



MEMO TO: Borough of Sayreville Planning Board
FROM: Jay B. Cornell, P.E., Borough Engineer's Office *JBC*
DATE: August 21, 2024
SUBJECT: CP MD Jernee Mill Road Site Plan
Block 56, Lots 2.01 and 9
Our File No.: PSAP0056.02

In accordance with your authorization, our office has reviewed the revised site plan submitted for the above referenced project as prepared by Colliers Engineering and Design and dated June 12, 2023 and last revised June 28, 2024 and offer the following comments:

1. The subject application was recently determined to be complete by the Board's Technical Review Committee. We refer to the report of the Board Planner for his review of the variances, conformance schedule, and zoning ordinance associated with this project.
2. The subject site is located in the Landfill III / Melrose Redevelopment Area on the site of a former Municipal landfill. The Applicant is proposing to purchase the landfill from the Borough of Sayreville. In addition to the landfill an adjacent one (1) acre parcel has been acquired by the Applicant and will be utilized for the project. The property is approximately 46.5 acres in size and is located on the west side of Jernees Mill Road opposite Red Oak Lane.

As the Planning Board is aware, the Landfill III/Melrose Redevelopment Plan was originally adopted in 2013, was amended in 2015, and has been amended most recently in March 2024 in order to accommodate the proposed development. A copy of this Redevelopment Plan is attached for the information of the Board.

Since the subject application is located within a Redevelopment Area, Borough Ordinance requires the execution of a Redevelopment Agreement between the Applicant and SERA. This Redevelopment Agreement has been executed by both parties. A copy of this Redevelopment Agreement is on file in the Planning Board Office.

3. In terms of background, in January 2016 an application was approved for the construction of a 560 megawatt (MW) combined cycle power plant and associated site improvements on the subject property. An underground 230 KV electric line was also proposed to connect the site to a new JCP&L substation which was to be constructed on the east side of Jernees Mill Road near the Red Oak Power Plant. In addition an off-site grey water line was proposed to be constructed to allow for the use of MCUA effluent for cooling water.

A copy of the Resolution of Approval for this project is attached for the information of the Board.

Although this application was approved by the Board the Applicant was unable to obtain the necessary Federal/State approvals to construct the power plant.



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4. The Applicant is seeking preliminary/final site plan approval for the construction of two (2) cold storage warehouse buildings with assembled trailer storage areas and associated site improvements. The area of the Phase 1 building footprint is 250,000 square feet and has a gross floor area of 257,858 square feet, and the Phase 2 building footprint and gross floor area is 99,520 square feet on the 46.485 ± acre site. The Phase 1 building has 7,700 square feet of office space, and the Phase 2 building has 7,500 square feet.

The permitted uses as listed in the Redevelopment Plan (RA-EI Zone) include:

- Aquaculture Operations/Facility
- Brewing or Distilling
- Construction and Building Trade Workshops
- Greenhouse or Plant Nursery
- Industrial Vehicle, Construction Equipment Sales or Materials Service Establishment
- Industrial Service Establishments
- Manufacturing, Processing, Packaging or Assembly of Goods, Chemicals or Materials / Large Scale
- Office
- Paper Products Manufacturing
- Petroleum and fuel Products Storage and Wholesale
- Power Plant – Gas Fired Combination Cycle or More Efficient Technology up to 1000MW
- Processing, Assembly, Fabricating Operations, Manufacturing, Sales or Storage of Natural Resources
- Recycling Depot
- Transportation Service Provider
- Warehouse, distribution centers, and light manufacturing facilities that support reuse, recycling, compost processing and manufacturing businesses
- Wireless Telecommunications Facilities
- Solar Panel Power Generation Facilities
- Boat and Water Related Storage, Launching, and Maintenance Facilities
- Cold Storage Warehouse

The proposed construction of cold storage warehouses is consistent with the Redevelopment Plan's permitted use.

The bulk requirements for the Eco-Industrial Redevelopment Area RA-EI are as follows:

	<u>Required</u>	<u>Proposed</u>
Min. Lot Area	5 Acres	46.485± Acres
Min. Front Setback	50'	86.5'
Min. Side Setback	50'	201.9'
Min. Rear Setback	50'	276.1'
Max. Building Height	75'	75'
(For a Cold Storage Warehouse)		
Max Height – Accessory Buildings	40'	N/A
& Outdoor Material Storage	25'	N/A
Max. Lot Coverage	85%	36.66%



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The Plan satisfies all Bulk Requirements.

Parking requirements, established in the Redevelopment Plan for a cold storage warehouse (inclusive of any ancillary office floor area), are as follows:

Required: Cold Storage Warehouse (inclusive of any ancillary office floor area)

- Warehouse Use: 1 parking space per employee plus 10%

- Office Use: 1 parking space per 300 square feet of gross floor area

Building 1

7,700 Square Feet Office Use = 26 Spaces Required

250,158 Square Feet Warehouse Use (Max. 56 employees) = 62 Spaces Required (Max Employees + 10%)

Total= 88 Spaces Required

Provided = 88 Spaces

Accessible Parking Spaces

Building 1 (76-100 Spaces Provided) = 4 Accessible Spaces Required

Provided = 4 Accessible Spaces

EV Parking Spaces

Building 1 (76-100 spaces provided) = 3 EV Spaces Required

Provided = 4 EV Spaces

Building 2

7,500 Square Feet Office Use = 25 Spaces Required

92,020 Square Feet Warehouse Use (Max. 30 Employees) = 33 Spaces Required (Max Employees + 10%)

Total= 58 Spaces Required

Provided = 58 Spaces

Accessible Parking Spaces

Building 2 (51-75 Spaces Provided) = 3 Accessible Spaces Required

Provided = 8 Accessible Spaces

EV Parking Spaces

Building 2 (51-75 Spaces Provided) = 2 EV Spaces Required

Provided = 4 EV Spaces

The Plan satisfies all parking requirements.

Off-Street Parking shall conform to the following design standards:

a. Driveways shall be set back at least 10 feet from all buildings to provide room for a landscaped area.



b. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from the street right-of-way and sidewalks, avoid spill-over light, glare and noise onto adjacent property. Parking lots visible from a public right-of-way shall be surrounded by a minimum of a two to three foot landscaped berm or an existing matured landscaped buffer. The height of the berm shall gradually decrease in size where driveways and sidewalks approach to provide adequate site triangles.

c. The interior of all parking lots shall be landscaped to provide shade and visual relief. At a minimum, at least one (1) deciduous tree shall be planted for every 11 parking spaces inside a planter or landscape island is required. Landscaping should be utilized to soften edges of parking lots and to provide a sense of lot borders or boundaries.

d. A minimum of 10% of all parking areas shall be landscaped.

e. Parking lot layout should take into consideration pedestrian movement. Pedestrian crossings should be installed where deemed necessary by the Planning Board.

f. Parking spaces for all structures shall be prohibited within 50 feet of the front lot line.

The Plan satisfies the off-street parking requirements.

Loading requirements are established in the Redevelopment Plan as follows:

- a. Less than 10,000 square feet: None
- b. 10,000-50,000 square feet: 1 space
- c. 50,000-75,000 square feet: 2 spaces
- d. 75,001-100,000 square feet: 3 spaces
- e. Each additional 50,000 square feet: 1 additional space

Building 1

257,858 square feet total building area = 6 loading spaces required

Provided = 30 loading bays

Building 2

99,520 square feet total building area = 2 loading spaces required

Provided = 26 loading bays

The Plan satisfies the off-street loading requirements.

Access to the cold storage warehouse will be provided via one ingress only driveway, one egress only originally, and one full movement driveway along Jernees Mill Road. The full movement driveways is directly across from Red Oak Lane. The northern and southern driveways provide a minimum width of thirty (30') feet, with a circulation plan provided that shows adequate space for truck circulation. This access configuration appears adequate to accommodate the automobile traffic anticipated.



The proposed passenger parking lots are serviced by two-way parking aisles with widths of twenty-four (24') feet and 90-degree parking spaces of nine (9') feet by eighteen (18) feet. The parking lots meet the Borough Standards.

The proposed cold storage warehouse buildings are projected to generate 29 (4 trucks) entering trips and 10 (7 trucks) exiting trips during the weekday morning peak hour and 11 (6 trucks) entering trips and 32 (5 trucks) exiting trips during the evening peak hour that are "new" to the adjacent roadway network. The nearby intersections of Jernee Mill Road and Road Oak Lane / the proposed driveways are projected to maintain a minimum level of service of "B" with the new trip generated from the cold storage facility.

The traffic generated from this site is projected to have minimal impact and no significant degradation in operating conditions on the adjacent street system from the construction of this project.

Landscaping / Basin requirements are established in the Redevelopment Plan as follows:

- a. Landscaping is to be provided as part of all development applications and is to be integrated into building arrangements, topography, parking, buffering and other site features. Landscaping may include trees, shrubs, ground cover, berms, flowers, sculpture, art and similar materials, and shall be designed to provide aesthetic, buffering, environmental, ornamental, and other related functions. All landscaping plans shall be prepared by a New Jersey licensed landscaped architect
- b. Landscaping should define entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for loading and equipment areas.
- c. Landscaping shall permit adequate site distance for motorists and pedestrians entering and exiting a site and shall not interfere with circulation patterns.
- d. Walls that can be viewed from public streets shall be designed using landscaping (abutting the building) for at least 50% of the wall length. Other walls shall incorporate landscaping for at least 30% of the wall length. Walls along loading dock areas shall be exempt from this standard.
- e. Retention areas shall be designed in accordance with N.J.A.C. 7:8.

The Landscaping and Basin Design requirements listed in the Redevelopment Plan have been satisfied.

The Borough of Sayreville's Tree Conservation Ordinance is proposed to be complied with.

Lighting requirements are established in the Redevelopment Plan as follows:

- a. The maximum height of free-standing lights should not exceed thirty-five feet (35').
- b. A minimum of 0.5 footcandles shall be maintained throughout parking lots (exclusive of storage areas for light commercial vehicles and semi-trailer trucks) and maintained with established depreciation factor calculated into lighting level at a maximum to minimum illumination ratio not to exceed 15:1

The Plan satisfies the requirements of the Redevelopment Plan.



Signage requirements are established in the Redevelopment Plan as follows:

- a. Signs shall not exceed (10) percent of the first story portion of the façade to which it is fixed or 200 square feet, whichever is less.
- b. Buildings with more than one use are allowed one (1) sign for each additional use.
- c. There shall be a consistent sign design throughout a particular project. The design elements include style of lettering, construction material, size and illumination.
- d. Freestanding pole mounted signs are prohibited
- e. Illuminated box signs are prohibited

The Applicant shall verify compliance with these requirements.

Building requirements are established in the Redevelopment Plan as follows:

- a. Design a principal façade and obvious entrance parallel to the street edge. Do not face blank walls towards public streets.
- b. Utilize brick (reclaimed or new), architectural precast concrete panels, decorative concrete block or cut stone. Corrugated sheet metal, vinyl siding, reflective glass and imitation stone siding are discouraged.
- c. Locate utility meters and exhaust vents on the side or rear of a building to the extent allowed by utility service providers.
- d. Design to accommodate areas for recycling of waste materials. Provide a centralized ground-floor location for collection and storage of recyclables
- e. Strive to obtain LEED certification for normally occupied areas

The Building requirements appear to be consistent with the Redevelopment Plan.

The site was formerly operated as a solid waste disposal facility from 1971 to 1977 by the Borough of Sayreville. In 1983 the USEPA included the site on the Federal Superfund National Property List (NPL) based upon the presence of hazardous waste on site. The site under the oversight of NJDEP. Remedial action activities were completed in 1999 with the installation of a composite cap system and passive ventilation system. The site is entirely covered by classification exception area for groundwater and landfill gas monitoring for methane 2000.

The Redeveloper is responsible to provide proof that all required NJDEP permits are acquired and all permit requirements are met prior to any modifications or replacement of existing wetlands. In addition, the Redeveloper is responsible to maintain the Landfill in compliance with all Environmental Laws.

5. Our office has been working with the Applicant and his Professionals in order to have this application deemed complete and have the numerous technical concerns raised by our office addressed. Initially a sixteen (16) page Technical Engineering Review was provided to the Applicant. Since that time, we have been provided with revised plans and reports which have addressed a number of the concerns initially raised by our office.



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6. Our office has prepared the attached updated "Technical Engineering Review" based on the revised plans submitted. The comments contained in this review should be addressed in further detail by the Applicant's Engineer.

At this time, it would be the recommendation of our office that any action taken by the Board on the subject application be contingent upon the resolution of the aforementioned items.

Should you have any questions concerning this matter, please do not hesitate to contact this office.

JBC/blr

cc: All Board Members
Colliers Engineering and Design
Timothy Arch, Esq.



**BOROUGH OF SAYREVILLE
CP MD JERNEE MILL ROAD LLC**

- UPDATED TECHNICAL ENGINEERING REVIEW -

Our File No.: PSAP0056.02/600.01

A. SITE GRADING AND GENERAL COMMENTS

1. The Applicant will be required to obtain and forward to the Borough and our office final approvals or letter of no interest from the following government agencies.
 - a. Middlesex County Planning Board Approval,
 - b. Middlesex County Road Opening,
 - c. NJDEP – Letter of Interpretation,
 - d. NJDEP – Freshwater Wetlands General Permit,
 - e. NJDEP – Flood Hazard Area Verification,
 - f. NJDEP – Flood Hazard Area Permit,
 - g. NJDEP – Dam Permit,
 - h. NJDEP – Safe Drinking Water Permit,
 - i. NJDEP – Treatment Works Approval,
 - j. NJDEP – Inclusion in Sewer Service Area (Verify not required for expanded use)
 - k. NJDEP – Physical Connection Permit,
 - l. NJDEP – Letter of No Further Action (Site Remediation Activities),
 - m. NJDEP – Bureau of Air Quality,
 - n. NJDEP – Stormwater Construction General Permit,
 - o. NJDEP – Landfill Disturbance Permit,
 - p. NJDEP – Coastal Wetlands Permit,
 - q. NJDEP – Waterfront Development Permit
 - r. NJDEP – Tideland Instrument (Grant or Easement),
 - s. NJDEP – Threatened and Endangered Species Consultation,
 - t. Middlesex County Utilities Authority – Non-Domestic Wastewater Discharge Permit,
 - u. Middlesex County Utilities Authority – Construction within Easement Area
 - v. Sayreville Economic and Redevelopment Agency (SERA),
 - w. Borough of Sayreville – SESC Plan Certification,
 - x. Borough of Sayreville – Soil Removal/Fill Placement Permit,
 - y. Borough of Sayreville – Tree Preservation Permit,
 - z. Borough of Sayreville – Water Supply Agreement,
 - aa. U.S. Fish and Wildlife Service – Threatened and Endangered Species Consultation.

2. Our office will defer to the report of the Board Planner for his review of the Zoning Ordinance requirements and planning aspects for this project.



3. As per the requirements of the Borough Design Standards, sidewalk is required to be installed along the frontage of the site. The Applicant is requesting a waiver of this requirement.
4. A pipe crossing schedule should be provided on the utility plans which indicates the locations and elevations where sanitary sewers/laterals, water main/services, storm sewers/leader drains cross. Corresponding vertical clearance dimensions should also be indicated for each pipe crossing. Pipe encasements, cradles or support blocks should be provided where vertical clearance between pipes is less than 18".
5. The plans indicate that two (2) monument type signs are proposed. Details for these signs should be provided. In addition the locations of any proposed building wall signs and details for this project should be shown on the plans.
6. No trash enclosure is shown on the plan. The Applicant should provide more information about how garbage and recycling will be stored and removed from the site.
7. In accordance with the Borough Ordinance, sidewalks shall be provided between parking areas and principal structures, along aisles and driveways, and wherever pedestrian traffic shall occur. The proposed site improvements do not comply with this requirement and a waiver will be required.
8. A Deed of Lot Consolidation should be filed for the project. The new block and lot numbers should be obtained from the Borough Tax Assessor.
9. The aesthetics of the proposed building to be constructed should be reviewed by the Board. Information on the layout/aesthetics of the Phase II Building should be submitted for review.
10. Plans and details for the construction of all proposed retaining walls should be prepared by a New Jersey Professional Engineer and submitted to our office.
11. Provide elevations for the concrete pads next to the doors from Building 1. The slope between BC 22.66 and the concrete pad on the north side of Building 1 may be greater than the maximum allowable landscaping slope of 3:1 and should be revised or eliminated.
12. The maximum allowable grade for landscaping is 3:1 slope. Various slopes along the perimeter are 2:1. The Applicant is requesting a waiver of this requirement.
13. The types of gates (manual, automated, gate house, etc) to be installed for the Phase I loading areas should be further reviewed.
14. An Engineer's Bond Estimate for the proposed site improvements should be submitted for the project.



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15. The proposed phasing of the project (timing, limits of improvements, etc) should be further reviewed.
16. The plans should be revised to indicate the locations of all proposed easements on the subject site, if needed. Metes and bounds descriptions for any proposed easements should be submitted to our office for review.
17. The Applicant must arrange with all applicable utility companies for the installation of their underground supply lines and service connections. A written statement from each serving utility company must be submitted to our office, which shall evidence full compliance with Borough Ordinance requirements.
18. In accordance with the Borough Ordinance, driveways for non-residential uses should be a minimum thirty (30) feet in width. The proposed center site driveway does not comply with this requirement. The Applicant is requesting a waiver of this requirement.
19. The grade for Manhole S-15B should be revised to match the proposed contours.
20. The elevations BC 24.86 and BC 24.65 at the southeast corner of the Building 1 passenger vehicle parking lot should be further reviewed.
21. The proposed slope between Double E Inlet S-38 and contour line (elev. 20) in the parking lot to the west of Building 1 does not meet the minimum slope (0.75%) required. The grading plan should be revised accordingly.
22. The low points created at bottom of retaining wall between Building 1's east parking lot and Jernee Mill Road should be eliminated.
23. The plan should be revised to adjust Clay Core hatching to no longer cover various text and elevations.
24. The grate elevation for B Inlet S-50A should be revised.
25. The high point elevation between BC 26.49 and B Inlet S-42 should be revised.

B. SANITARY SEWER SYSTEM

1. The Sanitary Sewer Design Report should be revised to include calculations demonstrating the adequacy of the existing sanitary sewer system downstream of the proposed site improvements to accept the projected sewage flows. The calculations should include wastewater flow quantities from all existing development that is tributary to the downstream system.



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2. The plans should be revised to show the Sanitary Sewer connections in the Sanitary Sewer profile.
3. The Applicant's Engineer should provide further detail how the sanitary laterals will tie into the sanitary main. The Applicant's Engineer should also explain the need for the depth of the sanitary sewer main. The lateral connections need to drop over six (6') feet to tie into proposed main.
4. The limits of the sanitary sewer improvements to service Phase I of the project should be further reviewed.

C. WATER DISTRIBUTION SYSTEM

1. The Water Distribution Design Report should be revised to include an estimate of the required fire flows for the proposed improvements. In addition, results of a current hydrant flow test and calculations that demonstrate that the required fire flows can be met by the existing Borough water system should also be included in the report.
2. The Applicant's Engineer should provide profiles of the proposed water lines including locations of valves, hydrants, crossings and clearance between sanitary and storm sewers and other underground utilities.
3. The location of the proposed fire department connections should be provided on the plan. All fire department connections should be located within 25 ft of a fire hydrant.
4. The design and adequacy of fire suppression systems, both public and private fire hydrant locations, and the delineation of fire lanes should be subject to the review and approval of the Borough Fire Official.
5. The time frame for the looping of the proposed water main should be further reviewed. This work should be completed during the first phase of the project.

D. STORM DRAINAGE SYSTEM

1. The Applicant proposes three porous pavement areas, five bioretention basins, and two underground detention basins to manage the site's stormwater runoff.
2. The reference project is a Major Development under NJAC 7:8. The Applicant has stated they have documentation from the NJDEP stating they are grandfathered into the stormwater rules dated March 2, 2020, as opposed to the July 17, 2023 rules. The Applicant should provide a copy of the documentation for confirmation.
3. An executed Major Development Stormwater Summary (Attachment D of the Tier A MS4 NJPDES Permit) should be submitted to this office for review and approval.



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4. The proposed development appears to disturb portions of the wetlands/wetlands transition areas. An NJDEP Freshwater Wetlands permit must be obtained for the proposed disturbance. A copy of the permit and approved stamped plans must be provided to this office. After wetland approval is obtained, a note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet 3 of 4).
5. The Applicant proposes to work in a regulated flood hazard area. A flood hazard area disturbance permit must be obtained from NJDEP for the regulated activity. A copy of the permit and approved plans must be provided to this office. After permit approvals are obtained, a note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet 3 of 4).
6. The drainage report must be updated to include stormwater runoff calculations for both current and future projected scenarios performed in accordance with guidelines of NJAC 7:8-5.7(c) and NJAC 7:8-5.7(c) (d). The Applicant has indicated that this is not applicable to the March 2, 2020 "grandfathered in" stormwater rules. This comment can be disregarded once documentation from the NJDEP is provided.
7. The project area has multiple existing discharge points. Drainage areas should be delineated at each discharge point. In accordance with NJAC 7:8-5.2(l) and NJAC 7:8-5.6(c), stormwater runoff control standards must be met separately for each drainage area/discharge point. Please note, per NJAC 7:8-5.6(c), the stormwater runoff quantity standards are applied at the site's boundary. The Applicant must demonstrate offsite stability at each discharge point per SESC Standards.
8. There are two river crossings, Conrail Bridge and Veterans Memorial Bridge, as well as residential and commercial developments along the riverbank between the stormwater discharge point from this development and the ocean. In accordance with NJAC 7:8-5.6(b).4, the Applicant must demonstrate that there are no flood damages below the point of discharge by the increased volume of runoff before the quantity control requirements stated in NJAC 7:8-5.6(b)1,2 and 3 can be waived.
9. On page 12 of the stormwater management report, the Applicant is requesting a "Linear Waiver" from stormwater management for improvements in Jernee Mill Road. This will be reviewed after the NJDEP completes its stormwater system review.
10. Soil investigations must be performed within the limits of proposed stormwater BMPs to determine the seasonal high groundwater table. All testing must be performed in accordance with Chapter 12 of the BMP manual. The geotechnical investigations provided do not meet the number of geotechnical investigations required per the BMP Manual Chapter 12.



11. The drainage report includes a table listing the following for each BMP: area of BMP, depth of BMP, the number of test pits/boring/soil profiles performed for the BMP, seasonal high water table established; and the number of soil investigations required by chapter 12 of BMP Manual. The table should be updated once additional geotechnical investigations are completed.
12. The stormwater report includes a summary table of design parameters for each bioretention basin, such as inflow area, water quality volume, basin area, filtration rate of soil media, the flow capacity of underdrain system or infiltration rates, separation from seasonal high groundwater table, and drain time and demonstrate compliance with BMP design standards in NJ BMP Manual Chapter 9.7. The table on Page 9 of the drainage report and Hydrocad calculations shows that Basin 1, 2, 3 & 5 have inflow drainage areas greater than 2.5 acres and do not meet the small-scale bioretention basin criteria. A large scale bioretention basin cannot be used to meet water quality standards without a waiver. The stormwater management design must be revised to meet the green infrastructure standards.
13. There should be a minimum of 1-foot vertical separation between the bottom of the bioretention basin with underdrains and the top of landfill cap elevation or seasonal high groundwater table. This is to be confirmed after additional geotechnical testing is performed.
14. The bioretention basins discharge to a South River and its tributaries. A backflow prevention device was added to the outflow pipe to consider tailwater from the downstream tributary, however a backflow preventer does not isolate bioretention basin outflow from high tailwater conditions. The basin routing calculation should be revised to consider tailwater where applicable.
15. It appears that proposed bioretention basins 1 and 2 qualify as a Class IV dam, and in accordance with NJAC 7:20, a New Jersey licensed Professional Engineer must design the Class IV dam to meet all technical requirements in NJAC 7:20. The Applicant's Engineer must provide a certification that the basins comply with all applicable NJAC 20 requirements.
16. In accordance with NJAC 7:20, all dams shall include a device to permit the draining of the reservoir for maintenance. The outlet control structure detail for Basin 1 & 2 should be updated to show the location of the outlet plug
17. There should be a minimum of 1-foot vertical separation between the bottom of the porous pavement underdrains and the elevation of the top of the landfill cap or seasonal high groundwater table. This is to be confirmed after additional geotechnical testing is performed.



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18. A backflow preventer does not isolate porous pavement storage outflow from high tailwater conditions. The basin routing calculation should be revised to consider tailwater where applicable.
19. There should be a minimum of 1-foot vertical separation between the bottom of the detention system (stone pocket) and the top of the landfill final cap elevation or seasonal high groundwater table. This is to be confirmed after additional geotechnical testing is performed.
20. A backflow preventer does not isolate underground detention basin #2 outflow from high tailwater conditions. The basin routing calculation should be revised to consider tailwater where applicable.
21. The following pipe seems to have insufficient cover and should be reviewed.
 - a. Pipe from S-7 to S-4;
 - b. Pipe from S-31 to S-32.
22. A downstream capacity analysis must be included in the drainage report. The downstream must consider offsite flows coming into an existing 28" RCP in Jernee Mill Road.
23. An Operation and Maintenance Manual, prepared in accordance with NJAC 7:8-5.8, shall be provided for the proposed stormwater BMPs.
24. The limits of the storm sewer improvements to service Phase I of the project should be further reviewed.
25. The Applicant shall confirm that if Phase 2 is never built, the Phase 1 stormwater system will be built as per plan or revised to meet the latest Stormwater Regulations.
26. The feasibility of using porous pavement in a heavily traveled truck driveway should be further reviewed.
27. Elevations, inverts and slopes for pipes and manhole between MH S-16 and MH S-15C should be revised.
28. The OCS S-12C Grate elevation should be revised on the profiles to match the Utility Plans.
29. The OCS S-33 Grate elevation should be revised on the profiles to match the Utility Plans.

E. SOIL EROSION AND SEDIMENT CONTROL

1. The SESC plans should be revised to include a separate stockpile detail for acid soil management to make clear that acidic and standard stock piles should never be mixed.



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2. Completed Hydraulic and Hydrologic Database Summary Forms for all proposed stormwater BMPs should be provided to this office.

F. LANDSCAPING AND LIGHTING

1. The 'Lighting Schedule' should be revised to include pole height as per Section 26-96.8 with consideration they will be installed upon 3-ft. high concrete stanchions.

G. ROADWAY IMPROVEMENTS AND MISCELLANEOUS

1. Information on the proposed hours of operation and number of employees of the proposed business should be provided. In addition, information on anticipated traffic patterns, deliveries, garbage pick-up, etc should also be provided.
2. The Applicant should verify to the Board that no loading or unloading of materials will be performed in the proposed parking areas.
3. As per the requirements of the Redevelopment Plan the number of parking spaces needed is based upon the proposed number of employees. As per the plan Building 1 will have a maximum of 56 employees and Building 2 will have a maximum 30 employees. The Applicant's Engineer should review how the maximum number of employees was calculated and what will prevent this number from being exceeded in the future.

H. TRAFFIC

1. The Applicant's Engineer should propose a stop sign and stop line, with 50-foot-long double yellow centerlines at the southern entrance to Building 1's western lot.
2. The driveway east of Building 2 only has a single yellow centerline depicted at each T-intersection. These centerlines should be modified to double yellow centerlines
3. The No Trucks sign proposed behind the Stop Sign at the passenger vehicle entrance to Building 1 cannot obscure the shape of the Stop sign. The Applicant's Engineer should address this issue.
4. Fire lanes and striping are subject to the approval of the Fire Subcode Official.

The Borough of Sayreville



PLANNING BOARD
167 MAIN STREET • SAYREVILLE, NJ 08872
TEL. (732) 390-7027 • FAX (732) 390-2922

February 4, 2016

Mrs. Theresa Farbaniec
Borough Clerk
167 Main St.
Sayreville, NJ 08872

**RE: Middlesex Energy Center, LLC (MEC)
(Sayreville Landfill #3)
Block 56, Lots 1.01, 2.02
Block 57.02, Lot 1 – Block 57.04, Lot 1
Block 57.05, Lot 1 & Block 58, Lots 6 & 7**

16 FEB -4 PM 3:18

Dear Ms. Farbaniec:

Enclosed please find a certified copy of a Resolution on the above subject matter which was approved by the Sayreville Planning Board at its meeting held on Wednesday, January 20, 2016 and memorialized at its February 3, 2016 meeting.

Sincerely yours,

Patricia Gargiulo
Patricia Gargiulo
Planning Board Secretary

CC: Attorney
Construction
Zoning
Applicant

Comm Plat - d ii
2-8-16

RESOLUTION
PLANNING BOARD
OF
THE BOROUGH OF SAYREVILLE

**Re: Middlesex Energy Center LLC
Jernees Mill Road
Block 56, Lots 1.01, 2.01 & 2.02
Block 57.02, Lot 1
Block 57.04, Lot 1
Block 57.05, Lot 1
Block 58, Lots 6 & 7**

WHEREAS, the Applicant, Middlesex Energy Center, LLC lessee of the property known as Jernee Mill Road, also known as Block 56, Lots 1.01, 2.01 & 2.02 Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1, Block 58, Lots 6 & 7 in the Borough of Sayreville, County of Middlesex, State of New Jersey requests Preliminary and Final Major Site Plan and Design Waiver approval to construct a 560 megawatt (MW) combined cycle power plant and associated site improvements.

WHEREAS, a hearing was conducted on January 20, 2016 in Council Chambers, in Borough Hall, in the Borough of Sayreville, County of Middlesex, State of New Jersey; and

WHEREAS, the following members of the Board heard the testimony and read the documents submitted:

Dr. J. Misiewicz (Chairman)
Mr. T. Tighe
Ms. A. O'Leary
Mr. M. Macagnone

Mr. A. Chodkiewicz
Mr. D. Bello
Mr. K. Kelly, Sr.
Ms. D. Lee
Councilman S. Grillo
Mr. R. Davis

WHEREAS, at said meeting all those who desired to be heard were heard, and the testimony was recorded by the Planning Board; and

WHEREAS, at said meeting the Planning Board carefully considered the testimony offered and the documents submitted by the applicant; and

WHEREAS, the Board confirmed before the hearing started that jurisdiction was proper in that all property and legal notices were properly given and provided; and

WHEREAS, as a result, said following findings of facts and conclusions were made:

FINDINGS:

1. The Applicant is the lessee of the property known as and located at Jernee Mill Road, also known as Block 56, Lots 1.01, 2.01 & 2.02 Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1, Block 58, Lots 6 & 7 in the Borough of Sayreville, County of Middlesex, State of New Jersey
2. The Applicant is proposing the construction of a 560 megawatt (MW) combined cycle power plant and associated site improvements on a 48 acre parcel of Borough owned property on Jernees Mill Road opposite Red Oak Lane. An underground 230 KV electric line is also proposed to

connect the site to a new JCP&L substation to be constructed on the east side of Jernees Mill Road near the Red Oak Power Plant. In addition, an off-site grey water line will be constructed to allow for the use of MCUA effluent for cooling water. The subject site is located in the Landfill III/Melrose Redevelopment Area on the site of a former municipal landfill. The Applicant is proposing to purchase the landfill from the Borough of Sayreville. In addition to the landfill, an adjacent approximately one (1) acre parcel has been acquired by the Applicant's affiliate and will be utilized for the project.

3. The proposed application had no bulk variances.
4. The Applicant requested the following design waivers from the Ordinance, to wit; parking areas to be curbed and constructed with landscaped islands, sidewalks between parking areas and principal structures and raised 6" or more above the parking areas, maximum height above grade of any light fixtures shall be the height of the building or 25' whichever is less and Borough curb design standards. The Applicant also is seeking a partial design waiver to utilize a combination of HDPE piping and ductile iron pipe. As to the waivers for curbing, landscaped islands and sidewalks, the Applicant provided testimony that wheel stops will be utilized and the parking area will have limited use. As to the waiver for lighting fixture height, the Applicant provided

testimony that all lighting will comply with IES standards and although the height will exceed 25', it will be below the building height and necessary to accommodate large equipment to be used on the site from time to time. As to the waiver for Borough curb design standards, the Applicant indicated that all on site curbing will be Middlesex County curbing which exceeds Borough curb design standards. Finally, as to the partial waiver to utilize a combination of HDPE piping and ductile iron piping, the Applicant noted that HDPE will be utilized on site only.

5. As to the Memorandum dated January 20, 2016 and December 2, 2015 from Mr. Jay Cornell, P.E., Borough Engineer, the Applicant agreed to comply with all recommendations or to satisfy the Borough Engineer as to same with the exception of the design waivers requested herein. As to the Memorandum dated January 18, 2016 from Mr. John Leoncavallo, P.P., the Applicant agreed to comply with all of the recommendations contained therein.
6. Mr. Daniel Busch, PE, provided professional engineering testimony on behalf of the Applicant. Mr. Busch indicated that the proposed power plant will provide additional capacity for the electrical grid, will create 25 permanent jobs and will entail 1,000,000 man hours of local union labor. Mr. Busch noted that no variances are being sought, however, several de minimus

design waivers are necessary. According to Mr. Busch, the cooling towers which will utilize gray water from the MCUA will be located at the northern portion of the site. The proposed office and turbine generators will be located in the center of the site and fuel and water storage tanks will be located at the southern end of the site. The power source for the facility will be natural gas and there will be a five-day supply of alternate fuel. Mr. Busch testified that there are no traffic issues, adequate parking and the site circulation can handle all truck traffic and will be able to accommodate emergency vehicles. Mr. Busch noted that the existing landfill will be utilized for staging only with no disturbance of the area. A temporary stone parking area will be placed on top of a stone cap on the landfill and this will be restored to its original condition upon completion of construction which is expected to take 30 months. An LSRP will oversee the project with some monitoring wells being eliminated or relocated. In terms of flood elevations, the tidal flood elevation level on site is 14' with the lowest elevation of any structure at 17'. The stormwater basin will be enlarged and all new utilities will be installed on site. Mr. Busch noted further that 100 new trees will be planted with a new irrigation system proposed. In terms of lighting, the height for the poles will be 35' and all illumination

levels will comply with IES standards. The proposed tanks will be diesel powered with spill containment in place. In terms of piping, HDPE piping will be utilized on site and ductile iron piping off site.

7. Mr. Dennis Morrissey provided professional design engineering testimony on behalf of the Applicant, Mr. Morrissey stated that the site will have a commercial look with a block wall appearance and beige in color. According to Mr. Morrissey, the control room and administrative offices will be approximately 6,000 square feet with 8-10 dedicated employees working in said area. Noise levels will be below state minimum levels with the closest residence located more than 2,500' from the site.,
9. The Applicant was represented by Jeffrey Lehrer, Esq. at the hearing.
10. No individuals testified in opposition during the public portion of the hearing.

CONCLUSIONS:

1. The Applicant has demonstrated that the proposed development promotes sound planning and engineering and satisfies the spirit and intent of the Landfill III/Melrose Redevelopment Plan and

amendments thereto and poses no detriment to Zoning Ordinance to the Master Plan, Zone plan and surrounding areas.

THEREFORE, BE IT RESOLVED THAT, the Applicant's request for Preliminary and Final Major Site Plan and Design Waivers to be granted on the following conditions:

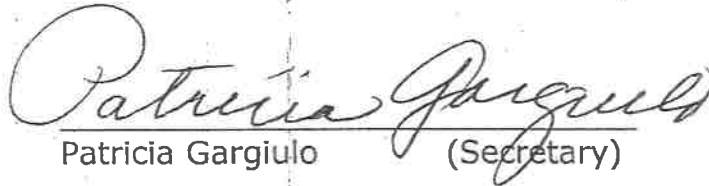
1. All other representations offered by the Applicant and its professionals are hereby incorporated by reference as a condition of approval.
2. All agreed upon recommendations in the reports of any Borough professional are hereby incorporated by reference as a condition of approval.
3. The Applicant is to comply with all requirements, statutes and ordinances of the Borough of Sayreville, County of Middlesex, State of New Jersey.
4. The Applicant is to pay all required fees, escrow, bonds and inspection fees pursuant to Borough ordinances.
5. The Applicant is to receive all permits and approvals prior to commencing any construction.
6. The Applicant is to comply with all requirements of the Construction Code Official Engineer (if applicable) before initiating any construction.

7. The Applicant shall obtain either letters of no interest or final approval from the following agencies as a condition of approval, to wit;

- a. Middlesex County Planning Board Approval.
- b. Middlesex County Road Opening.
- c. NJDEP – Freshwater Wetlands General Permit.
- d. NJDEP – Flood Hazard Area Verification.
- e. NJDEP – Flood Hazard Area Permit.
- f. NJDEP – Dam Permit.
- g. NJDEP – Safe Drinking Water Permit.
- h. NJDEP – Physical Connection Permit.
- i. NJDEP – Treatment Works Approval.
- J. NJDEP – Inclusion in Sewer Service Area.
- k. NJDEP – Letter of No Further Action (Site Remediation Activities).
- l. NJDEP – Bureau of Air Quality.
- M. NJDEP – Stormwater Construction General Permit.
- N. NJDEP – Landfill Disturbance Permit.
- O. NJDEP – Coastal Wetlands Permit.
- P. NJDEP – Waterfront Development Permit.
- q. NJDEP – Tideland Instrument (Grant or Easement).
- r. NJDEP – Discharge Prevention, Containment and Countermeasure Plan.
- s. NJDEP – Threatened and Endangered Species Consultation.
- t. Middlesex County Utilities Authority – Non-Domestic Wastewater Discharge Permit.
- u. U.S. Army Corp of Engineers – Individual or Nationwide Permit.
- v. Sayreville Economic and Redevelopment Agency (SERA).
- w. Borough of Sayreville – SESC Plan Certification.
- x. Borough of Sayreville – Soil Removal/Fill Placement Permit.
- y. Borough of Sayreville – Tree Preservation Permit.

- z. Borough of Sayreville – Water Supply Agreement.
- aa. Federal Aviation Administration – No Hazard to Air Navigation Determination.
- bb. Federal Energy Regulatory Commission – Exempt Wholesale Generator Certification.
- cc. U.S. Department of Energy – Alternative Fuel Use Capability Certification.
- dd. U.S. Fish and Wildlife Service – Threatened and Endangered Species Consultation.
- ee. National Oceanic and Atmospheric Administration – Threatened and Endangered Species Consultation.
- ff. U.S. Coast Guard – USCG Homeland Security Notification.
- gg. U.S. Environmental Protection Agency – Oil Spill Response Plan.
- hh. U.S. Environmental Protection Agency – Spill Prevention Control and Countermeasure Plan.
- ii. NJDEP – Pollution Prevention Rules.
- jj. NJDEP – County Environmental Health Standards.

Date: February 3, 2016


Patricia Gargiulo (Secretary)

Motion was made to approve by Mr. T. Tighe, seconded by Mr. R. Davis.

In favor are:

Dr. J. Misiewicz (Chairman)
Mr. T. Tighe
Ms. A. O'Leary
Mr. M. Macagnone
Mr. A. Chodkiewicz
Mr. D. Bello
Mr. K. Kelly, Sr.
Ms. D. Lee
Councilman S. Grillo
Mr. R. Davis

Against:

ORDINANCE # 239-13

AN ORDINANCE ADOPTING THE
SAYREVILLE LANDFILL AND MELROSE REDEVELOPMENT
PLAN TO THE GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE, COUNTY OF
MIDDLESEX AND STATE OF NEW JERSEY

11-25-13
12-3-13
12-16-13
12-19-13
Borough Clerk
M. J. Fabian

INTRO & PASSED 1st READING

ADVERTISED ACCORDING TO LAW

ADOPTED ON 2nd & FINAL READING

ADVERTISED ACCORDING TO LAW

WHEREAS, the Mayor and Council of the Borough of Sayreville, by Resolution #2010-70 adopted on March 22, 2010 authorized the Sayreville Planning Board to make an investigation and hold a public hearing to determine whether Block 56, Lots 1.01 and 2.02; Block 57.02, Lot 1; Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58 Lots 6 & 7 (Sayreville Landfill Site) and Block 283, Lot 3, Block 283 (Melrose Site) constitute an area in need of redevelopment; and

WHEREAS, the Sayreville Planning Board conducted an investigation in accordance with applicable law and determined that the aforementioned lots meet the statutory criteria for a Redevelopment Area within the meaning of N.J.S.A. 40A:12A-6(c) and (e); and

WHEREAS, the Sayreville Planning Board recommended that the Borough of Sayreville declare the aforementioned lots to be "an area in need of redevelopment," pursuant to N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, the Mayor and Council by Resolution No. 2010-70 declared Block 56, Lots 1.01 and 2.02; Block 57.02, Lot 1; Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58 Lots 6 & 7 (Sayreville Landfill Site) and Block 283, Lot 3, Block 283 (Melrose Site) to be an area in need of redevelopment and directed the Planning Board to prepare a redevelopment plan for the area; and

WHEREAS, a redevelopment plan entitled "Borough of Sayreville Landfill and Melrose Redevelopment Plan" has been prepared and presented to the Governing Body for review and consideration; and

WHEREAS, the Governing Body desires that the Borough of Sayreville Landfill and Melrose Redevelopment Plan become the formal planning document for revitalization of the Borough of Sayreville Landfill and Melrose Redevelopment area.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that the Redevelopment Plan, attached hereto a Rider "A" is hereby adopted as the Redevelopment Plan for the Borough of Sayreville Landfill and Melrose Redevelopment Plan as defined within the Plan; and

BE IT FURTHER ORDAINED that Section 26-81.2, Zoning Map, of the Land Development Ordinance for the Borough of Sayreville, is hereby amended as shown on the proposed amended Zoning Map appended to Borough of Sayreville Landfill and Melrose Redevelopment Plan, and that all parcels within the Redevelopment Area set forth on Table 1 of the Borough of Sayreville Landfill and Melrose Redevelopment Plan shall be subject to the standards detailed in such Redevelopment Plan; and

BE IT FURTHER ORDAINED that this Ordinance or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ David McGill

APPROVED:

/s/ Kennedy O'Brien
Mayor

ATTEST:

/s/ Theresa A. Farbaniec, R.M.C.
Municipal Clerk

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

**Borough of Sayreville
Landfill and Melrose
Redevelopment Plan**

Middlesex County, New Jersey

March 2011

Revised September 2013

The original of this report
was signed and sealed in
accordance with N.J.S.A.
45: 14A-12

John Leoncavallo P.P., #2649

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MAPS

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- Figure 4B – Pointe Service Redevelopment Area (RA-PS)

1. INTRODUCTION

The Borough of Sayreville has determined that the utilization of the powers of the State redevelopment statute known as the Local Redevelopment and Housing Law (LRHL) (N.J.S.A. 40A:12A-1 et seq.) is the most effective approach to revitalize the properties formerly known as Landfill #3 and the Melrose Treatment Plant. The Landfill #3 and Melrose Treatment Plant Preliminary Investigation Report concluded that the properties commonly known as Landfill #3 and the Melrose Treatment Plant (hereinafter referred to as the Landfill and Melrose tracts, respectively) qualify as an area in need of redevelopment. The area has been characterized by properties resulting from a discontinuance of the use of buildings for industrial purposes, not a fully productive condition of land and the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to the LRHL.

The Plan Areas present a unique opportunity for the Borough of Sayreville to create the level and quality of development that will transform the Landfill and Melrose tracts from their current condition of low-intensity development to sustainable land uses.

The Landfill's property size, energy (methane), location and mature vegetation along its perimeter create a unique opportunity to develop an eco-industrial park (EIP) or industrial park in which businesses cooperate with each other and the community to efficiently share resources, i.e., such as information, materials, water, energy, infrastructure and natural resources. The concept is to encourage an environment of economic gains while improving environmental quality. The intent is to plan an EIP in a manner that makes it easier for businesses to co-operate, and that results in a more financially sound, environmentally friendly project. Potentially collaborative development opportunities include by-product synergy (waste-to-feed exchanges), but may also take the form of wastewater treatment, shared facilities (shipping and receiving), shared parking, shared use of green technology and district energy systems.

Strategically located adjacent to the Waterfront Redevelopment Area ("the Pointe"), the Melrose tract provides an ideal location for a full range of water-

Figure 1 - Locational Context



front redevelopment service related uses.

The Landfill and Melrose Redevelopment Plan (hereafter also referred to as "Redevelopment Plan") sets forth the terms and conditions under which the Plan Area may be redeveloped by a redeveloper designated by the Borough. The Plan establishes allowable land uses and intensities, building massing and design standards, necessary public improvements and an overall project phasing schedule.

2. STATUTORY BASIS FOR THE PLAN

The Redevelopment Plan has been prepared in furtherance of the Borough of Sayreville's Council's original determination in November 2010 (Resolution #2010-70) that the area meets the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq. The Plan Area includes the former Sayreville Landfill #3 and former Melrose Sewage Treatment Plant tracts described in the 2010 Redevelopment Study for two select areas within the Borough of Sayreville, New Jersey.

2.1 Locations and Existing Conditions

2.1.1 Former Landfill Tract

Is located on the west side of Jernees Mill Road bounded on the north by Pond Creek, on the west by the South River, and on the South by an unnamed tributary to the South River. The Area's location is shown in Figures 2A and 3A.

Formerly a municipal landfill, Sayreville Landfill #3 is presently on the National Priorities List "Superfund, and expectations are that the property will be de-listed in the immediate future. Proposed re-use of the former landfill may proceed without disturbing the landfill. However, if a proposal for re-use of the property in question requires disturbance of the landfill or relocation of any waste that constitutes the landfill, a landfill disturbance permit will be required subject to NJDEP regulations and permitting standards.

From a ground location approximating the center high point of the landfill, the landfill cap slopes downward in all directions at an approximate 4% grade. The landfill cap incorporates a 100% impervious surface cap sand bed lining layer, a 60 millimeter HDE membrane, non-woven heat bonded geotextile, 18 inches clean fill and 6 inches of soil capable of supporting vegetation. The top of the slope is protected by rip rap and erosion control matting. There are passive gas vents within the dome area and soil gas probes are located around the perimeter of the landfill. Utility easements in portions of the site on top of which structures may not be constructed exist on the property.

Access to the Landfill Tract is provided directly from Jernees Mill Road. Municipal water, sanitary sewer, stormwater provision, natural gas and electricity are available at the site. The project site is located within the service area of the Borough of Sayreville's Water Utility that owns and maintains an independent water distribution system that is subject to a payment of connection, meter and user fees.

Sanitary sewer collection can be provided on site and conveyed by pump station and force main to the Borough of Sayreville's Wastewater Collection system and then to the Middlesex County Utilities Authority

(MCUA) for treatment. Electric service to the area is provided by JCP&L. Natural Gas is available from Public Service Electric and Gas Company. Lastly, proper authorization will be required from NJDEP, regarding re-utility of the capped landfill for additional land uses.

2.1.2 Former Melrose Sewer Plant Tract

Located on Scott Avenue off State Highway 4 (Lower Main Street), the tract is the site of an active sanitary pump station. Since only a portion of the site is utilized by the Borough, the remaining area of the lot is available for property lease by a clean-use private entity.

Formerly the site of a sewage treatment plant, the facility has been re-purposed as a sewer pump station only. The Area's location is shown in Figures 2B and 3B. As noted in the Preliminary Investigation Report, environmental constraints, i.e., wetlands are located on-site. To date, a wetland delineation nor a letter of interpretation from NJDEP has been completed establishing an official regulatory line.

2.2 Plan Area Blocks and Lots

The Plan Area consists of the following tax blocks and lots, as shown in Figure 3, Block and Lot Map. The total Plan Area is approximately 53 acres.

Sayreville Landfill Site

Block 56	Lots 1.01 and 2.02
Block 57.02	Lot 1
Block 57.04	Lot 1
Block 57.05	Lot 1
Block 58	Lots 6 and 7

Melrose Site

Block 283	Lot 3
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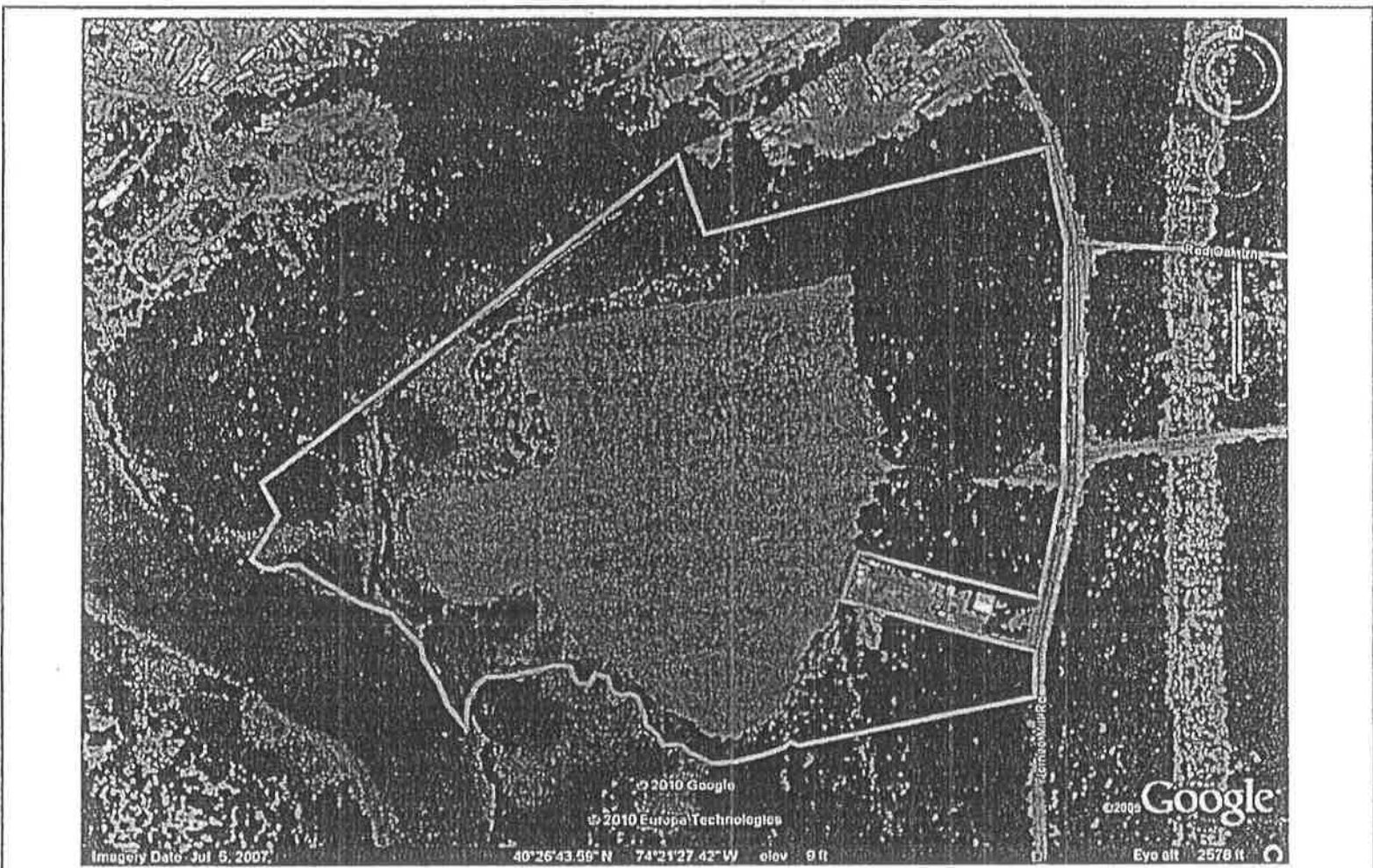


Figure 2A: Aerial of the Landfill Tract
Block 56, Lots 1.01 & 2.02; Block 57.02, Lot 1
Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 & 7

Subject Tract

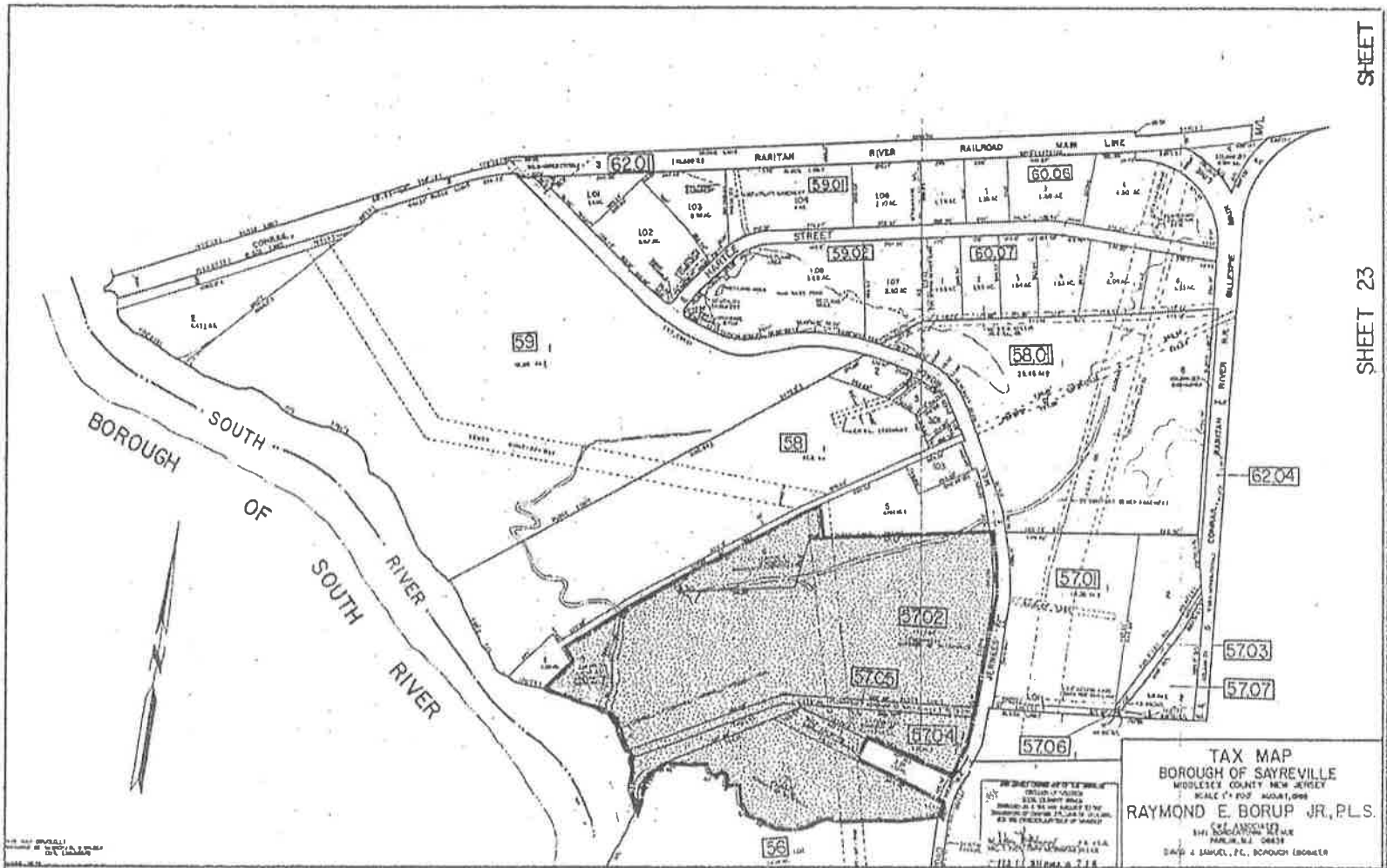
JLA Planning, March 2011
Source: Google Earth, July 5, 2007



Figure 2B: Aerial of the Melrose Tract
Block 283, Lot 3

JLA Planning, March 2011
Source: Google Earth, July 5, 2007

Subject Site



SHEET 23

SHEET

Figure 3A: Tax Map of the Landfill Tract
 Block 56, Lots 1.01 & 2.02; Block 57.02, Lot 1
 Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 & 7

JLA Planning, March 2011
 Source: Official Tax Maps, Sayreville Borough

 Subject Site

0 200 400'

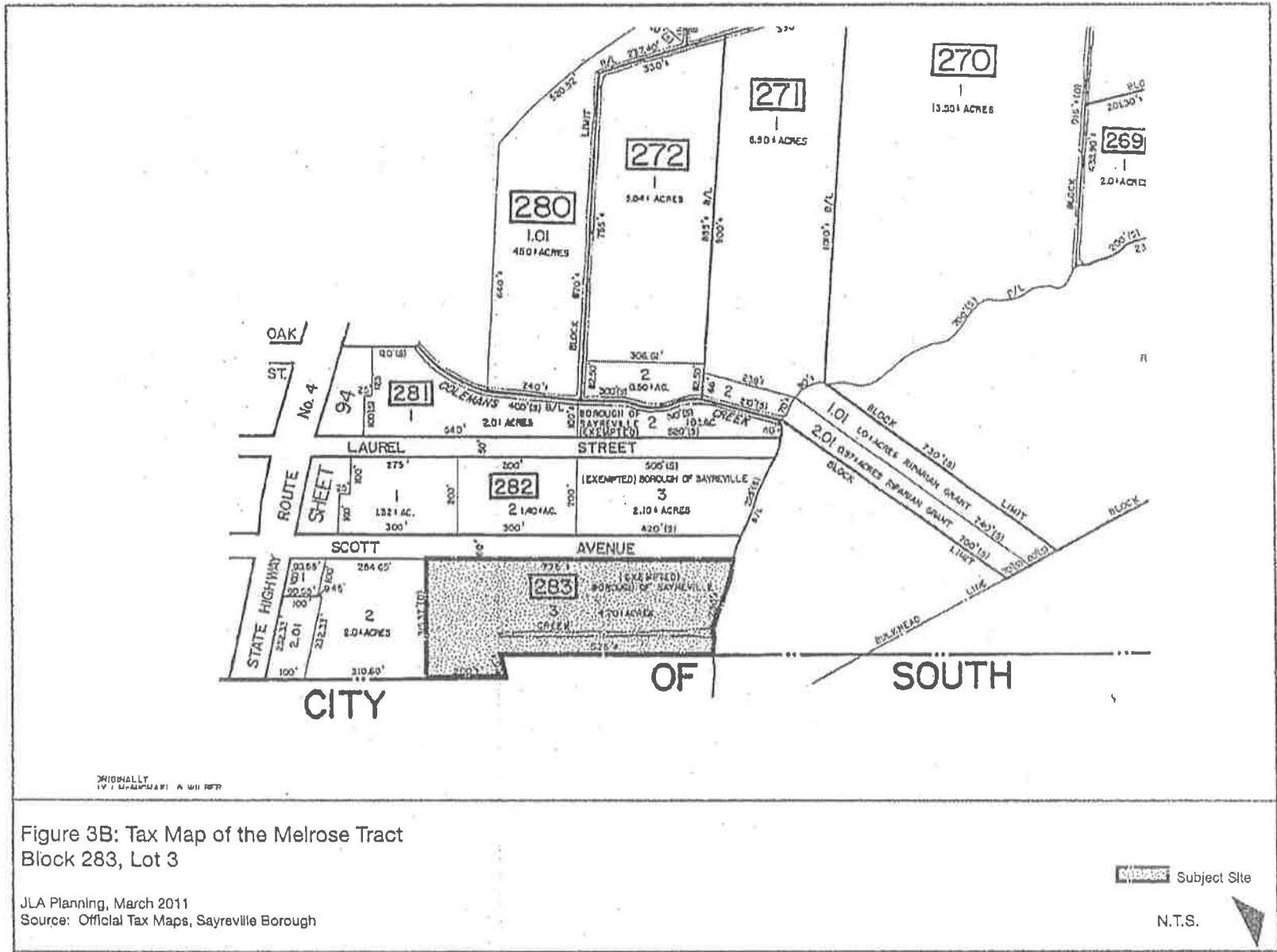



Figure 3B: Tax Map of the Melrose Tract Block 283, Lot 3

JLA Planning, March 2011
Source: Official Tax Maps, Sayreville Borough

3. PLAN PRINCIPLES

3.1. Eco-Industrial Parks

The President's Council on Sustainable Development workshop (1996) defines an eco-industrial park (EIP) as: "A community of businesses that cooperate with each other and with the local community to efficiently share resources (information, materials, water, energy, infrastructure and natural habitat), leading to economic and environmental quality gains, and equitable enhancement of human resources for the business and local community." EIPs are one way of encouraging sustainable development by creating a development where the collective benefit is greater than the sum of individual benefits that each company would realize by only optimizing its individual performance.

The goal of a EIP is to improve the economic performance of the participating companies while minimizing their environmental impacts. EIP's include green design of park infrastructure and plants, cleaner production, pollution prevention, energy efficiency and inter-company partnering. Essential characteristics include:

1. Involve community in the design of the park.
2. Reduce environmental impacts or ecological footprint
3. Maximize energy efficiency
4. Conserve materials
5. Link network companies with suppliers and customers
6. Continuously improve environmental performance
7. Have a regulatory system
8. Use economic instruments which discourage waste and pollution
9. Employ an information management system
10. Facilitate the flow of energy and materials
11. Create management education programs
12. Orient marketing to attract companies which fill niches and complement other businesses

3.2 Redevelopment Plan Goals and Objectives

1. Protect the health, safety, and welfare of the citizens of Sayreville Borough by redeveloping underutilized and stagnant vacant properties that could more effectively contribute to the economic well-being of the Borough.
2. Promote the overall economic and redevelop-

ment objectives of the Borough's Master Plan and related redevelopment plans and programs.

3. To recognize the particular suitability of new uses of certain properties of the Borough and to maximize the appropriate utilization of such properties.
4. Increase visibility of Sayreville as a leader in sustainability and the green industry.
5. Promote the practice of alternative energy use.
6. Provide leadership for Eco Industrial Park Development in New Jersey.
7. Create opportunities to attract "green" businesses into the community.
8. Attract young professionals and recent graduates who are seeking "green" communities and employment.
9. Minimize waste and maximize efficiency of businesses on site.
10. Foster and promote innovation and forward-thinking energy and resource use.
11. Create job and energy security.
12. Create and adhere to design guidelines that promote efficiency.
13. Reduce overhead costs by employing alternative energy technologies on site.
14. To promote the conservation of energy resources and promote the utilization of renewable energy sources.
15. To promote the recovery and recycling of materials from municipal and commercial solid waste.
16. To promote the creation of job opportunities in the Borough that will provide opportunities for both existing residents and as well as for others in the region.
17. To improve business opportunities through promotion of new and diverse economic activities.
18. To exclude residential uses from industrial areas.
19. To maximize the leveraging of public and private funds to accomplish comprehensive redevelopment of the Area.
20. To provide sufficient parking spaces to support demand, however, provide opportunities for reducing automobile trips due to development design and opportunities for shared parking.

4. RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES

4.1 Master Plan

The Borough of Sayreville and its Planning Board has

adopted a number of planning documents, reports, and studies through the years. Among these documents are the following:

- 1998 Master Plan
- 1999 Waterfront Redevelopment Plan
- 2004 Master Plan Reexamination Report
- 2010 Master Plan Reexamination Report

The Borough's 1998 Master Plan within the Land Use Plan identify the Redevelopment Plan properties within the Special Economic Development and Planned Commercial Development future land use districts. The intent of these districts are located on pages III-16 and III-17 of the Borough's 1998 Master Plan. On page III-17, the 1998 Land Use Plan Element indicates:

Planned Commercial Development

"This new designation is intended to encourage coordinated and comprehensive development and redevelopment of a 200 acre area in the northeastern section of the Borough bounded by the Garden State Parkway, the Raritan River and the municipal boundary line. This land use category would balance office and commercial development with the environmental characteristics of the area and maximize the proximity of the site adjacent to the water and major transportation routes."

Special Economic Development

"The second tract in this category is located within the Jernees Mill Road corridor and is generally bounded by the Raritan River railroad to the north and east and the South River to the west."

While the Master Plan does not provide a vision for the Special Economic Development land use classification, the districts title clearly identifies this area for economic development of a special purpose.

4.2 Relationship of the Plan to the Borough's Land Development Regulations

The Area shall be redeveloped in accordance with the standards detailed in this Plan. In order to implement the Plan consistent with the goals and objectives herein, the Plan supersedes the use, bulk and design standards provisions of the Borough Land Development Ordinance (Chapter 26) as they

relate to the area governed by this Redevelopment Plan. Other Borough regulations affecting development that are in conflict are superseded by this Plan; however, existing engineering standards, definitions and sections of the Land Development Ordinance not covered by his Plan shall apply.

No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan, as provided herein. Final adoption of this Plan by the Borough Redevelopment Agency shall be considered an amendment of the Borough Zoning Map.

4.3 Existing District Standards

The Borough's Zoning Ordinance currently identifies the Landfill Tract as being within the SED Special Economic Development District and the Melrose Tract within the B-3 Highway Business District. Development in these districts are intended to serve the needs of local residents and contribute to the economic development and fiscal soundness of the Borough.

Special Economic Development (SED) District
The SED District permits the following uses: Automotive electronic and precision equipment, commercial and industrial machinery and equipment, and personal and household goods repair and maintenance, excluding truck maintenance facilities; child care centers; essential services; health club, gym or recreational facility; information services and products/communications industries; institutional and public uses; manufacturing (full list on page IV-67 of the Borough's Land Development Ordinance); office, including medical office and research lab; parking facility/public parking garage or lot, excluding freight trucking and motor vehicle towing; warehousing and indoor storage, excluding bulk fuel storage.

Conditionally permitted uses include: houses of worship and public utilities.

B-3 Highway Commercial District

Principal permitted uses in the B-3 district include: automatic car wash; automobile repair; automobile sales; bar; child care center; essential service; health

club, gym or recreational facility; indoor theater; institutional and public use; nightclub; nursing home, assisted living facility, continuing care retirement community; restaurant, excluding drive-in; retail sales and service; wholesale sales and service.

Conditionally permitted uses include: full service or suite hotel; gasoline service station; house of worship; and public utility.

5. PROPOSED LAND USES AND BUILDING REQUIREMENTS

In order to implement this Plan, a Eco-Industrial Redevelopment Area (RA-EI) and Pointe Service Redevelopment Area (RA-PS) district are created to regulate the redevelopment area at the Landfill and Melrose tracts respectively.

5.1 Eco-Industrial Redevelopment Area (RA-EI)

Purpose: The purpose of this zone is to establish an Industrial zoning district where multiple uses and buildings are permitted on one lot that fosters the development of innovative industrial uses which utilize a high standard of environmental and economic performance. These uses will promote an approach to industrial development that involves connecting within and across industries throughout the central New Jersey region, and demonstrate well thought out practices that results in waste energy being used as resources.

5.2 Principal Permitted Uses:

1. Aquaculture Operations/Facility
2. Brewing or Distilling
3. Construction and Building Trade Workshops
4. Greenhouse or Plant Nursery
5. Industrial Vehicle, Construction Equipment Sales or Materials Service Establishment
6. Industrial Service Establishments
7. Manufacturing, Processing, Packaging or Assembly of Goods, Chemicals or Materials / Large Scale
8. Office
9. Paper Products Manufacturing
10. Petroleum and Fuel Products Storage and Wholesale
11. Power Plant - Gas Fired Combination Cycle or More Efficient Technology up to 1000MW

12. Processing, Assembly, Fabricating Operations, Manufacturing, Sales or Storage of Natural Resources
13. Recycling Depot
14. Transportation Service Provider
15. Warehouse, distribution centers, and light manufacturing facilities that support reuse, recycling, compost processing and manufacturing businesses
16. Wireless Telecommunications Facilities
17. Solar Panel Power Generation Facilities
18. Boat and Water Related Storage, Launching, and Maintenance Facilities

5.3 Accessory Uses:

Uses accessory and incidental to the principal use.

5.4 Bulk Standards

Table 1 - Area, Yard and Building Requirements for the Eco-Industrial Redevelopment Area (RA-EI)	
Bulk Standards	Minimum Required/ Permitted
Minimum Lot Size (acres)	5
Front Yard Setback – Principal and Accessory Buildings (feet)	50
Side Yard Setback - Principal and Accessory Buildings (feet)	50
Rear Yard Setback - Principal and Accessory Buildings (feet)	50
Height – Principal Building (feet)	60
Height – Accessory Buildings and Outdoor Storage of Materials	25 Storage - 8
Height - Stacks and Towers	170
Max. Impervious Lot Coverage (percent)	85

5.5 Pointe Service Redevelopment Area (RA-PS)

Purpose: The purpose of this zone is to establish a commercial zoning district that helps provide service-related uses for the anticipated Waterfront Redevelopment (RA-W) Area ("The Pointe") which is anticipated to include 2,000 residential units, 1 million square feet of office space, 2.6 million square feet of retail space and 1 million square feet of entertainment/hotel space.

5.6 Permitted Uses

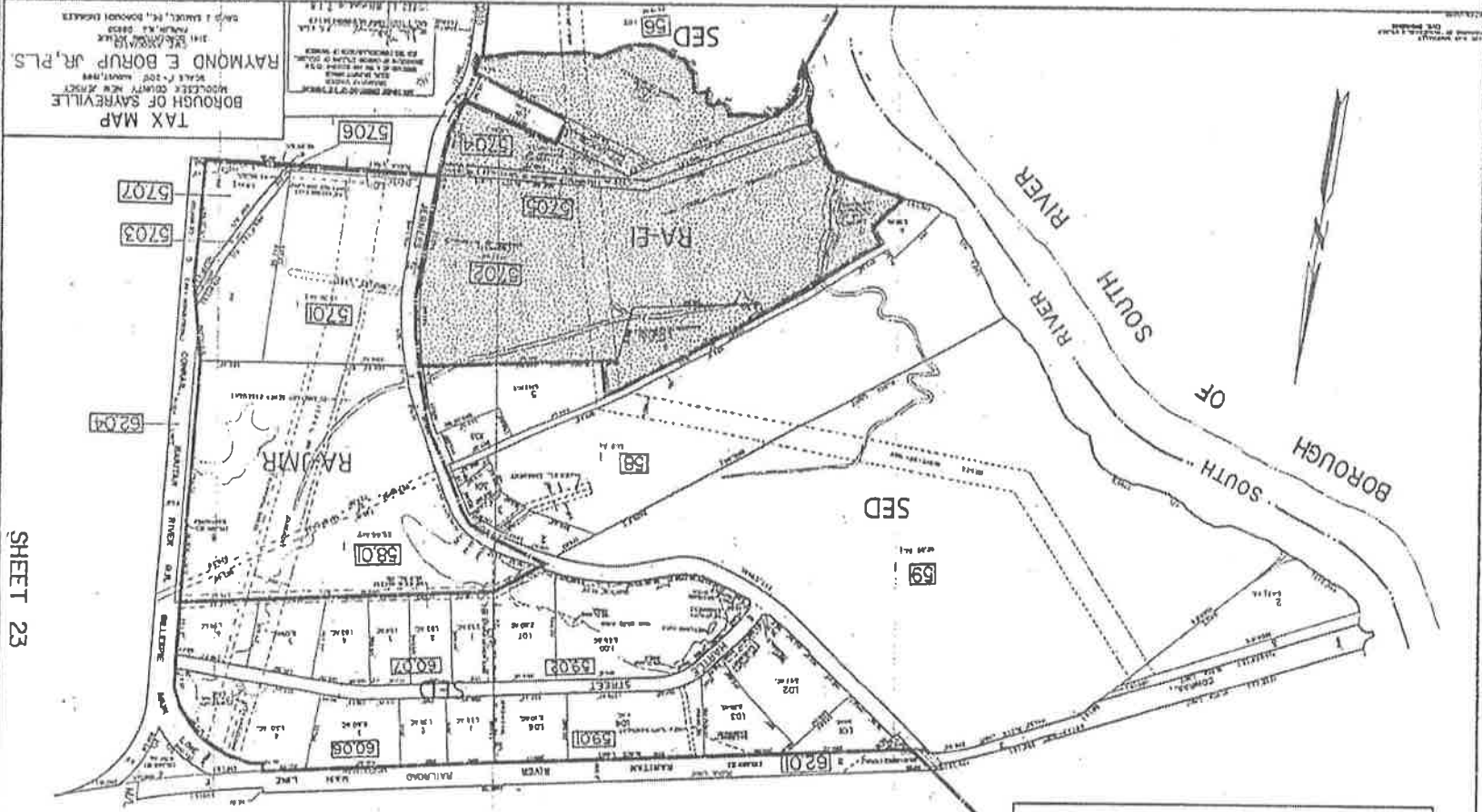
1. Commercial service related uses providing specialized equipment and supplies used in offices, stores, hotels, restaurants, schools, health and medical facilities, photographic facilities and specialized equipment used in transportation and construction activities including, but not limited to:
 - Beach maintenance and cleaning services
 - Boat and Water Related Storage and Maintenance Facilities
 - Computer equipment repair and maintenance services without retailing new computers
 - Dry cleaning and laundry services, including dry cleaning plants
 - Food service equipment, commercial, merchant wholesalers
 - Garbage disposal units, commercial-type, merchant wholesalers
 - Hotel equipment and supplies merchant wholesalers
 - Lawn and garden equipment repair and maintenance services
 - Lockers merchant wholesalers
 - Merchandising machines, coin-operated, merchant wholesalers
 - Ovens, commercial-type, merchant wholesalers
 - Partitions merchant wholesalers
 - Professional service apparel contractors
 - Restaurant equipment merchant wholesalers
 - Shelving, commercial, merchant wholesalers
 - Showcases merchant wholesalers
 - Signs, electrical, merchant wholesalers
 - Soda fountain fixtures merchant wholesalers
 - Store equipment merchant wholesalers
 - Store fixtures merchant wholesalers
 - Vending machines merchant wholesalers

5.7 Accessory Uses:

Uses accessory and incidental to the principal use.

5.8 Bulk Standards

Table 2 - Area, Yard and Building Requirements for the Pointe Service Redevelopment Area (RA-PS)	
Bulk Standards	Minimum Required
Minimum Lot Size (acres)	4.5
Front Yard Setback - Principal and Accessory Buildings (feet)	25
Side Yard Setback - Principal and Accessory Buildings (feet)	15
Rear Yard Setback - Principal and Accessory Buildings (feet)	25
Height - Principal Building (feet)	40
Height - Accessory Buildings and Outdoor Storage of Materials	25 Storage - 8
Max. Impervious Lot Coverage (percent)	65
Accessory Building Setback (feet)	10



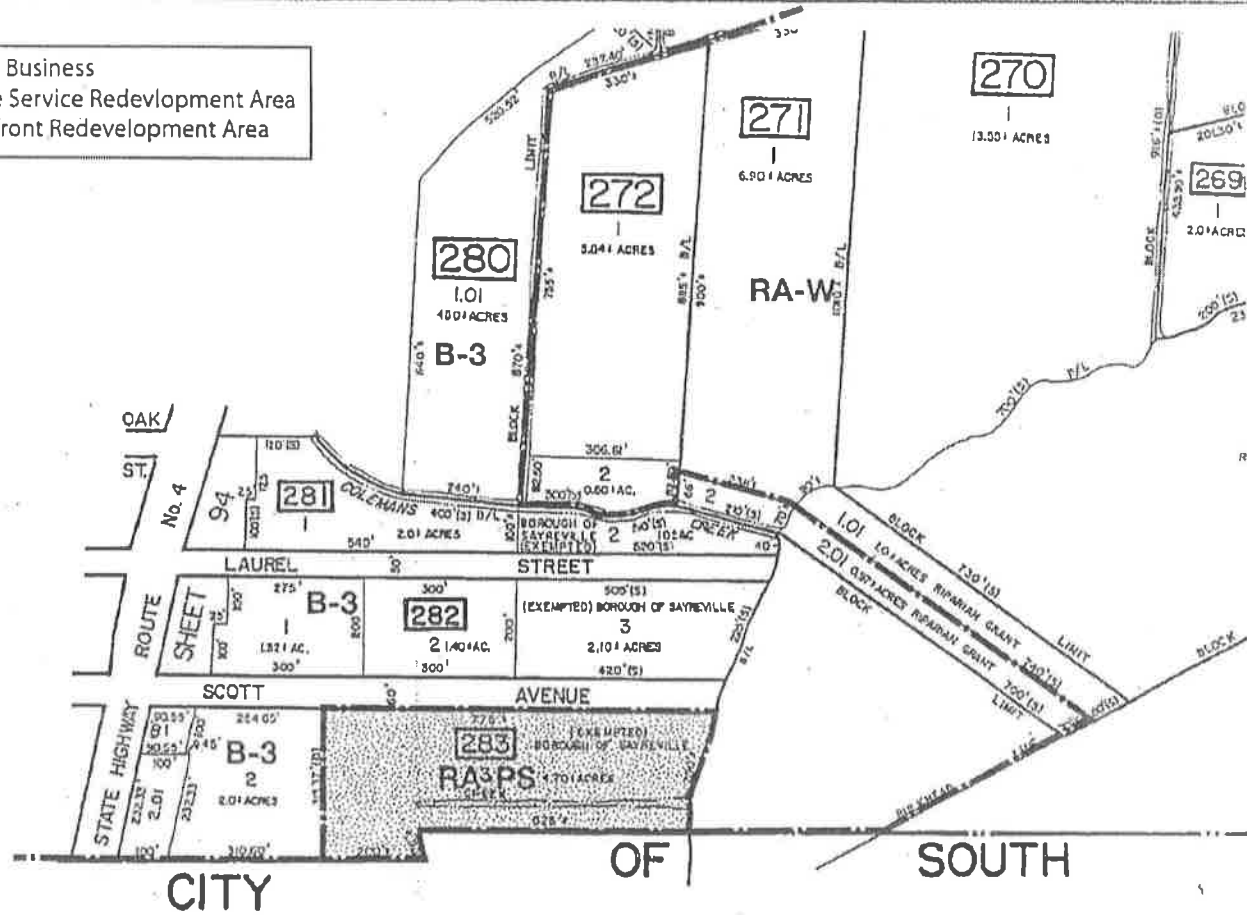
RA-EI Eco-Industrial Redevelopment Area
 RA-JMR Jernee Mill Redevelopment Area
 SED Special Economic Development

Figure 4A: Redevelopment Zone Amendment - Eco-Industrial Redevelopment Area
 Block 56, Lots 1.01 & 2.02; Block 57.02, Lot 1
 Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 & 7

Zone Amendment

JLA Planning, March 2011
 Source: Official Tax Maps, Sayreville Borough

B-3 Highway Business
 RA-PS Pointe Service Redevelopment Area
 RA-W Waterfront Redevelopment Area



ORIGINALLY
 1971 MAPSHEET 10000000

Figure 4B: Redevelopment Zone Amendment - Pointe Service Redevelopment Area
 Block 283, Lot 3

JLA Planning, March 2011
 Source: Official Tax Maps, Sayreville Borough

Zone Amendment

N.T.S.



6. DEFINITIONS

Aquaculture - the active cultivation (maintenance or production) of marine and freshwater aquatic organisms (plants and animals) under controlled conditions.

Bio-fuel Production Facility - the creation of a wide range of fuels which are some way derived from biomass, including but not limited to solid biomass, liquid fuels and biogases.

Compost Recycling Facility - A commercial facility where the production of compost from materials takes place outside or in an open structure. For purposes of this definition, materials mean leaves, grass clippings, yard and garden debris, and brush, including clean woody vegetative material not greater than six inches in diameter that results from landscape maintenance and land-clearing operations.

Drycleaning and Laundry Services (except Coin-Operated)
This industry comprises establishments primarily engaged in one or more of the following: (1) providing dry cleaning services (except coin-operated); (2) providing laundering services (except linen and uniform supply or coin-operated); (3) providing drop off and pickup sites for laundries and/or dry cleaners; and (4) providing specialty cleaning services for specific types of garments and other textile items (except carpets and upholstery), such as fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows. These establishments may provide all, a combination of, or none of the cleaning services on the premises.

Green Power Plant - is an industrial facility for the generation of electric power sunlight, wind, rain, tides and geothermal heat.

Recycling Depot - A facility utilized to recycle all ferrous and non-ferrous metals to include steel, copper, aluminum (including aluminum cans), insulated copper and aluminum wire, radiators, stainless steel, iron, aluminum and brass, corrugated cardboard, newspaper and white ledger paper.

Transportation Service Provider - Any individual, company, or corporation commercially engaged in transporting household goods.

7. PERMITTED ENCROACHMENTS

7.1 Projections

Projections are small architectural elements that are permitted to extend out from the primary façade plane. They serve to break up the building mass and create variety and interest in the façade design. Projections may extend up to three (3) feet into the minimum required building setback, but shall not extend into the public right-of-way.

8. DESIGN STANDARDS

This section provides specific design standards for the Eco-Industrial Redevelopment Area (RA-EI). The Pointe Service Redevelopment Area (RA-PS) shall continue to utilize existing design standards located within Chapter 26 of the Borough's Land Development Ordinance.

This section contains specific regulations for eco-industrial park development. Other pertinent sections of Chapter 26 of the Borough's Land Development Ordinance also remain applicable. Where there is an overlap of standards, the regulations in this Plan supersede the Borough's Land Development Ordinance.

8.1 Site Design

Purpose: Promote adaptive reuse in the RA-EI district that recognizes existing environmental constraints; wetland and floodplain influence; existing environmental cap and NJDEP remediation requirements; a need to improve existing infrastructure (streets, storm drains, sidewalks, etc.). Sustainable site design should address water quality and quantity issues, shared connections and services.

A written design concept statement shall be submitted as part of the design review application which identifies the significant site features, supports the reasoning behind the architecture and site plan proposed and explains how and why the site features are incorporated into the project design.

8.1.1 Site Design Objectives

- a. Develop an integrated design that shares resources with other industrial/commercial uses.
- b. When feasible, orient buildings for passive solar heat gain.

- c. Create areas or utilize natural areas of visual interest.
 - d. Develop integrated parking lots that have multiple uses, address storm water through bio-swales or permeable pavement.
 - e. Connect open spaces between parcels, multiple uses for landscaped areas, irrigation practices and design.
 - f. Encourage the integration of heating / cooling systems between parcels.
 - g. Design stormwater systems to encourage waste water re-use among adjacent land uses.
 - h. Encourage building design to meet or incorporate LEED standards.
 - i. Encourage a cohesive look throughout a development.
 - j. Separate truck traffic from automobile traffic
- c. The interior of all parking lots shall be landscaped to provide shade and visual relief. At a minimum, at least one deciduous tree shall be planted for every 11 parking spaces inside a planter or landscape island is required. Landscaping should be utilized to soften edges of parking lots and to provide a sense of lot borders or boundaries.
 - d. A minimum of 10% of all parking areas shall be landscaped.
 - e. Parking lot layout should take into consideration pedestrian movement. Pedestrian crossings should be installed where deemed necessary by the Planning Board.
 - f. Parking for all structures shall be prohibited in front yard setback areas.

8.2 Parking/Loading

8.2.1 – Off-Street Parking Requirements

- a. Office: 3 spaces per 1,000 square feet of gross floor area.
- b. Light Industrial and Manufacturing: 1 parking space for each employee employed at the time of the maximum shift, plus 10% for visitors.
- c. Warehouse and Distribution Facilities: 1 parking space per 1,000 square feet of gross floor area, except multi-tenant building shall provide 1 parking space per 700 square feet of gross floor area.
- d. Research and Development Facilities: 3 spaces per 1,000 square feet of gross floor area.
- e. Other Uses: Off-street parking requirements can not be considered for all potential uses for the tract. For this reason, the Planning Board, with the assistance of professionals may determine a suitable off-street parking requirement for a site taking into consideration, the number of anticipated employees, visitors, and shared parking opportunities.

8.2.2 - Off-Street Parking Design Standards

- a. Driveways shall be set back at least 10 feet from all buildings to provide room for a landscaped area.
- b. Parking lot layout, landscaping, buffering and screening shall be provided to minimize direct views of parked vehicles from the street right-of-way and sidewalks, avoid spill-over light, glare, noise onto adjacent properties. Parking lots visible from a public right-of-way shall be surrounded by a minimum of a two to three foot landscaped berm. The height of the berm shall gradually decrease in size where driveways, walkways and sidewalks approach to provide adequate sight triangles.

- 8.2.3- Off-Street loading requirements**
- a. Less than 10,000 square feet: None
 - b. 10,000-50,000 square feet: 1 space
 - c. 50,000-75,000 square feet: 2 spaces
 - d. 75,001 – 100,000 square feet: 3 spaces
 - e. Each additional 50,000 square feet: 1 additional space

8.3 Landscape/Basin Design

- a. Landscaping is to be provided as part of all development applications and is to be integrated into building arrangements, topography, parking, buffering and other site features. Landscaping may include trees, shrubs, ground cover, berms, flowers, sculpture, art and similar materials, and shall be designed to provide aesthetic, buffering, environmental, ornamental, and other related functions. All landscaping plans shall be prepared by a New Jersey licensed landscape architect.
- b. Landscaping should define entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for loading and equipment areas.
- c. Landscaping shall permit adequate site distance for motorists and pedestrians entering and exiting a site and shall not interfere with circulation patterns.
- d. Walls that can be viewed from public streets shall be designed using landscaping (abutting the building) for at least 50% of the wall length. Other walls shall incorporate landscaping for at least 30% of the wall length.
- e. Retention areas shall be designed as amenities within the Redevelopment Area.
- f. Retention areas shall be accented with natural form edges, native landscaping and water features.
- g. Shared retention is encouraged to minimize land consumption

8.4 Screening and Buffering

- a. Landscaping shall be provided adjacent to and within parking areas to screen vehicles from view and to minimize the expansive appearance of parking fields. Landscaping should include fast growing trees in parking lots to create summer shade.
- b. Any development that abuts and existing residential development or an unimproved residentially zoned parcel, shall be screened from view using a combination of fencing, plantings and/or berming.
- c. Any outdoor storage area shall be screened from view from any public right-of-way and to the satisfaction of the Planning Board.
- d. Screen sources of mechanical noise, odors and loading operations from public open space areas and adjacent properties.
- e. Screen or locate roof-top mechanical equipment so it is not visible from the street.

8.5 Signs

- a. Signs shall not exceed (10) percent of the first story portion of the façade to which it is fixed or 200 square feet, whichever is less.
- b. Buildings with more than one use are allowed one (1) sign for each additional use.
- c. There shall be a consistent sign design throughout a particular project. The design elements include style of lettering, construction material, size and illumination.
- d. Freestanding pole mounted signs are prohibited.
- e. Illuminated box signs are prohibited.
- f. A master sign submission is required for any building or group of buildings that contain 3 or more businesses that indicates the location, dimension, area, color and materials of all existing and proposed signs and a detail of each proposed sign.
- g. See Section 26-89 for additional sign requirements.

8.6 Building Design

- a. Design a principal façade and obvious entrance parallel to the street edge. Do not face blank walls towards public streets.
- b. Utilize brick (reclaimed or new), architectural pre-cast concrete panels, decorative concrete block or cut stone. Corrugated sheet metal, vinyl siding, reflective glass and imitation stone siding are discouraged.
- c. Locate utility meters and exhaust vents on the side or rear of a building.

- d. Design to accommodate areas for recycling of waste materials. Provide a centralized ground-floor location for collection and storage of recyclables.
- e. Strive to obtain LEED certification.

8.7 Exterior and Interior Material Design Objectives

- a. Reuse existing building shells and components where feasible.
- b. If on-site reuse is not possible, create a demolition management plan that identifies opportunities to reuse, recycle or sell salvaged materials.
- c. Where feasible, develop rooftop gardens or install photovoltaic (solar) panels for on-site renewable energy generation.
- d. In material selection strive to achieve the following goals:
 1. Use 25% materials with post-consumer and post-industrial recycled content.
 2. Use 20% materials and products that are manufactured within a radius of 500 mile radius.
 3. Specify mold- and moisture-inhibiting construction materials.
 4. Use low-VOC sealants and adhesives.
 5. Use paints and coatings that are certified by Green Seal for VOC and chemical component limits.
 6. Use carpet systems that meet the requirements of the Carpet and Rug Institute's Green Label Indoor Air Quality Test Program. <http://www.carpet-rug.org/residential-customers/selecting-the-right-carpet-or-rug/green-label.cfm>.
 7. Use composite wood and agrifiber products that do not contain added urea-formaldehyde resins.
 8. Specify building materials (e.g. insulation, carpet pad) that do not use CFC's or HCFC's as foaming agents or in other parts of the manufacturing products.

9. RELOCATION/PROPERTY TO BE ACQUIRED

All of the properties that have been designated in need of redevelopment and included as part of the Plan are Borough Owned properties that are either vacant or partially contain utility-type uses. Consequently, no relocation or property to be acquired is necessary or proposed for these properties.

10. MASTER PLAN RELATIONSHIPS

10.1 Sayreville Borough Master Plan

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan." (N.J.S.A. 40A:12A-7d) As described in the prior sections, the Redevelopment Plan is substantially consistent with the Borough's Master Plan and Land Use Plan Element of the Master Plan and is designed to effectuate the goals and objectives of the Master Plan and its Land Use Plan Element.

10.2 Adjacent Municipalities

The Borough's Master Plan contained an analysis of the land use planning relationships between the Borough of Sayreville and the its adjoining municipalities—East Brunswick, Edison, Old Bridge, Perth Amboy, South Amboy, South River and Woodbridge. The Master Plan found no substantial land use planning conflicts or issues arising from the recommendations and land uses proposed in the Borough's Land Use Plan and those of the adjoining communities.

10.3 Middlesex County

The Redevelopment Plan is consistent with the County's Master Plan in that it proposes environmentally friendly redevelopment practices.

10.4 State Development and Redevelopment Plan (SDRP)

The State Planning Commission adopted the State Development and Redevelopment Plan (SDRP) in June of 1992 and adopted a revised SDRP on March 1, 2001. The SDRP contains a number of goals and objectives regarding the future development and redevelopment of New Jersey. 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. New growth and development should be located in "centers", which are "compact" forms of development, rather than in 'sprawl' development. The overall goal of the SDRP is to promote development and redevelopment that will

consume less land, deplete fewer natural resources and use the State's infrastructure more efficiently.

To achieve these goals, the SDRP proposes a number of statewide policies and objectives. Among these is the redevelopment and revitalization of New Jersey's cities and urban areas. As set forth in the 2001 SDRP: "Revitalizing the State's cities and towns cannot be a simple matter of restoring them to their former glory, but rather of transforming them. To be sustainable, a new vision of the economic, environmental, and social role each community will play within a larger region should be developed and pursued cooperatively in the context of a Regional Strategic Plan."

11. ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

11.1 Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Redevelopment Entity may amend, revise or modify the Redevelopment Plan in general or for specific properties within the redevelopment area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL.

11.2 Duration of Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect for 30 years from the date of its approval by the Redevelopment Entity. The redeveloper agreement may include provisions for a certificate of project completion in accordance with The Redevelopment Plan.

11.3 Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the redevelopment area that it currently owns or may acquire. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or developers in connection with the

construction of any aspect of the Redevelopment Plan.

The Borough may propose the consolidation / subdivision of any number of the lots. In addition, the Borough may vacate, realign or improve public rights-of-way pursuant to the requirements and purposes of the Plan.

11.4 Zoning

The Zoning Map of the Borough of Sayreville is hereby amended and shall be revised to show boundaries of the Plan Area defined in this plan and identify the districts as "Eco-Industrial Redevelopment Area (RA-EI) and the Pointe Service Redevelopment Area (RA-PS)."

11.5 Environmental

The Borough recognizes that certain environmental issues may exist within the Redevelopment Area, including, but not limited to significant amounts of wetlands on site, possible soils contamination, and / or the location of endangered species (flora and / or fauna) on site. Upon adoption of this Redevelopment Plan, the Developer shall provide proof to the Borough that a site(s) proposed for development will not disturb existing wetlands on site, or have a negative impact upon any endangered species (flora and / or fauna). Additionally the developer must prove that the site is free of contamination prior to any construction on site. Responsibility for any clean-up or any environmental action shall be assigned between parties within the context of the Developer's Agreement.

12. REDEVELOPER SELECTION

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force.

1. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
2. The redeveloper, its successors 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, the redeveloper will not be permitted to sell, lease, or otherwise transfer or dispose of any interest in the property within the Redevelopment Area without the express prior written consent of the Redevelopment Entity or, if a redeveloper agreement has been executed, pursuant to the terms of the redeveloper agreement. This condition shall not apply to the transfers of mortgage interests in the property to any lender to the redeveloper in connection with the Redevelopment Plan.
4. The redeveloper agreement shall include the provision of affordable units or payment in lieu of constructing affordable housing on-site in accordance with the latest applicable State affordable Housing requirements for the number, size and cost of affordable units.

13. DEVELOPMENT REVIEW PROCESS

Pursuant to N.J.S.A. 40A12A-13, all development applications for development of sites governed by the Redevelopment Plan shall be submitted to the Borough's Planning Board and Technical Review Committee for review and approval. The following provisions shall govern review of any proposed redevelopment and rehabilitation projects for these sites:

1. No building 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.
2. Regular maintenance and minor repair shall not require Planning Board review and approval.
3. The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55d-1 et seq. and the Borough's Land Development Ordinance.
4. As part of site plan approval, the Planning Board may require the redeveloper to furnish perfor-

mance guarantees pursuant to N.J.S.A. 40:55D-53 and provisions within its Land Development Ordinance. The performance guarantees shall be in favor of the Borough of Sayreville, and the Borough Engineer shall determine the amount of any performance guarantees.

5. Any subdivision of lots or parcels of land within the Redevelopment Plan area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40A:55D-1 et seq.
6. 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."
7. The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, whereby there is by reason of exceptional narrowness, shallowness, or shape of specific piece of property, exceptional topographic conditions or physical features uniquely effecting a specific piece of property, or an extraordinary and exceptional situation uniquely affecting a specific piece of property or structures, or where the strict application of any area, yard, bulk, or design objective or regulation adopted in compliance with this Redevelopment Plan would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the redeveloper of the property.
8. The Planning Board may grant a deviation from the regulations contained within this Redevelopment Plan related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict requirements of this Redevelopment Plan, or the benefits of granting the deviation would outweigh any detriments of this Redevelopment Plan.
9. The Planning Board may grant exceptions or waivers from design standards when the requirements for site plan or subdivision approval may be reasonable and within the general purpose and intent of this Redevelopment Plan, or if the literal enforcement of one or more provisions of this Redevelopment Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site.
10. No deviations may be granted under the terms of this redevelopment Plan, unless such deviations can be granted without resulting in detriment to the public good and will not impair the intent and purpose of this Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan under the provisions within the Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12(a) and (b).
11. Any changes to the uses permitted in the Plan, and increase in the permitted floor area, an increase in the permitted density or an increase in the height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted, shall be permitted only by means of an amendment of the Plan by the Redevelopment Entity, and only upon a finding that such deviation would be consistent with the furtherance of the goals and objectives of this Plan.
12. The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyance between the redeveloper and municipality pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
13. Any and all definitions contained within the Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Borough's Zoning Ordinance shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be invalid.
14. A redeveloper shall be required to pay all appli-

cable escrow fees and other required charges in accordance with applicable provisions of the Borough's Land Development Ordinance and New Jersey law. Additionally, a redeveloper may be required to pay for their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of the Redevelopment Plan. Any such payments required to reimburse the Borough or the redevelopment entity shall be specified in the redeveloper agreement.

15. 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 the 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.

13.1 Concept Review

All buildings within the Redevelopment Areas are subject to concept review and shall be subject to a concept review process in addition to the Planning Board's site plan review proceedings. Applicants are required to attend a pre-application workshop meeting with the Concept Review Committee of the Redevelopment Entity. The workshop meeting would be utilized for the applicant to demonstrate how their proposal conforms to the Redevelopment Plan and to seek input and clarification. During concept review of non-residential buildings, the Concept Review Committee shall consider consistency with this Redevelopment Plan. Review shall focus on more specific details of individual buildings and sites under review, consistency with Plan design principals and concepts, and how the use or structure is integrated with and contributes to, the quality and function of the area as reflected in this Redevelopment Plan. Prior to the approval of a site plan by the Planning Board, the Concept Review Committee must make the findings that the proposal is largely consistent with the Redevelopment Plan.

RESOLUTION #2015-258

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, DETERMINING THAT LOT 2.01 IN BLOCK 56, AS SHOWN ON THE TAX MAP OF THE BOROUGH OF SAYREVILLE QUALIFIES AND IS DETERMINED FOR INCLUSION IN THE PREVIOUSLY DESIGNATED AREA IN NEED OF REDEVELOPMENT KNOWN AS BLOCK 56, LOTS 1.01 AND 2.02; BLOCK 57.02, LOT 1; BLOCK 57.04, LOT 1; BLOCK 57.05, LOT 1; BLOCK 58, LOTS 6 AND 7, COMMONLY KNOWN AS THE SAYREVILLE LANDFILL #3 PROPERTY PURSUANT TO THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 et seq.)

WHEREAS, by Resolution #2010-70, the Mayor and Borough Council (the "Borough Council") authorized the Planning Board of the Borough of Sayreville to, among other things, undertake a preliminary investigation to determine whether certain properties commonly known as the Sayreville Landfill and the former Melrose Sewage Treatment Plant, identified on the tax map of the Borough of Sayreville as Block 56, Lots 1.01 and 2.02; Block 57.02, Lot 1, Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 and 7 (collectively known as the "Sayreville Landfill #3 Property"); and Block 283, Lot 3 (the "Melrose Property"), constitute areas in need of redevelopment pursuant to the criteria established in Section 5 of the Local Redevelopment and Housing Law (the "LRHL"); and

WHEREAS, the Planning Board did (i) provide appropriate public notice of the conduct of their preliminary investigation of the Sayreville Landfill #3 Property and the Melrose Property (ii) conduct a public hearing its preliminary investigation of the Sayreville Landfill #3 Property and the Melrose Property in accordance with the provisions of the LRHL, and (iii) recommend to the Borough Council the designation of the Sayreville Landfill #3 Property and the Melrose Property as "areas in need of redevelopment"; and

WHEREAS, by Resolution #2010-157, the Borough Council determined that Sayreville Landfill #3 and the Melrose Property qualified and were each determined as an "area in need of redevelopment" pursuant to the provisions of the LRHL; and

WHEREAS, Middlesex Energy Center, LLC ("MEC") has been designated as the redeveloper of the Sayreville Landfill #3 Property; and

WHEREAS, MEC has requested an amendment to the designated area and redevelopment plan for the Sayreville Landfill #3 Property to include Borough Tax Map Block 56, Lot 2.01; and

WHEREAS, the Sayreville Economic Redevelopment Agency ("SERA"), by Resolution adopted on April 23, 2015, has recommended, among other things, that the Mayor and Borough Council take appropriate action to amend the designation of the Sayreville Landfill #3 Property to include Borough Tax Map Block 56, Lot 2.01; and

WHEREAS, by Resolution #2015-171 adopted on June 22, 2015, the Borough Council authorized the Planning Board to undertake an amended preliminary investigation to determine whether Borough Tax Map Block 56, Lot 2.01 meets one or more of the criteria under Section 5 of the LHRL for inclusion in the previously designated Sayreville Landfill #3 Property redevelopment area; and

WHEREAS, on August 5, 2015, the Planning Board conducted a preliminary investigation hearing upon proper newspaper and property owner notice relative to the inclusion of Borough Tax Map Block 56, Lot 2.01 in the previously designated Sayreville Landfill #3 Property redevelopment area in accordance with Section 6 of the LHRL; and

WHEREAS, by Resolution adopted on August 5, 2015, the Planning Board determined that Borough Tax Map Block 56, Lot 2.01 did meet one or more of the criteria under Section 5 of the LRHL for inclusion in the previously designated Sayreville Landfill #3 Property redevelopment area..

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The inclusion of Tax Map Block 56, Lot 2.01 meets one or more of the criteria under the LRHL for inclusion in the previously designated "area in need of redevelopment" known as the Sayreville Landfill #3 Property and is hereby designated as part of said previously designated Sayreville Landfill #3 Property area in need of redevelopment; and
2. The Borough Clerk is hereby authorized and directed to forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs; and
3. The Borough Clerk is hereby authorized and directed to forward a copy of this Resolution to the Planning Board; and
4. The Borough Clerk is hereby authorized and directed for forward a copy of this Resolution to each and every owner of the properties in the Sayreville Landfill #3 Property redevelopment area; and
5. The Borough Clerk is hereby authorized and directed to forward a copy of this this Resolution to any person who filed a written objection and sated, in or upon the written submission, an address to which notice of determination may be sent; and
6. The Borough Clerk is hereby authorized and directed to publish and post notice of this Resolution as required by applicable law; and

- 7. The Planning Board is hereby directed to prepare an Amended Redevelopment Plan for the Sayreville Landfill #3 Property; and
- 8. This Resolution shall take effect immediately.

/s/ Daniel Buchanan, Councilman
(Planning and Zoning Committee)

ATTEST:

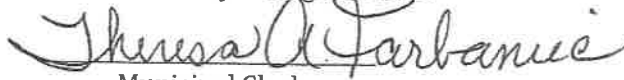
BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

	Buchanan	KILPATRICK	McGill	Melendez	Novak	Rittenhouse
Ayes	X	X	X	X	X	X
Nays						
Abstain						
Absent						

I, Theresa A. Farbaniec, Municipal Clerk of the Borough of Sayreville do hereby certify that the foregoing is a true copy of a Resolution adopted at a Regular Meeting of the Mayor and Borough Council held on the 24th day of August, 2015.


Municipal Clerk

ORDINANCE #304-15

AN ORDINANCE ADOPTING THE AMENDED SAYREVILLE LANDFILL #3 AND MELROSE REDEVELOPMENT PLAN TO THE GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY

WHEREAS, the Mayor and Council of the Borough of Sayreville (the "Borough Council"), by Resolution #2010-70 adopted on March 22, 2010, authorized the Sayreville Planning Board (the "Planning Board") to conduct an investigation and hold a public hearing to determine whether Block 56, Lots 1.01 and 2.02; Block 57.02, Lot 1; Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58 Lots 6 & 7 (the "Sayreville Landfill #3 Site") and Block 283, Lot 3 (the "Melrose Site") constitute an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, the Sayreville Planning Board conducted an investigation in accordance with applicable law and determined that the aforementioned sites meet the statutory criteria for an "area in need of redevelopment" within the meaning of Sections 6(c) and (e) of the LRHL; and

WHEREAS, the Planning Board recommended that the Borough of Sayreville declare the aforementioned sites to be "an area in need of redevelopment," pursuant to the LRHL; and

WHEREAS, the Mayor and Council by Resolution No. 2010-157 declared the Sayreville Landfill #3 Site and the Melrose Site to be "areas in need of redevelopment" and directed the Planning Board to prepare a redevelopment plan for these sites; and

WHEREAS, a redevelopment plan entitled "Borough of Sayreville Landfill and Melrose Redevelopment Plan" dated March, 2011 (revised September, 2013), was prepared by John Leoncavallo, PP (the "Redevelopment Plan"), and presented to the Borough Council for review and consideration; and

WHEREAS, certain amendments to the Redevelopment Plan are necessary and appropriate for the redevelopment of the Sayreville Landfill #3 Site, including, but not limited to, the inclusion therein of Tax Map Block 56, Lot 2.01; and

WHEREAS, the attached Redevelopment Plan, revised through July 24, 2015, has been prepared by John Leoncavallo, PP, and presented to the Borough Council for review and consideration; and

WHEREAS, the Borough Council desires that the Redevelopment Plan, as revised through July 24, 2015, become the formal planning document for revitalization of the Sayreville Landfill #3 Site and the Melrose Site.

/s/ Daniel Buchanan, Councilman
(Planning & Zoning Committee)

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

I, Theresa A. Farbaniec, Municipal Clerk of the Borough of Sayreville do hereby certify that the foregoing is a true copy of an ordinance that was adopted at a Regular Meeting of the Mayor and Borough Council held on the 15th day of September, 2015.

Theresa A. Farbaniec
Municipal Clerk

INTRO & PASSED 1st READING 8/24/15
ADVERTISED ACCORDING TO LAW 8/25/15
ADOPTED ON 2nd & FINAL READING 9/15/15
ADVERTISED ACCORDING TO LAW 9/18/15

BOROUGH CLERK
Theresa A. Farbaniec

ORDINANCE #10-24
AN ORDINANCE AMENDING THE BOROUGH OF SAYREVILLE
LANDFILL AND MELROSE REDEVELOPMENT PLAN

WHEREAS, the Sayreville Borough Council adopted the Borough of Sayreville Landfill and Melrose Redevelopment Plan (“the Redevelopment Plan”) in December of 2012 by way of Ordinance No. 239-13 and amended in 2015 by way of Ordinance No. 304-15; and

WHEREAS, the vision for the Redevelopment Plan has evolved over time due to a variety of circumstances; and

WHEREAS, the Sayreville Borough Council and the Sayreville Economic Redevelopment Agency have reviewed and support the proposed amendments of the Redevelopment Plan; and

WHEREAS, where language is modified in the Redevelopment Plan by deleting or adding specific words or phrases, deletions are bracketed and identified with italicized, strikethrough text (e.g. [~~deletions~~]), and additions are indicated by bold-face, underlined text (e.g. **additions**).

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE TEXT CONTAINED WITHIN THE REDEVELOPMENT PLAN SHALL BE AMENDED AS FOLLOWS:

- I. The following “Sayreville Landfill Site” table in Section 2.2, Page 2 of the Redevelopment Plan shall be amended as follows:

Sayreville Landfill Site

~~[Block 56 — Lots 1.01, 2.01 and 2.02]~~

~~Block 57.02 — Lot 1~~

~~Block 57.04 — Lot 1~~

~~Block 57.05 — Lot 1~~

Block 58, [~~Lots 6 and 7~~] **Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)**

- II. The following language below Figure 2 titled “Aerial of the Subject Tract” on Page 3 shall be amended as follows:

~~Block 56, Lots 1.01, 2.01 & 2.02; Block 57.02, Lot 1~~

~~Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, [Lots 6 and 7]~~ **Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)**

- III. The following language below Figure 3A titled “Tax Map of the Landfill Tract” shall be amended as follows:

~~[Block 56, Lots 1.01, 2.01 & 2.02; Block 57.02, Lot 1]~~

~~[Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 & 7]~~

Block 58 Lot 2.01 (former Block 56, Lot 2.01) and 9 (former Block 56, Lots 1.01 and 2.01, Block 57.02, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1 and Block 58, Lots 6 and 7)

- IV. The following Section 3.2 titled “Power Plan Technology and Development” on Page 7 shall be removed from the Redevelopment Plan as follows:

*[3.2 Power Plan Technology and Development
Based upon past approved land uses and regional power supply needs, power generation is an appropriate land use in the redevelopment area. While principal permitted uses are outlined in Section 5.2 of this plan, it is specifically noted that power generation is permitted as a single business and conforming use by this Redevelopment Plan.]*

- V. The following language shall be added to Section 5.2 titled “Principal Permitted Uses” on Page 9 of the Redevelopment Plan as follows:

1. Aquaculture Operations/Facility
2. Brewing or Distilling
3. Construction and Building Trade Workshops
4. Greenhouse or Plant Nursery
5. Industrial Vehicle, Construction Equipment Sales or Materials Service Establishment
6. Industrial Service Establishments
7. Manufacturing, Processing, Packaging or Assembly of Goods, Chemicals or Materials / Large
8. Office
9. Paper Products Manufacturing
10. Petroleum and Fuel Products Storage and Wholesale
11. Power Plant - Gas Fired Combination Cycle or More Efficient Technology up to 1000MW
12. Processing, Assembly, Fabricating Operations, Manufacturing, Sales or Storage of Natural Resources
13. Recycling Depot
14. Transportation Service Provider
15. Warehouse, distribution centers, and light manufacturing facilities that support reuse, recycling, compost processing and manufacturing businesses
16. Wireless Telecommunications Facilities
17. Solar Panel Power Generation Facilities
18. Boat and Water Related Storage, Launching, and Maintenance Facilities
19. **Cold Storage Warehouse**

- VI. The following figure in a table under Section 5.4 titled “Bulk Standards” on Page 9 shall be amended from the Redevelopment Plan as follows:

For Bulk Standards of Height – Principal Building (feet) the ~~[Minimum]~~ **Maximum** Required/Permitted Height shall be amended from ~~[60]~~ to **75** feet **for a Cold Storage Warehouse Only.**

- VII. The following language shall be added to be the third paragraph in Section 6 titled “Definitions” on Page 13 of the Redevelopment Plan as follows:

Building height: the vertical distance from the average finished grade as measured at the building corners to the level of the highest point of the roof surface for a flat roof. The term "finished grade," as used herein, shall not include grade recesses solely intended to accommodate truck loading docks, garage entrances or similar purposes; provided such recesses do not exceed four feet in depth below adjoining grade. Parapets up to 4 feet above the flat roof surface and roof-mounted mechanical equipment, bulkheads, solar panels and other appurtenances up to 7 feet above the flat roof surface shall be exempt from the calculation of building height.

Cold Storage Warehouse: a facility primarily engaged in the warehousing and storage of goods under refrigeration, which may include incidental processing, preparing or packaging of items for storage.

VIII. The following language shall be added in Subsection 8.2.1 titled "Off-Street Parking Requirements" under Section 8.2 titled "Parking/Loading" on Page 14 of the Redevelopment Plan as paragraphs (a) and (g), respectively, as follows:

(a) Cold Storage Warehouse (inclusive of any ancillary office floor area):

- i. Warehouse Use: 1 parking space per employee plus 10%
- ii. Office Use: 1 parking space per 300 square feet of gross floor area

(g) Up to 30% of the total required parking spaces may be banked until such time as the banked parking spaces are needed, as determined by the Borough.

IX. The following language in paragraphs (b) and (f) in Subsection 8.2.2 titled "Off-Street Parking Design Standards" under Section 8.2 titled "Parking/Loading" on Page 14 of the Redevelopment Plan shall be amended as follows:

(b) Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from the street right-of-way and sidewalks, avoid spill-over light, glare, **and** noise onto adjacent property. Parking lots visible from a public right-of-way shall be surrounded by a minimum of a two to three foot landscaped berm **or an existing mature landscaped buffer**. The height of the berm shall gradually decrease in size where driveways, walkways and sidewalks approach to provide adequate site triangles.

(f) Parking **spaces** for all structures shall be prohibited **within 50 feet of the front [yard] lot line.** [setback areas.]

X. The following paragraph shall be added as Section 8.3 and shall be titled "Lighting" to Page 14 of the Redevelopment Plan as follows:

8.3 Lighting

a. The Maximum height of freestanding lights should not exceed thirty-five feet (35').

b. A minimum of 0.5 footcandles shall be maintained throughout parking lots (exclusive of storage areas for light commercial vehicles and semi-trailer trucks) and maintained with established depreciation factor calculated into lighting level at a maximum to minimum illumination ratio not to exceed 15:1.

XI. The following language in paragraphs (d), (e) and (f) of Section 8.4 (formerly 8.3) titled "Landscape/Basin Design" on Page 15 of the Redevelopment Plan shall be amended as follows:

d. Walls that can be viewed from public streets shall be designed using landscaping (abutting the building) for at least 50% of the wall length. Other walls shall incorporate landscaping for at least 30% of the wall length. Walls along loading dock areas shall be exempt from this standard.

e. Retention areas are encouraged to ~~[shall]~~ be designed as amenities within the Redevelopment Area.

f. Retention areas ~~[shall be accented with natural form edges, native landscaping, and water features]~~ shall be designed in accordance with N.J.A.C. 7:8.

XII. The following language in paragraphs (c) and (e) of Section 8.7 (formerly 8.6) titled "Building Design" on Page 15 of the Redevelopment Plan shall be amended as follows:

c. Locate utility meters and exhaust vents on the side or rear of a building to the extent allowed by utility service providers.

XIII. The following language shall be added to the Redevelopment Plan as Section 11.6 on Page 18 as follows:

11.6 Building Lots and Subdivision

11.6.1 A project to be developed pursuant to this Redevelopment Plan may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances (such as for lot area) that would technically be required subject to the following:

1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
3. A technical subdivision must not reduce, limit or modify parking or access to parking.

4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.

11.6.2 Existing and proposed lots within the Redevelopment Area shall not be required to front on or to abut a public street, provided adequate access from a street is provided for vehicular access, stormwater management access, and utilities, through one or more other lots. This shall not be interpreted to provide exemption from N.J.S.A. 40:55D-35, however same shall be considered satisfied if adequate access from a street is provided for emergency vehicles, through one or more other lots via easement or other legal mechanism acceptable to the Borough.

- XIV. The following language in paragraph 4 of Section 12 titled "Redeveloper Selection" on Page 17 of the Redevelopment Plan shall be amended as follows:

4. *[The redeveloper agreement shall include the provision of affordable units or payment in lieu of constructing affordable housing on site in accordance with the latest applicable State affordable Housing requirements for the number, size and cost of affordable units.]* All redevelopment projects shall be subject to the State of New Jersey Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 et seq.).

INTRODUCED/APPROVED ON FIRST READING

DATED: March 11, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

John Zebrowski, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: March 25, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

John Zebrowski, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney