the Township's land use planning goals and ensure that the location is paired with the type of development that the Township wants to facilitate. The Township's 2017 Land Use Element of the Master Plan did not anticipate the designation of the Ward Avenue Redevelopment Area and the redevelopment planning that would follow. In terms of the Transfer of Development Rights program, this site is neither part of the receiving area nor part of the sending area. The goals of the Master Plan and Land Use Element do encourage careful consideration of land use decisions in a manner that supports the overall growth management program. None of the Township's planning policies or objectives will be undermined by this redevelopment plan.

VII. Redevelopment Plan Uses and Standards

The land use and building requirements are intended to provide a framework that permits creative and coordinated redevelopment of the overall tract. Though development of the site may take place incrementally, the overall tract should be planned comprehensively, and phases should be parts of the whole.

A. Permitted Uses. Multiple permitted principal buildings, multiple permitted principal uses within a building, and multiple tenants within a principal building shall be allowed within the redevelopment area when the entire site is owned, managed, and maintained by one entity.

1. Agricultural Operations and Farms, including indoor agriculture
2. Research, laboratories, and development operations
3. Light Manufacturing, fabrication and assembly operations, except for those that are harmful, hazardous, or noxious
4. Publishing and printing establishments
5. Professional and business offices (not including medical offices)
6. Business, service, and shop uses such as but not limited to:
 - a. Building and Construction
 - b. Communications
 - c. Cabinet making
 - d. Furniture repair
 - e. Plumbing
 - f. Electrician
 - g. Exterminator
 - h. Technology repair

B. Prohibited Uses. Any use not permitted above is prohibited. The following are specifically prohibited:

1. Automobile repair and sales
2. Fulfillment warehouses and centers

3. Distribution warehouses and facilities
4. Parcel hub warehouses
5. Refrigerated warehouses
6. High Cube Warehouses
7. Truck Terminals
8. Junkyards
9. Storage yard/Repair Yard as principal use
10. Incineration
11. Storage of junked or inoperable vehicles

C. Permitted Accessory Uses.

1. Barns, toolsheds, grain sheds, bins, fences, greenhouses and similar structures and equipment accessory to agricultural uses.
2. Off street parking shall be constructed as required by Township Code section 130-49 except as modified below:
 - a. Where a site contains more than one type of nonresidential space, the number of required parking spaces shall be aggregated.
 - b. Parking stalls for passenger vehicles shall be a minimum of 9' by 18'.
 - c. Parking stalls for trucks shall be adequate to safely accommodate the type of vehicle that will occupy the space. This information shall be provided with any site plan application.
 - d. Garage, shop areas, and services bays that serve the principal use require 1 parking space per 400 square feet
 - e. Electric vehicle service equipment and charging stations are permitted and may be counted toward the parking requirements.
 - f. Parking areas shall be setback a minimum of 10 feet from buildings.
 - g. Parking areas for a business' fleet of work trucks and service vehicles shall be on an improved surface but need not be striped.
3. Private garages for parking vehicles and for accessory storage
4. Electric vehicle service and charging equipment
5. Off street loading areas
6. Fences, hedges, and walls
7. Outdoor seating and patio areas, within the permitted building envelope
8. Telecommunications equipment
9. Solar energy infrastructure and equipment
10. Outdoor storage of equipment and materials related to the principal use, subject to the standards in this redevelopment plan
11. Fire protection and potable water supply storage tanks
12. Signs in accordance with the requirements below
13. Stormwater management structures and facilities, and green development structures and techniques in accordance with N.J.A.C. 7:8

14. Trash and recycling containers and enclosures as set forth below.
15. Fuel pumps to serve a permitted principal use.

D. Bulk and Area Regulations

Standard	Requirement
Minimum lot size (area)	5 acres
Minimum lot width	200 feet
Minimum street frontage	200 feet each street
Minimum lot depth	200 feet
Minimum front yard building setback	75 feet
Maximum front yard parking setback	50 feet
Minimum side yard building and parking setback	75 feet
Minimum rear yard building and parking setback	75 feet
Maximum Building Coverage	20%
Maximum Impervious Coverage	50%
Minimum Distance between buildings	40 feet
Maximum building height for Principal Structures	48 feet 2 floors/stories
Maximum building height for Accessory Structures	40 feet

E. Design Standards

1. Ingress and egress driveways shall be limited to two per street frontage. If more than one driveway is proposed along on street frontage, the driveways must be separated by a minimum of 200 feet.
2. Two-way circulation driveways shall be a minimum of 25 feet wide.
3. Loading spaces shall be adequate to serve the intended use and shall be shown on the proposed site plan. A minimum of one loading space (12' by 55') shall be provided on the site.
4. Sidewalks are required along the primary facade of buildings containing offices, and connecting parking areas serving the office space.
5. The location of areas for outdoor storage of materials and equipment required for the operation of the principal use shall be shown on the site plan. Expansion of these areas will require an amendment to the site plan.
 - a. The site plan shall identify the location of proposed outdoor storage and the square footage of the area. The applicant shall indicate the type of materials and equipment that will be stored outside and indicate why such materials and equipment cannot be stored indoors.

- b. Outdoor storage areas shall be screened from public view with fencing and/or landscaping consistent with the requirements of section 130-80F where possible.
 - c. All outdoor storage areas must be a minimum of 150 feet from the right of way and a minimum of 75 feet from perimeter property lines.
6. Street trees shall be provided along the right-of-way at intervals of 40 to 50 feet.
 - a. This requirement may be waived when there is an existing healthy tree canopy within 50 feet of the right-of-way. Street trees are not required within sight triangles.
 - b. Transplanted evergreen trees may be substituted for street trees when shown on the landscape plan and approved by the planning board.
7. A detailed landscape plan shall be submitted for review and approval by the Planning Board. The landscape plan shall include notes about the proposed methods of irrigation.
8. All disturbed pervious areas shall be planted with a variety of evergreen and deciduous trees, shrubs, and ground cover.
9. Tree removal.
 - a. The development area is defined as the building footprint plus a 30 foot perimeter, the driveway and parking area footprint plus a 10 foot perimeter, the septic field footprint plus a 10 foot perimeter.
 - b. For each tree over 18" dbh that is removed from outside of the development area, replacement planting is required. One new native species tree must be planted on site for each tree removed outside of the development area. New trees shall be located in a manner that enhances the chances that the tree will thrive and will not need to be removed if the facility is expanded in the future. All trees shall be of a species identified in section 130-79B of the Township Code and shall be a minimum of 2.5 inches caliper at the time of planting.
 - c. Tree protection fencing shall be installed to delineate the limit of disturbance and to protect healthy trees to be preserved.
10. Landscaping shall be provided within and around passenger vehicle parking areas consistent with the requirements of section 130-80F(5) to the greatest extent possible. Parking areas for the business fleet of trucks and equipment need not satisfy the landscape requirements of section 130-80F(5).
 - a. Decorative landscaping shall be provided along the roadway frontage in the vicinity (a minimum of 50 feet on each side) of the primary access drives where natural vegetation will not remain.
11. Fences.
 - a. All fence locations and fence details shall be provided on a site plan.
 - b. Fences are not permitted in the 75 foot front yard setback area.
 - c. Fences that may be visible from a public right-of-way may not exceed 8 feet in height
 - d. Any chain link fence that may be visible to the public shall be black or dark brown vinyl clad.
12. Architectural plans showing all sides of each building must be submitted along with a site plan application.

- a. All principal and accessory buildings shall be designed with a unified architectural theme. Architectural design features shall be employed to create visual interest around the primary access to principal buildings.
- b. Variations in rooflines (parapets or architectural screening) shall be used to completely screen HVAC and other roof mounted equipment.
- c. Water meters, gas meters, electric meters, and ground mounted mechanical units must be screened from public view with structural or landscape screening.

F. Enclosures for Trash and Recyclables

1. Trash and recycling storage areas must be shown on the site plan and screened such that they are not visible from the right-of-way. Screening may include buildings, fencing, walls, and landscaping.
2. Trash and recycling areas that are visible from the right-of-way must be enclosed by walls or fencing sufficiently sized to contain the dumpsters or containers for both trash and recyclable materials.
3. If outside of a building, refuse and recyclables enclosure areas must be designed to complement the building design.
4. The applicant shall submit an operations statement that outlines the types of wastes that are anticipated, types of materials recycled, locations for onsite storage, and method and frequency of collection.

G. Lighting. Lighting shall be in accordance with section 130-81 of the Township code except as set forth below:

1. Lighting shall be directed downward and designed to prevent light pollution.
2. When LED fixtures are utilized, the lighting color temperature shall be between 2,700 and 3,300 Kelvin.
3. The intensity of outdoor lighting shall be reduced during non-working hours to the levels required for security purposes.

H. Signs. Signs shall be in conformance with the requirements of Township Code section 130-87 except as modified below.

1. One freestanding sign identifying the principal business on the site is permitted on each street frontage.
2. Freestanding signs shall be monument style signs and may not exceed 8 feet in height and 40 square feet in area.
3. Freestanding signs shall be setback a minimum of 15 feet from the right-of-way and must be outside sight triangles.
4. Freestanding signs must be at least 100 feet from the intersection of Ward Avenue and Hogback Road.
5. Landscaping is required around the base of each freestanding sign and shall be shown on the landscape plan.

6. Each principal building may have one attached façade sign, not to exceed 40 square feet and the top of the sign shall not be higher than 20 feet above grade.
7. Directional signs are permitted to provide internal wayfinding and shall be shown on the approved site plan. Directional signs must be setback a minimum of 75 feet from all property lines, and shall not exceed 4 square feet in area and 4 feet in height.

I. Affordable Housing and Mandatory Development Fee

1. Commercial development shall be subject to the mandatory development fee of 2.5% of the equalized assessed value of newly constructed commercial improvements. The fee shall be payable in accordance with the requirements of Township Code section 130-122.
2. The mandatory development fee funds will be deposited into the Township’s Affordable Housing Trust Fund in accordance with the standards in the Township Code and utilized to assist the Township in meeting its fair share affordable housing obligations in accordance with the Township’s AHTF Spending Plan.

VIII. Relationship to Master Plans of adjacent towns, County, and State Plan

A. Surrounding Municipalities

1. Hamilton Township. The Ward Avenue Redevelopment Area borders Bordentown Township to the west and Hamilton Township to the north. The subject lot is separated from Hamilton Township by the Garden State Correctional Facility property and Crosswicks Creek. The correctional facility is centered on lot 2.01, so there is a substantial undeveloped wooded area in Chesterfield adjacent to the municipal border with Hamilton. Further, municipal open space parcels within Hamilton’s Conservation zone district line the creek in Hamilton Township, providing additional separation between residential uses in Hamilton’s R-10 zoning district to the north.
2. Bordentown Township. The Ward Avenue Redevelopment Area borders Bordentown Township to the west and Hamilton Township to the north. The subject lot is located on the east side of Hogback Road and properties in Bordentown are on the west side of Hogback Road. The land directly across Hogback Road in Bordentown is developed with Bordentown High School and is within the “P” Public Zoning District. Land to the southwest is within the R-40 Low density single family residential district containing a religious institution and a few residential dwellings, and the Public District containing recreation fields. Bordentown’s master plan recommends that these areas be maintained as public uses and low density residential, which will not be impacted by the proposed redevelopment of lot 1 in block 105.

B. New Jersey State Plan

The properties in the Ward Avenue Redevelopment Area are within Planning Area 4, the rural planning area, on the New Jersey State Plan Policy Map. The adjacent areas in the neighboring towns are within Planning Area 1, the metropolitan planning area, and Planning Area 2, the suburban planning area. Planning Areas 1 and 2 are “smart growth areas” where development and redevelopment are encouraged. Though the Ward Avenue portion of the study area is within Planning Area 4, the area is dominated by the lands owned by the Department of Corrections and is separated by the New Jersey Turnpike from the broader rural area comprising Burlington County’s farm belt. Further, the Correctional Facility contains a wastewater treatment facility that serves the prison as well as the Township’s TDR receiving area. At the time that the Township’s 1997 Master Plan was prepared (which laid the foundations for the Township’s TDR program), the three lots owned by the Division of Institutions were identified as “developed”. The 1992 State Plan had recommended the northwest corner of the Township (the area west of the Turnpike) as a Planned Regional Center. This changed with the 2001 State Plan, because Chesterfield had designed and adopted a TDR program with the receiving area on the east side of the Turnpike. Redevelopment of this 22 acre tract, adjacent to a State prison and across the street from developed areas in Planning Area 2, will not detract from the overall rural character and agricultural nature of the Rural Planning Area.

IX. General Provisions

- A. Redevelopment Entity. The Chesterfield Township Committee shall act as the Redevelopment Entity pursuant to N.J.S.A. 40A:12A-4c for the purpose of implementing this redevelopment plan and carrying out redevelopment projects. The Township Committee shall have the powers set forth in N.J.S.A. 40A:12A-8 to effectuate the execution and implementation of this redevelopment plan, except that the Township shall not utilize the power of eminent domain since this area is a non-condemnation redevelopment area.²
- B. Selection and Designation of Redeveloper. The Township Committee shall select and designate a redeveloper based on the entity’s experience, project proposal, financial capacity, ability to meet deadlines, ability to meet market demands within the Redevelopment Plan framework, and other relevant criteria that demonstrate the redeveloper’s ability to implement the goals and objectives of the Redevelopment Plan.
- C. Redevelopment Agreement. The Redevelopment Entity may enter into a redevelopment agreement with the designated redeveloper as set forth in N.J.S.A. 40A:12A-9. Prior to entering into a redevelopment agreement, the redeveloper shall submit a concept plan to the

² Only properties that have been designated as an Area in Need of Redevelopment and that have been determined to be blighted are subject to acquisition through eminent domain by the Redevelopment Entity. The Ward Avenue Redevelopment Area was found to be a non-condemnation area in need of redevelopment and therefore is not subject to acquisition through eminent domain. The property subject to this redevelopment plan is not identified for acquisition.

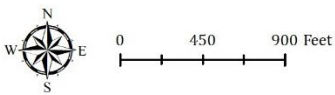
Township Committee and the Township Committee's professional consultants to determine consistency with the redevelopment plan. Once consistency is certified, the redevelopment agreement may be executed with the concept plan as an exhibit. Any development or construction within the redevelopment area shall be undertaken in accordance with the contractual agreement between Chesterfield Township and the designated redeveloper. The execution of the redevelopment agreement shall convey the right to develop the property in accordance with the terms of the agreement and this redevelopment plan. In addition the agreement may establish the time period for development under the terms of the redevelopment plan. The redevelopment agreement may be amended from time to time or at any time when mutually agreed by the redeveloper and the Township Committee.

- D. Time Limits. The redevelopment plan does not have an expiration date. Once the redevelopment project has been completed in accordance with the redevelopment plan and redevelopment agreement, and the Redevelopment Entity has affirmed that all obligations have been satisfied; the conditions that warranted the redevelopment area designation shall be deemed to no longer exist. However, the Redevelopment Plan shall continue to apply as the operative zoning for the property until such time as it is specifically repealed or replaced.
- E. Relocation Provisions. No relocation requiring assistance is anticipated for property subject to this redevelopment plan and therefore a Workable Relocation Assistance Program (WRAP) is not necessary. The Redevelopment Area does not currently contain any housing units, and thereby does not include any affordable housing units. Therefore, no replacement units are required.
- F. Outside Agency Approvals. The redeveloper shall be responsible to obtain any and all necessary outside agency approvals including but not limited to NJDEP, Burlington County Planning Board, and Soil Conservation District Approval.

X. Development Review and Approval

- A. All applications for development on property subject to this redevelopment plan shall be submitted to the planning board for site plan and/or subdivision review and approval pursuant to the requirements of Municipal Land Use Law.
- B. Prior to making a formal application to the planning board the designated redeveloper shall submit a concept plan for review by Township Committee and the Township's professional engineer and planner to confirm consistency with the redevelopment plan.
- C. The Township shall facilitate a fast-track review process for designated redevelopers proposing projects that are consistent with the redevelopment plan by reviewing applications for completeness as quickly as is practical and by prioritizing such applications for placement on the planning board agenda.
- D. A Redeveloper must establish an escrow account in accordance with N.J.S.A. 40:55D-53.2 and the Township's fee schedule. The escrow shall be used to pay the Township's consultants for the review of the redevelopment project.

- E. Exceptions to the regulations and standards of this redevelopment plan may only be granted by the Chesterfield Township Planning Board. Relief may not be granted by the planning board to permit a use that is not specifically permitted, an increase in building height that exceeds the maximum permitted height by 10 feet or 10%, or any other relief that would be considered a “D” variance pursuant to N.J.S.A. 40:55D-70.d. Any such deviation shall require an amendment to the redevelopment plan. Exceptions may be granted by the Planning Board from the zoning standards in this plan or within chapter 130 of the Township Code. Consideration of exceptions from the redevelopment plan standards in section VII above or the zoning regulations should be considered in the same manner as a “C” variance pursuant to the requirements and criteria set forth in N.J.S.A. 40:55D-70c.



Source: NJOGIS, NJGIN, NJDEP, NJDOT

Chesterfield Township
Redevelopment Study Area Map #1

August 2022