

**REDEVELOPMENT PLAN  
FOR  
DOWNTOWN FANWOOD, BLOCK 64**

**BOROUGH OF FANWOOD  
UNION COUNTY, NEW JERSEY**

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**Prepared For:**

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## **REDEVELOPMENT PLAN**

### **FOR BLOCK BOUNDED BY SOUTH AVENUE, MARTINE AVENUE, La GRANDE AVENUE AND SECOND STREET IN THE BOROUGH OF FANWOOD, NEW JERSEY**

#### **I. INTRODUCTION**

The following is the Redevelopment Plan for Block 64 of the Borough of Fanwood, the area bounded by South Avenue, Martine Avenue, La Grande Avenue and Second Street in downtown Fanwood. This area, including the demarcation of the general land use plan for the block, is shown in Figure 1. The redevelopment area is approximately 6.5 acres in size. It has a relatively flat topography. It is situated at the intersection of two heavily-traveled arterial roads: Route 28 (South Avenue) and Martine Avenue (County Route 655), which leads north to downtown Scotch Plains, State Route 22, and Interstate 78. The study area is located directly across South Avenue from the Fanwood train station, which provides direct train service to Newark and New York City via New Jersey Transit's Raritan Valley line. The redevelopment area currently has a mix of various commercial uses, including retail, office, warehouse, and light industry as well as vacant land.

In August 2000, Abeles Phillips Preiss ~ Shapiro, Inc., in association with Fanwood's Downtown Revitalization Coordinator, Clayton Pierce, at the request of the Borough Council of Fanwood, investigated a series of alternative redevelopment and revitalization options for portions and/or the whole of Block 64. The focus of the study was to determine whether such options were feasible and to what extent these options would help to revitalize downtown Fanwood. Despite the existence of a number of properties which had been vacant and marginally used for a number of years, there was little developer interest. Because of the existence of a substantial market for retail uses and housing within the Borough, the study attempted to determine whether a public-private partnership could provide the impetus for redevelopment on the block. During the study, it became apparent that conditions on the block possibly warranted a declaration of the area in need of redevelopment in accordance with the Local Redevelopment and Housing Law (NJSA 40:12 A et seq.). A redevelopment area study was subsequently prepared and submitted in March 2001, and following the requisite notice and public hearings, Block 64 was declared an area in need of redevelopment, pursuant to NJSA 40A: 12-6.

By January of 2002, the first edition of this Plan was adopted, with a subsequent revision adopted on March 14, 2002. The Borough invited proposals from interested redevelopers and engaged in negotiations during 2003 with a selected redeveloper, which was designated by the governing body. However, a redeveloper agreement was never executed and a newly elected governing body in 2004 determined that the public had been disconnected with the original redevelopment process and that the

Plan needed to be re-visited with new opportunities for public involvement. The Borough secured a Smart Future Grant from the Office of Smart Growth in the New Jersey Department of Community Affairs and retained the firm of Schoor DePalma Inc. to guide them through a public outreach process in the Fall of 2004, leading to revisions to the Plan by the end of the year.

The overall goal of this Local Redevelopment Plan is for the Block, or a portion of the Block, to be redeveloped through the use of such governmental authority and power not available to the private sector, pursuant to the Redevelopment and Housing Law, as a planned retail and residential mixed-use development in downtown Fanwood. The public outreach process undertaken by the Borough in 2004 has led to revisions that reflect the following consensus:

1. Retain the Martine Avenue frontage for rehabilitation of existing buildings, including the conversion of the rear of the buildings into a secondary entrance for access from the proposed common surface parking in the center of the block;
2. Keep the scale at 2.5 to 3 stories, but with the third story under gabled roofs with dormers to reduce the visual impact; except for areas along South Avenue immediately across from the train station identified as the “Maximum Height Overlay” as shown on the accompanying Redevelopment Districts map.
3. Keep the scale of the Plan manageable so that permitted land uses follow existing property lines and private property owners have the opportunity to redevelop their properties themselves, using a unified surface parking layout in the center of the block to meet the parking needs of the redevelopment area, as well as obligations for Borough owned parking committed to commuters;
4. Create a system of pedestrian walkways, alleys and crosswalks that provide safe and convenient access between surface parking on the interior of the block with formal entrances to buildings from Martine Avenue, South Avenue, Second Street and La Grande Avenue and secondary entrances to the buildings accessed directly from the interior parking;
5. Emphasize pedestrian connections between the redevelopment area and the Fanwood Train Station directly across South Avenue in order to facilitate maximum utilization of “flex” parking opportunities between the two parking areas and to attract commuters to existing and new convenience retail sales and service establishments in the downtown redevelopment area;
6. Make architectural incentives from the original Plan mandatory, with the emphasis on the “stick” (simplified) Victorian style inherent in the Fanwood Train Station building;
7. Provide for a variety of opportunities for public spaces, including the use of building setbacks, that would encourage public interaction and attract one or more high quality restaurants with widened sidewalks for outdoor dining along South Avenue across from the Train Station;
8. Consider the integration of design requirements and rehabilitation standards for portions of the downtown outside of the redevelopment area, including the north side of Martine Avenue and the remainder of the South Avenue Corridor.
9. Provide incentives for the private redevelopment of the individual parcels within the tract individually or as part of a coordinated plan with the Borough.

As a result of the outreach process that included resident surveys, merchant surveys, property owner meetings and three televised open public forums, a concept plan was developed from several alternatives and reflects the consensus of public opinion summarized above.

Several developments have been approved in the Redevelopment Plan. These include the Marchovecchio mixed-use, Ling mixed-use, and Fanwood Crossing 1, 2, & 3 mixed-use developments. While recent redevelopment approvals measure success, the individual design and approval of buildings will continue to create many challenges for the further redevelopment of the Redevelopment Area. These challenges include pedestrian access and circulation, parking layout and design, lack of common trash handling, and lack of common stormwater management. The current redevelopment plan is designed to effectively address these issues by providing a comprehensive plan and appropriate incentives for the redevelopment of the remaining area. The revised plan is shown in the accompanying Redevelopment Area Concept Plan map.

To provide the necessary incentives to redevelop the two (2) remaining properties, consisting of Station Square and Ponzio, this Redevelopment Plan Amendment increases the residential unit total by an additional seven (7) residential units overall from the 122 units currently permitted in the existing plan to a total of 129 units.

As shown in the Redevelopment Area Concept Plan, a formal parking and circulation layout has been designed to accommodate the needs of pedestrians and vehicles. The Redevelopment Concept Plan is intended to provide a general concept plan for the future redevelopment of the remaining portions of the redevelopment area, focusing on parking layout and design, pedestrian access and circulation, future building placement, and potential layout and design of the Sovereign Bank and Livingston Wilbur tracts, including the location of a remote drive-through parking facility. The Concept Plan is meant be conceptual nature and not a fixed site plan. Minor adjustments or revisions may be permissible within the overall vision for the redevelopment of the tract as set forth in the Redevelopment Plan as amended.

To assist in creating incentives for the redevelopment of the area, the Borough Council has decided that some flexibility in the overall height is appropriate. Accordingly, the maximum permitted height in the areas along South Avenue immediately across from the train station identified as the “Maximum Height Overlay” as shown on the accompanying Redevelopment Districts map are recommended to be four stories and 48 feet. To ensure high quality design and compatibility with adjoining development within the redevelopment plan area, buildings within the Maximum Height Overlay shall include a step down to match the height of adjoining buildings currently located along South Avenue. The design of the roofs shall be in accordance with the requirements of the Design Criteria for Three Districts and Overlays specified herein.

The figure entitled “Block 64 – Redevelopment Area Concept Plan” is superseded by the revised concept plan entitled “Block 64 – 2010 Redevelopment Area Concept Plan”.



## II. RELATIONSHIP TO LOCAL OBJECTIVES

### *Relationship to Intent and Purpose of the Master Plan, the Master Plan Reexamination, and Zoning Ordinance*

#### *Master Plan of the Borough of Fanwood (1998)*

In addition to adopting the purposes of the Municipal Land Use Law (NJSA 40:55D-2), the Master Plan for the Borough of Fanwood (1998) adopted six more specific goals and objectives for the Borough, two of which have direct applicability to the Redevelopment Plan (see p. 2, goals 5 and 6), as follows:

5. The soon-to-be-enlarged CC Zone provides for the construction of apartment flats over newly-constructed businesses in an effort to provide low-/moderate-income housing.
6. The central commercial area of the Borough should continue with only modest expansion as dictated by the existing land use patterns; however, Ordinance controls should be instituted in order to assure that the future development of the lands within the central commercial area is accomplished in a manner which promotes a 'village' atmosphere as opposed to an unsightly 'strip commercial' type of development.

In addition, the purposes and intent of the CC Central Commercial district, into which the redevelopment area falls, are described on pp. 3-6 and 3-7, as follows:

The "CC" District area has been provided to accommodate relatively intensely developed commercial activities geared to satisfy the retail shopping needs of the Borough's residents. The ideal mix of stores would provide variety and mutual compatibility. Providing a shopper the opportunity to park once and satisfy a number of shopping needs is also desired in the "CC" District. The designated land area is appropriately located at the approximate geographic center of the Borough, along Martine Avenue between South and La Grande Avenues, and is entirely developed. The land uses currently permitted and intended to be continued include a wide array of retail and service activities; however, because it is the intention that the "CC" District area function for the convenience of shoppers, such uses as restaurants and service stations are not permitted.

The Redevelopment Plan as described herein incorporates these goals and objectives and endorses the purposes and intent of the Master Plan with respect to the CC District through the following: providing for the construction of apartments over retail businesses; promoting a small-scale downtown village atmosphere; allowing fairly intensive retail development and a variety of commercial activities to meet the shopping needs of Borough residents; and making provision for parking for shoppers, as well as residents and employees in the downtown. The Redevelopment Plan departs to some extent from the Master Plan where the CC District is described as a district which is entirely developed, and that restaurants should not be permitted.

Much of the area contains either vacant or marginally-used or underutilized land, and restaurants are to be permitted as they are a desirable convenience and attraction to a downtown the size of Fanwood's. To reduce curb-cuts along South Avenue and promote an enhanced pedestrian experience along South Avenue, a remote drive-through bank facility centrally located in the parking lot is appropriate. This revision would eliminate the existing drive-through that breaks the streetscape on South Avenue.

#### *Master Plan Reexamination Report (2004)*

In addition to the Master Plan for the Borough of Fanwood (1998), the Borough completed a Master Plan Reexamination Report (2004). The Reexamination report addresses the redevelopment area in terms of consistency with the Master Plan, new policy objectives, the South Avenue Corridor, and shared driveways.

#### *Consistency with the Master Plan*

The goals and planning objectives detailed in the Master Plan (1998) remain valid except for the following goal:

- The central commercial area of the Borough should continue with only modest expansion as dictated by the existing land use patterns; however, Ordinance controls should be instituted in order to assure that the future development of the lands within the central commercial area is accomplished in a manner which promotes a 'village' atmosphere as opposed to an unsightly 'strip commercial' type of development.

Subsequent to the adoption of the Master Plan, the Borough designated the block bounded by Martine Avenue, South Avenue, Second Street and La Grande Avenue as an area in need of redevelopment. In March 2002, the Borough Council adopted by ordinance a redevelopment plan. The redevelopment plan designated a portion of the redevelopment area as a Downtown Retail-Residential District which was designed primarily to provide for mixed-use development with multifamily residential above retail stores featuring pedestrian oriented convenience and specialized shopping opportunities.

#### *New Policy*

As the redevelopment plan is amended, the Master Plan Reexamination recommends that new redevelopment efforts should recommend a new Borough policy regarding parking in the downtown, i.e. is parking the responsibility of the Borough within municipal lots or a requirement of individual property owners? The financial feasibility of the redevelopment plan should be considered by the Borough as well.

### *South Avenue Corridor*

The west side of the South Avenue corridor, from Terrill Road to the rail road crossing just south of Martine Avenue, serves as a primary gateway for Fanwood, and partly included in the redevelopment area. The Master Plan Reexamination recommends improvement of the arrangement and design of the buildings through new bulk standards rather than through the regulation of permitted uses. As redevelopment takes place, gateway treatment and landscaped edging should be considered to create visual cohesiveness along the corridor.

### *Shared Driveway*

As new development occurs along the South Avenue Corridor, the Reexamination recommends limiting the number of separate entranceway driveways along the South Avenue Corridor and relocating the existing bank drive-through to a remote location in the parking area in the center of the tract.

### *Zoning Ordinance*

The current zoning ordinance of the Borough also incorporates the purposes of the MLUL, and provides two additional objectives, at Section 1.03B, one of which is applicable to the Redevelopment Plan, as follows:

- Encourage development of additional commercial ratables in the commercial zones.

If the Redevelopment Plan is successful, additional commercial development will enhance the tax base of the community.

### *Redevelopment Plan Goals and Objectives*

The specific goals and objectives of the Redevelopment Plan are as follows:

1. To provide for a downtown mixed-use environment, including a variety of retail, residential and recreational uses that will promote economic development and growth opportunities, and serve a variety of community needs.
2. To provide for an increase in the economic base of the redevelopment area and Borough by redeveloping underutilized, inefficiently utilized and underproductive properties.

3. To encourage development, redevelopment and/or infill in the redevelopment area which embody the characteristics of a downtown pedestrian shopping district, by:
  - a. providing appropriate design guidelines;
  - b. encouraging a consistent retail frontage along both streets on the block;
  - c. providing streetscape improvements in addition to those which have already been provided for by the Borough;
  - d. providing a shared off-street parking behind the retail frontage on South and Martine Avenues to serve all of the parking needs of visitors, customers and employees to the block;
  - e. encouraging open space and amenities to be provided to meet the recreational and social needs of employees, visitors and residents.
4. To encourage development that is compatible with the character of adjacent neighborhoods and land uses.
5. To stimulate private market interest and investment in the remainder of downtown Fanwood, particularly along the north side of Martine Avenue and along the South Avenue commercial corridor.
6. To provide for a balance of private investment and community trust by providing flexibility to enable existing property owners to participate in the redevelopment of their own properties, or, if necessary or desirable, the attraction of qualified developers capable of securing private financing commitments.
7. To provide additional housing opportunities for senior citizens, young professionals and lower income households, while minimizing the impact on the capacity of the Borough's municipal services and education system, by emphasizing the proximity of the Fanwood Train Station and fostering a "transit village" relationship in the downtown.
8. To encourage a diversity of retail uses in downtown Fanwood.
9. To preserve existing trees and vegetation in the redevelopment area to the extent practical.

### **III. GENERAL LAND USE PLAN**

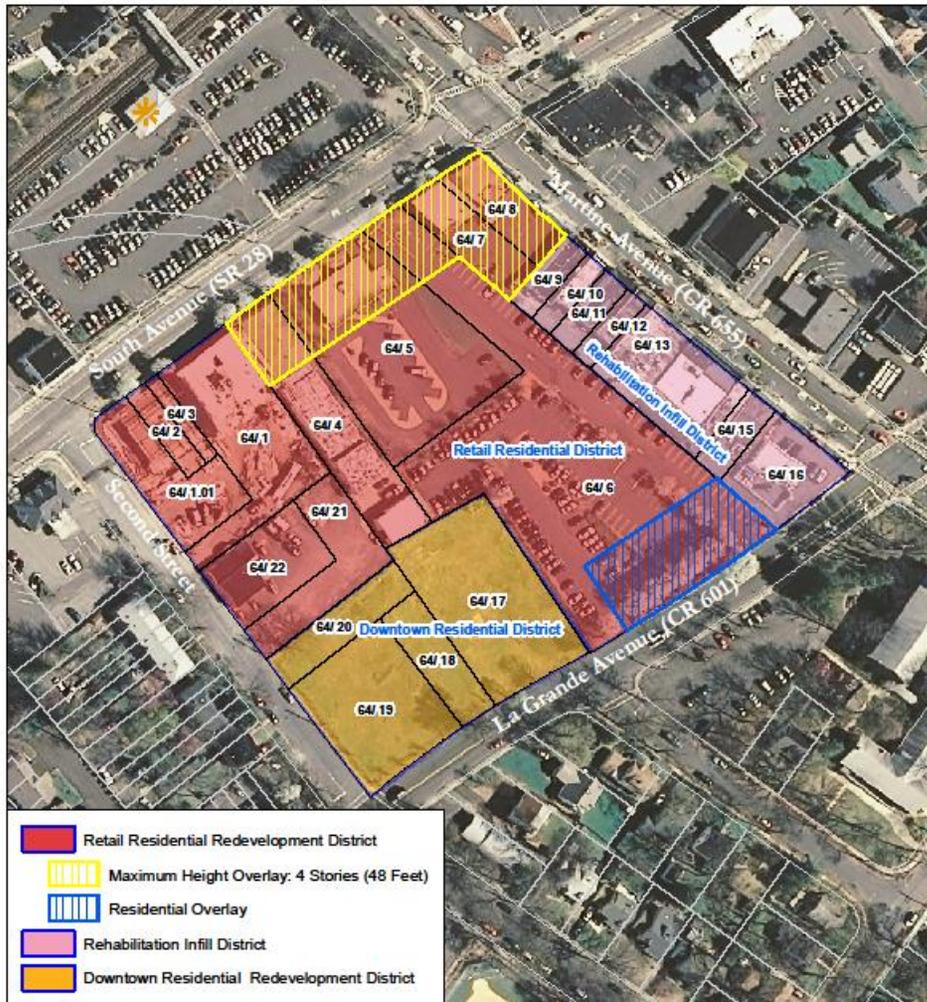
The area within the Redevelopment Plan is hereby subdivided into three separate districts as indicated in Figure 1, the Downtown Residential District, the Rehabilitation/Infill District, and the Retail-Residential District. The land use regulations pertaining to these districts are provided below. In addition, a Residential Overlay area in the Retail-Residential District, which permits multi-family residential development fronting on LaGrande Avenue.

#### **Land Use Regulations for the Rehabilitation / Infill Redevelopment District and Retail-Residential district**

##### *Purpose*

The purpose of the Rehabilitation / Infill Redevelopment District and Retail-Residential District is to maintain pedestrian-oriented convenience and specialized shopping opportunities in the downtown. Uses which are automobile-oriented, or which have low customer turnover on the ground floor, or which create gaps in retail store frontage are discouraged for infill development, except that appropriate retail, office and residential uses in all areas of the district shall be encouraged above the ground floor, except that multi-family residential development may be permitted as an option along LaGrande Avenue, as shown on the accompanying Redevelopment Districts map.

The figure entitled “Redevelopment Districts” is superseded by the figure entitled “Redevelopment Districts – 2010” .



- Retail Residential Redevelopment District
- Maximum Height Overlay: 4 Stories (48 Feet)
- Residential Overlay
- Rehabilitation Infill District
- Downtown Residential Redevelopment District

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**Redevelopment Districts (2010)  
 Borough of Fanwood  
 Union County, New Jersey**

0 60 120 240  
 Feet

Prepared by: RED: June 10, 2010  
 Source: NJDEP, Union County GIS  
 File Path: H:\FNRE\00010\GIS\Projects\Figure 1 - Zone Districts\_June 10 2010.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

### ***Principal Uses Permitted on All Floors***

1. Restaurants and eating and drinking establishments, but excluding drive-in or drive-thru restaurants, but including sidewalk cafes in accordance with Article VII of Chapter 259 of the Code of the Borough of Fanwood.
2. Commercial recreation facilities such as theaters, movie theaters, museums, galleries, and indoor youth play centers, but excluding video arcades, and sexually-oriented businesses which are subject to Chapter 184 of the Code of the Borough of Fanwood.
3. Convenience retail establishments such as food stores, convenience stores, liquor stores, bakeries, cosmetic stores, drug stores, and video sales and rental stores.
4. Specialty retail establishments such as antique stores, opticians, gift stores, clothing and shoe stores, toy stores, jewelry stores, sports and outdoor equipment stores, bicycle stores, furniture stores, hobby stores, photography stores, electronic and appliance stores, pet stores, stationery and office supply stores, record and book stores, and hardware stores.
5. Service retail establishments such as barber shops, beauty parlors, , dry cleaning establishments, laundries, copy or printing establishments, tailors, household and electronic repair establishments, health clubs, gyms, and travel agencies.
6. Banks and banks with drive-through facilities subject to the placement of a remote drive-through facility within the interior parking lot as depicted on the Redevelopment Concept Plan and accordingly is not visible and does not exit onto South and Martine Avenues.
7. General, business and professional offices, including medical offices, finance, insurance, and real estate offices on the first floor subject to the following conditions. Up to 25 percent of any one building and no more than 25 percent of the total first floor building square footage fronting on South Avenue and Second Street may be used for office space.
8. Municipal parking facilities, and private parking lots as a principal use, but only at or below grade, and not within above-ground, multi-level structured parking garages.
9. Municipal uses.

10. Educational or quasi-educational establishments such as ballet or dance schools, fine arts schools, martial arts schools, nursery schools, and business, vocational or technical schools.
11. Municipal, county, state and federal government offices.
12. Non-profit, civic or philanthropic uses.

***Principal Uses Permitted on All Floors, Except the First or Ground Floor, or as specified below.***

1. Residential apartments, subject to the following conditions:
  - a) An entrance separate from the ground floor commercial establishment shall be provided.
  - b) The apartment shall contain at least one bedroom, a kitchen, bathroom and living room, and shall contain at least 650 square feet of net rentable floor area, except that apartments may be smaller than 650 square feet provided that they meet all requirements of the Council On Affordable Housing (COAH) for occupancy by low or moderate income households and are credited toward the Borough's fair share obligation under the Growth Share Methodology.
  - c) Parking for mixed-use buildings will be provided equal to 2 parking spaces per two-bedroom residential unit, 1.5 parking space per 1 bedroom unit and 2 parking spaces per thousand square feet of retail space; however, such space or spaces may be provided through a shared parking agreement with the Borough. Evidence shall be provided that such a space or spaces are available at the time required by the occupants of the apartment, and shall be subject to a written agreement approved by the Borough's legal counsel.
  - d) The total build-out of the Retail-Residential District shall not exceed 98 dwelling units.
  - e) Residential apartments may be permitted on all floors in the Residential Overlay area.
2. Existing automobile service or repair facilities provided that such a facility shall not be expanded or substantially altered except to be in conformance with the design requirements of this Plan, subject to site plan approval by the Fanwood Planning Board.

Permitted Principal Uses for Buildings developed pursuant to the Residential Overlay within the Retail Residential District

A. *Multi-family residential units, a maximum of sixteen units.*

Area, Yard and Bulk Requirements for Buildings in the Residential Overlay within the Retail Residential District.

1. Minimum lot area: 12,000 square feet.
2. Minimum lot width: 150 feet.
3. Minimum lot depth: 75 feet.
4. Maximum front yard setback: The maximum front yard setback shall be the average setback of other (existing and proposed) buildings on LaGrande Avenue facing the block, but not less than 10 feet and such setback shall be landscaped with trees, shrubs and turf or groundcovers.
5. Minimum side yard: 0 feet.
6. Minimum rear setback: 0 feet.
7. Maximum building height: 3 stories and 35 feet. The ground (first) floor will consist of on-site parking for occupants of the residential dwellings as well as utility and storage areas. The upper two floors will contain the residential units. The third story shall be under a pitched roof and contain dormers or other architectural features to give the building the appearance of having only 2.5 stories.
8. Maximum building coverage: 100 percent.
9. Maximum impervious coverage: 100 percent.

***Accessory Uses***

1. Off-street customer or employee parking (except for Residential Overlay)
2. Loading facilities
3. Fences and walls
4. Awnings
5. Wayfinding signs
6. Remote drive-through facility in association with a bank. Such facility shall be located within the parking lot area in the central portion the tract and shall be designed in a manner to be architecturally consistent with the overall architectural themes of the

redevelopment area, incorporate architectural features of the principal bank building, and serve as a visual focal point or centerpiece of the parking area.

***Prohibited Uses***

1. Any industrial or warehouse uses, lumber yards, building supply or garden stores or nurseries.
2. Any new automobile, motorcycle, truck or boat sales, service, repair, parts, supply store, rental or storage.
3. Outdoor storage.
4. Bulk storage, above or below ground, of fuel or gas.
5. Funeral homes or services of any kind.

***Area, Yard and Bulk Requirements for Buildings Fronting South Avenue (in whole or in part) or Second Street***

Area, Yard and Bulk Requirements for Retail-Residential District

1. Minimum lot size: 4,000 square feet
2. Minimum lot width: 40 feet
3. Minimum lot depth: 80 feet
4. Minimum setback from South Avenue: 0 feet
5. Minimum side yard: 0 feet, except that one or more buildings should not exceed 200 feet in total length or depth without separation by a pedestrian alley of at least 14 feet in width connecting the public sidewalk to the public parking in the interior of the redevelopment area.
6. Minimum rear setback: Buildings shall have a setback from the rear parking areas sufficient to provide for public walkways and secondary entrances oriented to the public parking plaza in the interior of the redevelopment area.
7. Maximum building height: 3 stories and 40 feet along South Avenue and 3 stories and 35 feet along Second Street, except that the third story shall be under a pitched roof and contain dormers or other architectural features to give the building the appearance of having only 2.5 stories. Buildings located at the corners of South Avenue and either Second Street or Martine Avenue shall be designed with a Victorian style turret or other architectural treatment to serve as a focal point and to mark the gateway to the redevelopment area.

8. Maximum building height for buildings located in the Maximum Height Overlay, as shown on the accompanying Redevelopment Districts map: Four stories and 48 feet. Buildings within the Maximum Height Overlay shall include a step down to match the height of adjoining buildings currently located along South Avenue. The architectural design of the roofs shall be in accordance with the requirements of the Design Criteria for Three Districts and Overlays specified herein.
9. Maximum building coverage: 100 percent
10. Maximum impervious coverage: 100 percent
11. Floor area ratio: 3.8
12. A pedestrian concourse within a dedicated easement shall be created for the purpose of connecting the public sidewalk to the public parking area, as generally shown in the accompanying Redevelopment Area Concept Plan.

***Area, Yard and Bulk Requirements for Buildings Entirely Fronting on Martine Avenue***

Area, Yard and Bulk Requirements for Rehabilitation-Infill Area

1. Minimum lot size: 4,000 square feet
2. Minimum lot width: 40 feet
3. Minimum lot depth: 100 feet
4. Maximum front yard setback: 5 feet
5. Minimum side yard: 0 feet, except that one or more buildings should not exceed 100 feet in total length or depth without separation by a pedestrian alley of at least 14 feet in width connecting the public sidewalk to the public parking in the interior of the redevelopment area
6. Minimum rear setback: Buildings shall have a setback from the rear parking areas sufficient to provide for public walkways and secondary entrances oriented to the public parking plaza in the interior of the redevelopment area.
7. Maximum building height: 3 stories and 35 feet, except that the third story shall be under a pitched roof and contain dormers or other architectural features to give the building the appearance of having only 2.5 stories
8. Maximum building coverage: 75 percent
9. Maximum impervious coverage: 100 percent
10. Maximum Floor area ratio: 2.25.

## ***Parking Requirements***

1. Off street parking shall be provided for each individual use in the development in accordance with the requirements of this section.
  - a. Retail: One (1) space for each 500 square feet of gross floor area.
  - b. Apartments: 1.5 spaces per one (1) bedroom unit, two spaces per two (2) bedroom unit
  - c. Offices: One (1) space for each 400 square feet of gross floor area.
  - d. Banks: One (1) space for each 500 square feet of gross floor area.
  - e. Medical Offices: One (1) space for each 250 square feet of gross floor area.
  - f. Restaurants, bars & taverns: One (1) space for every four (4) seats.
2. The Planning Board may further reduce the above referenced parking standards for the Redevelopment Districts when it can be demonstrated that there are either:
  - Variations in the accumulation of vehicles by hour, by day; or,
  - When relationships exist among the land uses that result in visiting multiple land uses on the same auto trip.
3. Parking for all structures shall be prohibited in front yard setback areas. Driveways shall be set back at least ten (10) feet from all building units to provide room for a landscaped area.
4. 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, or exhaust fumes onto adjacent properties.
5. Parking lot layout shall take into consideration pedestrian movement and pedestrian crossing shall be installed where deemed necessary by the Planning Board. The interior of all parking lots shall be landscaped to provide shade and visual relief.
6. At a minimum, at least one deciduous tree shall be planted for every ten (10) parking spaces inside a six (6) foot wide planter or landscape island. Landscaping shall be utilized to soften edges of parking lots and to provide a sense of lot borders or boundaries.
7. On-street parking directly fronting a lot shall count toward fulfilling the parking requirement.
8. Design of off-street parking/circulation areas shall provide for the following:
  - a. Buffering and screening at the perimeter of parking areas that includes ornamental walls;
  - b. Internal landscape islands within the parking lot to provide shade and beautification;
  - c. Walkways shall be a minimum of ten (10) feet along South Avenue where retail shops are present and a minimum of five (5) feet elsewhere. Increased sidewalk widths may be appropriate in highly trafficked pedestrian areas;
  - d. Surface materials and treatments appropriate to the different functions of the hardscape (asphalt, concrete, pavers, textured pavement); and,
  - e. No less than 75 percent of the parking places shall be to the rear of the building.

9. The parking requirements may be suspended for select retail uses of 2,000 square feet or less, that portion of restaurant setting which is outdoors and adjacent to the street and for daycare.
10. Different paving surfaces for pedestrian routes, such as pavers within the cross walks shall be required.
11. Parking that requires vehicles to back out onto a public right-of-way shall be prohibited.
12. Provide parking based on the needs of each particular user, however, parking requirements may be reduced when demonstrated to the satisfaction of the Planning Board that a shared parking approach between different uses, and proximity to transit facilities warrant a reduction.
13. Design attractive parking lots/structures using context-sensitive design principles, i.e., screen parking lots/structures from adjoining properties and the public right-of-way.
14. Sidewalks shall be designed and built free of hazards and minimize conflicts with noise and vehicular traffic.

To facilitate the smooth flow of traffic, reduce traffic hazards and provide for maximum security of life and property, it is the policy of the Borough that off-street parking shall be provided for all premises to the maximum extent possible.

1. The Planning Board may allow off-street parking and loading spaces required for uses, buildings or structures on the same or on adjacent lots to be provided in a common parking lot, or more than one lot.
2. Parking requirements for individual redevelopment projects may be met through municipal parking constructed on municipal or private property secured by the Borough for the purpose of constructing public parking within the redevelopment area.
3. The total capacity of the common parking facility shall be the sum of the requirements of each individual use, except that said total capacity may be reduced by the Planning Board, providing the applicant provides credible evidence to the satisfaction of the Planning Board that the peak parking demand of the two or more uses sharing such a facility do not coincide, and that the accumulated parking demand at any one time of the two or more uses sharing the facility shall not exceed the total capacity of the facility. Such evidence shall indicate the use of the facility by residents, employees, customers and visitors on both weekdays and weekends, and both during the day and overnight. The availability of on-street parking has already been factored into the parking requirements in this Plan.
4. As a condition of its approval, the Planning Board shall require a legal instrument satisfactory to the Borough Attorney of the Borough of Fanwood assuring the continued existence and use of such shared parking spaces in connection with the uses, buildings and structures that they serve. Such instrument shall also guarantee that upon termination of such use, each individual participant shall provide off-street parking and loading spaces for its own use in accordance with all requirements of the zoning ordinance of the Borough of Fanwood.

## *Signage*

For the purposes of this Plan, the approach to identification signage should be similar to that taken in standards for historic districts within the Borough of Fanwood so that the appearance of the downtown redevelopment area is not compromised by inconsistent, modern internally illuminated sign boxes.

Depending on the distance between the building facade and the public walkway, identification signs may be a combination of not more than two types (projecting and wall mounted), subject to site plan approval by the Planning Board. Projecting signs are limited to twelve square feet and must be made from solid materials, including carved wood or engraved metal. Signage design is encouraged to be creative and unique to the establishment. Wall mounted identification signage must also be designed to fit within the architecture of the building and may not employ illuminated sign boxes with plastic faces. Facade signs will be limited to 10% of the facade area or whichever is less and should also use carved wood or engraved metal surfaces, although individual letter signs may be permitted at the discretion of the Planning Board if consistent with the architectural style of the building. The maximum area shall be 50 square feet.

To the extent that it is appropriate to the architectural style of a building, identification signage will be permitted on awnings and canopies, as well as professionally executed, appropriately sized lettering on glass doors and storefront windows.

## **LAND USE REGULATIONS FOR THE DOWNTOWN RESIDENTIAL DISTRICT**

### *Purpose*

The downtown residential district is designed primarily for residential developments which can take advantage of its downtown location. Development incentives are provided to encourage development which contributes to the downtown Victorian architectural theme, provides additional amenities or improvements in the redevelopment area, and which strengthens linkages between the district and the Rehabilitation-Infill and Retail-Residential portions of the redevelopment area. Additionally, the Borough desires to take the opportunity to provide for affordable housing in this district.

### *Principal Uses*

1. For market- rate residences: Townhouses or attached single-family residential units, which for the purposes of this redevelopment plan shall mean a one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.
2. For affordable residences: multi-family dwellings including flats, duplexes, and any other multi-family configurations.

*Accessory Uses*

1. Private off-street parking and loading, including private garages
2. Uses which are customarily incidental to the above permitted principal uses

*Area, Yard and Bulk Requirements*

1. The minimum lot area shall be 50,000 square feet.
2. The minimum lot width shall be 150 feet.
3. The maximum yield for the Downtown Residential District shall be 28 market-rate dwelling units and 7 affordable dwelling units.
4. The Downtown Residential District shall be designed and developed as a single redevelopment project with a scale and massing that is appropriate to adjacent residential development on LaGrande Avenue and Second Street and in accordance with a conceptual site plan that is reviewed and approved by the Borough Council or its designated redevelopment entity to be consistent with this Plan as generally illustrated in the Consensus Concept Plan contained herein. Approval of the conceptual site plan by the Borough Council or its designated redevelopment entity shall not exempt the redevelopment project from site plan review by the Fanwood Planning Board pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq). Common open space shall be integrated into the pedestrian circulation system within the entire redevelopment area. If off-street parking is provided, it shall be internalized including garage and carports so that it is separated from view from a public street to the extent possible with carports by the new residential buildings of the project. All new residential buildings shall be oriented so that they face either a common open space, public street, or parking.
5. No principal building shall exceed 80 feet in any single plane, nor 200 feet in any one dimension.
6. The minimum distance between two buildings shall be 10 feet.
7. The maximum front yard setback shall be the average setback of other buildings on Second Street and LaGrande Avenue on this block, but not less than 10 feet and such setback may include sidewalks and leadwalks and shall be landscaped with trees,

shrubs and/or turf or groundcovers except for access driveways. The Planning Board/Zoning Board of Adjustment may approve an alternative location for such landscaped area if recommended by the Borough Council.

8. The minimum distance from a principal building to any other lot line shall be ten (10) feet, provided that all sides of a building fronting on a street, interior road or parking area must have entrances connected to a pedestrian sidewalk as part of an integrated pedestrian walkway for the redevelopment area, except for the northern lot line, which minimum distance shall be an average of five (5) feet and need not include any sidewalk.
9. The minimum distance from a principal building to a rear lot line shall be 15 feet, with the exception of the northerly property line which shall be an average of five (5) feet.
10. Townhouses or attached single-family houses shall be a minimum of 20 feet in width.
11. Vehicular access may be provided by means of privately-owned alleys to the rear of the residential building with a minimum width of eighteen (18) feet. Such alleys may provide access to rear entry enclosed garages, to carports, to private detached garages or to parking courts located to the rear of such units. Such detached garages or parking areas shall be a minimum of ten feet from all buildings and five feet from all property lines. Outdoor parking areas shall be screened from public streets by means of fences and landscaping.
12. The maximum impervious coverage (including buildings) shall be 75 percent.
13. The maximum height for townhouses and multi-family buildings shall be no greater than three stories, or 40 feet; however, architectural features such as clock towers, cupolas, and the like may extend another 10 feet above the highest point of the roof, provided they do not exceed 500 square feet in area. An exposed basement level or attached/internalized garage of any residential building shall not be counted as a story if it is not viewed from a public street or common open space and comprises at least 50% of the floor area of the story. Building height shall be measured to the highest point of the roof, if a flat or mansard roof and to the mean height of a gable or hip roof.
14. The maximum floor area ratio permitted shall be 1.2, excluding parking garages.

***Affordable Housing Component***

Affordable housing shall be provided in accordance with COAH regulations or a judgement of repose granted by the Court as may be applicable.

### ***Parking Requirements***

The following additional standards shall be met:

1. Off-street parking areas shall be broken up into modules of no more than thirty spaces when serving residential uses alone; this provision shall not apply to shared parking or municipally-provided parking.
2. Landscaping shall be provided to break up the parking lots and to provide shade for parked cars. At least one tree for every ten spaces shall be provided for residential uses.
3. Parking requirements for individual redevelopment projects may be met through municipal parking constructed on municipal or private property secured by the Borough for the purpose of constructing public parking within the redevelopment area.

### ***Signage***

The residential signage requirements of the Fanwood zoning ordinance shall apply.

### ***Deviation Requests***

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant into this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this redevelopment plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12 a. and b.

### ***Access***

The Borough shall provide access and required easements for access and utilities from and to the municipal parking lot on the block.

#### **IV. SUPPLEMENTARY REQUIREMENTS FOR ALL REDEVELOPMENT PROJECTS**

In addition to the requirements stated above, all redevelopment projects constructed within the redevelopment area must meet the supplementary requirements listed below as follows:

1. Remediation and cleanup of any existing contamination required by law or regulation of the State of New Jersey, County of Union or Borough of Fanwood.
2. Provision of streetscape elements, such as lighting, street furniture, decorative block paving and public art so as to enhance the image and architectural consistency of the Redevelopment area.
3. Utilization of traditional “stick” Victorian style architectural design for all buildings.
4. Organization and consolidation of solid waste containers into screened enclosures.
5. Other building enhancements, design features or site improvements which, in the opinion of the Borough Council or its designated redevelopment entity, enhance the public's use and enjoyment of the downtown.

#### **V. REVENUE ALLOCATION DISTRICT REQUIREMENTS**

This Redevelopment Plan hereby provides for the creation of a Revenue Allocation District (RAD) for purposes of financing eligible redevelopment projects and activities pursuant to the Revenue Allocation District Financing Act (N.J.S.A. 40A:12A-64, et. seq.). The Revenue Allocation District boundaries shall be congruent with the boundaries of the Downtown Redevelopment area as designated by resolution of the Fanwood Borough Council. The District Agent shall be the Borough Council unless otherwise designated by separate ordinance or resolution of Borough Council, as set forth in Section 17 of the Act.

It is expected that the revenues of the Downtown RAD may include:

- A. Tax increments from properties within the District;
- B. Payments into the Borough Parking Fund as part of the parking requirements of new redevelopment projects;

- C. Incremental revenue from lease payments made to the municipality or district agent with respect to property located in the district, including licensing fees and leases.
- D. Incremental revenue from payments in lieu of taxes or service charges with respect to property located within the district;
- E. Incremental revenue from parking taxes derived from parking facilities located within the district;
- F. Admissions and sales taxes received from the operation of a public facility which the district agent is authorized by law to retain;
- G. Parking revenue from public parking facilities built as part of a project except for public parking facilities owned by parking authorities pursuant to the "Parking Authority Law," P.L.1948, c.198 (C.40:11A-1 et seq.);
- H. Assessments as allowed by law that are levied against properties in a district, if consented to by the governing body of the municipality in which the district is situated.

Anticipated redevelopment projects and activities for which the use of RAD revenues may be used:

- A. Acquisition or easements for private property required for pedestrian circulation within the redevelopment area ;
- B. Acquisition or easements for private property required for public parking within the redevelopment area;
- C. Construction of public parking;
- D. Public improvements, inclusive of;
  - a. Pedestrian walkways, alley improvements, the public plaza in the center of the South Avenue frontage; etc.
  - b. Lighting, streetscape and landscape improvements, including sidewalk, crosswalks, sidewalk bump-outs, etc.;
  - c. On-street parking and traffic circulation improvements, inclusive of angled parking on Second Street, within the redevelopment area.

## **VI. DESIGN GUIDELINES**

This Redevelopment Plan reflects the Borough's desire to create a vibrant downtown pedestrian retail/commercial/residential environment in the redevelopment area, built on its proximity to the Fanwood Train Station in the style of a “Transit Village”, The urban design guidelines will accomplish this by codifying regulations which reflect and reinforce design principles of a small

community or village "downtown" or "Main Street" environment. The main retail asset of the project area is the frontage it has on two of the community's major local commercial thoroughfares – South Avenue and Martine Avenue - and the opportunity to reinforce its historic downtown retail environment. Providing uninterrupted retail frontage along the ground floor of South Avenue and Martine Avenue will help to stimulate pedestrian movement; a very limited number of narrow breaks in such retail frontage to provide access to parking areas and other land uses behind this retail frontage is to be permitted.

The main residential asset is the proximity of the redevelopment area to the Fanwood train station, to main vehicular circulation routes in Fanwood, to retail stores and community services in the downtown, and the existence of a residential neighborhood bordering the Downtown Residential District. Providing a mix of townhouses and/or apartments facing Second Street and La Grande Avenue with access to parking to the rear of such development will reinforce the mixed-use character of the downtown without creating conflicts with the neighboring residential areas.

#### **DESIGN CRITERIA FOR THREE DISTRICTS AND OVERLAYS**

##### ***Downtown Rehabilitation / Infill District and Retail-Residential District***

- A. All buildings which are located on parcels which have frontage on South Avenue, Second Street and Martine Avenue shall have retail uses at the ground floor level oriented towards the street and shall have decorative facades fronting South Avenue and Martine Avenue, including storefront and display windows, awnings and other decorative features giving the appearance of storefronts facing such streets. All buildings shall be placed at or close to the property line to create and reinforce a "downtown" or "Main Street" environment, and to generate an active street life during the day and evening hours, subject to encouraging outdoor cafes.
- B. Small retail stores are encouraged along the South Avenue, Second Street and Martine Avenue frontages. Where larger retail establishments or retail stores with wide frontages are provided, the architectural treatment shall provide for a breaking up of such frontages into smaller individual portions, so as to be consistent with the smaller retail frontage scheme. Such store frontages shall be transparent in appearance and provide window displays to stimulate interest and exposure of retail goods and services to the pedestrian viewer on the street. Window glass on the ground floor shall be clear glass to provide unencumbered views to window displays and advertised retail goods and services. Tinted glass is prohibited.
- C. No blank walls shall face South Avenue, Second Street or Martine Avenue. On any wall facing such streets, no more than 20 linear feet of blank wall shall be permitted. Decorative windows shall constitute at least 50 percent of such

frontage, and all such windows shall be at least six feet in height, the bottom of which shall be no more than three feet above grade.

- D. Outdoor or sidewalk cafes and restaurants are encouraged to enhance the vitality and use of the redevelopment area by the public.
- E. All pedestrian entryways and/or lobbies are to be prominent, well-lit and separate from service or vehicular entrances.
- F. Vehicular entrances to parking lots shall be kept to a minimum along South Avenue and Martine Avenue. All parking areas shall be screened from view along these two streets, preferably by retail store frontages, or absent such stores by landscaped areas which shall be at least six feet in depth from the front property line. Such landscaped areas shall screen the parking lots to the rear by means of decorative walls, fencing or hedges at least three feet in height, and shall also contain shade trees, benches, planted flower beds and paving material distinct from the paving material used for the sidewalk. Notwithstanding the above, no gap in the retail store frontage may exceed a length of 30 linear feet along South Avenue or Martine Avenue, except for the public plaza within the 50 foot wide easement in the center of the South Avenue frontage for purposes of visually connecting the Train Station to the interior of the redevelopment area.
- G. Parking lots which front on streets other than South Avenue or Martine Avenue within the redevelopment area shall also be screened from view by means of decorative walls, fences and plantings at least three feet in height.
- H. Groups of related buildings are required to utilize Fanwood's historic “stick” Victorian architectural style as modeled in the Fanwood Train Station. Consideration shall be given to providing for aesthetically pleasing surface materials, finish and texture, decorative features, window and doorway placement and proportions, entryway placement and location, and landscaping and street furniture.
- I. All buildings shall appear architecturally pleasing and inviting when viewed from all vehicular and pedestrian pathways within the redevelopment area and from vantage points outside of the redevelopment area.
- J. Barrier-free design regulations as specified in the New Jersey Uniform Construction Code and as required by the Americans with Disabilities Act shall be incorporated into all buildings, structures and improvements.

- K. All electronic communications equipment and antennas shall be mounted in such a way that it will not negatively impact on the appearance of the building on which it is placed nor create objectionable views when seen from surrounding buildings and shall be subject to Article XIV of Chapter 184 of the Code of the Borough of Fanwood.
- L. No loading or service areas shall be located directly adjacent to a public street, nor to the extent possible shall such areas be visible from a public street.
- M. Every building that is a product of a redevelopment or rehabilitation project shall be designed to include a secondary entrance to be accessed directly from the common parking plaza in the interior of the redevelopment area, as well as adequate provisions for pedestrian sidewalks and streetscape treatments connecting such secondary entrances to the parking areas. Such entrances would be match the appearance of the main entrance. For example, a secondary storefront entrance should have display windows and a secondary restaurant entrance should have a formal appearance equivalent to the main entrance. Rehabilitation of buildings on Martine Avenue shall meet the design criteria of this Section and shall be re-designed, where feasible to include rear entrances as described above. Relief from these guidelines may be granted by the Fanwood Planning Board where compliance would preclude a reasonable improvement to the property and where the grant of such relief would be in the best interests of the Borough.

### ***Residential Overlay***

1. Multifamily building facades along LaGrande Avenue shall be designed to emulate individual residential buildings. This can be achieved through variation in building materials, as well as offsets in the building façade on LaGrande Avenue and other appropriate techniques (e.g., different rooflines, porch design, and fenestration) to suggest different building types.
2. The front façade of any multi-family residential building shall have a minimum of four offsets of no less than 4 feet each for every 100 feet along the front façade.
3. For facades other than those facing LaGrande Avenue, exterior walls greater than 50 feet in horizontal length shall be constructed using a combination a architectural features and a variety of building materials and landscaping near the walls. Walls which can be viewed from public streets shall be designed using a variety of architectural features and landscaping, which may include decorative gardens. Landscaping shall be provided along the building for at least 50 percent of the wall length.

### *Maximum Height Overlay*

1. The roofline at the top of the buildings should incorporate varying heights, offsets, jogs, materials, or colors to reduce the monotony of any uninterrupted roof plane.
2. Buildings within the Maximum Height Overlay shall include a step down to match the height of adjoining buildings currently located along South Avenue.
3. Buildings fronting on South Avenue adjoining the pedestrian walkway to South Avenue as shown on the accompanying Redevelopment Area Concept Plan map shall provide a step down in height adjacent to the pedestrian walkway. This requirement shall not apply to the building located at the corner of South and Martine Avenues.
4. All roof top equipment shall be screened from public view by parapets or other materials of the same nature as the main structure. Mechanical equipment shall be located below the highest vertical element of the building.
5. Roofs should be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate to the architectural style of the building. Dormers or other architectural features may be used to minimize the apparent mass of the buildings. Variations within an architectural style are highly encouraged. Overhanging eaves, sloped roofs and multiple roof elements are highly encouraged. Gable, hip or combination roof types are permitted.

### *Building Design Guidelines for the Downtown Residential District*

- A. The design of each townhouse unit shall be varied, with differentiation in facade materials utilized and window and door placement and design. Variations in front facade setback and roof line shall be required. Roofs shall be pitched.
- B. The use of natural facade material, such as stone, brick, wood, clapboard or shingles, or a combination thereof, shall be required. The use of historic architectural and landscape treatments, including street lamps, benches, porches, stairway railings, and fencing shall be required.
- C. No back-to-back or double-loaded corridor apartment buildings shall be permitted.

- D. No enclosed garages shall be provided in front of the residential units, nor shall direct access to a garage be permitted from the front. Enclosed garages may be permitted on the ground level or below the residential units, provided access to such garage is provided from the rear or side of the unit.
- E. No parking or driveways may be permitted in the front yard.
- F. Pedestrian access to the unit shall be directly from the sidewalk or by means of a walkway or stairs, with the remaining front yard area landscaped with trees, shrubs and lawn. Covered entryways or porticos shall be provided at all building entrances facing the street. Such covered entryways or porticos shall be exempt from the setback requirements of the district.

***Public Improvement Guidelines***

- A. Public improvements that are supportive of the functions that take place within the redevelopment area and that integrate and tie various developments within the redevelopment area together as a comprehensive downtown environment, should be provided. These include but are not limited to the following: the provision of necessary utilities such as water, sewerage, drainage and power; roadways, pedestrian walkways, and public open spaces and plazas.
- B. Public improvement should facilitate pedestrian and vehicular circulation throughout the redevelopment area, while accommodating all vehicular traffic circulation, including parking, loading, service delivery, emergency vehicles, garbage pickup, snow removal, public transportation access, and connections with public roads that surround the redevelopment area. The design of the sidewalks, pedestrian footpaths, signage, street lighting, landscaping and street furniture should articulate the movement of people along streets, be consistent with that already established in the Downtown, especially along South Avenue and Martine Avenue, and into shops, residences, public open spaces and adjacent neighborhoods.
- C. Public improvements should provide orientation. Signs or directories should be provided at all major entrances or gateways into the redevelopment area, for people both on foot and within vehicles, to direct them to destinations within the redevelopment area. Such entrances or gateways are to be clearly defined and inviting, and the signs should be legible to both pedestrian and vehicular traffic.
- D. Vehicular access roads or driveways to off-street parking areas within and serving the redevelopment area shall be limited to one on each of the streets bounding the redevelopment area, that is one on South Avenue, one on Martine Avenue, one on Second Avenue and one on La Grande Avenue.
- E. Public improvements should be properly maintained.

### *Street and Circulation Guidelines*

- A. South Avenue should be regarded as the key roadway running through the redevelopment area. All traffic movements through and within the redevelopment area, including driveways and access to off-street parking from South Avenue should be located in a manner which does not interrupt or inhibit the free flow of traffic through South Avenue. Such vehicular circulation patterns should be designed to maximize the passage of through-traffic on South Avenue, while providing direct, uninterrupted and clearly-marked access to parking and loading areas for destinations within the redevelopment area itself. Shared access to parking and loading areas is encouraged, as are cross-easements for shared off-street parking and loading areas.
- B. The land use and circulation patterns within the redevelopment area should be developed so as to accommodate and encourage modes of transportation other than private automobiles, especially walking and bike riding. Off-street parking areas should be so located, along with pedestrian connections between land uses, as to encourage persons entering the redevelopment area and downtown Fanwood to park only once and walk to multiple destinations within the redevelopment area rather than make several short vehicular trips and park in several different places within the redevelopment area and the downtown.
- C. Off-street loading and service delivery areas should be separated from and occur in areas where pedestrian circulation does not occur.
- D. Curb cuts on the streets surrounding the redevelopment area shall be located directly opposite one another on opposite sides of the street to the maximum extent possible.

### *Pedestrian Circulation Guidelines*

- A. A coordinated and integrated pedestrian circulation system shall be provided within the entire redevelopment area, to provide safe and convenient pedestrian circulation through the following:
  - i. Streetscape improvements shall be focused on the primary pedestrian corridors, especially along South Avenue and Martine Avenue. Sole reliance on traditional sidewalks for pedestrian circulation is discouraged.

- ii. Materials - such as the use of the type of decorative block paving utilized along South Avenue and Martine Avenue - or other attractive materials, shall be utilized to provide an attractive pedestrian walking surface.
- iii. Other design features, including landscaping, street furniture, lighting, signage, and spaces for planned activities should be used to create an interesting pedestrian environment.
- iv. New land uses and developments shall be so located as to minimize pedestrian and vehicular conflicts. However, the pedestrian and vehicular circulation networks should be integrated and complimentary of one another.

All sidewalks and pathways shall be designed to be barrier-free as specified in the New Jersey Uniform Construction Code, and in compliance with the Americans with Disabilities Act. Sidewalks shall be a minimum of five (5) feet in width.

Sidewalks and pedestrian walkways shall be sufficiently wide to accommodate all anticipated pedestrian traffic, subject to encouragement of outdoor cafes.

To the extent that it is permitted by the NJDOT and the County of Union, at least one pedestrian crossing of South Avenue and Martine Avenue located at least 200 feet from the traffic light crosswalks shall be provided. Such pedestrian crossing shall provide some means of differentiating it from the roadway paving, such as by painting. Other means of traffic-calming measures on Martine Avenue are encouraged.

All sidewalks and pedestrian walkways shall be provided with lighting averaging at least one-half foot-candle across the area so lit.

### ***Open Space and Landscaping Guidelines***

Except as provided in this Redevelopment Plan, the provisions of the Code of the Borough of Fanwood relating to "Preservation and Removal of Trees" (Chapter 184, Section 11.16) shall govern the removal and replacement of trees.

All unpaved areas, open spaces and plazas shall be attractively planted and landscaped with lawns, trees and shrubs.

Pedestrian walkways and paved surfaces utilized for public activities shall utilize attractive paving material, street furniture, lighting and other architectural and artistic amenities to provide pleasant environment at street level, and to complement the buildings and redevelopment area.

The provision of low walls, planters and stairs is encouraged in addition to benches, to provide seating. The use of open space or architectural features such as clock towers, gazebos, water fountains or the like is encouraged at the center of the redevelopment area, to break up uninterrupted paved areas, and as a respite for customers, employees and residents in the redevelopment area.

Containers and compactors for trash and recycling materials shall be attractively and compatibly designed, and fully enclosed or screened by permanent materials or other solid screening, secured and accessible to all uses and, to the extent possible, centrally located in the redevelopment area.

All unattractive areas, including loading and service delivery areas, heating/air conditioning units or other mechanical equipment shall be screened by means of solid fencing and supplemented with evergreen plantings with such planting species resistant to urban environments. Screen plantings shall be a minimum of four feet in height. Material planted shall be balled and burlapped and of specimen quality as established by the American Association of Nurserymen. At initial plantings the materials shall provide a screen from the top of planting to within six inches of grade.

Other plant materials shall be dense and of specimen quality as determined above. All deciduous trees shall be a minimum of three (3) inches in caliper. All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer.

Existing trees shall be preserved wherever possible. For every tree that is removed, a new tree with a minimum planting height of six (6) feet and a minimum caliper of three inches shall be planted in the redevelopment area. The types of trees to be planted shall be determined with the advice of the Fanwood Shade Tree Commission. Any landscaping which, within two years of planting, dies, for any reason, shall be replaced by the developer(s) at their expense.

No chain link fencing shall be permitted anywhere within the redevelopment area, except during construction. Only tubular steel or wrought-iron type mild steel-, picket fencing will be permitted along public rights-of-way. Fencing along interior lot lines, or any interior lot area may be wood, steel pickets, or any other Planning Board approved fence type, but no chain link of any type will be permitted.

### *Parking Guidelines*

Off-street parking and loading areas shall be coordinated with the public street system serving the redevelopment area in order to avoid conflicts with through-traffic or obstruction to pedestrian walks and thoroughfares.

All such parking and loading areas shall be graded, paved with a durable dust-free surface, adequately drained and well landscaped.

All curbs on all public rights-of-way must be poured-in-place concrete or other masonry material such as Belgian block and all curbs for all off-street parking areas shall be Belgian block. Planted parking island shall be provided within all parking lots which have 30 or more parking spaces, to direct the flow of traffic and to provide a place for shade trees to be planted. For retail uses, mixed uses and shared parking at least one tree per 20 spaces shall be provided within the parking lot, and for residential uses, at least one tree per ten spaces.

All required parking spaces shall be a minimum of nine feet wide by 18 feet deep as measured from the curb stop. The minimum single width for 90 degree parking shall be twenty-four (24) feet.

## **VII. GENERAL PROVISIONS**

1. Interim uses may be established, subject to site plan approval and agreement between the developers and the Planning Board that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may be granted for a period of up to three years, and may be renewed for an additional period of up to two years at the discretion of the Planning Board.
2. No building shall be constructed over a public easement in the redevelopment area without prior written approval of the Engineer of the Borough of Fanwood.
3. Existing buildings in the Rehabilitation-Infill District along Martine Avenue that are determined by the Borough Engineer or Construction Official to be in need of maintenance or repair to comply with applicable building, fire, health, sanitary or property maintenance codes, shall be rehabilitated within a period of 5 years from the completion of the first redevelopment project in either the Retail-Residential or Downtown Residential District of the redevelopment area. Properties that remain in

need of rehabilitation after such a period will be determined in need of redevelopment and the Borough Council may determine that this Plan should be amended to designate such properties for acquisition and redevelopment by a designated redeveloper.

### ***Site Plan and Subdivision Review***

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the redevelopment area, prepared in accordance with the requirements of the Municipal Land Use Law (NJSA 40:55D-1 et seq.) shall be submitted by the developers for review and approval by the Planning Board so that compliance with the Redevelopment Plan can be determined.

Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this Plan and the subdivision ordinance of the Borough of Fanwood.

No construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

### ***Adverse Influences***

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

### ***Non-Discrimination Provisions***

No covenant, lease, conveyance or other instrument shall be affected or executed by the Borough Council or by a developer or any of his successors or assignees, whereby land within the redevelopment area is restricted by the Borough Council, or the developer upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the redevelopment area on the basis of race, creed, color or national origin.

*Obligations of Interested Redevelopers, Selection of Redevelopers & Certificate of Completion*

1. Any interested redeveloper shall be required to submit to the Borough Council for its review and approval development plans, which shall include, but not be limited to, drawings of site and building plans, elevations in sufficient detail to show building layout, construction and design elements, parking, landscaping, lighting and signage in accordance with this redevelopment plan and applicable Borough ordinances. Any interested redeveloper shall also submit a written development schedule for the commencement and completion of the project, including identifying permit and development approvals, financing and any other approvals required for the project;
2. The Borough may select a redeveloper for one or more parcels with which to enter into exclusive negotiations towards the execution of a redeveloper agreement. This redeveloper, which may be one or more existing property owners, will receive a designation as the Conditional Redeveloper for the parcel subject to the successful negotiation and execution of a redeveloper agreement with the Borough within 6 months of conditional designation. The Borough may grant an extension to the negotiation period of six months or terminate the conditional redeveloper designation and repeat the process with another redeveloper.
3. A redevelopment project will be certified as being completed by the Borough upon final inspection and issuance of a certificate of occupancy by the Construction Official for all buildings and the release of all performance and maintenance bonds for improvements by the Borough Council. The Agency will issue a Certificate of Completion to the redeveloper, which will release the redeveloper from any further obligations under the redeveloper agreement for that project.

## **VIII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

In accordance with NJSA 40A:12A-1 et seq., known as "The Redevelopment and Housing Law," the following statements are made:

The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.

The Plan lays out the proposed land uses and building requirements for the redevelopment area.

The displacement of residents within the redevelopment area. This Plan does not identify any properties in the redevelopment area as being necessary for acquisition and therefore does not involve the use of Eminent Domain for that purpose. As such, there is no need for a Plan for Relocation.

As indicated in Section IIA of this Redevelopment Plan, this Redevelopment Plan is consistent with the Master Plan for the Borough of Fanwood. There is no known significant impact on or relationship with the master plans of the County of Union or any contiguous municipalities. The Plan complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan, particularly with respect to recognizing the need to rebuild and direct development to "centers."

This Redevelopment Plan shall supersede all provisions of Chapter 184 of the Code of the Borough of Fanwood that are specifically addressed herein. In all situations where zoning issues are not specifically addressed herein, Chapter 184 of the Code of the Borough of Fanwood shall, however, remain in effect. 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 Council shall constitute an amendment of the Borough of Fanwood Zoning Map.

## **IX. PROCEDURE FOR AMENDING THE APPROVED PLAN**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500 shall be paid by the party seeking such an amendment, unless the request issues from an agency of the Borough. The Planning Board, at its sole discretion, may require the party requesting the amendment to prepare a study of the impact of such amendment, which study must be prepared by a Professional Planner, licensed in the State of New Jersey that has also achieved their AICP.

## **VIII. VALIDITY OF ORDINANCE**

If any section, paragraph, division, subdivision, clause or provision of this Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Plan shall be deemed valid and effective.

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