



Engineering
& Design

Bergen Tool Redevelopment Plan

December 21, 2021

Block 21, Lots 18.01 & 18.02, and a portion of the Bergen Street Right-of-Way

East Stiger Street & Main Street (U.S. Route 46)
Town of Hackettstown, Warren County, New Jersey

Adopted by Hackettstown Town Council on March 24, 2022.

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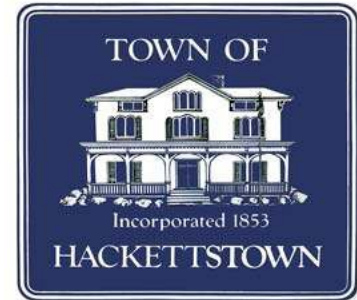


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Introduction

On May 27, 1998, the Hackettstown Town Council adopted a resolution directing the Hackettstown Planning Board to conduct a preliminary investigation to determine if the Stiger Street study area, qualifies as an Area in Need of Redevelopment (“Redevelopment Area”), pursuant to the criteria specified in N.J.S.A. 40A:12A-5. The Stiger Street study area encompassed approximately 43.4 acres along Stiger Street within the Town of Hackettstown, Warren County, New Jersey, including the following parcels:

- Block 38, Lots 2, 3, 3.01, 4 & 5
- Block 34, Lot 5 (formerly Lots 3, 4, 5 & 7.01)
- Block 30, Lots 5-9
- Block 21, Lots 18.01 & 18.02 (formerly Lot 18)
- Block 41, Lots 17, 21, 22, 23, 24 & 25
- Block 41.02, Lots 17, 21, 22, 23, 24, 25, 29, 29.01, 30 & 32
- A portion of the Bergen Street right-of-way

The Hackettstown Town Planning Board held a public hearing on the investigation on October 27, 1998, which recommended that the Stiger Street study area be qualified as an Area in Need of Redevelopment.

Based on the findings of the Investigation Report and the October 27, 1998 recommendation from the Planning Board, the Town Council adopted Ordinance 98-ORD17 on December 14, 1998 designating the area as an Area in Need of Redevelopment (See Ordinance 98-ORD17 in **Appendix**).

This Redevelopment Plan is prepared for the former Bergen Tool property within the designated Area in Need of Redevelopment. The Bergen Tool Redevelopment Plan Area consists of Lots 18.01 and 18.02 in Block 21 (formerly Lot 18, which was subdivided in 2015) and a portion of the Bergen Street right-of-way. The Bergen Tool Redevelopment Plan Area is located at the corner of Main Street (U.S. Route 46) and East Stiger Street. The remainder of the designated

Stiger Street Redevelopment Area is excluded from this Redevelopment Plan.

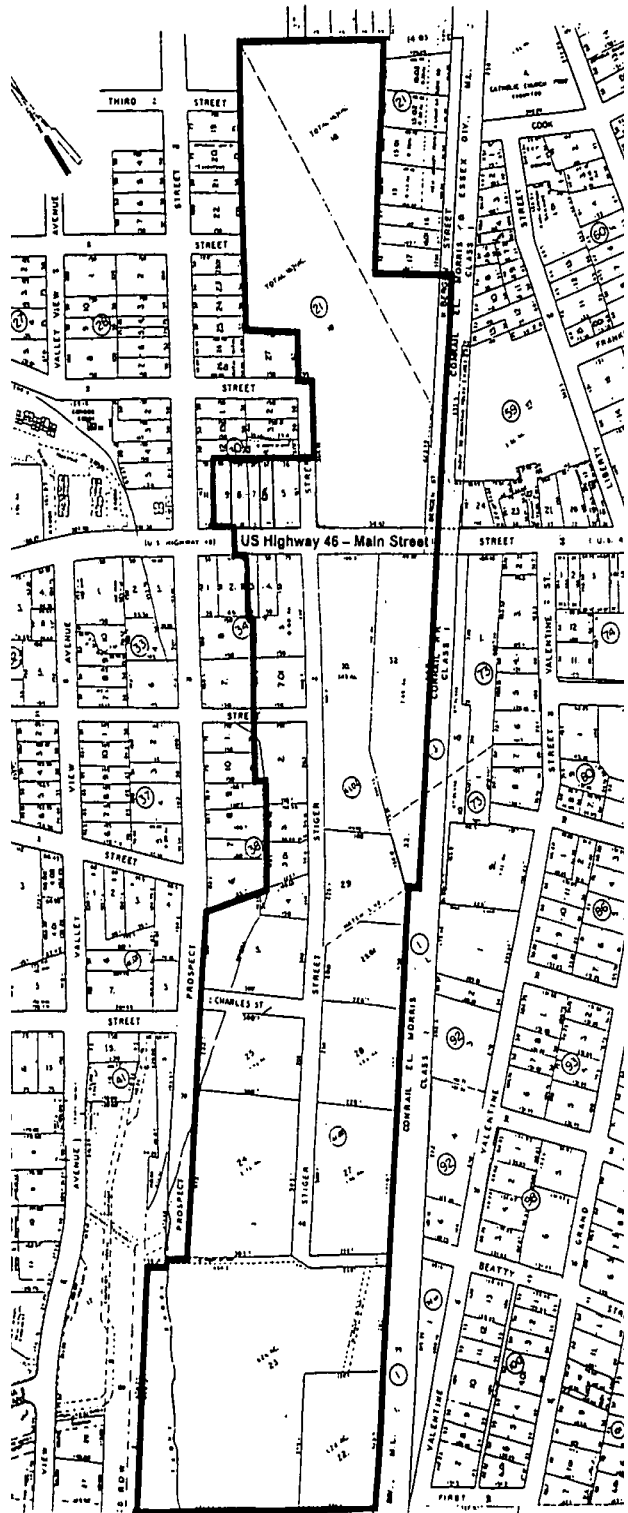


Figure 1: Stiger Street Redevelopment Area, adopted December 14, 1998 by Ordinance 98-ORD17

This Redevelopment Plan is prepared in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A et seq. ("LRHL"), which states that no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located within an area in need of redevelopment, according to criteria set forth in section 5 of the LRHL.

This Redevelopment Plan for the designated Area in Need of Redevelopment provides a framework for the redevelopment of the subject properties as a planned inclusionary development. This Redevelopment Plan sets forth standards and guidelines for land uses and design of said development.

Local Redevelopment Housing Law Requirements

This document has been prepared in accordance with Section 7a of the LRHL, which requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate the following:

1. Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.



Figure 2: Tax Map Excerpt (Redevelopment Plan Area Highlighted in Blue.)



Figure 3: Aerial Photo from NJGIN 2020 (Redevelopment Plan Area Boundary Outlined in Blue)

3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.
4. An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. (Note: not every property in a redevelopment area must be acquired and, in fact, none may be acquired; the redevelopment plan can specify buildings or uses to remain in the redevelopment area and to be incorporated into the future design and development of the area.)
5. Any significant relationship of the redevelopment plan to the master plan of contiguous municipalities, the master plan of the county, and the State Development and Redevelopment Plan.
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing

unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement units shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

Redevelopment Plan Area

Existing Conditions

The Bergen Tool Redevelopment Plan Area consists of Lots 18.01 and 18.02 in Block 21, which was the site of the former Bergen Tool industrial use. Lot 18.01 is a 1.40-acre rectangular parcel located at the corner of East Stiger Street and Main Street. Lot 18.02 is a 9.82-acre irregularly shaped parcel with frontage on Main Street. The Redevelopment Plan Area also includes a portion of the Bergen Street right-of-way measuring 35 feet wide and 621.66 feet deep from Main Street, containing

0.499 acres. The total area of the Bergen Tool Redevelopment Plan Area is 11.719 acres.

The 2008 Master Plan Reexamination Report identified the Bergen Tool site on Main Street as an opportunity to bring new life to Main Street. It was recommended at that time that the Planning Board prepare a concept plan for the most appropriate reuse of the Bergen Tool site establishing through fiscal impact and marketing analyses the most appropriate mix of development activities.

After the adoption of the 2008 Master Plan Reexamination Report, there was much discussion and debate at both the Town Council and Planning Board regarding the potential brownfield remediation and redevelopment of the property. A concept plan was prepared, and the property was rezoned as the PMU Planned Mixed Use Downtown Development Zone in 2010 with subsequent amendments in 2013 and 2015. The PMU Zone permits a mix of non-residential and residential uses.

It is noted that the Bergen Tool site was initially redeveloped privately without the adoption of a redevelopment plan pursuant to the LRHL. The PMU Planned Mixed Use Downtown Zone was created in 2010 to encourage the redevelopment of the tract. The PMU zone was subsequently amended in 2013 and 2015 to accommodate the redevelopment concept plan.

The site has since been developed with the new 15,000-square foot CVS pharmacy retail store and has vested development approvals for another 15,000 square feet of retail and 108 multi-family units (including 66 townhouse units and 42 apartment units). The CVS pharmacy received site plan approval from the Planning Board in 2013 and was constructed in 2016 on Lot 18.01 and the remaining approved retail and residential development on Lot 18.02 was reserved for a future phase of development. Lot 18.02 remains in a vacant and underutilized condition.

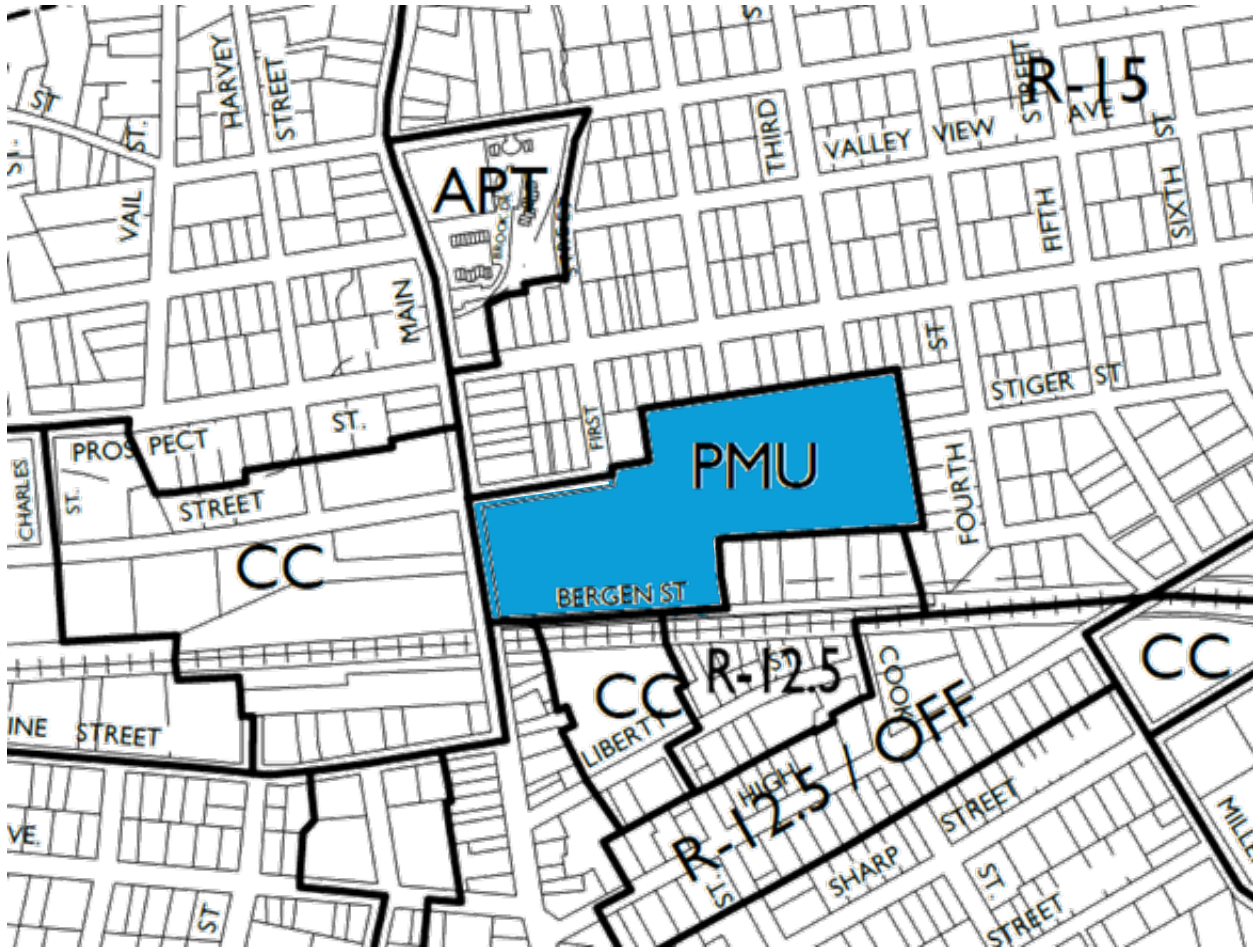


Figure 4: Zoning Map Excerpt (Redevelopment Plan Area Highlighted in Blue.)

Land Use Setting

The Bergen Tool Redevelopment Plan Area abuts the Morris & Essex Railroad Right-of-Way to the southeast. To the south west, across Main Street, is the retail strip mall containing the Quick Check convenience store. To the northwest and north east, the site abuts single-family residential properties.

Existing Zoning

As illustrated on **Figure 4** (Zoning Map Excerpt), the Bergen Tool Redevelopment Plan Area is the only property within the PMU Planned Mixed Use Downtown Zone. The PMU District permits the following principal uses:

- All those permitted and accessory uses within the TCC Town Center Commercial District subject to the requirements of

Section 406.A of the Land Development Ordinance ("LDO").

- Planned Mixed Use Downtown Development Uses which shall be subject to the special requirements listed therein:
 - Retail sales of goods and services. Financial centers are not considered retail sales of goods and services and are not permitted in the PMU district
 - Retail and Personal Services with the exception of: Escort services, massage and tattoo parlors, pawn shops, dance halls, drug paraphernalia shops, nail salons not in conjunction with a full beauty shop, financial service centers.
 - Offices and office buildings.
 - Banks, excluding drive-in facilities.
 - Restaurants and taverns, excluding drive-in restaurants.

- Apartments/condominium.
Apartments/condominiums shall be multi-family dwelling units, for sale or rent, that may be located one over another with shared or individual entrances and exits, in a multi-story building which may contain non-residential uses on the first floor.
- Townhouses.
- Hotels.
- Classrooms for college or commercial schools.
- Public purpose uses as defined in Section 200 of the LDO.
- Mixed uses of any of the above.
- Indoor commercial recreation.
- Pharmacies with drive-through facilities.

Redevelopment Goals and Vision

Vision

The intent of this Redevelopment Plan is to provide a framework for the redevelopment of the stagnant and underutilized properties in the Redevelopment Plan Area.

The Redevelopment Plan seeks to create a mixed-use development to stimulate economic development in Hackettstown to benefit the public welfare. The Plan will enforce the powers of Section 8 of the LHRL to overcome the stagnant condition of the properties and provide a more diverse housing stock to support the commercial district along the Main Street downtown corridor.

The Redevelopment Area will be developed with a smart growth planning approach. Smart growth planning directs new growth to locations with existing services and infrastructure, limits sprawl, and protects the environment and its resources. The following smart growth characteristics can be applied to the design of the development:

- Revitalizing the Redevelopment Area
- Strengthening neighborhoods

- Providing economic development opportunities
- Providing housing opportunities
- Providing a mixture of land uses
- Providing a pedestrian-oriented environment
- Utilizing high-quality design standards

Goals and Objectives

This section provides the goals of the Redevelopment Plan, which are as follows:

1. To return underutilized and obsolete properties to full productivity by creating new development opportunities for private and public-private investment.
2. To provide a range of quality commercial and residential uses that will capitalize on the property's strategic location.
3. To make productive an underutilized area in need of redevelopment.
4. To provide opportunities for regional and neighborhood retail services
5. To provide additional opportunities for single family or multi-family housing.
6. To provide opportunities for modern retail and commercial space.
7. To create land use and building requirements specific to the Redevelopment Plan Area that are sensitive to the adjoining neighborhoods
8. To ensure a long-term productive reuse of the Redevelopment Area.
9. To establish site and building design standards that foster a visually appealing environment within the Redevelopment Plan Area.
10. To promote a desirable visual environment through creative development techniques and good civic design and arrangements or principal buildings and accessory structures that will be in keeping with appearance of other areas of Hackettstown Town.
11. To provide adequate light, air and open space within the Redevelopment Area.
12. To provide adequate transportation facilities for pedestrians and bicyclist

accommodations, including accessible sidewalks, curb ramps, crosswalks, signs, curb extensions, pedestrian scale lighting, bike lanes, and shoulders, as appropriate.

13. To promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land.
14. To promote the utilization of renewable energy resources.

Relationship to the Master Plan

In addition to the Redevelopment Area-specific goals and objectives, the LRHL requires that the Redevelopment Plan indicate its relationship to definite local objectives regarding land uses, population density, traffic and public transportation, public utilities, recreational and community facilities, and other public improvements. This will ensure that the goals and objectives of the Redevelopment Plan are consistent with or will support the broader community-wide goals of the Master Plan.

The Master Plan provides the basis for long-range planning and zoning efforts for the Town. Hackettstown Town adopted its Master Plan in 1978 with a Comprehensive Master Plan Revision in October 1988. Master Plan Reexamination Reports were adopted by the Hackettstown Town Planning Board in 1994, 2001, 2008, and 2018. In December 2012, the Planning Board adopted a Supplemental Modification to the Master Plan Reexamination Report for the Bergen Tool property.

This Redevelopment Plan supports the following Master Plan goals and objectives:

- To maintain and improve upon the commercial and industrial vitality of the Town.
- To promote new development and redevelopment of non-residential uses in appropriate locations so that the local

economy of Hackettstown remains strong, and unemployment remains low.

- To provide for appropriate adjustments in the boundaries of the business and industrial zones.
- To strategically replace or reuse obsolete industrial buildings with other uses.
- To improve the appearance of the Town through streetscape improvements, façade improvements, and enforcement of property maintenance standards.
- To encourage a mixed use and income development approach.

Based on the above, the goal and objectives of the Redevelopment Plan are substantially consistent with the Hackettstown Master Plan and Land Use Element.

Relationship to Other Plans

This section of the report discusses any significant relationship of the Redevelopment Plan to the master plans of contiguous municipalities, the master plan of Warren County, and the State Development and Redevelopment Plan. This is a requirement of the LRHL intended to link redevelopment planning to the regional planning goals and objectives.

State Development and Redevelopment Plan (SDRP)

The 2001 State Development and Redevelopment Plan (SDRP) includes eight statewide goals:

1. Revitalize the state's cities and towns.
2. Conserve the state's natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all residents of New Jersey.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.

6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

These goals are intended to fulfill the vision of the State Planning Act, in which development and economic growth are encouraged in suitable locations with existing infrastructure, sprawl is reduced, and areas of environmental quality are preserved.

This Redevelopment Plan is consistent and compatible with the State Plan's intention for the Highlands Planning Area, which encourages appropriate development, redevelopment, and economic growth consistent with the State Development and Redevelopment Plan. The Redevelopment Plan also furthers the following State Plan policy objectives:

- **Land Use.** Ensure efficient and beneficial utilization of scarce land to strengthen its existing diversified and compact nature.
- **Housing.** Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse, and the introduction of new housing into appropriate nonresidential settings.
- **Economic Development.** Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships, and infrastructure improvements.
- **Redevelopment.** Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity, and reduces dependency on the automobile.

Consistency with Plans of Adjacent Communities

Hackettstown is located in the eastern portion of Warren County. Hackettstown borders the municipalities of Washington Township (Morris County) to the southeast, Mount Olive Township (Morris County) to the northeast, Mansfield Township to the southwest, Allamuchy Township to the north, and Independence Township to the west. As the Redevelopment Area is relatively small in scale and not within close proximity to any municipal boundary, the Redevelopment Plan is unlikely to have a notable impact on any of the adjacent municipalities.

Warren County Master Plan

The Warren County Transportation Technical Study Update was adopted June 30, 2018 and is the first phase of the process Warren County is undertaking to prepare the Transportation Plan Element of its Master Plan. The Redevelopment Plan is consistent with the Study Goals of the County's Transportation Technical Study Update, including the following goals:

- Focus growth in existing centers, using incentives such as improved public infrastructure to support new development and redevelopment; and
- Provide a mix of housing types to accommodate the housing needs of current and future residents.

Redevelopment shall be in conformance with all design requirements imposed by the Warren County Planning Board with respect to the Redevelopment Plan Area.

Redevelopment Plan

This chapter of the Redevelopment Plan provides the land use requirements to allow for the redevelopment of the Redevelopment Area.

The specific land use and development requirements, including design standards that are applicable to the entire Redevelopment Area, are outlined in the following sections.

This Redevelopment Plan establishes the Bergen Tool Redevelopment (BTR) Zone District to encompass the entire Redevelopment Plan Area. The BTR Zone shall supersede the existing underlying zoning for the entire Redevelopment Plan Area. Any development proposed within the BTR Zone shall comply with the applicable provisions and standards of this Redevelopment Plan.

A. Land Use

The BTR Zone is to be redeveloped in a manner that is complementary to the surrounding environment. To that end, the proposed land use for the BTR will contain an appropriate mixture of retail and residential uses designed in accordance with the standards contained in this Redevelopment Plan.

Definitions

All terms used herein shall have the same meaning as defined in the Hackettstown LDO unless otherwise specified in this Redevelopment Plan.

B. Permitted Principal Uses

The permitted uses for the BTR Zone include all those permitted principal and accessory uses within the TCC Town Center Commercial District and, specifically, the following permitted principal uses:

1. Retail sales of goods and services. Financial centers are not considered retail sales of goods and services and are not permitted in the BTR District.
2. Retail and Personal Services with the exception of: Escort services, massage and tattoo parlors, pawn shops, dance halls, drug paraphernalia shops, nail salons not in

conjunction with a full beauty shop, financial service centers.

3. Offices and office buildings.
4. Banks, excluding drive-through facilities.
5. Restaurants and taverns, excluding drive-in restaurants, except that restaurants with "drive-ins"/ drive-thrus are permitted only if located within 200 feet of Main Street/Route 46 right-of-way line.
6. Coffee and Donut shops, including restaurants and drive-through.
7. Apartments/condominium.
Apartments/condominiums shall be multi-family dwelling units, for sale or rent, that may be located one over another with shared or individual entrances and exits, in a multi-story building which may contain non-residential uses on the first floor.
8. Townhouses.
9. Hotels.
10. Classrooms for college or commercial schools.
11. Public purpose uses as defined in Section 200 of the LDO.
12. Mixed uses of any of the above.
13. Indoor commercial recreation.
14. Pharmacies with drive-through facilities.

C. Permitted Conditional Uses

The permitted conditional uses shall be limited to public utilities, conditioned upon complying with Section 601A of the LDO.

D. Permitted Accessory Uses

The permitted accessory uses within the BTR Zone shall include:

1. Off-street parking (in accordance with Section 508 of the LDO)

2. Parking garages
3. Fences and walls (in accordance with Section 503 of the LDO)
4. Open space and recreational facilities, including but not limited to recreational paths and trails, pavilions, and dog parks.
5. Public and private parks and open space.
6. Signs (in accordance with Section H of this Redevelopment Plan and Section 513 of the LDO).
7. Sales and rental office.
8. Temporary construction office and/or trailer for the duration of the construction of the project.
9. Utility facilities necessary to provide service to the BTR Zone.
10. Uses determined by the Land Use Board to be customarily associated with, and is subordinate and incidental to, a permitted principal use.

E. Design Standards

The following design standards shall be applied to all development in the BTR Zone. Any elements not covered by these standards shall be subject to other appropriate provisions of the Hackettstown LDO. All redevelopment activities are also subject to applicable state and federal requirements.

1. Design for projects in the BTR Zone shall be based on a comprehensive plan for the entire Redevelopment Plan Area providing for a unified master plan governing the land use, circulation, open space, stormwater management, and utility needs of the development. However, redevelopment may be conducted in phases. Comprehensive design guidelines for building architecture, site layout, and landscape treatment shall be provided along with provision for ownership and

maintenance of common areas and open spaces.

2. All new buildings shall be built to the right-of-way lines to establish a traditional urban street wall. Corner buildings may be angled to soften the edges and provide entrances and increased sight triangles.
3. All new buildings shall conform to the scale and architectural character of the surrounding neighborhood. Any land not necessary for building or parking purposes shall be appropriately landscaped.

F. Bulk Requirements

1. Minimum Tract Area: The minimum tract area for the overall development shall be nine (9) acres under the initial ownership or control of a single entity. The tract area district may be expanded to include any vacation of Bergen Street. There shall be no minimum lot area for subdivided parcels within the overall tract.
2. Maximum Number of Dwelling Units: The maximum residential density shall be limited to one hundred one (101) units. The mixed-use buildings shall contain 35 residential dwelling units. No townhouse units are permitted south of the projection of the northerly right-of-way line of First Street.
3. Non-Residential Development: In addition to any residential dwelling units, a minimum of 25,000 square feet of retail or office building space shall be constructed on the first floor and/or incorporated into the first-floor plans of any buildings fronting on Main Street and Stiger Street between the Main Street right-of-way and a point 50 feet north of the projection of the northerly right-of-way line of First Street. In no case shall the gross floor area (G.F.A.) of a non-residential development exceed a ratio of 0.08 for the entire BTR Zone.

4. Maximum Building Coverage: The maximum building coverage for all principal and accessory buildings in the BTR Zone shall be twenty percent (20%).
5. Maximum Lot Coverage: The maximum lot coverage by all buildings, structures, and man-made improvements in the BTR Zone shall be fifty percent (50%).
6. Maximum Building Height: Portions of principal buildings within 40 feet of the Main Street or Stiger Street right-of-way lines shall not exceed three (3) stories or forty-two (42) feet in height, excluding architectural features. Portions of principal buildings located more than 40 feet from the Main Street or Stiger Street right-of-way lines shall not exceed three (3) stories or fifty (50) feet in height, excluding architectural features such as towers, turrets, cupolas, parapet walls, etc. Penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building, and skylights, spires, cupolas, flagpoles, chimneys or similar structures associated with the building(s), may be erected above the height limits prescribed, but in no case more than twenty percent (20%) more than the maximum height permitted for the use in the district.
7. Height of Accessory Building and Structures: The height of accessory structures shall conform to Section 501D of the LDO, except that a parking garage shall not exceed a height of twenty-five (25) feet and two (2) stories, if not part of a principal building.
8. Minimum Tract Frontage and Width: 300 feet
9. Minimum Principal Building Setback from Tract Boundary:
 - a. Front Yard: 10 Feet, except those buildings fronting on Main Street may be constructed to the street line provided that the first floor only of each building contains retail or office uses.
 - b. Side Yard: 25 Feet
 - c. Rear Yard: 25 Feet
10. Minimum Accessory Building Setbacks:
 - a. Distance to side tract line:
 - i. Parking garage: 15 feet.
 - ii. All others: 4 feet, except those structures on the east side of the tract/Bergen Street/railroad right-of-way may be constructed with 0 feet setbacks.
 - b. Distance to rear tract line:
 - i. Parking garage: 15 feet.
 - ii. All others: 4 feet.
 - c. Distance to other buildings:
 - i. Parking garage: 10 feet, except where it is an integral part of a residential or mixed-use structure.
 - ii. All others: 4 feet.
11. Minimum Building Setback from Interior Streets or Parking Area: All buildings shall be located a minimum of ten (10) feet from the curb line of any street or parking areas located within the tract boundaries, except that integral carports or garages are permitted which de facto requires 0 feet setback.
12. Distance between Mixed-Use Buildings:
 - a. Minimum distance between the front of one building to the front of another building: 45 Feet

- b. Minimum distance between the front of one building to the side of another building with windows: 25 Feet
 - c. Minimum distance between the side of one building to the side of another building with windows: 15 Feet
 - d. Minimum distance between the side of one building to the rear of another building with windows: 25 Feet
 - e. Minimum distance between the rear of one building to the rear of another building: 35 Feet
 - f. Minimum distance between the windowless wall of one building to the windowless wall of another building: 0 Feet
 - g. Maximum distance between the windowless wall of one building to the windowless wall of another building: 15 Feet
13. Minimum distance between townhouse buildings: 20 feet
14. Application of Area, Yard and Bulk Requirements to Individual Building Lots. In the BTR District, a building or a portion of the building containing commercial use only, residential use only and/or a mix of residential and commercial uses may be located on an individual lot. Individual lots may be created for mixed use, residential use only (i.e., townhouse use) and non-residential uses without regard to area or other bulk requirements provided that there is compliance with all required setbacks from the tract boundary, from streets, and between buildings. Building coverage, impervious lot coverage and open space requirements shall be calculated only for the entire tract.
15. Permitted Projections: Chimneys, bay windows, overhangs and other protrusions shall be permitted to encroach up to four (4) feet within a yard area setback required by this ordinance. No such projections or encroachments, however, shall be permitted within any public street right-of-way.

G. Parking Requirements

1. Residential Off-Street Parking: Residential parking shall be provided in accordance with NJ Residential Site Improvement Standards, N.J.A.C. 5:21-1 et al.
2. Non-Residential Off-Street Parking shall be provided as follows:
 - a. Retail and service activities including pharmacies shall provide one parking space for every 350 square feet of net habitable floor area.
 - b. Offices/Banks shall provide one (1) parking space for every 350 square feet of net habitable floor area.
 - c. Restaurants and taverns shall provide one (1) parking space for every 3 seats.
 - d. Hotels shall provide one (1) parking space for every hotel room.
 - e. Parking shall not be located within ten (10) feet of a street, property line or sidewalk, or within five (5) feet of a building provided that a garage and driveway combination may be used as a parking space without a minimum separation from the building. Parking spaces may be located under a building cantilever or overhang. Parking spaces within 150 feet of the Main Street right-of-way line may be less than 10 feet from the railroad right-of-way where

necessary to accommodate the drive-thru lanes for the fast-food restaurant.

- f. Parking Facilities may be on the same lot as the building they are intended to serve or be located on adjacent properties provided their continued use for parking can be demonstrated.
 - g. Access driveways and streets providing access to such parking facilities may cross or be built upon a common property line with an adjoining lot without regard to the required setbacks for such facilities.
 - h. Parking spaces may be provided on street as parallel or diagonal parking or within areas designated specifically for parking.
3. In all cases, redevelopers are required to submit a parking plan for approval by the Hackettstown Land Use Board during the course of the site plan review process. The parking plan shall address the need generated by the proposed development and how that need will be met. In addition to the off-site parking, the parking plan may cite the availability of off-site private and public parking facilities as well as on-street parking. The parking plan may also take into account the proximity of mass transit, shared parking norms, religious requirement or restrictions and the potential for pedestrian access.

H. Signage Requirements

In addition to the sign provisions under Section 513 of the LDO, the following additional signage shall be permitted in the BTR District:

1. Signage for development on Lot 18.01 shall be permitted in accordance with the 2013 site plan approval from the Planning Board, pursuant to Resolution 13-01. Total sign area for wall signage shall not exceed 158.68 square feet. One freestanding monument sign is permitted along Main

Street with a maximum sign area of 16.33 feet.

2. One free-standing monument sign shall be permitted along the Main Street frontage of Lot 18.02, subject to the following:
 - a. The maximum sign area of the freestanding monument sign shall be fifty (50) square feet.
 - b. The top of the sign shall be not more than fifteen (15) feet above the ground.
 - c. Freestanding signs shall be set back at least five (5) feet from all street right-of-way lines, property lines, and sidewalks.
 - d. One sign panel for each use in the BTR District may be suspended below the principal sign surface. Each such sign panel shall contain only the name of the establishment and shall not exceed one (1) foot in height and five (5) feet in width.
 - e. Both wall and freestanding signs shall be permitted.
3. One freestanding identification sign shall be permitted for the townhouse portion of the BTR District. Such sign shall be located within the townhouse tract, north of the proposed Bergen Street right-of-way. The maximum sign area is 12 square feet.
4. Customary signage for a drive-thru restaurant, such as order boards and overhead signs, shall be permitted in such quantity, size, and location as the Land Use Board shall determine.
5. Individual signage for each individual use/tenant may be attached to the building in which the tenant's space is located subject to the following:
 - a. Each individual use in an individual building may have one (1) wall sign attached to the building not exceeding

an area equivalent to ten percent (10%) of the first-floor portion of the front facade devoted to the use or fifty (50) square feet, whichever is smaller. Where an individual business has direct access from the outside, an unlighted sign not exceeding four (4) square feet identifying the name of the individual business also may be attached to the building at the entrance to the business. Where a building has a single outside entrance serving multiple businesses, an unlighted sign directory identifying the names of the individual business may also be attached to the building at the entrance. Such a directory sign may not exceed ten (10) square feet.

- b. Buildings located on corner properties and buildings having 50 feet or more of open space between it and any adjacent building shall be permitted to install one additional wall sign attached to the building not exceeding the area in paragraph 4.a above.
- c. Projecting signs shall be permitted subject to the requirements of Section 513.A.17 of the LDO.
- d. Awnings shall be permitted subject to the requirements of Section 513.A.18 of the LDO and the following provisions:
 - i. Fixed or retractable awnings are permitted at the ground floor level and on upper floor levels where appropriate, provided they complement a building's architectural style, are compatible with its materials, colors and details, and do not conceal a building's architectural features.
 - ii. Canvas is the preferred awning material, although other waterproofed fabrics may be considered. Metal or aluminum awnings are permitted. Awnings

shall be illuminated by gooseneck lighting only. Backlit awnings shall be prohibited.

- iii. Lettering and numbers on awnings shall not exceed eight (8) inches in height.
- iv. Both wall and awning signs may be permitted; however, maximum signage permitted for wall sign under paragraph 4.a shall not be exceeded by the combined wall and awning sign areas.
- v. Traditional style awnings (i.e., shed style) shall be permitted. Other types of awnings shall be prohibited, including waterfall, domed, arched, circular, etc.
- e. Window signs shall be permitted subject to the requirements of Section 513.A.12 of the LDO.
- f. Design standards applicable to wall signs, and projecting signs are as follows:
 - i. Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors and details of the building, as well as with other signs used on the building.
 - ii. Signs shall be compatible with existing architectural features of the building and shall not obscure or remove architectural elements such as cornices, piers, columns, or decorative moldings.
 - iii. Wood is the preferred signage material. Other materials may be used if made to resemble wood surfaces. Backlighting or internally illuminated plastic signs are prohibited.

- iv. The following types of wall signs shall be permitted:
 - (1) Back-lit raised letters with concealed ballast,
 - (2) Signage board with gooseneck lighting, and
 - (3) Individual cut letters with gooseneck lighting.
- v. Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass, or black, plastic or anodized metal similar in appearance to wood letters.
- vi. Signs may be illuminated by spotlights which shall be shielded to prevent glare onto street or adjacent properties. All signage lighting shall be turned off no more than one hour after close of business.
- vii. Lettering and numbers on wall signs, applied letter signs, and projecting signs shall not exceed twelve (12) inches in height.
- viii. Signs shall be limited to a maximum of four (4) colors, including black and white. Such color limitation shall not apply to logos or trademarks. No fluorescent or day glow colors shall be used on any signs.
- ix. Exterior neon signs are prohibited.
- x. Exterior window perimeter lighting shall be prohibited.
- g. Temporary Signs.
 - i. Grand opening banners, promotional banners, and sandwich board signs are permitted in accordance with Section 513 A.13 of the LDO.
 - ii. A-Frame Signs – A-frame signs shall be permitted in accordance with the following requirements:
 - (1) One A-frame sign shall be permitted per approved business use. Such sign shall be placed on the subject property or within the right-of-way directly in front of and immediately abutting the property location. A minimum of two (2) feet setback must be maintained from the back of curb.
 - (2) A-frame signs shall not be placed within the ADA compliant portion of the sidewalk. Details of the ADA compliant sidewalk area to be kept clear may be obtained from the Town Engineer.
 - (3) No A-frame sign shall be placed within the sight visibility triangle or other location that would obstruct vehicular visibility.
 - (4) A-frame signage shall be constructed of sufficient weight and durability to withstand wind gusts and storms and shall contain a weather resistant coating. Such signage shall be maintained in good condition, free from chipping paint, cracks, gouges, loss of letters or other deterioration.
 - (5) A-frame signs shall be removed from the sidewalk at the close of business.
 - h. See Section 513 of the LDO for additional signage requirements.

I. Special Requirements

- 1. Affordable Housing Units. The project requires an affordable housing set-aside of 10% of the total units constructed. The affordable housing obligation shall be implemented by a minimum in lieu payment

of \$25,000 per affordable housing unit obligation. These funds would be deposited into the Town's affordable housing trust fund to be used for a market to affordable program or rehabilitation of dwelling units in the downtown area. Collection of the payment-in-lieu fee shall be in accordance with Section 609-6 of the Town Code.

2. Ground floor Retail. Ground floor retail shall occupy the Main Street building frontage with the exception that one hundred (100) percent of the Main Street building frontage and fifteen (15) percent of the tract area may be occupied by a freestanding retail building with associated parking and landscape buffers. Front yard off-street parking shall be permitted in the parcel that has the freestanding retail building provided a 3.5-foot-high brick or stone wall with a stone cap and piers at certain intervals be constructed around the perimeter of the lot.
3. Open Space: Three (3) acres of open space shall be set aside to the rear of the site and graded for recreation and open space activities. No portion of the three (3) acres set aside for open space shall be used for stormwater management. Drainage inlets and underground piping may be constructed within the open space tract as may be needed to ensure proper drainage of the open space tract itself. Ownership and maintenance of this open space and any recreational facilities installed within the open space shall remain with the tract owner until such time as the homeowner's association for the for-sale townhouse units has been established, at which time, the homeowner's association shall assume responsibility for the ownership and maintenance. Public access to the open space shall be permitted, subject to the rules established by the redeveloper of the homeowner's association in its declaration of covenants and restrictions as approved by the Planning Board's attorney and which rules may not be amended thereafter by the homeowners association without the Town's approval.
4. Bedroom Distribution: No more than one (1) bedroom per unit shall be permitted in apartment/condominium units. Lofts and/or dens shall also be permitted within such one-bedroom units, provided that such room shall not be permitted to be used as a bedroom. A deed restriction shall be recorded that restricts the number of bedrooms per apartment/condominium unit to one (1) bedroom per unit. The deed restriction shall stipulate that construction or conversion of any additional rooms for the purpose of permanent resident bedroom use in apartment/condominium units shall be prohibited.
5. Townhomes: A maximum of seventy-five (75) percent of the townhouse units on-site are permitted to have three (3) bedrooms. The remainder of the townhouse units shall be limited to two (2) bedrooms per unit. A deed restriction shall be recorded that restricts the number of bedrooms in the townhouse units to the limits prescribed in this section. The deed restriction shall stipulate that construction or conversion of any additional rooms for the purpose of permanent resident bedroom use in townhouse units shall be prohibited. Townhomes shall comply with Section 603 of the LDO. Fee simple townhouse lots shall not be required to comply with Section 605.E of the LDO.
6. A minimum area of 1,000 square feet of public plaza space facing Main Street, landscaped with decorative hard surface treatment and plantings shall be provided. The specific design of this public plaza space shall be decided during the site plan process. The public plaza space shall be located at the intersection of Stiger Street and Main Street.

7. **Compatibility to Historic District:** The architectural character of all buildings on Main Street must be consistent with the historic architectural style of the buildings on Main Street that are located within the Town's Historic District.
8. **Bergen Street Intersection:** The Bergen Street intersection with Main Street shall be removed and a replacement means of access through the tract that shall be dedicated to the municipality shall be provided to serve residential uses fronting on the remaining portion of Bergen Street. The Town will vacate the applicable portion of Bergen Street to be removed and transfer the vacated portion of the right-of-way to the tract property owner as may be needed. The final area shall be added to the tract of land and district.
9. **Creation of Road and Wall:** A private road shall be constructed between Main Street and Stiger Street to allow access to the freestanding retail use and other areas of retail, commercial, and residential development. A wall shall be constructed along the Main Street frontage, between the railroad right-of-way and the easternmost building fronting on Main Street, to screen rear yard parking.
10. **Green Development Practices:** Building construction and site development should incorporate green development practices and strategies such as those suggested by the USGBC through the Leadership in Environmental Education (LEED) Program or the use of energy star rated materials and/or appliances. These practices and strategies may include reuse of existing building materials, responsible disposal or recycling of existing building materials and use of energy efficient HVAC units. LEED or other outside agency approval is, however, not required as part of this strategy.
11. **Road Ownership:** Other than the rights-of-way associated with the realigned portion of Bergen Street and the new section of East Stiger Street between First Street and the realigned portion of Bergen Street, all roadways, parking areas, driveway aisles, and parking spaces shall be owned and maintained by either the homeowner's association or the tract owner.
12. **Homeowner's Association:** A homeowner's association shall be established for the purpose of owning and assuming maintenance responsibilities for the common open space and common property designed within the development. The homeowner's association shall be established prior to the issuance of any certificate of occupancy for a townhouse residential unit in the development.
13. **Recognition of Historical Use of the Property:** The project shall incorporate a public display of commemoration towards the historical use of the former Bergen Tool property (which prior to Bergen Tool, was the site of American Sawmill Machinery). Such commemoration may be by placement of a sawmill blade on a building or signage on the property, by installation of a commemorating plaque, or by such other means as agreeable by the Town in the Redevelopment Agreement.

Implementation

Relocation

A relocation plan is not applicable as there are no residential units or businesses currently located on the subject site. Therefore, no relocation assistance is necessitated by this Redevelopment Plan.

Acquisition

This Redevelopment Plan intends to encourage a redeveloper to acquire a proprietary interest in the property to be redeveloped pursuant to

this Plan. The adoption of Ordinance 98-ORD17 preceded the 2013 Amendment to the LRHL requiring a redevelopment designation to specify whether the redevelopment designation permits the use of eminent domain. Therefore, the 1998 designation of the Stiger Street Redevelopment Area was not required to specify whether condemnation was permitted and did not make any determination thereto. Nonetheless, condemnation is not anticipated to be utilized for this project. No private property is identified for acquisition other than through private sale between a willing buyer and seller.

Deviations from Redevelopment Plan Requirements

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be necessary in certain circumstances for the effective redevelopment of the Redevelopment Plan Area or to meet state or federal permit requirements.

1. The Land Use Board may grant deviations from standards contained herein, which shall be considered analogous to variance relief pursuant to N.J.S.A. 40:55d-70(c) or design exceptions pursuant to N.J.S.A. 40:55d-51, provided that the Redeveloper satisfies the statutory criteria for such relief as set forth in the Municipal Land Use Law.
2. Deviations that would be analogous to use variance relief pursuant to N.J.S.A. 40:55d-70(d), shall require an amendment to the Redevelopment Plan in accordance with the procedures set forth in the Local Redevelopment and Housing Law. Any such plan amendment shall be conditioned upon a finding that such deviation would be consistent with and in furtherance of the goals and objectives of this Redevelopment Plan.

Review Procedures

1. The Town of Hackettstown Mayor and Council, acting as the Redevelopment Entity, shall review all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant Redevelopment Agreement(s). Such review shall occur prior to the submission of the redevelopment project(s) to the Land Use Board for site plan approval.
2. As part of its review, the Redevelopment Entity may require the Redeveloper(s) to submit proposed site plan applications to a subcommittee of the Redevelopment Entity prior to the submission of such applications to the Land Use Board. Such Subcommittee may include members of the Redevelopment Entity and any other Town staff and/or professionals as determined necessary and appropriate by the Mayor and Council. Such Committee shall make its recommendations to the full Redevelopment Entity for formal authorization to proceed to the Land Use Board for development approval.
3. In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with this Redevelopment Plan and relevant Redevelopment Agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the Plan.
4. Following this determination, all development applications shall be submitted to the Town of Hackettstown Land Use Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq.
5. The Land Use Board shall deem any application for site plan approval subject to

this Redevelopment Plan incomplete if the proposed project is required by this Redevelopment Plan to be addressed through a redevelopment agreement with a designated Redeveloper and the applicant has not been so designated by the Redevelopment Entity.

Effect of Plan

The Redevelopment Plan shall supersede the applicable provisions of the Hackettstown Land Development Ordinance, including all provisions of the PMU Planned Mixed Use Downtown Development District. The Redevelopment Plan also incorporates design standards, including signage, landscaping and architectural standards, which shall not change regardless of subsequent amendments, revisions, additions or deletions to the Hackettstown Code. All other provisions of the Town Code not superseded by this Redevelopment Plan shall remain in effect.

Final adoption of this Redevelopment Plan by the Town Council shall be considered an amendment to the Town Zoning Map as it relates to the BTR Bergen Tool Redevelopment Zone.

Terms and Definitions

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of the Town of Hackettstown.

Other Applicable Design and Performance Standards

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Hackettstown Town Code.

Conflict

Any word, phrase, clause, section or provision of this Plan, found by a court and other jurisdiction

to be invalid, illegal or unconstitutional, such word, phrase, section or provision shall be deemed servable and the remainder of the Redevelopment Plan shall remain in full force and effect.

Zoning Map Revision

The Official Zoning Map of the Town of Hackettstown is hereby amended to designate the RZA-1 Zone.

Amendments to the Redevelopment Plan

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more Redevelopers and the Town of Hackettstown, the provisions of the Redevelopment Plan amendment will be contingent upon the amendment of the Redevelopment Agreement to provide for the Plan amendment.

Certificates of Completion & Compliance

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a Redevelopment Agreement has been completed, a Certificate of Completion and Compliance will be issued to the Redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area in Need of Redevelopment, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Council.

Tax Abatement Program

By designating this area as An Area in Need of Redevelopment, the Town of Hackettstown has the authority to offer long-term (up to 30 years) tax exemptions or abatements as a financial incentive to encourage rehabilitation and/or redevelopment of the area, in accordance with N.J.S.A. 40A-20-1 et seq. Any tax abatement(s) for the rehabilitation and/or redevelopment of the area shall be addressed as part of the redevelopment agreement and financial agreement.

Severability

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

Appendix

Appendix A | Ordinance 98-ORD17

98-ORD17

AN ORDINANCE TO ESTABLISH THE
STIGER STREET REDEVELOPMENT AREA

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF
HACKETTSTOWN AS FOLLOWS:

WHEREAS, on May 27, 1998 the Mayor and Common Council by resolution directed the Planning Board to undertake a preliminary investigation under N.J.S.A. 40A:12A-6 to determine if the Stiger Street area was an area in need of redevelopment; and

WHEREAS, on October 27, 1998, after notice and public hearing as required by the NJ Redevelopment and Housing Law, the Planning Board voted to approve the findings of the preliminary investigation report and forwarded it to the Mayor and Common Council for further action; and

WHEREAS, the Mayor and Common Council must make a determination whether the area delineated by the Planning Board should be designated as a redevelopment area.

THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hackettstown as follows:

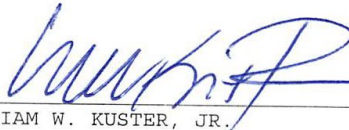
SECTION 1:

1. The findings of the Planning Board in its Preliminary Investigation Report are approved.
2. The Town of Hackettstown hereby designates the area as delineated by the Planning Board in their preliminary report as a redevelopment area pursuant to N.J.S.A. 40A:12A-6.
3. The Ordinance Committee is directed to prepare and submit for consideration by the Mayor and Common Council a tax abatement ordinance under N.J.S.A. 40A:21-1.
4. The Planning Board is directed to prepare a redevelopment plan as set forth in N.J.S.A. 40A:12A-7(f).

SECTION 2: This ordinance shall take effect upon the publication of notice of final adoption as provided by law.

NOTICE

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Common Council of the Town of Hackettstown, New Jersey, held on November 23, 1998 and that at a regular meeting of the same to be held on December 14, 1998 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, at the hour of 7:30 p.m., the said Common Council will consider the final passage of said ordinance.

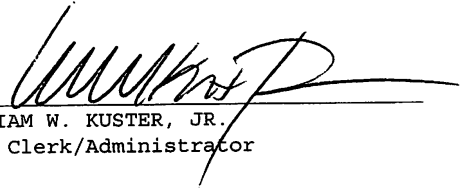
A handwritten signature in blue ink, appearing to read 'W. Kuster, Jr.', is written over a horizontal line.

WILLIAM W. KUSTER, JR.
Town Clerk/Administrator

98-ORD17

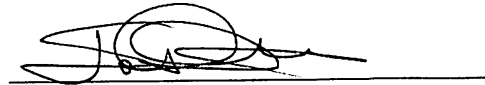
NOTICE OF FINAL PASSAGE

Notice is hereby given that an ordinance entitled, "AN ORDINANCE TO ESTABLISH THE STIGER STREET REDEVELOPMENT AREA", was duly considered at a meeting of the Common Council of the Town of Hackettstown held on December 14, 1998 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, and said ordinance was thereupon adopted upon final passage.



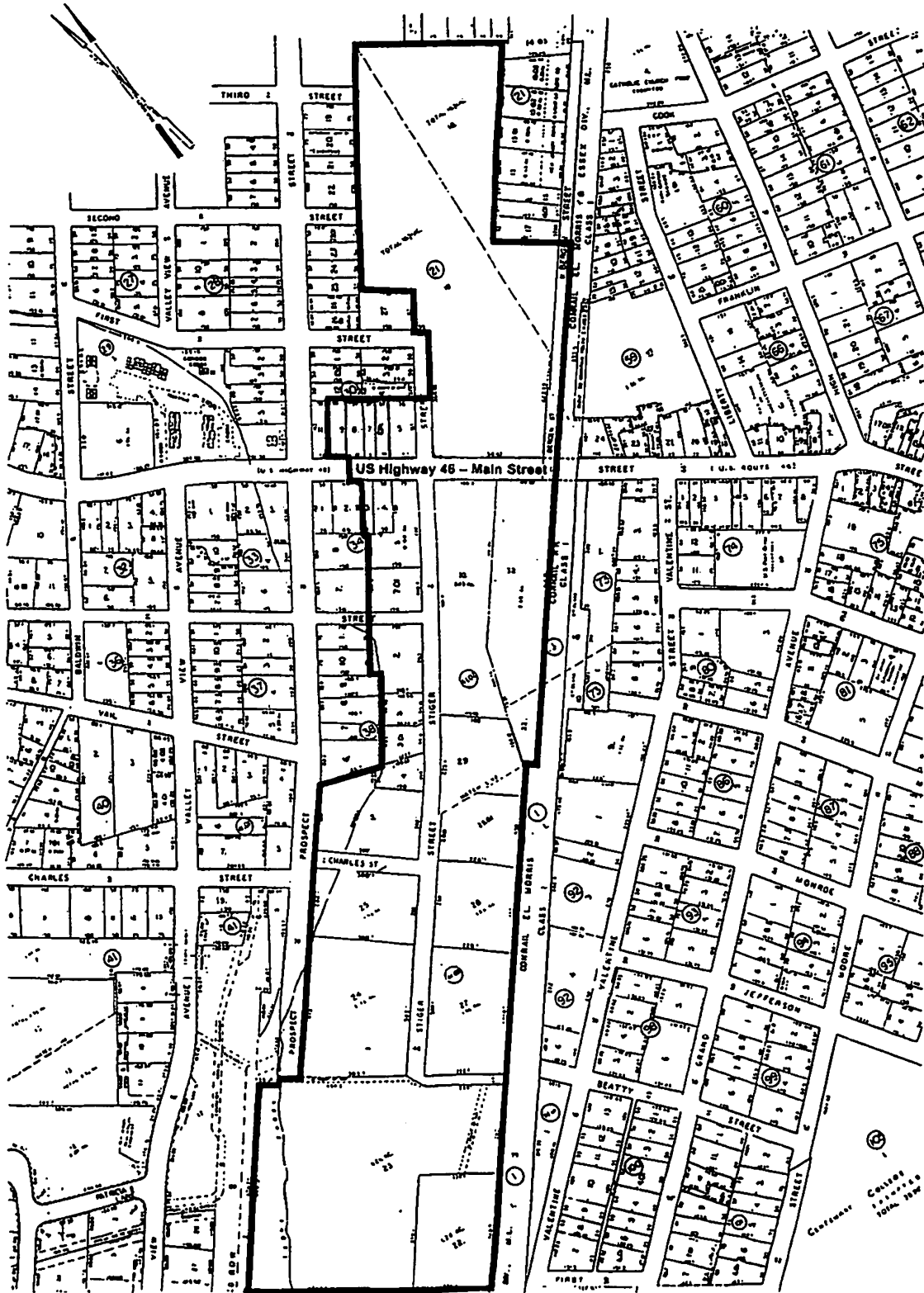
WILLIAM W. KUSTER, JR.
Town Clerk/Administrator

The above ordinance is approved this
14th day of December, 1998



JOHN DiMAIO, Mayor

Stiger Street Redevelopment Investigation Area





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