

**ORDINANCE 2018-22**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
ADOPTING A REDEVELOPMENT PLAN FOR A 3.8 ACRE PORTION OF BLOCK  
48.16, LOT 117.27 FOR THE DEVELOPMENT OF LOW AND MODERATE INCOME  
HOUSING AND REPEALING SECTION 30-79.1 TITLED “PURPOSE”, SECTION 30-  
79.2 TITLED “PERMITTED USES”, AND SECTION 30-79.3 TITLED “REQUIRED  
CONDITIONS FOR RESIDENTIAL DEVELOPMENT” OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF CHATHAM**

**WHEREAS**, on October 12, 2017, the Township Committee of the Township of Chatham adopted Resolution 2017-183 designating a 3.8 acre portion of Block 48.16, Lot 117.27 (“Redevelopment Area”) as shown on the Township of Chatham Tax Map as an area in need of non-condemnation redevelopment for the development of low and moderate income housing; and

**WHEREAS**, on October 26, 2017, the Township Committee adopted Resolution 2017-187 clarifying Resolution 2017-183; and

**WHEREAS**, it is the purpose of this Ordinance to adopt the attached Redevelopment Plan (“Redevelopment Plan”) which will supersede the underlying AH Affordable Housing Zone and which Plan will set forth specific Land Use and Building Standards (use, bulk and design requirements) for the development of twenty-four (24) low and moderate income housing units within the Redevelopment Area.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Section 30-79.1 titled “Purpose”, Section 30-79.2 titled “Permitted Uses” and Section 30-79.3 titled “Required Conditions for Residential Development” of the Revised General Ordinances of the Township of Chatham are hereby repealed.

Section 2. The Redevelopment Plan for a 3.8 acre portion of Block 48.16, Lot 117.27 as shown on the Township Tax Map and attached is hereby adopted.

Section 3. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities, to the last owner of the Redevelopment Area and all persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in Redevelopment Area. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 3, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40A:12A-7e. The Planning Board is directed pursuant to N.J.S.A. 40A:12A-7d to transmit to the Township Committee, within forty-five (45) days after referral, a report finding that the Redevelopment Plan shall be substantially consistent with the Township Master Plan or designed to effectuate the Master Plan or that the Redevelopment Plan is

substantially inconsistent with the Township Master Plan or not designed to effectuate the Master Plan.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: November 8, 2018

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

Adopted: December 13, 2018

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk



**PROPOSED REDEVELOPMENT PLAN  
FOR A 3.8 ACRE PORTION  
OF BLOCK 48.16, LOT 117.27  
CHATHAM TOWNSHIP, NEW JERSEY**

Prepared for Chatham Township Committee by  
**Banisch Associates, Inc.**  
November 6, 2018

# **Proposed Redevelopment Plan**

For a 3.8-acre portion of  
Block 48.16, Lot 117.27

**Chatham Township**  
Morris County

**November 6, 2018**

Prepared by:  
Chatham Township Committee  
With Assistance from:  
Banisch Associates, Inc.

# Table of Contents

Chapter 1. INTRODUCTION .....	1
1.1 BASIS FOR THE PLAN .....	1
1.2 REDEVELOPMENT PLANNING PROCESS.....	1
1.3 OVERVIEW OF REDEVELOPMENT PLAN AREA .....	5
1.4 OVERVIEW OF REDEVELOPMENT PLAN FOR THE REDEVELOPMENT PLAN AREA .....	5
Chapter 2. CONTEXT, VISION AND GOALS .....	7
2.1 LAND USE CONTEXT .....	7
2.2 VISION FOR THE REDEVELOPMENT PLAN AREA .....	7
2.3 GOALS.....	7
Chapter 3. LAND USE AND BUILDING REQUIREMENTS .....	9
3.1 APPLICABILITY .....	9
3.2 ILLUSTRATIVE CONCEPTUAL SITE AND ARCHITECTURAL PLANS .....	9
3.3 PERMITTED USES.....	9
3.4 BULK, AREA AND YARD REQUIREMENTS .....	18
3.5 BUILDINGS AND SITE PLAN DESIGN .....	19
3.6 DESIGN REQUIREMENTS .....	19
3.7 LANDSCAPING AND OPEN SPACE.....	20
3.8 UTILITY SERVICES .....	21
3.9 MUNICIPAL COOPERATION WITH UTILITIES .....	21
3.10 LOW AND MODERATE INCOME HOUSING REQUIREMENTS.....	22
Chapter 4. REDEVELOPMENT ACTIONS .....	23
4.1 OUTLINE OF PROPOSED ACTIONS.....	23
4.2 PROPERTIES TO BE ACQUIRED .....	23
4.3 RELOCATION .....	23
4.4 ADMINISTRATIVE PROVISIONS .....	23
Chapter 5. PLAN CONSISTENCY REVIEW .....	24
5.1 RELATIONSHIP TO MASTER PLANS OF ADJOINING MUNICIPALITIES.....	24
5.2 RELATIONSHIP TO THE MORRIS COUNTY MASTER PLAN .....	24
5.3 RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP) .....	24
Chapter 6. GENERAL PROVISIONS.....	26
6.1 AMENDMENT TO ZONING MAP OF CHATHAM TOWNSHIP .....	26
6.2 DEFINITIONS.....	26

6.3 DEVIATION REQUESTS.....	26
6.4 SITE PLAN AND SUBDIVISION REVIEW .....	26
6.5 AFFORDABLE HOUSING.....	27
6.6 ADVERSE INFLUENCES.....	27
6.7 NON-DISCRIMINATION PROVISIONS.....	28
6.8 DURATION OF THE PLAN AND DEED RESTRICTION.....	28
Chapter 7. OTHER PROVISIONS.....	29
7.1 STATEMENT ABOUT REDEVELOPMENT .....	29
7.2 PROCEDURE FOR AMENDING THE APPROVED PLAN.....	29

## Table of Figures

<i>Figure 1: Location of Development Plan Area .....</i>	<i>2</i>
<i>Figure 2: Tax Map of Redevelopment Plan Area .....</i>	<i>3</i>
<i>Figure 3: Area Photograph of Redevelopment Plan Area.....</i>	<i>4</i>
<i>Figure 4: Conceptual Site Plan for the Redevelopment Plan Area.....</i>	<i>10</i>
<i>Figure 5: Conceptual Perspective Rendering .....</i>	<i>11</i>
<i>Figure 6: Conceptual Elevations: North and East Elevations for Building 1 .....</i>	<i>12</i>
<i>Figure 7: Conceptual Elevations: West and South Elevations for Building 1.....</i>	<i>13</i>
<i>Figure 8: Conceptual Elevations: East and North Elevations for Building 2 .....</i>	<i>14</i>
<i>Figure 9: Conceptual Elevations: West and South Elevations for Building 2.....</i>	<i>15</i>
<i>Figure 10: Conceptual Floor Plans: Typical One- and Two-Bedroom Units.....</i>	<i>16</i>
<i>Figure 11: Conceptual Floor Plans: Typical Three-Bedroom Units .....</i>	<i>17</i>

## Chapter 1. INTRODUCTION

### 1.1 BASIS FOR THE PLAN

This Redevelopment Plan has been prepared at the direction of the Chatham Township Committee, pursuant to New Jersey's Local Redevelopment and Housing Law (LRHL), for a 3.8-acre portion (the "Redevelopment Plan Area") of Block 48.16, Lot 117.27 (the entire "Redevelopment Area"), located along Southern Boulevard in Chatham Township. See Figure 1 Location of Redevelopment Plan Area and Figures 2 and 3 which show the location of Redevelopment Plan Area within the Redevelopment Area on a tax map and aerial photograph respectively.

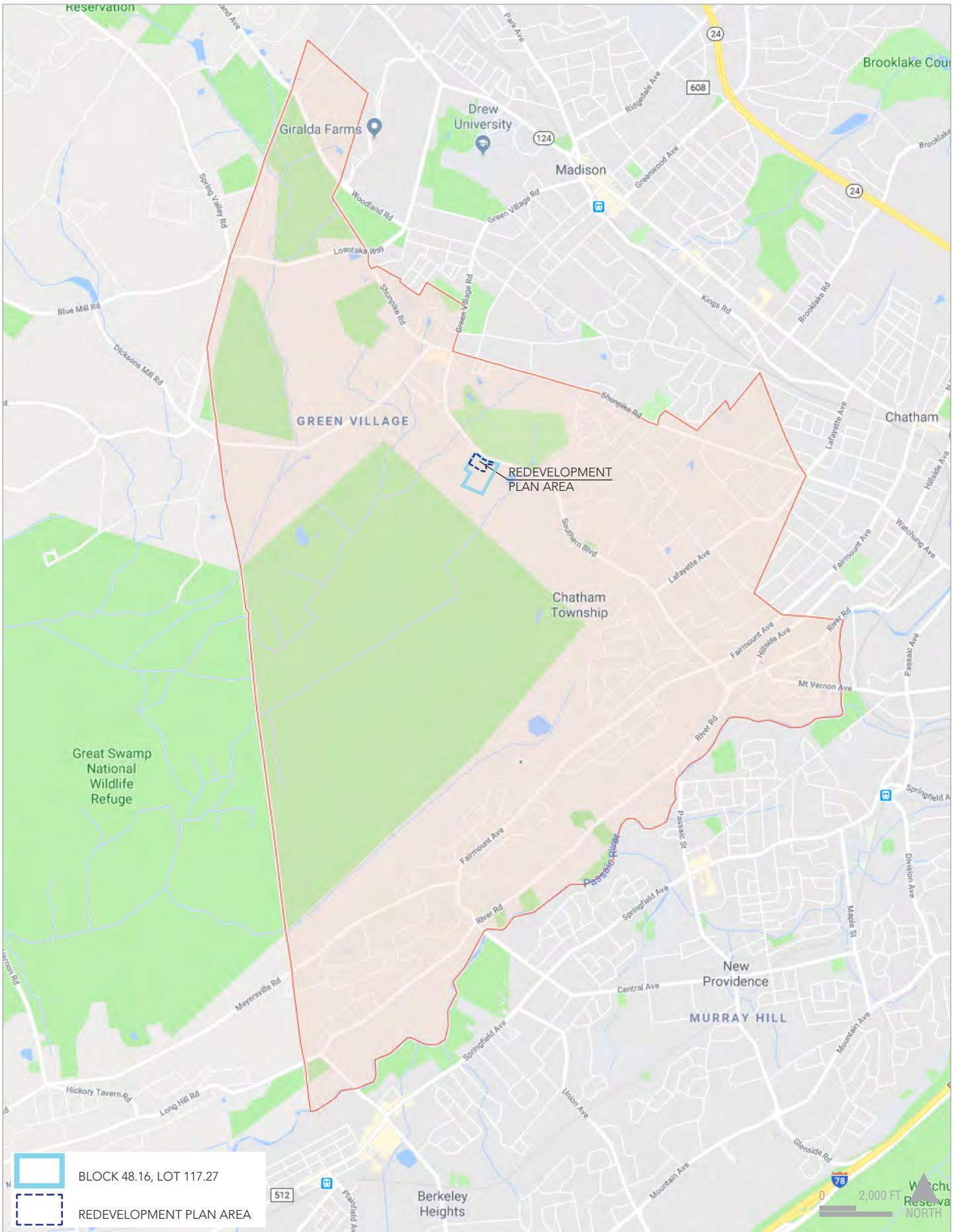
The Redevelopment Area is currently and has long been zoned for affordable housing. However, this Redevelopment Plan will supercede the underlying AH Affordable Housing Zone and will set forth specific Land Use and Building Standards (use, bulk and design requirements) which will make the development of 24 affordable housing units realistically possible within the 3.8 acre Redevelopment Plan Area. Aside from the 3.8 acre "Redevelopment Plan Area", the remainder of the Redevelopment Area ( $\pm$  11.9 acres) will continue to serve municipal purposes including police and public works in the future.

### 1.2 REDEVELOPMENT PLANNING PROCESS

The Local Redevelopment and Housing Law (LRHL) at NJSA 40:12A-1 et seq., details the process that a municipality must follow to designate a property as an "Area in Need of Redevelopment" and thereafter adopt a Redevelopment Plan for the property so designated.

Following the adoption of a Redevelopment Plan, a municipality is empowered to undertake the following actions:

- Clear any area owned or acquired and install, construct or reconstruct public infrastructure essential to the preparation of sites for use in accordance with the redevelopment plan.
- Contract for professional services.
- Contract with public agencies or redevelopers for the undertaking of any project or redevelopment work.
- Negotiate and collect revenues from a redeveloper to defray the costs of the redevelopment entity.
- Lease or convey property or improvements to any party without public bidding.



**FIGURE 1: LOCATION OF REDEVELOPMENT PLAN AREA**  
 Block 48.16, Lot 117.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018



FIGURE 2: TAX MAP OF REDEVELOPMENT PLAN AREA

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: <https://newjersey.maps.arcgis.com>



FIGURE 3: AERIAL PHOTOGRAPH OF REDEVELOPMENT PLAN AREA  
Block 48.16, Lot 117.27 Chatham Township, NJ  
BANISCH ASSOCIATES, INC. 2018

According to the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the Redevelopment Area which are sufficient to indicate:

1. Its relationship to definitive local objectives, including appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and public improvements;
2. Proposed land uses and building requirements;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
4. Identification of properties to be acquired, if any;
5. Any significant relationship of the Redevelopment Plan to the Master Plans of contiguous municipalities, the County and the State Development and Redevelopment Plan; and
6. Enumeration of deed-restricted affordable units in the redevelopment area and their disposition.

### 1.3 OVERVIEW OF REDEVELOPMENT PLAN AREA

The Redevelopment Plan Area is a 3.8-acre portion of a property identified on the official tax maps of the Township of Chatham as Block 48.16, Lot 117.27 (on Tax Map Sheet 38), which the Committee of the Township of Chatham previously designated as a Redevelopment Area. The Redevelopment Plan Area is located at 401 Southern Boulevard, and is situated within the Township's sewer service area. Figure 2 is a tax map showing both the designated "Redevelopment Area" (the full tax lot of Lot 117.27 of Block 48.16) and the 3.8 "Redevelopment Plan Area", which is the portion of the larger Redevelopment Area for which this Redevelopment Plan is proposed.

The Redevelopment Area includes the Chatham Township Police Department offices near the front of the Redevelopment Area. The Redevelopment Area also houses the Department of Public Works facilities, situated toward the rear of the lot. Notably these portions of the Redevelopment Area are excluded from the Redevelopment Plan Area. Currently, the Redevelopment Plan Area includes the skate park which is located in the northwesterly portion of the Redevelopment Plan Area.

### 1.4 OVERVIEW OF REDEVELOPMENT PLAN FOR THE REDEVELOPMENT PLAN AREA

This Redevelopment Plan provides that the Redevelopment Plan Area, a 3.8 portion of the designated Redevelopment Area which is to be subdivided from the larger 15.7 acre property (Lot 117.27 of Block 48.16), will facilitate the development of twenty-four (24) affordable rental family units in two, 2-story apartment buildings. This Redevelopment Plan Area is to be subdivided off the overall 15.7 acre Redevelopment Area, and is to be conveyed to a third party for the construction, ownership and management of low and moderate income housing units. Such a development will conform to the requirements of the Fair Housing Act, the second round rules of the Council on Affordable Housing (COAH) and New Jersey Housing and Mortgage Finance Agency (NJHMFA), as applicable. The Redevelopment will also comply with the terms and

conditions set forth in the Settlement Agreement between Fair Share Housing Center and the Township of Chatham, if such an agreement is reached.

## Chapter 2. CONTEXT, VISION AND GOALS

### 2.1 LAND USE CONTEXT

The prevailing land uses in the Township are residential, with low density rural areas to the north and medium density residential neighborhoods in the central and southern portions of the Township. High density apartments and townhouses are clustered in two principal areas - in the northern part of the Township between Green Village Road and Southern Boulevard, and north of Shunpike Road, and in the southern part of the Township along River Road.

The Redevelopment Plan Area is less than 8/10<sup>ths</sup> of a mile from the commercial center in Chatham Township, which is situated along Green Village Road, Southern Boulevard and Shunpike Road.

The area immediately surrounding the Redevelopment Plan Area is dominated by open space/recreational uses, such as the Fairmount Country Club to the north and southeast, and Noe Pond Club immediately east. To the northwest of the Redevelopment Plan Area is Chatham Hills, formerly the King James Care Center, and to the east lies the vast Great Swamp National Wildlife Refuge.

### 2.2 VISION FOR THE REDEVELOPMENT PLAN AREA

Chatham Township has spent the past several years examining opportunities for the development of affordable housing to address its constitutional fair share obligation. Primary among the Township's objectives has been the identification of realistic opportunities for the creation such affordable housing. This Redevelopment Plan is part of a broader effort of the Township to utilize inclusionary development to meet its fair share obligation. In this particular case, the affordable housing component of a new 100% market rate townhouse development which is to occur on Lot 1 of Block 66 (referred to as the "Dixiedale" project) will be transferred to the Redevelopment Plan Area, in which the development of a 100% affordable, 24-unit family rental apartment project will be undertaken by the designated redeveloper.

The development of affordable housing within this Redevelopment Plan Area is part of the Township's plan to meet its prospective need obligation for the Third Round, that is, the period between 1999-2025. The Redevelopment Plan Area is well-situated and suitable to provide for affordable family rental apartments, having sufficient developable land to accommodate the development as well as all necessary infrastructure and roadway access.

### 2.3 GOALS

This proposed Redevelopment Plan is consistent with Chatham Township's Master Plan, which has identified the following two broad goals related to housing:

- Preserve the desirability of the community and its neighborhoods by managing the scale of new and expanded buildings and alterations to their landscapes.

This site is well situated for the provision of affordable housing to assist in meeting the Township's constitutional obligation, being situated adjacent to a residential health care facility, proximate to a commercial district, and located within an open space setting where the enhanced density will not have a deleterious impact on adjoining neighbors. The proposed development of two, 2-story building comprising 24 units of multi-family housing in this location is compatible with the surrounding uses, and consistent with the underlying AH-Affordable Housing zoning.

- Promote a balance of housing types for all segments of the population.

The Redevelopment Area of which the Redevelopment Plan Area is a part, has long been zoned for affordable housing within the Township, whose purpose has been to assist the Township in meeting its constitutional fair share obligation. However, until now, no viable plan for the realization of such housing has emerged. Through the adoption of this Redevelopment Plan, a new public-private partnership initiative will provide a realistic opportunity for 24 affordable family units to be constructed and occupied at this location.

These Master Plan goals and objectives serve as a to guide this to Redevelopment Plan, and will ensure that the new development will blend into the current landscape of the Redevelopment Area, harmonize with nearby neighborhoods, and enhance the quality of life for residents of Chatham Township.

## Chapter 3. LAND USE AND BUILDING REQUIREMENTS

### 3.1 APPLICABILITY

This Redevelopment Plan shall supercede Chatham Township's Land Development regulations as they pertain to the Redevelopment Plan Area (Chapter XXX of the Chatham Township Code). The development shall adhere to the requirement set forth herein as it relates to permitted uses, bulk, area and yard requirements, as well building and site plan design requirements, landscaping and open space requirements, utility service requirements, and low and moderate income housing requirements.

### 3.2 ILLUSTRATIVE CONCEPTUAL SITE AND ARCHITECTURAL PLANS

This Redevelopment Plan provides for the development of 24 affordable family rental units in two (2) 2-story residential apartment buildings. A concept site plan (see Figure 4 Conceptual Site Plan for the Redevelopment Plan Area) and conceptual architectural floor plans and conceptual perspective renderings and elevations (see Figures 5 through 9 for a Conceptual Perspective Rendering and Elevations, and Figures 10 and 11 for Conceptual Floor Plans) are included herein to illustrate the intended development configuration and architectural style. It is the intention of the redeveloper and the requirements of the Township as set forth in this Redevelopment Plan, that the development will be built much like these plans and elevations.

At the same time, the Redevelopment Plan also recognizes the unique challenges of developing the 24 affordable family rental units on this site in light of: existing Township uses to which it is adjacent within the designated Redevelopment Area; the necessity in 100% affordable housing projects to eliminate any cost generating requirements and improvements; as well as other limitations such as wetland buffer requirements, existing paved areas and topography. As such, the proposed development may require flexibility and deviations from the standards and requirements set forth in this chapter. The Planning Board may therefore, in its discretion, permit modifications and deviations from strict adherence to the requirements otherwise applicable where such adherence is not necessary in the interest of the public, and where the waivers or modifications are consistent with the intent and purpose of the underlying requirements and the interests of the Township. (See Section 6-3 of this report "Deviation Requests")

### 3.3 PERMITTED USES

#### A. Principal Uses

1. Multi-family apartments, as defined in Section 30-6 of the Chatham Land Development Ordinance.

#### B. Accessory Uses

1. Structures and facilities designed for recreation or community use for residents and their guests, including barbeque facilities.
2. Tot lots.
3. Walking paths.



- REFERENCES:
- BOUNDARY AND WETLANDS DELINEATION REPORT FOR THE PROPOSED DEVELOPMENT OF BLOCK 48.16, LOT 17.27, CHATHAM TOWNSHIP, NEW JERSEY, ELECTRONIC VERSION DATED JUNE 27, 2018.
  - FRESHWATER WETLANDS LETTER OF PROFESSIONAL OPINION FOR THE PROPOSED DEVELOPMENT OF BLOCK 48.16, LOT 17.27, CHATHAM TOWNSHIP, NEW JERSEY, P.W. 170801, DATED JUNE 29, 2018.

NO.	DATE	DESCRIPTION

CONSULTANT

ORIENTATION / KEY PLAN



CLIENT

PROJECT

SHEET TITLE



COAH BUILDING AT SKATE PARK

SP-1

PROJECT NO.: 0608-005  
 DATE: 10/01/2018  
 DRAWN BY: BRL  
 CHECKED BY: BRL  
 SCALE: 1"=40'  
 SHEET OF 1  
 SHEET NO.

FIGURE 4: CONCEPTUAL SITE PLAN FOR THE REDEVELOPMENT PLAN AREA  
 Block 48.16, Lot 17.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018  
 SOURCE: PS&S LLC



FIGURE 5: CONCEPTUAL PERSPECTIVE RENDERING  
Block 48.16, Lot 117.27 Chatham Township, NJ  
BANISCH ASSOCIATES, INC. 2018  
SOURCE: SUN HOMES



**EAST ELEVATION**



**NORTH ELEVATION**

note: vents & grills for hvac & plumbing have not been designed yet

**FIGURE 6: CONCEPTUAL ELEVATIONS - NORTH AND EAST ELEVATION FOR BUILDING 1**

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES



**WEST ELEVATION**



**SOUTH ELEVATION**

**FIGURE 7: CONCEPTUAL ELEVATIONS - WEST AND SOUTH ELEVATIONS FOR BUILDING 1**

Block 48.16, Lot 117.27 Chatham Township, NJ  
BANISCH ASSOCIATES, INC. 2018  
SOURCE: SUN HOMES



**EAST ELEVATION**

note: the building height as marked is based on design grade. Topo is not yet available, and the max height as measured from existing grade will be provided at that time



**NORTH ELEVATION**

**FIGURE 8: CONCEPTUAL ELEVATIONS - EAST AND NORTH ELEVATIONS FOR BUILDING 2**

Block 48.16, Lot 117.27 Chatham Township, NJ

BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES



**WEST ELEVATION**



**SOUTH ELEVATION**

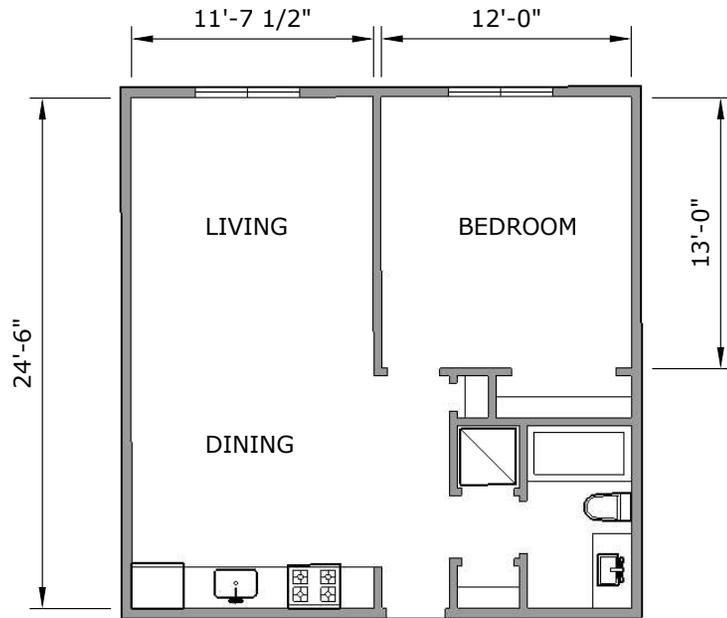
**FIGURE 9: CONCEPTUAL ELEVATIONS - WEST AND SOUTH ELEVATIONS FOR BUILDING 2**

Block 48.16, Lot 117.27 Chatham Township, NJ

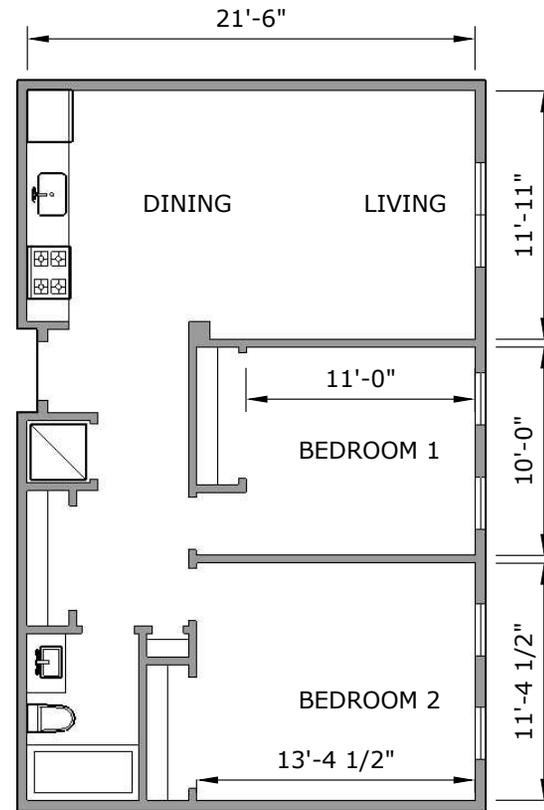
BANISCH ASSOCIATES, INC. 2018

SOURCE: SUN HOMES

note: minimum areas shown;  
 there are bay windows and  
 bumpouts for architectural reasons  
 in some plans

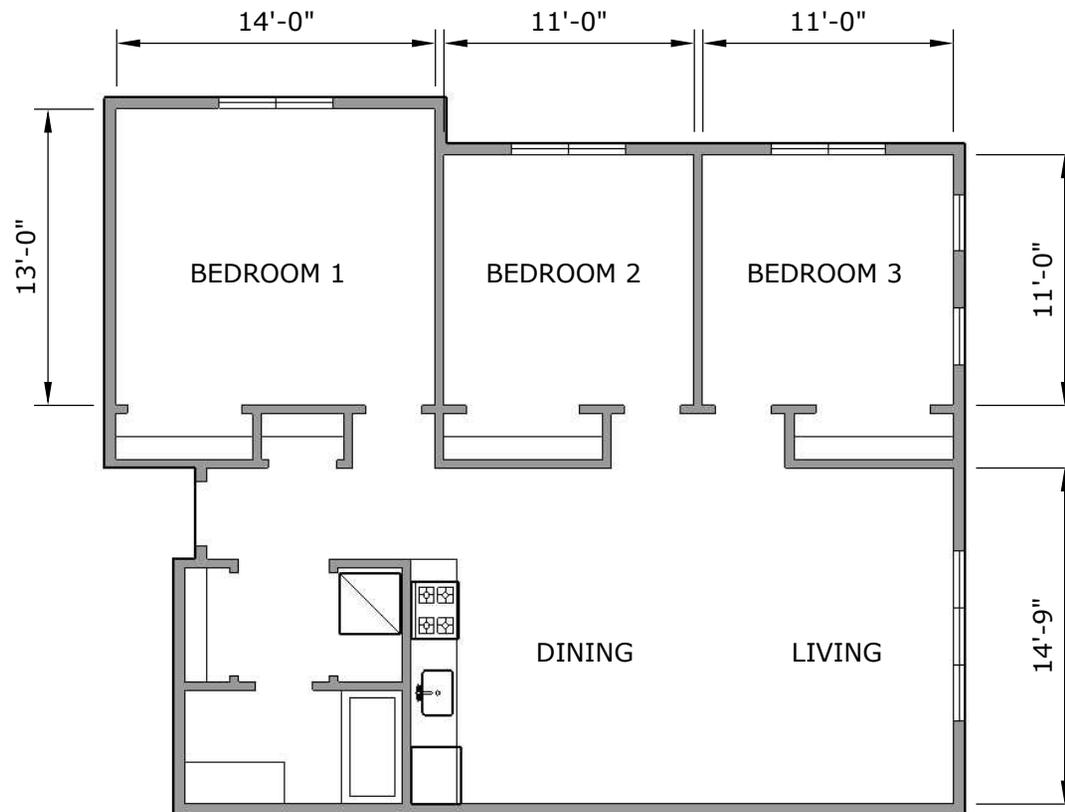


ONE-BEDROOM PLAN @ 1/8" = 1'-0"  
 638 SQUARE FEET  
 4 OF 24 UNITS



TWO-BEDROOM PLAN @ 1/8" = 1'-0"  
 784 SQUARE FEET  
 14 OF 24 UNITS

FIGURE 10: CONCEPTUAL FLOOR PLANS: TYPICAL ONE- AND TWO-BEDROOM UNITS  
 Block 48.16, Lot 117.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018  
 SOURCE: SUN HOMES



THREE-BEDROOM PLAN @ 1/8" = 1'-0"  
 1,084 SQUARE FEET  
 6 OF 24 UNITS

FIGURE 11: CONCEPTUAL FLOOR PLANS: TYPICAL THREE-BEDROOM UNITS  
 Block 48.16, Lot 117.27 Chatham Township, NJ  
 BANISCH ASSOCIATES, INC. 2018  
 SOURCE: SUN HOMES

4. Off-street parking, in accordance with RSIS standards.
5. Fences and walls in accordance with the requirements of Section 30-96.15 of the Chatham Land Development Ordinance.
6. Landscaping and screening in accordance with the requirements set forth in Section 3.7 of this report.
7. Outdoor lighting in accordance with the requirements of Section 30-96.22 of the Chatham Land Development Ordinance.
8. Outdoor structures for the storage of solid waste and recycling materials, with sufficient vehicular access for pick-up and removal.
9. One (1) double-sided monument sign composed of wood, stone, brick or masonry or the same material as used on the exterior of the principal buildings not to exceed 50 square feet in area or a height of greater than 4 feet, and a setback no closer than 10 feet from a property line.
10. Above-ground, at-grade, or below-ground utility structures and facilities required to provide gas, electricity, telephone, water, sewer cable television or other utility service. Utilities shall comply with the requirements set forth in Section 3.8 of this chapter.
11. Other accessory uses and structures which are customary and incidental to the principal permitted use.

### 3.4 BULK, AREA AND YARD REQUIREMENTS<sup>1</sup>

#### A. Minimum Standards

<b>Standard</b>	<b>Required/Permitted</b>
1. Lot Area	3 acres
2. Lot Frontage	150 feet
3. Setbacks of Principal Buildings to Property Line	
• Front	35 feet
• Side	10 feet
• Rear	25 feet
4. Distance between Two Principal Buildings on the lot	20 feet
5. Setbacks of Tot Lots or Trash Enclosures:	
a. To Property Line	
• Front	20 feet
• Side	10 feet
• Rear	10 feet

---

<sup>1</sup> Development within the Redevelopment Plan Area shall be exempt from the setback requirements for the location of cell towers as set forth in Section 30.99.9b of the Chatham Township Code. Also, for the purpose of the subdivision to create the lot in which the Redevelopment Plan Area as defined herein will take place, none of the requirements of the Chatham Township Code relating to the setback of lot lines of the Redevelopment Plan Area from adjacent building, structures, lot lines and other improvements shall apply.

- 6. Setback of Parking:
  - a. To property lines
    - Front 8 feet
    - Side 4 feet
    - Rear 4 feet
  - b. To buildings 10 feet
- 7. Number of Parking Spaces 1.5 spaces/dwelling unit<sup>2</sup>

**B. Maximum Standards**

<b>Standard</b>	<b>Required/Permitted</b>
1. Building Coverage	15%
2. Impervious Coverage	30%
3. Building Height <sup>3</sup> <ul style="list-style-type: none"> <li>• Principal Buildings</li> </ul>	2 stories/35 feet
4. Number of dwelling units	24 dwelling units

### 3.5 BUILDINGS AND SITE PLAN DESIGN

1. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with RSIS standards; provided, however, that, upon recommendation of the Township Engineer, the requirement of curbing may be waived or modified when found not to be needed for control of storm water, protection of pavement and similar purposes.
2. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, internal roadways shall be at least twenty-four (24) feet in width for two (2)-way traffic and twelve (12) feet in width for one (1)-way traffic and shall not enter a street within fifty (50) feet of an existing intersection. Driveways leading from internal roadways to parking areas shall be at least twenty (20) feet in width. Parking on internal roadways and driveways shall be prohibited.
3. The arrangement and location of garages, parking areas and internal roadways shall be subject to approval of the Planning Board at site plan approval and shall be designed to insure maximum safety, proper circulation and maximum convenience for residents and their guests.

### 3.6 DESIGN REQUIREMENTS

1. Architectural elevations and floor plans shall be provided at site plan application for each building.
2. The length of a building shall not exceed 225 feet.

---

<sup>2</sup> A de minimus exemption from the parking requirements of New Jersey’s Residential Site Improvement Standards (RSIS) will be required.

<sup>3</sup> Building height for the purposes of this Redevelopment Plan shall be measured as the vertical distance from the average post-development ground elevation as measured at the corners at the perimeter of the building to a horizontal plane projected from the highest point of the roof.

3. Variations in set-back, materials, colors and design including breaks in the building façade shall be encouraged to break up the appearance of the mass of the building. The building façade shall be broken into façade segments. The building façade shall have off-sets every 40 feet, with set back or bump out sections being 1 ½ feet or more in depth.
4. Primary exterior materials shall be consistent with materials utilized for surrounding buildings and may include cedar impression vinyl siding, vinyl siding, asphalt shingle roofing and cementitious or PVC trim.
5. A variety of materials and architectural features are to be used, for example, to distinguish first floor from the second floor, to distinguish the top floor from the lower floor, and to highlight building entrances.
6. Sloping roofs are encouraged. If flat roofs are provided, they shall incorporate design techniques to shield any roof mounted equipment.
7. Rooftop HVAC and mechanical equipment, if used, shall be aesthetically shielded by peak roof inserts.
8. All apartment buildings and all accessory buildings and structures shall be designed in a unified architectural style.
9. Architectural design and materials used in the construction of accessory buildings shall be similar to or complement those of the principal buildings.
10. There shall be a minimum gross floor area for the dwelling units in the project as follows: for 1-bedroom units, 620 square feet; for 2-bedroom units, 750 square feet; and for 3-bedroom units, 1,000 square feet. Each dwelling unit shall contain as a minimum, a separate living room, a separate bedroom, a separate bath, and a kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
11. Storage space with a door or other means of separate access containing a minimum of forty (40) square feet of floor area and a minimum volume of three hundred (300) cubic feet shall be provided for each dwelling unit in the principal building, within the dwelling unit itself, or in a basement of the building in which the units are located.

### 3.7 LANDSCAPING AND OPEN SPACE

1. A minimum of 15 percent of the site area shall be specifically set aside for conservation, recreation, and/or other open space, and shall not include stormwater detention facilities or other structural or infrastructure improvements.
2. The tree replacement requirements of the Township's Tree Protection Ordinance (§22-5.4 and 5.5) shall be adhered to.
3. The minimum required open space area may be wetlands, wetlands buffer, or land within a 100-year flood plain.
4. Common open space, where improved, shall be attractively landscaped with grass lawns, trees and shrubs. Where possible, provision shall be made for the preservation of existing trees and natural features including those in designated critical areas (such as within wetland buffer areas). All proposed landscaping,

- including existing and new trees, shrubs and natural screening shall be shown on a landscape plan and submitted to the Planning Board for approval at site plan review.
5. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, sidewalks or walkways constructed in accordance with the Township specifications shall be provided in such locations and of such widths as required and approved by the Planning Board to insure safe and convenient pedestrian traffic.
  6. Effective screening by fences, walls or landscaping shall be provided to shield parking areas and other common facilities from view of adjoining residential properties.
  7. Adequate outdoor lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential property.

### 3.8 UTILITY SERVICES

1. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
2. Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
3. All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
4. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the townhouse dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
5. Suitable provision shall be made for the orderly on-site storage and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of the Township Recycling Ordinance.

### 3.9 MUNICIPAL COOPERATION WITH UTILITIES

- A. The Township shall confirm in writing its support for the submission of applications for all utilities (including specifically water and sewer), and all necessary governmental agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the redeveloper. Specifically, the Township shall assist the redeveloper in obtaining such approvals with Morris County, New Jersey Department of Transportation and the New Jersey Department of

Environmental Protection and any other public or private entity with which the redeveloper must deal in order to develop the approved site plan.

### 3.10 LOW AND MODERATE INCOME HOUSING REQUIREMENTS

- A. Low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for required bedroom mix, (not more than 20% 1-bedroom units; not less than 20% 3-bedrooms; and the remainder 2-bedrooms), and the following income distribution: 4 very low income units (16.7%), 8 low income units, (33.3%) and 12 moderate income units (50%).
  1. Affordable housing units shall be affordable family rentals and shall not be age-restricted.
  2. The Township designated Affordable Housing Administrator shall be responsible for affirmatively marketing, administering and certifying the occupants of each affordable unit, with all administrative costs to be paid by the redeveloper/owner of the affordable units.

## Chapter 4. REDEVELOPMENT ACTIONS

### 4.1 OUTLINE OF PROPOSED ACTIONS

Construction of new affordable housing structures and other improvements shall take place as proposed in this Redevelopment Plan in tandem with the development of up to 54 fee simple townhouses at Dixiedale (Block 66, Lot 1) in accordance with a phasing schedule to be set forth in the Redevelopment Agreement.

The existing Skate Park within the Redevelopment Plan Area shall be completely demolished and removed by the designated redeveloper. Since the Skate Park is within a designated wetland buffer area, the land upon which the Skate Park is currently developed will be restored in accordance with the requirements of the New Jersey Department of Environmental Protection. The cost of such removal and restoration shall be borne by the redeveloper.

The redeveloper will be required to enter into a Redevelopment Agreement with the Township that stipulates the precise nature and extent of the improvements to be made. Their timing and phasing shall be governed as required therein.

### 4.2 PROPERTIES TO BE ACQUIRED

This Redevelopment Plan will not require Chatham to acquire any privately- or publicly-owned property within the Redevelopment Area.

### 4.3 RELOCATION

This Redevelopment Plan will not require displacement or relocation of any residents or businesses.

### 4.4 ADMINISTRATIVE PROVISIONS

Redevelopment activities within the Redevelopment Plan Area shall comply with all requirements in any executed Redevelopment Agreement between the designated redeveloper and the Township of Chatham.

## Chapter 5. PLAN CONSISTENCY REVIEW

### 5.1 RELATIONSHIP TO MASTER PLANS OF ADJOINING MUNICIPALITIES

The Redevelopment Plan Area is adjacent to the Great Swamp. Madison is the municipality closest to the subject property, being approximately ½ mile away. Given such a distance, the redevelopment of the Redevelopment Plan Area will not have any discernable impact on the Madison Master Plan.

The Redevelopment Plan Area is more than one mile from Chatham Township's borders with other surrounding municipalities; as such, its development will have no impact on these municipalities.

### 5.2 RELATIONSHIP TO THE MORRIS COUNTY MASTER PLAN

The Morris County Master Plan (adopted 1975) includes a *Future Land Use Plan* map that identifies the Hickory Tree area as a "Local Center". The intent of the County Plan was to organize growth in and around centers; the Redevelopment Plan Area is consistent with this objective. The County Plan was ahead of its time in many respects, including its focus on center-based growth and protecting environmental resources – also one of the primary organizing principles of the State Development and Redevelopment Plan.

The County's Future Land Use Plan also includes a statement of eight goals for the future of Morris County. Goal 6 is the "Provision for a variety of individual choices in life styles and living spaces." The Plan notes that historically, Chatham Township residents have preferred single family housing, but that "other types of housing are often preferred by sub-segments of a demographically mixed population; the elderly and the newly-married, for instance, have no need for large living areas." This Redevelopment Plan increases the diversity of housing choice within Chatham Township and is thus consistent with this goal of the Morris County Master Plan.

### 5.3 RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

The site lies in Metropolitan Planning Area 1 (PA-1) of the SDRP. The SDRP has been crafted as a growth management plan and PA-1 is the principal area in which the SDRP promotes growth, including higher density residential development.

PA-1 is a preferred location for affordable housing development as it generally includes diverse land uses that support the needs of households.

Relevant objectives for the PA-1 Metropolitan Planning Area, identified in the stated intent of the State Plan, includes the following, which are supported by this Redevelopment Plan:

- Provide for much of the State's future development and redevelopment;
- Take advantage of increased densities and compact building design;
- Encourage distinctive, attractive neighborhoods with a strong sense of place; and

- Create a wide range of residential housing opportunities and choices with income mix.

Furthermore, one of the adopted housing policies of the SDRP which is specifically advanced by this Redevelopment Plan, is set forth in the excerpt below:

*#6. Housing – Preserve and expand the supply of safe, decent and reasonably priced housing while meeting the constitutional mandate with respect to affordable housing through improved planning, regulatory reform, supportive infrastructure investments, housing subsidies, tax and discounted dee incentives and municipal property tax relief in ways that are consistent with the vision and goals of the State Plan. (emphasis added)*

## Chapter 6. GENERAL PROVISIONS

### 6.1 AMENDMENT TO ZONING MAP OF CHATHAM TOWNSHIP

The Zoning Map of the Township of Chatham is hereby amended to indicate the location of the Redevelopment Plan Area as set forth in this Redevelopment Plan.

### 6.2 DEFINITIONS

With respect to the intent and meaning of all words and terms used in this Redevelopment Plan, the “Definitions” section of the Township’s Land Development Ordinance shall govern unless as otherwise defined herein.

### 6.3 DEVIATION REQUESTS

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan (inclusive of both bulk and design requirements set forth in Chapter 3), 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 areas, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an applicant relating to a specific piece of property where the purposes of the 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 without substantial impairment of the intent and purpose of the Redevelopment Plan. Any deviation that would require “d” variance in accordance with the Municipal Land Use Law, NJSA 40:55D-70d et seq., shall require an amendment to the Redevelopment Plan by the Township Committee. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice as set forth in N.J.S.A. 40:55D-12a and b.

### 6.4 SITE PLAN AND SUBDIVISION REVIEW

Within the Redevelopment Area, subdivisions and/or site plans providing for the demolition of existing improvements and construction of new buildings and other improvements shall be prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and shall be submitted by the redeveloper for review and approval by the Township of Chatham Planning Board.

To assure the comprehensive and coordinated development of the Redevelopment Plan Area, any application for subdivision and/or site plan approval submitted to the Chatham Planning Board shall be consistent with the terms of this Redevelopment Plan and shall include at least the following elements:

- A subdivision plan to show the portion of the Redevelopment Plan Area which is to be subdivided from the larger Redevelopment Area.

- A site plan for the Redevelopment Plan Area identifying land use types, building locations and heights, floor areas of each building and the number of residential units, with zoning tables indicating compliance with the bulk and design regulations set forth herein, and deviations to be requested.
- The site plan shall also show specific locations and details related to parking, loading vehicular access and circulation, pedestrian and bike paths, open space and recreational features and improvements.
- Architectural elevations and floor plans.
- A landscape plan.
- A utility plan.
- A stormwater management plan.
- A traffic study.
- An environmental impact assessment.
- A signage plan showing signage design and details.

No permits shall be issued for construction of buildings within the Redevelopment Plan Area until the Chatham Township Planning Board has granted final site plan approval for such improvements.

The criteria for the consideration and approval of the site plan shall be in conformance with the requirements of this Redevelopment Plan as set forth herein, the applicable site plan provisions of the Township of Chatham Land Use Ordinance which are referenced in this Redevelopment Plan, as well as the executed Redevelopment Agreement between the redeveloper and the Township of Chatham.

An application for site plan approval shall provide public notice as set forth in NJSA 40:55D-12a and b. All requested deviations (as identified pursuant to Section 6.3 above) shall be included in such notice.

#### 6.5 AFFORDABLE HOUSING

The redeveloper or their successor's, heirs, or assigns, shall be required as part of any redevelopment agreement between the redeveloper and the Township of Chatham to build, own, operate and maintain 24 units of affordable family-rental housing within the Redevelopment Plan Area. The affordable housing units are to be privately-financed, without public funds or low income housing tax credits, and constructed in accordance with the phasing schedule as set forth in Section 4.1 of this Redevelopment Plan.

#### 6.6 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.

#### 6.7 NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by any redeveloper or any of his or her heirs, successors or assigns, whereby the sale, lease, use or occupancy of land within the Redevelopment Plan Area is restricted on the basis of race, creed, color, sexual orientation or national origin. Appropriate covenants, running with the land in perpetuity, shall prohibit any such restrictions and shall be included in the disposition instruments.

#### 6.8 DURATION OF THE PLAN AND DEED RESTRICTION

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of the adoption of this Plan by the Township Committee. All units within the Redevelopment Plan Area will be deed restricted for low and moderate family occupancy for a period of thirty (30) years from the date of issuance of the certificate of occupancy. The Township of Chatham, at its option, may extend the deed restriction at the conclusion of the first thirty (30) year period.

## Chapter 7. OTHER PROVISIONS

### 7.1 STATEMENT ABOUT REDEVELOPMENT

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

- The Redevelopment Plan herein has delineated a definitive 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 Plan objectives.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Plan Area.
- The Redevelopment Plan does not envision a need to acquire privately-owned properties or to relocate any residents or businesses.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Township of Chatham and the Morris County Master Plan. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Land Development Regulations of the Township of Chatham regulating development within the Redevelopment Plan Area, except where stated otherwise within the text of this Plan. Final adoption of this Redevelopment Plan by the Township Committee shall be considered an amendment of the Township of Chatham Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment 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 Redevelopment Plan shall be deemed valid and effective.

### 7.2 PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee shall be paid pursuant to site plan fee schedule found in Section 126-35 “Fees” of the Chatham Township Code by the party requesting such amendment, unless the request is issued from any agency of Chatham Township. The Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.