

Prepared For:

Town of Kearny

402 Kearny Avenue

Kearny, NJ 07032

2014

Amended Passaic Avenue Redevelopment Plan



Prepared By:

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Amended

Passaic Avenue Redevelopment Plan

Town of Kearny
Hudson County, New Jersey

March 2014
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Introduction

Situated along the Passaic River just north of the Borough of East Newark, the Passaic Avenue Redevelopment Area has a total area of 86 acres including right-of ways, offering prospective developers up to 77 acres of redevelopable land within various parcels that are currently vacant or underutilized. A number of the former manufacturing sites within the Redevelopment Area are Brownfield sites, required by New Jersey Department of Environmental Protection (NJDEP) regulations to be remediated by the Responsible Parties.

The Town of Kearny first addressed the underutilization of these parcels in December of 2000 through formal declaration by the Town Council as an Area in Need of Redevelopment pursuant to the Local Housing and Redevelopment Law (40A:12A-1 et seq.). In October of 2001, the original Passaic Avenue Redevelopment Plan was subsequently adopted by the Town Council. This plan proposed a mixed-use district, a loft district, and a street-oriented district centered by two existing retail shopping centers.

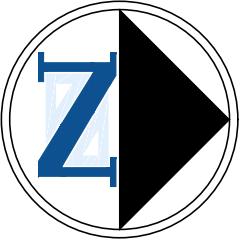
In 2007 the Town enlisted the services of Heyer, Gruel, & Associates to re-evaluate the Redevelopment Area and author a new Redevelopment Plan, refined to include an updated vision based on the Town's ever-changing needs. The vision of this Plan was one of mixed-use, residential, artist lofts, and commercial development. Similar to the original Redevelopment Plan, the revised Plan had limited success, as it was unable to incentivize current property owners and prospective developers to address the remediation of Brownfield properties or redevelop parcels free of environmental impacts.

In 2011, the Town issued a Request for Proposals in regards to a portion of the district. This RFP went without response from developers.

In June 2013, the New Jersey Department of Community Affairs (DCA), Local Planning Services (LPS) issued the Kearny Passaic Avenue Redevelopment Area Assessment Report. This report recommended that the Town of Kearny shift its vision for the district to better align with market conditions and attract capital both to clean up the Brownfields and redevelop the district. Local Planning Services further concluded that a new Redevelopment Plan and Zone Plan should be developed with the focus of encouraging medium to large box retail and pad sites that will accommodate both walk-in and limited drive-through uses. Conceptually, the DCA report identified this retail vision could yield up to 541,000 square feet of new commercial retail, stimulate pedestrian linkage and streetscape improvements along Passaic Avenue, and support planning of a new riverwalk along the Passaic River.

In response to the DCA Assessment Report, the Town of Kearny directed the Town Attorney to solicit qualified plans to prepare a new Redevelopment Plan. The Town has since authorized Neglia Engineering Associates to prepare this Plan.

NORTH



LEGEND

ITEM

MUNICIPAL BOUNDARY

PASSAIC AVENUE REDEVELOPMENT AREA

SYMBOL

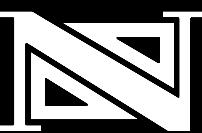


FIGURE 1 - CONTEXT MAP

**PASSAIC AVENUE REDEVELOPMENT PLAN
TOWN OF KEARNY, HUDSON COUNTY, NEW JERSEY**

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Statutory Requirements

As per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Redevelopment Plan shall indicate an outline for the planning, development, redevelopment, or rehabilitation of the Area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and 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;
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 local housing market;
4. An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan;
5. Any significant relationship between the Redevelopment Plan and the Master Plans of contiguous municipalities, the Master Plan of the County in which the Plan is located, and the State Development and Redevelopment Plan adopted pursuant to the State Planning Act: P.L. 1985, c.398 (C.52: 18A-196 et al.).

Planning Context

The Passaic Avenue Redevelopment Plan is structured to assimilate the Town of Kearny with large-scale economic and physical changes that are taking place within the region as well as statewide. These include:

- Adaptive reuse and redevelopment of underutilized industrial land to create new economic opportunities in commercial and residential real estate.
- Reclamation of former industrial waterfronts as a place to live, work, and play.
- Reorganization of the local economy to encourage new private investment.
- Alignment with the New Jersey State Development and Redevelopment Plan to stimulate new development within the footprint of existing developed areas such as Brownfields and urban centers.
- Rediscovery of housing opportunities within urban areas promoted by convenience and accessibility to state of the art amenities, balancing the live/work relationship.

Vision

To achieve the vision of establishing Passaic Avenue as a vibrant, mixed-use, waterfront destination, this Plan focuses on redevelopment of vacant and underutilized parcels as newly permissible land uses structured to provide a perfect complement to the existing commercial development of adjacent parcels in the area. This Plan recognizes the inherent value of the Passaic River waterfront as a socio-economic asset to the Town of Kearny. To that end, the Town is ever mindful of the limitations imposed by Brownfield cleanup requirements and has actively pursued State and Federal incentive programs for the assistance to stimulate the redevelopment of Kearny's Passaic Avenue transportation corridor and waterfront property.

Plan Goals

The main goal of this Plan is to stimulate cohesive redevelopment of the Passaic Avenue Redevelopment Area through implementation of modern aesthetic and design standards which provide redevelopers with flexibility in continued response to changing market demands. Successful redevelopment will improve the Town's tax revenue, create new job and housing opportunities and promote both active and passive recreation along the Passaic River waterfront. More specifically, this redevelopment Plan has the following goals;

- Encourage the development of a Passaic River waterfront park and walkway to serve as a destination for both active and passive recreation.
- Stimulate private investment in the local economy of the Redevelopment Area.
- Create new job opportunities.
- Create new housing opportunities.
- Create new shopping and entertainment opportunities.
- Establish modern aesthetics and architectural features.
- Integrate with adjacent neighborhoods by assuring strong physical linkages and appropriate infill development.

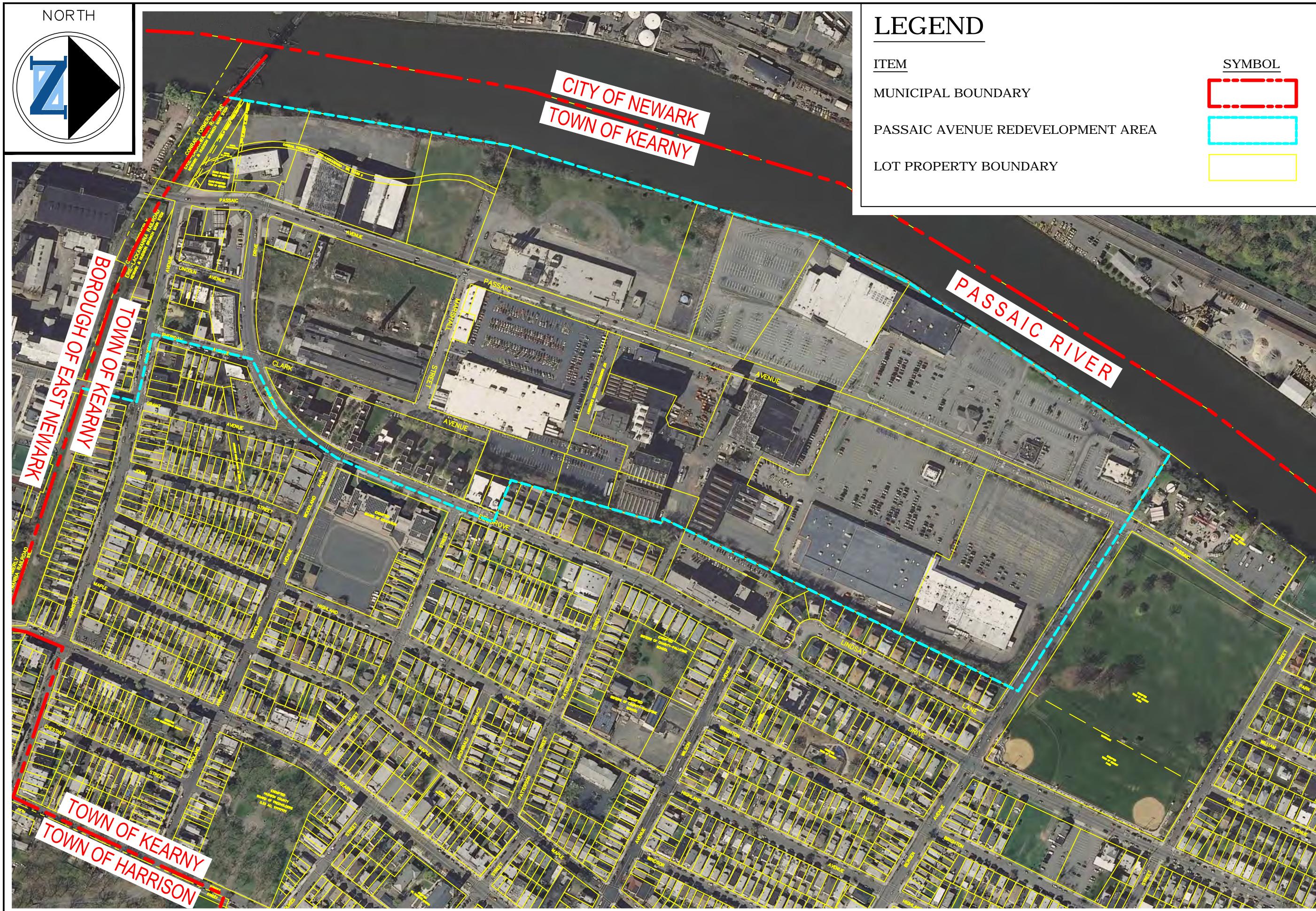


FIGURE 2 -- REDEVELOPMENT AREA MAP
PASSAIC AVENUE REDEVELOPMENT PLAN
TOWN OF KEARNY, HUDSON COUNTY, NEW JERSEY

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Geography of Kearny

The Town of Kearny is located in the northwest corner of Hudson County, New Jersey. It sits between the Hackensack River to the east and the Passaic River to the west whose confluence forms the Newark Bay. Kearny borders the Borough of North Arlington and the Town of Lyndhurst to the north and the Towns of East Newark and Harrison to the southwest. The Town is 9.3 square miles in total area, divided into three distinct areas; the Uplands, Kearny Marsh, and South Kearny Peninsula.

The Uplands

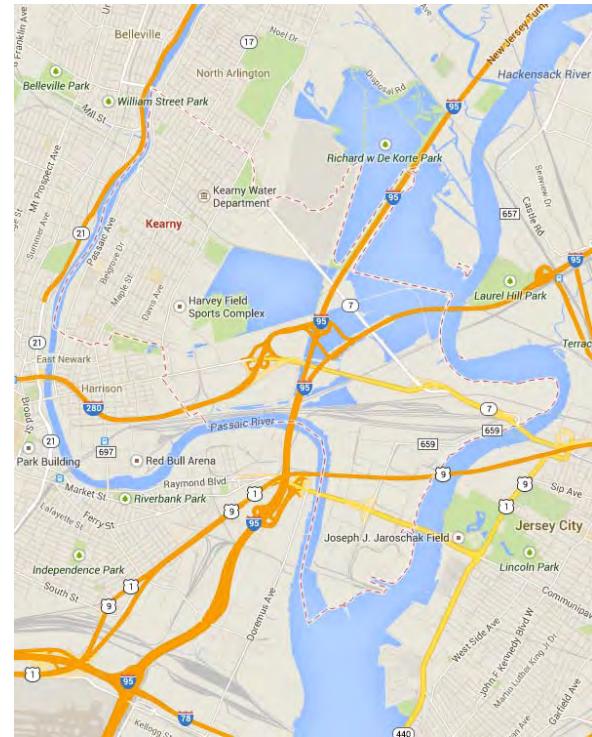
The Uplands are located between the Passaic River to the west and the Kearny Marsh to the east. The Uplands are predominantly developed as residential and commercial real estate situated along transportation corridors such as Passaic Avenue, Schuyler Avenue, and Kearny Avenue. These transportation corridors connect the Uplands to the central business districts of the Towns of Harrison and East Newark and the Borough of North Arlington.

Kearny Marsh

The Kearny Marsh is the southern terminus of the Hackensack Meadowlands ecosystem. Located between the Uplands to the west and the Hackensack River to the east, these low-lying lands accounts for roughly 60% of the Town's total acreage. The Meadowlands have severe development constraints established to protect both the wetlands and the countless species of flora and fauna native to the area. Both planned development and conservation efforts fall under the jurisdiction of the New Jersey Meadowlands Commission (NJMC). In their May, 2000 Redevelopment Plan, the NJMC identified three separate sites within the Kearny Meadows for retail, light industrial and heavy industrial development.

South Kearny Peninsula

The South Kearny Peninsula is bound by the confluence of the Hackensack and Passaic Rivers, forming the Newark Bay to the south. The peninsula's isolation from residential areas has historically limited the area to predominantly industrial uses. However, its proximity to major



Town of Kearny Location Map

shipping, trucking and rail transportation routes has established stability to South Kearny as an industrial center within the New York metropolitan area.

Transportation

Kearny is located near several major transportation routes, namely the New Jersey Turnpike (Interstate 95), Interstate 280, US Routes 1&9, 3, 7, 17 and 21. Newark Airport and the Ports of Elizabeth, Newark, Jersey City and Bayonne are all in close proximity. Additionally, the passenger and freight rail lines that traverse Kearny serve as a primary connection between the New York metropolitan area and the continental United States.

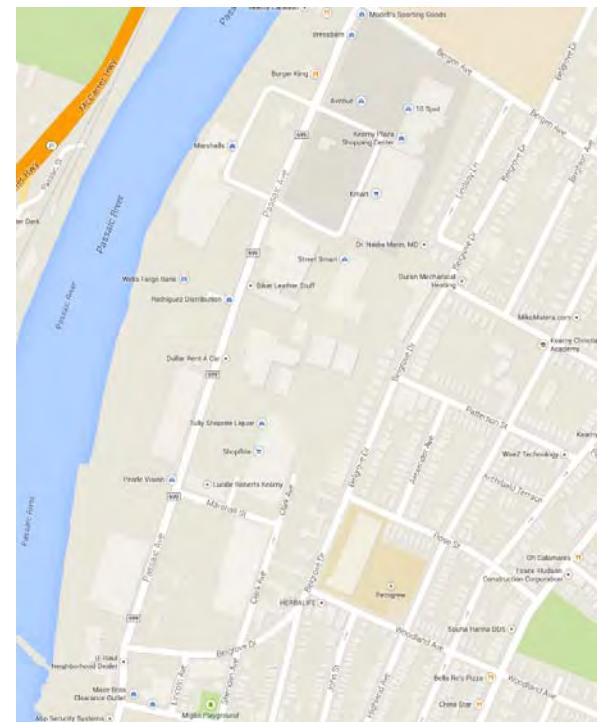
The Passaic Avenue Redevelopment Area is located on the western boundary of Kearny. It's easily accessible both to and from Bergen Avenue and US Route 21. Hudson County Route 699, known locally as Passaic Avenue, bisects the Redevelopment Area serving as its primary transportation artery.

Passaic Avenue (CR-699)

Passaic Avenue runs north/south along the Passaic River with one lane in each direction for the majority of its length. It has been improved to two lanes in each direction with center left turn lanes within the northern section of the Redevelopment Area. Curb to curb, the road is approximately 36 feet wide in its narrowest and 60 feet wide in its widest sections. Within the Redevelopment Area there are three traffic signals located at the Bergen Avenue / Passaic Avenue intersection, the Belgrove Drive / Passaic Avenue intersection and the Pathmark / K-mart driveways. On-street parking is prohibited.

Bergen Avenue

Bergen Avenue intersects Passaic Avenue at the northern terminus of the Redevelopment Area and runs southeast through its intersection with Schuyler Avenue. Within the last decade Bergen Avenue has been extended to connect with Harrison Avenue. Curb to curb, the road is approximately 42 feet wide. At the signalized T-intersection with Passaic Avenue, westbound Bergen Avenue consists of a left turn lane and a



Passaic Avenue Area Map

right turn lane. On-street parking is generally permitted with the exception of the within the Redevelopment Area.

Clark Avenue

Clark Avenue runs one-way from Johnston Avenue to just north of Marshall Street here it dead ends at the service entry at the rear of the ShopRite development. Curb to curb, the road measures approximately 30 feet wide. On-street parking is permitted.

Marshall Street

Marshall Street runs east/west, with one lane in each direction, between T-intersections with both Passaic Avenue and Clark Avenue. Marshall Street provides access to the ShopRite development as well as industrial properties. On-street parking is permitted.

Belgrove Drive

Belgrove drive runs east/west, with one lane in each direction, along the southern end of the Redevelopment Area as well as north/south along its eastern boundary. Its terminus is at a T-intersection with Passaic Avenue. Washington Elementary School is located at the intersection of Belgrove Drive and Woodland Avenue. Curb to curb, the road measures approximately 40 feet. On-street parking is generally permitted.



Washington Elementary School

Kearny Urban Enterprise Zone (KUEZ)

In 1985, Kearny was selected as one of ten original communities for establishment of an Urban Enterprise Zone (UEZ) to help offset the state-wide economic impact of deindustrialization. Locally this was particularly identifiable by the closing of the Western Electric facility in South Kearny. Over the last 30 years this program has grown to include thirty-seven Urban Enterprise Zones under contractual agreement with the State of New Jersey.



Urban Enterprise Zone Identification Signage

The Kearny Urban Enterprise Zone (KUEZ) overlays roughly 20% of the Town's total area and over 95% of its major business districts. It is unique in comparison to other UEZs within the State, as it includes both retail and industrial sales sectors. The KUEZ provides the local business community with several competitive advantages that reduce operating costs including the following;

- 50% reduction in New Jersey sales tax charged to in-person customers
- Sales tax exemption on a variety capital purchases and tangible personal property
- Corporate employee tax credits
- Subsidized unemployment insurance costs through rebate
- Priority funding from the State of New Jersey
- Professional organization

The Kearny Urban Enterprise Zone Department also administers the Town's economic redevelopment projects while offering existing and prospective small and large businesses and investor's access to additional public and private sector financial incentives. Since its establishment in 1985, the Kearny UEZ has invested over twenty-seven million dollars of sales and use taxes collected by qualified retailers in the KUEZ. This funding supports continued improvements to the local business environment and the quality of life for residents, shoppers from the region and those employed by Kearny's industrial businesses spread across the Meadowlands through South Kearny and the Kearny Foreign Trade Zone.

Build Environment

Present Land Use

The Redevelopment Area currently consists of a mix of industrial, residential and commercial real estate built during the first half of the 20th century. Many parcels have become vacant or underutilized as the American manufacturing industry dwindles in the wake of deindustrialization.

The Area also contains several modern commercial developments such as supermarkets, shopping centers, and gas stations that were built after the establishment of Passaic Avenue as a primary transportation route within Hudson County. Characterized by dense developments with vast at-grade parking areas, the Redevelopment Area currently lacks cohesion between land uses and common aesthetic elements.



**Vacated Commercial and Industrial Properties
Along Passaic Avenue**

Constraints

- 100-year and 500-year floodplains
- Contaminated sites with Brownfield designation
- Poor pedestrian and vehicular circulation between sites
- Lack of pedestrian connection to adjacent residential areas
- Lack of pedestrian amenities
- Limited public access to the waterfront

Opportunities

- Waterfront development
- 30-foot waterfront walkway and passive recreation easement
- Improved pedestrian and vehicular circulation between sites
- Improved pedestrian connections to adjacent residential areas
- Modern aesthetics and architectural features
- Visual definition of the Redevelopment Area through establishment of gateways

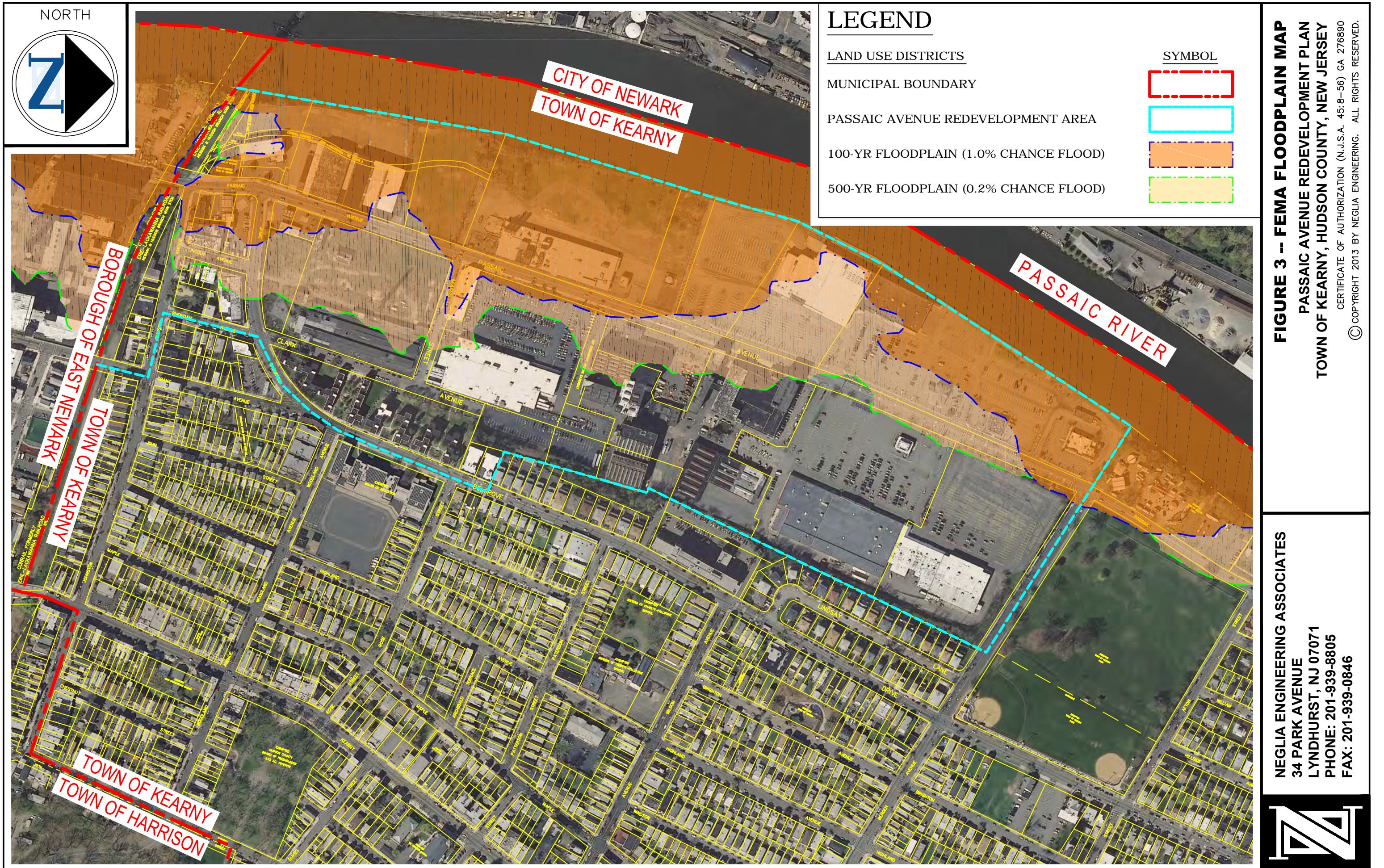




FIGURE 4 ... BROWNFIELD DEVELOPMENT AREA MAP

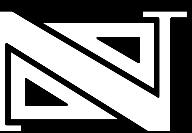
PASSAIC AVENUE RENEWAL PLAN
TOWN OF KEARNY, HUDSON COUNTY, NEW JERSEY

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Features of the Redevelopment Plan

Circulation Improvements

A primary goal of this Redevelopment Plan is to improve the efficiency, functionality and aesthetics of the Area. Traffic flow improvements are accomplished through consolidating access points to commercial areas along Passaic Avenue while also increasing accessibility from Bergen Avenue and Belgrove Drive. Improved connectivity within and between sites also results from the implementation of shared parking arrangements that encourage migration from a vehicle-dependent to pedestrian-oriented shopping experience. Enhanced pedestrian connections between the Town and the Area are stimulated by streetscape amenities such as street trees, benches, integrated landscaping, and wayfinding signage that provide a uniform pedestrian environment.

Waterfront Walkway

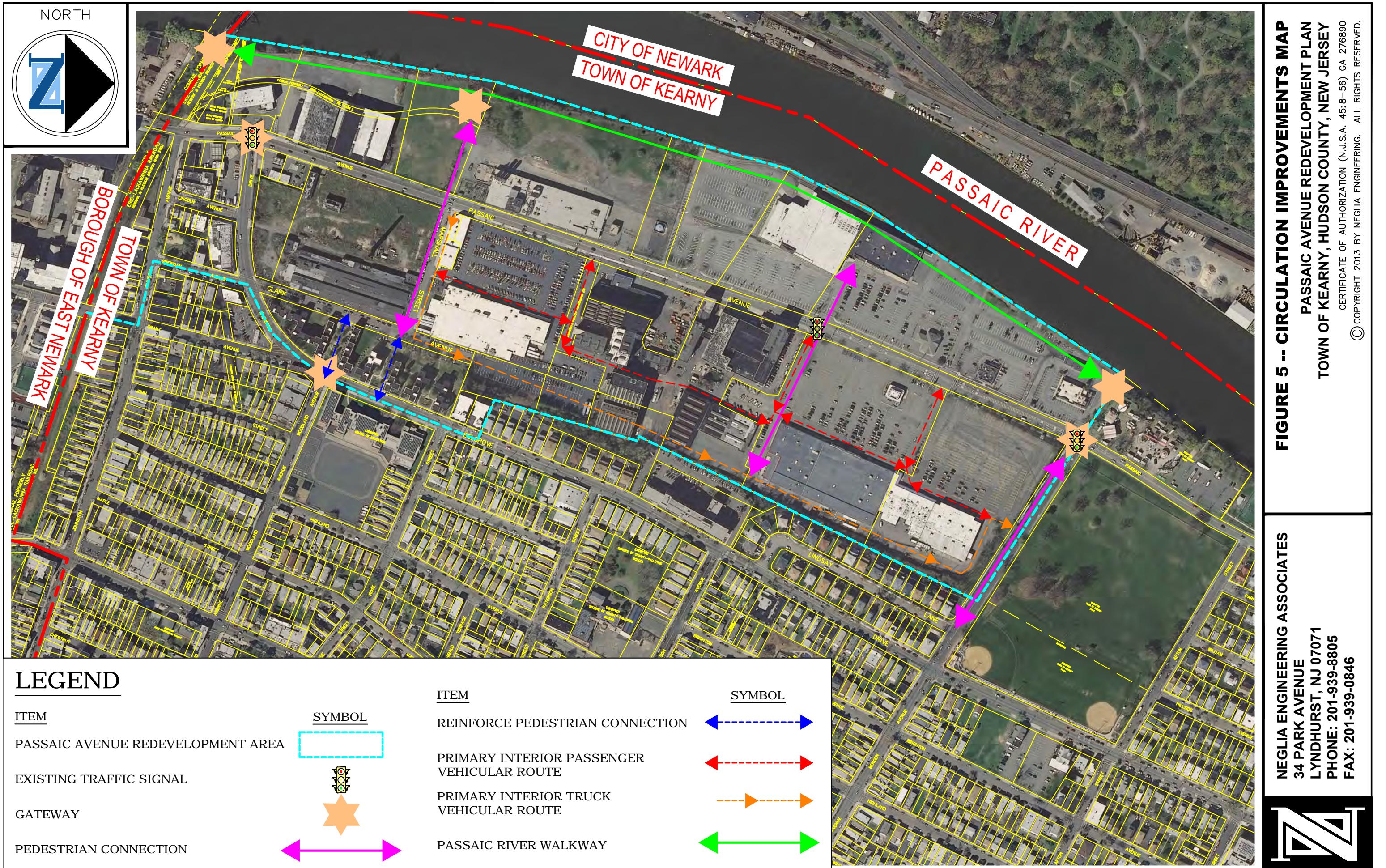
This Redevelopment Plan is congruent with the 1999 Hudson County Urban Complex Strategic Revitalization Plan, encouraging all new development to provide access to waterfront areas. The development of a waterfront walkway along the entire length of the Passaic River within the Area will stimulate both active and passive recreation. This walkway is intended to connect with other Passaic River waterfront walkways to both the north and south of the Redevelopment Area.

Waterfront Park

Opportunities should be explored within the newly defined Commercial Center and Residential Districts to reclaim the Passaic River waterfront for use by the local community. This Redevelopment Plan encourages the development of a waterfront park to serve as a destination for both active and passive recreation. It is suggested that this park be constructed near the eastern terminus of the existing Marshall Street ROW to provide contiguous access to the Passaic River waterfront from both Washington Elementary School and the vast array of residential housing to the east.

Waterfront Conservation Area

The planned 30-foot wide waterfront conservation easement is consistent with NJDEP Waterfront Development regulations. Developers are required to dedicate this area as open space for community access to the Passaic River waterfront. Developers are also encouraged to explore low-impact stormwater control solutions as outlined the NJDEP Stormwater Best Management Practices (BMP) Manual to maintain natural drainage patterns within the floodplain.



New Housing Opportunities

The Redevelopment Plan is intended to incentivize housing opportunities that serve the primary demographic needs of the Town and immediate community. As per 2010 US Census data, single young professionals and growing young families comprise a target demographic over 25% of the Town's populous, ranging in age from early 20s to late 30s. The Residential District promotes redevelopment through the continuity of both permitted uses and architectural aesthetics across the municipal boundary with East Newark's adjacent Redevelopment Area. The Residential Rehabilitation District provides a blended transition between the Redevelopment Area and traditional urban housing within the existing city grid framework to the east.

New Shopping Opportunities

The Commercial Center and Mixed-Use Overlay Districts provide the foundation for a number of mixed-use activities within both new and renovated building space. Permissibility of mixed-use buildings provides a unique opportunity to accommodate a variety of economic endeavors. The enhanced pedestrian environment in conjunction with modern architectural features promotes the area as a vibrant and creative environment for work, residence, and recreation.

Parking Improvements

The Redevelopment Area currently has an excess of off-street parking at grade. While adequate parking accommodations are critical to the success of commercial property, lack of sufficient landscape buffers render expansive parking areas unappealing to consumers. This plan aims to improve the perception of the Redevelopment Area through coordinated design of landscaping, lighting, and signage. Furthermore, this plan encourages the use of shared parking and construction of integrated parking structures to maximize the developable footprint while maintaining sufficient parking for approved land uses.

Transit Connections

Reliable transportation is critical to the success of the entire Kearny business community. This plan encourages the expansion of the Town's public transportation network. Pedestrian improvements in the Residential Rehabilitation District establish strong connections between the Area and the NJ Transit bus station on Belgrave Drive. A connection between the Redevelopment Area and the Harrison PATH Station should be established through the implementation of new bus or jitney services. It is also suggested that the development of a Passaic River water taxi service be strongly considered. These services would provide new residents of Kearny with increased options of safe and reliable public transportation to work.

Extended off-peak service would also cultivate a correlation between the Redevelopment Area and access to state of the art entertainment venues in Newark, Harrison, and New York City.

Connections to the Community

Pedestrian improvements in the Residential Rehabilitation District establish strong connections between the Area and the vast array of residential housing to the east. These improvements are not only intended to promote access to the Passaic River walkway, but they also promote community interaction with new shopping, dining, and entertainment activities located along Passaic Avenue within the enhanced streetscape environment. The goal of these improvements, as well as others outlined within the Plan, is to attract local community interaction through recreational and mixed-use stimuli.

Relationship of Plan to Town Land Development Regulations

The standards defined within this Redevelopment Plan shall supersede the Town Land Development Regulations for approved land use, bulk regulations, and general design standards. The Town Land Development Ordinance shall apply to all other standards and submission requirements that have not been specified within this Redevelopment Plan.

Planning Board approval is required for all proposed development within the Redevelopment Area. Site plan and subdivision applications shall be submitted in conformance with the procedures defined by NJSA 40:55D, et seq. Variance relief pursuant to NJSA 40:55D-70d shall be addressed as follows:

- “D” variance relief shall be addressed as an amendment to the Redevelopment Plan. It shall not be addressed through the Town Zoning Board of Adjustment.
- “C” variance relief shall be addressed by the Planning Board through the development application process.

Existing Districts of Current Redevelopment Plan

The current Redevelopment Plan established four districts; the Residential District, Mixed-Use District, Shopping Center District, and an Adaptive Reuse Loft Overlay District. The Residential District was intended to create opportunities for senior housing to serve the immediate community through development of both independent and assisted living senior facilities. The Mixed-Use District was intended to provide flexible space for various economic opportunities which are able to accommodate changing economic market demands. The Shopping Center District standards focused on upgrade of existing shopping centers within the area while stimulating additional commercial opportunities. Changes in design standards that were critical to this commercial zone improvement were increased buffer areas, improvements to maximize on-site circulation, and implementation of streetscape elements to enhance the pedestrian environment. The goal of the Adaptive Reuse Loft Overlay District was to renovate existing loft buildings within the area to compliment the public amenities and mixed-use entertainment opportunities being stimulated within the Shopping Center District.



Proposed Districts of This Redevelopment Plan

This Redevelopment Plan proposes four districts; the Commercial Center District, Residential District, Mixed-Use Overlay District, and the Residential Rehabilitation District. The Commercial Center District is designed to stimulate new commercial opportunities in both new and renovated buildings while providing natural points of public access to the Passaic River. The goal of the Residential District is to incentivize housing opportunities that serve the primary demographic needs of the Town and immediate community. This district promotes redevelopment through the continuity of both permitted uses and architectural aesthetics across the municipal boundary with East Newark's adjacent Redevelopment Area. The Mixed-Use Overlay District provides the foundation for a number of mixed-use activities within both new and renovated building space. This allows developers to maintain flexibility of permissible site uses on parcels accommodating the transition between the Commercial Center and the Residential Districts in continued response to changing market demands. The Residential Rehabilitation District provides the framework for redevelopment of an existing housing complex located off of Belgrave Drive while also serving as a transition between the Redevelopment Area and traditional urban housing within the existing city grid framework to the east. Furthermore, this district aims to stimulate pedestrian traffic to the Redevelopment Area through the creation of walkways at critical connection points between Belgrave Drive, Clark Avenue, and Marshall Street.

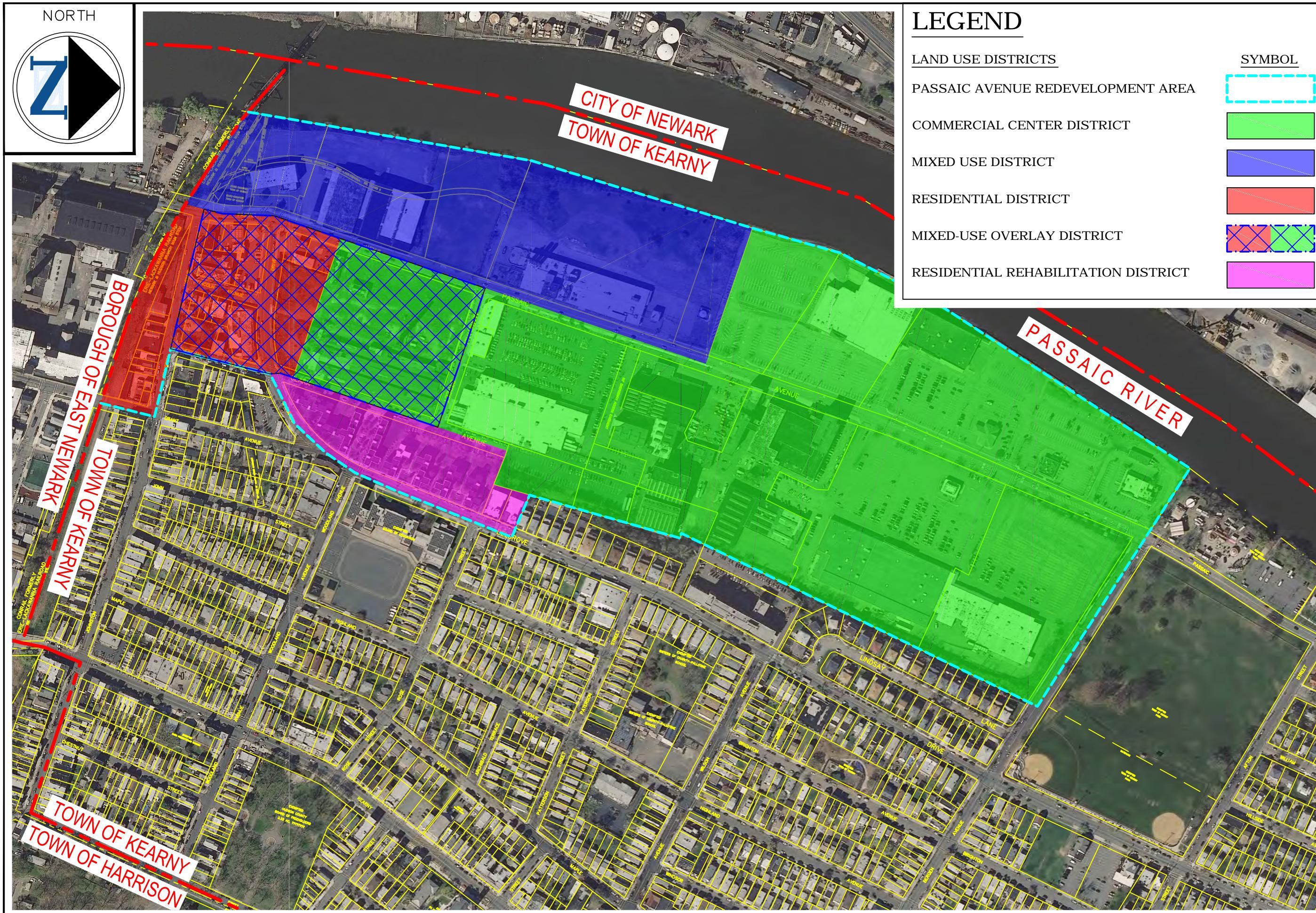


FIGURE 7 -- PROPOSED DISTRICTS MAP
PASSAIC AVENUE REDEVELOPMENT PLAN
TOWN OF KEARNY, HUDSON COUNTY, NEW JERSEY

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Commercial Center District

Passaic Avenue contains three existing shopping centers of varying age. Each of which is currently anchored by a large retail operation such as Shop Rite, K-Mart and the recently vacated Pathmark. Standards for the new 55.5 acre Commercial Center District were developed to stimulate new commercial opportunities through an enhanced pedestrian environment infused with modern architectural features. This reorganized district will accommodate a number of commercial uses in both new and renovated buildings while providing natural points of public access to the Passaic River.

Principal Permitted Uses

- Retail Sales & Services
- Restaurants
- Cafes
- Financial Institutions
- Offices
- Health Clubs and Spas
- Childcare Facilities
- Pharmacies
- Hotels
- Cinemas
- Family Entertainment
- Public Uses



Existing Rail Spur Adjacent to Vacated Pathmark



Passaic Avenue Entrance to ShopRite



Existing Warehouse Facility

Accessory Uses

- Incidental and accessory to principal uses
- Structured Parking

Drive-through Uses

- Drive-through uses only permitted as accessory to Financial Institutions and Pharmacies
- Drive-through uses shall not provide direct access onto a public thoroughfare

Riverwalk

- Parcels with frontage along the Passaic River shall include a 30-foot wide access easement for development of the Passaic River walkway.
- Development of a walkway connecting the continuation of the Marshall Street ROW with the Passaic River walkway is encouraged to provide contiguous access from both Washington Elementary School and the vast array of residential housing to the east.

Bulk Standards

- Maximum Lot Coverage: 90%
- Maximum Building Height:
 - 50 feet for single story buildings
 - 65 feet for two story buildings
- Maximum Parking Structure Height:
 - Shall not exceed the height of the principal use building
 - Height shall be measured to the top of the roof level parapet wall
- No Maximum Square Footage for building or use
- Minimum Building Setback from public ROW:
 - Passaic Avenue: 15 feet
 - Bergen Avenue: 15 feet
 - Marshall Avenue: 15 feet
 - Passaic River walkway: 5 feet
- Minimum Building Setback from internal driveway:
 - 10 feet
- Surface Parking Setback from public ROW:
 - 10 feet, with low-level landscaping to screen vehicles from the public ROW
- Passaic Avenue Streetscape
 - Entire length shall include a continuous 8 foot wide sidewalk and 5 foot wide planting strip, which may be located within the right of way.
- Existing Bergen Avenue buffer, including trees, shall be maintained

- Minimum Parking Requirements
 - Retail Sales & Services:
 - Four (4) spaces per 1,000 square feet of merchandise display and public access space and
 - One (1) space per 1,000 square feet of merchandise storage or preparation space for employee only parking
 - Restaurants:
 - One (1) space per every four (4) seats
 - Cafes:
 - One (1) space per 400 square feet or
 - One (1) space per eight (8) seats if more stringent
 - Financial Institutions:
 - One (1) space per 1,000 square feet and
 - One (1) space per maximum employees on the largest shift
 - Office, Health Clubs and Spas:
 - Three (3) spaces per 1,000 square feet
 - Childcare Facilities:
 - One (1) space per maximum employees on the largest shift and
 - One (1) space per five (5) pupils
 - Pharmacies:
 - Four (4) spaces per 1,000 square feet of merchandise display and public access space
 - Hotels:
 - Three (3) spaces per four (4) rooms and
 - One (1) space per maximum employees on the largest shift
 - Cinemas:
 - One (1) space per three (3) seats
 - Family Entertainment:
 - Three (3) spaces for every 1,000 square feet
- Additional Parking Constraints
 - Shared parking is permitted as approved by the Planning Board
 - Shared parking shall require a Shared Parking Analysis prepared by a credible expert, such as a parking or land use consultant, planner, architect, or engineer.
 - Shared parking is encouraged between uses of alternating peak hours of operation, such that parking for daytime offices may accommodate the needs of dining and entertainment spaces during evenings and weekends.
 - Parking structures, when integrated into the development, are permitted
 - Parking structures are encouraged to be wrapped by in-line offices or retail at ground level

Architectural Design Standards

- All façades greater than 120 feet in length shall incorporate recesses and projections a minimum of 3 feet in depth and a minimum of 20 contiguous feet within each 100-foot segment.
- Building façades shall include a repeating pattern that shall include no less than three of the following elements: color change, texture change, material module change, or expression of architectural or structural bay through a change in plan no less than 12 inches in width, such as an offset. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 40 feet, either horizontally or vertically.
- Predominant exterior building materials shall be of high quality. These include brick, wood, limestone, other native stone, and tinted/textured concrete masonry units.
- Smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels are prohibited as exterior building materials.
- Building façade colors shall be of low reflectance, subtle, neutral or earth tone colors.
- Use of high intensity colors, black or fluorescent colors is prohibited.
- Neon tubing is prohibited.
- Each principal building or tenant space shall have a clearly defined, highly visible customer entrance through the incorporation of design elements such as canopies, porticos, overhangs, recesses/projections, raised cornice parapets over the door, peaked roof forms, arches, outdoor patios, display windows, architectural details such as tile work and moldings which are integrated into the building structure and design, integral planters or wing walls that incorporate landscaped areas and/or sitting areas that are cohesive to the District.
- All sides of a principal structure that abut a public street shall feature at least one public entrance or pedestrian access to the principal building entry through directly connected sidewalks along the public ROW.
- Both new and renovated commercial developments should minimize generic and corporate images where possible. Standard franchise design elements for building façade and signs shall be modified where necessary to provide aesthetics that are unobtrusive and secondary to the overall architectural design of the District.
- Windows shall be recessed and should include visually prominent sills, shutters or other forms of framing.
- Roof lines shall have a change in height approximately every 120 linear feet of building façade. Parapets, mansard roofs, gable roofs, hip roofs, cornice elements or dormers shall be incorporated to conceal flat roofs and rooftop mechanical equipment from public view.

Vehicular Traffic and Circulation

- Internal vehicle circulation patterns shall serve as an extension of the existing road network with the primary purpose of efficiently connecting pad sites and parking areas.
- A primary interior circulation road shall be created east of Passaic Avenue to provide cohesive traffic patterns between parcels.
- A clear system of circulation, containing no off-aisle parking, shall be developed to carry the highest volumes of traffic within the site with direct access to main drives.
- Where feasible, separate dedicated entrances and exits shall be provided to keep on-site truck traffic separate from customer vehicular traffic.
- There shall be a continuous loading service driveway allowing trucks to access the rears of buildings without interfering with customer vehicular traffic.
- Common or shared service and delivery access is encouraged between adjacent parcels and/or buildings.

Pedestrian Traffic and Circulation

- Pedestrian access must be provided from the perimeter of each site to all buildings and all sidewalk areas within as well as development on adjacent parcels.
- Pedestrian walkways within a parking lot or internal circulation area must be distinguished from the road surface through the incorporation of streetscape elements such as pavers, brick, colored or scored concrete.
- A continuous walkway, at least 6 feet in width, shall be provided from the public sidewalk to the principal customer entrance. This internal walkway shall feature landscaping, seating, and associated amenities.
- Sidewalks, at least 8 feet in width, shall be provided along the full length of any building façade featuring a customer entrance or abutting public parking areas. Such sidewalk shall be located at least 6 feet from the façade to provide planting beds for low-level landscaping to visually screen the foundation line.

Signage

- One (1) ground identification sign is permitted at each signalized intersection. Said sign shall not exceed 20 feet in height and shall not exceed 100 square feet in size. The sign shall be located no closer than 5 feet from any property line and shall not be located within the site triangle of any intersection to a public street.
- Ground signs shall incorporate design components and materials to match the architectural features of the development, establishing cohesive aesthetics for the area.
- One (1) wall sign is permitted per tenant per frontage to the public ROW, which shall not exceed 5% of the building façade or 200 square feet, whichever is less.

- A comprehensive signage plan shall be submitted to the Planning Board for each site. Said plan shall indicate the location, dimension, area, color, and material of all existing and proposed signage. The signage plan shall also provide detail of each proposed sign.

Lighting

- Parking lot lights shall not exceed 24 feet in height and shall contain decorative features.
- Existing lights which do not conform to this requirement shall be replaced during renovation and/or redevelopment.

Residential District

This 7.8 acre district is intended to incentivize housing opportunities that serve the primary demographic needs of the Town and immediate community. Single young professionals and growing young families comprise a target demographic over 25% of the Town's populous, ranging in age from early 20s to late 30s. The Residential District promotes redevelopment through the continuity of both permitted uses and architectural aesthetics across the municipal boundary with East Newark's adjacent Redevelopment Area.

Principal Permitted Uses

- Multi-family Dwellings
- Town Houses
- Condominiums

Accessory Uses

- Incidental and accessory to principal uses such as;
 - Leasing Offices
 - Childcare Facilities
 - Drycleaners
 - Health & Fitness Centers
 - Restaurants
 - Cafes
 - Walk-in ATM Locations
- Structured Parking

Drive-through Uses

- Drive-through uses are prohibited within this district



Furniture Outlet at Passaic Ave & Johnston Ave Intersection



Single-Family Residences on Sheridan Avenue

Riverwalk

- Development of a walkway connecting the continuation of the Marshall Street ROW with the Passaic River walkway is encouraged to provide contiguous access from both Washington Elementary School and the vast array of residential housing to the east.

Bulk Standards

- Maximum Lot Coverage: 80%
- Maximum Building Height:
 - 5 habitable stories
 - 70 feet in total
- Minimum Building Setback from public ROW:
 - Passaic Avenue: 15 feet
 - Marshall Street: 10 feet
 - Clark Avenue: 10 feet
 - Belgrove Drive: 10 feet
 - Lincoln Avenue: 10 feet
 - Sheridan Drive: 10 feet
 - Grant Avenue: 10 feet
 - Johnston Avenue: 10 feet
 - Passaic River walkway: 5 feet
- Minimum Parking Requirements
 - Residential:
 - One (1) space per single bedroom unit
 - One and a half (1.5) spaces per two bedroom unit
 - Two (2) spaces per three bedroom unit
 - One (1) space per studio unit
 - Leasing Offices:
 - Three (3) spaces per 1,000 square feet
 - Childcare Facilities:
 - One (1) space per maximum employees on the largest shift and
 - One (1) space per five (5) pupils
 - Restaurants:
 - One (1) space per every four (4) seats
 - Cafes:
 - One (1) space per 400 square feet or
 - One (1) space per eight (8) seats if more stringent
 - Drycleaners, Health & Fitness Centers and Walk-in ATM Locations:
 - No parking requirement

- Additional Parking Constraints
 - Shared parking is permitted as approved by the Planning Board
 - Integrated parking structures are encouraged

Architectural Design Standards

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Vehicular Traffic and Circulation

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Pedestrian Traffic and Circulation

- All streets shall be designed to facilitate pedestrian activity.
- The development of public spaces, particularly those that provide natural points of public access to the Passaic River, is encouraged throughout the District.
- Strong pedestrian connections shall be established between the Commercial Center, Residential and Residential Rehabilitation Districts along Passaic Avenue, Marshall Street, and Clark Avenue.

Signage

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Lighting

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Mixed-Use and Mixed-Use Overlay Districts

The 18.0 acre Mixed-Use and 11.5 acre Mixed-Use Overlay districts provide the foundation for a number of mixed-use activities within both new and renovated building space. Permissibility of mixed-use buildings provides a unique opportunity to accommodate a variety of economic endeavors. This allows developers to maintain flexibility of permissible site uses on parcels accommodating the transition between the Commercial Center and the Residential Districts in continued response to changing market demands. The architectural composition of these districts promotes the area as a vibrant and creative environment for work, residence, and recreation.



**Airlite Aluminum Corporation Bat Factory
Abandoned after May 27, 1986 Explosion**

Principal Permitted Uses

- All uses permitted in the Residential District
- Residential (over retail)
- Neighborhood and Service-Oriented Retail
- Restaurants
- Cafes
- Financial Institutions
- Offices (over retail)
- Educational Establishments
- Childcare Facilities
- Health Clubs and Spas
- Pharmacies
- Hotels
- Art Studios and Galleries
- Cinemas
- Family Entertainment
- Public Uses

Accessory Uses

- Incidental and accessory to principal uses
- Structured Parking

Drive-through Uses

- Drive-through uses are prohibited within this district

Riverwalk

- Parcels with frontage along the Passaic River shall include a 30-foot wide access easement for development of the Passaic River walkway.
- Development of a walkway connecting the continuation of the Marshall Street ROW with the Passaic River walkway is encouraged to provide contiguous access from both Washington Elementary School and the vast array of residential housing to the east.

Bulk Standards

- Maximum Lot Coverage: 75%
- Maximum Building Height:
 - 5 habitable stories
 - 70 feet in total
- Minimum Building Setback from public ROW:
 - Passaic Avenue: 15 feet
 - Marshall Avenue: 10 feet
 - Clark Avenue: 10 feet
 - Passaic River walkway: 5 feet
- Surface Parking Setback from public ROW:
 - Parking is not permitted between the building line and the street along Passaic Avenue and Belgrove Drive.
 - 10 feet, with low-level landscaping to screen vehicles from the public ROW
- Passaic Avenue Streetscape
 - Entire length shall include a continuous 8 foot wide sidewalk and 5 foot wide planting strip, which may be located within the right of way.
- Minimum Parking Requirements
 - Residential (over retail):
 - One (1) space per single bedroom unit
 - One and a half (1.5) spaces per two bedroom unit
 - Two (2) spaces per three bedroom unit
 - One (1) space per studio unit

- Retail:
 - Three (3) spaces per 1,000 square feet
- Restaurants:
 - One (1) space per every four (4) seats
- Cafes:
 - One (1) space per 400 square feet or
 - One (1) space per eight (8) seats if more stringent
- Financial Institutions:
 - One (1) space per 1,000 square feet
 - One (1) space per maximum employees on the largest shift
- Offices (over retail), Educational Establishments, Health Clubs and Spas:
 - Three (3) spaces per 1,000 square feet
- Childcare Facilities:
 - One (1) space per maximum employees on the largest shift and
 - One (1) space per five (5) pupils
- Pharmacies:
 - Four (4) spaces per 1,000 square feet of merchandise display and public access space
- Hotels:
 - Three (3) spaces per four (4) rooms
 - One (1) space per maximum employees on the largest shift
- Art Studios and Galleries:
 - Three (3) spaces per 1,000 square feet
- Cinemas:
 - One (1) space per three (3) seats
- Family Entertainment:
 - Three (3) spaces for every 1,000 square feet
- Additional Parking Constraints
 - Shared parking is permitted as approved by the Planning Board
 - Shared parking shall require a Shared Parking Analysis prepared by a credible expert, such as a parking or land use consultant, planner, architect, or engineer.
 - Shared parking is encouraged between uses of alternating peak hours of operation, such that parking for daytime offices may accommodate the needs of dining and entertainment spaces during evenings and weekends.
 - Parking structures, when integrated into the development, are permitted
 - Parking structures are encouraged to be wrapped by in-line offices or retail at ground level

Architectural Design Standards

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Vehicular Traffic and Circulation

- Common or shared service and delivery access is encouraged between adjacent parcels and/or buildings.
- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Pedestrian Traffic and Circulation

- All streets shall be designed to facilitate pedestrian activity.
- Strong pedestrian connections shall be established between the Commercial Center, Residential and Residential Rehabilitation Districts along Passaic Avenue, Marshall Street, and Clark Avenue.
- The development of public spaces, particularly those that provide natural points of public access to the Passaic River, is encouraged throughout the District.

Signage

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Lighting

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Residential Rehabilitation District

Standards set within this 4.6 acre district provide the framework for redevelopment of an existing housing complex located off of Belgrove Drive. The Residential Rehabilitation District will also provide a blended transition between the Redevelopment Area and traditional urban housing within the existing city grid framework to the east. Furthermore, this district aims to stimulate pedestrian traffic to the Redevelopment Area through the creation of walkways at critical connection points between Belgrove Drive, Clark Avenue, and Marshall Street.



General Kearny Apartment Complex

Principal Permitted Uses

- Multi-family Dwellings
- Town Houses
- Condominiums
- Senior Housing and/or Assisted Living Facilities

Accessory Uses

- Incidental and accessory to principal uses such as;
 - Health & Fitness Centers
 - Leasing Offices
- Structured Parking

Drive-through Uses

- Drive-through uses are prohibited within this district

Riverwalk

- When accompanied with the pedestrian improvements set forth in the Commercial Center District, development of a walkway connecting the continuation of the Marshall Street ROW with Belgrove Drive will provide contiguous access to the Passaic River

waterfront from both Washington Elementary School and the vast array of residential housing to the east.

Bulk Standards

- Maximum Lot Coverage: 75%
- Maximum Building Height:
 - 4 habitable stories
 - 50 feet in total
- Minimum Building Setback from public ROW:
 - Belgrove Drive: 10 feet
 - Clark Avenue: 10 feet
- Minimum Parking Requirements
 - Residential:
 - One (1) space per single bedroom unit
 - One and a half (1.5) spaces per two bedroom unit
 - Two (2) spaces per three bedroom unit
 - One (1) space per studio unit
 - Senior Housing
 - One (1) space per unit
 - Assisted Living Facilities
 - One-third (0.3) spaces per unit
- Additional Parking Constraints
 - Integrated Parking structures are encouraged
 - Access to parking facilities shall only be provided from Clark Avenue

Architectural Design Standards

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Vehicular Traffic and Circulation

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Pedestrian Traffic and Circulation

- A continuous walkway shall be provided from the continuation of the Marshall Street ROW to the public sidewalk on Belgrove Drive to provide contiguous access to the Passaic River waterfront. This internal walkway shall feature a minimum 10 foot

sidewalk accompanied by 4 foot areas on both sides for landscaping, seating, and associated amenities.

- A continuous walkway shall be provided from the continuation of the Woodland Avenue ROW, near the NJ Transit bus station, to the public sidewalk on Clark Avenue. This internal walkway shall feature a minimum 10 foot sidewalk accompanied by 4 foot areas on both sides for landscaping, seating, and associated amenities.
- Said walkways shall incorporate streetscape elements such as pavers, brick, colored or scored concrete consistent with the aesthetics achieved along Passaic Avenue.
- Strong pedestrian connections shall be established between the Mixed-Use Overlay and the Residential Districts along Belgrove Drive, Clark Avenue, and Sheridan Avenue.

Signage

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

Lighting

- No additional restrictions in excess of the General Design Standards, as outlined in a subsequent section of this Plan.

General Design Standards

Architectural Standards

Attentive development of design constraints for new buildings as well as renovation of existing structures that are both contiguous and innovative to the Redevelopment area is a critical component to successfully stimulate initial investment by developers. The architectural standards set forth herein are intended to propagate a uniform design theme for the Area without aesthetic over constraint, thereby permitting the individualism of each parcel to shine without compromising a contiguous vision for the Area. Implementation of these architectural standards aims to establish this contiguous vision between the Commercial Center, Residential, Mixed-Use Overlay, and Residential Rehabilitation Districts outlined within this Redevelopment Plan.

- Common color schemes and materials shall be utilized in the design of multiple buildings within a development to establish a consistent aesthetic and architectural theme.
- Scale features shall be incorporated into all building façades visible from adjoining properties or public streets to encourage community integration.
- Entranceways shall be architecturally framed and clearly marked. Entranceways are encouraged to include design emphasis such as marquees, awnings, decorative lighting, and signage.
- Exterior building elevations shall be designed to limit the presence of blank or featureless walls.
- Blank façades are prohibited. Change of color, texture, and/or material as well as the implementation of repeating design elements is encouraged.
- Murals and artistic wall treatments are permitted, as approved by the Planning Board.
- Roof features such as type, shape, and color shall be architecturally amenable with the color, materials, and style of the remainder of the building.
- Awnings are anticipated to be incorporated into the façade of retail and residential uses. Awnings may contain appropriate logos and/or lettering that is consistent with the overall aesthetic theme of the Redevelopment Area.



St. George Residential Development in Harrison

Parking Standards

- Shared parking is permitted as approved by the Planning Board
- Shared parking shall require a Shared Parking Analysis prepared by a credible expert, such as a parking or land use consultant, planner, architect, or engineer.
- Shared parking is encouraged between uses of alternating peak hours of operation, such that parking for daytime offices may accommodate the needs of dining and entertainment spaces during evenings and weekends.
- Construction of integrated parking structures is encouraged to promote a higher yield of permissible building uses.
- Overall parking layouts shall be separated by landscaping, pedestrian walkways, access drives, public streets, or buildings to reduce their overall scale.
- An assortment of flowering trees and low-level landscaping shall be combined with setback requirements to sufficiently screen vehicles from the public ROW.
- All perpendicular parking shall be a minimum eight and a half (8.5) feet in width and eighteen (18) feet in depth.
- Two-way traffic aisles shall be a minimum twenty-two (22) feet in width.
- 20% of required parking spaces may be designated as compact, measuring seven and a half (7.5) feet in width and fifteen (15) feet in depth. Said spaces shall be clearly identified through the use of curbside signage and thermoplastic striping.
- Dead-end parking aisles are prohibited.
- Blank exterior walls of a parking structure are prohibited along frontage of any street within the Redevelopment Area.
- Parking structures shall be wrapped by in-line offices, retail, or other approved uses at ground level and/or architecturally treated with decorative elements such as brick, grillwork or louvers to screen the facility from view.
- Any openings at the first floor level of a parking structure must be designed so that cars parked inside are not visible from the street.
- Parking structures shall include decorative lighting compatible with proposed site lighting.

Circulation Standards

- Direct access onto a public thoroughfare, particularly Passaic Avenue, shall be discouraged. Existing driveway access points are encouraged to be eliminated through consolidation and re-routed internal to the site for egress to the public thoroughfare at signalized intersections.

- In the spirit of the above requirement, it is recommended that the existing northern driveway to Shop Rite be eliminated and site circulation be consolidated in coordination with the Circulation Improvements Map, as published within this plan.
- Crosswalks shall serve as an extension of streetscape aesthetics. They shall be differentiated from the roadway through the use of like-kind materials such as decorative pavers.
- Development shall embrace the surrounding neighborhoods through strong pedestrian circulation improvements facilitating access between various uses, districts, and the Passaic River walkway (see Circulation Improvements Map).

Loading Standards

- Visual and acoustic impacts from amenities of the permitted use shall be sufficiently screened and fully contained from adjacent properties and public streets. This shall include all loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash receptacles and compactors, as well as other service functions.
- Loading and unloading facilities shall be separate and screened from pedestrian and customer parking areas.
- Loading and unloading facilities, outdoor storage, and service areas shall be contained to areas of low visibility from adjacent properties and public streets.

Signage Standards

Signage should be developed in a uniform matter to attract vehicular and pedestrian visitors alike, providing a sense of orientation as well as a direction of purpose. Signage should be integrated with the overall architecture of buildings and aesthetics of the Redevelopment Area. Consistent signage will provide a uniform theme to a diverse array of mixed-use development while promoting the Passaic Avenue Waterfront as a vibrant and creative environment for work, residence, and recreation alike.

- Signage shall be proportionate in nature and provide compliment to both the building and its surroundings.
- Signage shall achieve harmony with the architecture of the building through the relation of its location, scale, color, lettering, materials, texture and depth to the features of the building.
- Each development shall incorporate consistent sign design through congruent design elements such as lettering, material, scale, and methods of illumination.
- No sign shall extend or project above the highest elevation of the wall to which it is attached.

- No sign shall extend above the lowest part of the roofline of the building to which it is attached.
- Wayfinding signage and area map stations, directing visitors towards parking areas and activity centers are encouraged and shall be include consistent design elements throughout the Redevelopment Area.
- Promotional signage, banners, and inflatables must be in compliance with the Town Ordinance.

Lighting Standards

- The use of accent lighting as an accompaniment to building architecture is encouraged.
- Site lighting shall be provided at a minimal level to accommodate safe pedestrian and vehicular movements.
- Pedestrian walkways shall be lit through the use of pedestrian-level, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings.
- All lighting shall be shielded to prevent the projection of glare on adjacent properties.

Landscape and Screening Standards

Proper attention to landscape and streetscape design will establish a consistent aesthetic and architectural theme, promoting the Passaic Avenue Waterfront as a vibrant and creative environment for work, residence, and recreation alike. All districts established in this Plan designate setback requirements, which necessitate the implementation of landscaping.

- All setback areas fronting public roadways, promenades, or plazas not containing an entranceway should be contain a variety of flowering trees, shrubs, perennials, annuals, and bulbs to compliment the adjacent architecture and entice seasonal interest.



Kearny Avenue Streetscape Kiosk



Kearny Avenue Streetscape Light Fixtures

- Landscape areas may also contain decorative lighting, public art, wayfinding signage and area map stations. The entire installation should be designed as a unit to establish aesthetics complimentary to the site uses within the buffer area.
- Spaces within setbacks, specifically near signalized intersections along the Passaic Avenue frontage, should be devoted to public art installations or bolstered landscaping designs that are visually stimulating and establish a connection to gateways and points of egress throughout the Redevelopment Area.
- Landscape design should include consideration of a watering and maintenance plan, which includes a planting schedule for seasonal replacements.

Gateway Standards

Gateways should generate a sense of arrival while entering and reinforce the memory of a vibrant environment while exiting the Redevelopment Area. Gateways should incorporate both public art and landscaping to reinforce aesthetic themes that are common to the Redevelopment Area as a whole. The creation of gateways, within both vehicular and pedestrian transportation environments, is encouraged. Vehicular gateways are encouraged at the northern Passaic Avenue and Bergen Avenue intersection as well as the southern Passaic Avenue and Belgrave Drive intersection. Pedestrian gateways are encouraged at major access points to the Passaic River walkway such as its the north and south terminus as well as the east and west terminus of the potential extension of the Marshall Street ROW to its natural intersection with the Passaic River walkway and Belgrave Drive. Suggested gateway locations are shown on the Circulation Improvements Map.

Street Furniture Standards

Street Furniture includes benches, trash receptacles, decorative light poles, bus station shelters, kiosks, bike racks, protective bollards, wayfinding signage and area map stations. Attention to all aspects of this design element will complement the decorative paver and brick patterns within the streetscape, reinforcing a unified theme throughout the Redevelopment

Area.

- Street furniture should complement the design motif of the Area and should be fully integrated into both streetscape and landscape plans.



Kearny Avenue Streetscape Bench & Decorative Brick Sidewalk

- Street furniture should be similar in nature to those items specified in the Kearny Avenue Streetscape design providing an aesthetic commonality to retail within the existing Kearny Urban Enterprise Zone (KUEZ).
- Provisions for glass, plastic, aluminum, and paper recycling should be provided in addition to trash receptacles at all locations.

Balcony and Rooftop Garden Standards

- Balconies and rooftop gardens are permitted within the Mixed-Use Overlay, Residential and Residential Rehabilitation Districts.
- Balconies and rooftop gardens shall be enclosed with high quality railings of a minimum four (4) feet in height. Railings shall be complimentary to the architecture of the building.



**Kearny Avenue Streetscape
Trash Receptacle**

Green Buildings

All new buildings are encouraged to seek individual LEED certification. Developers of multi-use parcels are encouraged to seek LEED Neighborhood Development Certification. All development within the Passaic Avenue Redevelopment Area shall comply with Ordinance 2007-(O)-42 of the Town Code.

Utilities

All utilities shall be located underground as an aesthetic compliment to open spaces cultivated through development of an enhanced pedestrian streetscape environment infused with modern architectural features. Existing electrical substations should be relocated outside of the Redevelopment Area, when feasible. If a need for additional power supply and redundancy is identified to service proposed tenants, priority should be placed on location of the proposed substation outside of the Area. When this is not



**Existing Substation Adjacent to Spartech
Polycom on Passaic Avenue**

practicable, electrical substations shall be contained to areas of low visibility, providing sufficient screening of both visual and acoustic impacts, from adjacent properties and public streets.

Stormwater Management

All stormwater management facilities shall be designed in accordance with N.J.A.C. 7:8 and all applicable chapters of the Revised General Ordinances of the Town of Kearny. Developers are encouraged to reference the NJDEP New Jersey Stormwater Best Management Practices (BMP) Manual for innovative solutions to stormwater management. One such solution is to incorporate Green Infrastructure throughout the Redevelopment Area, specifically within parking lot islands, the Passaic Avenue streetscape as well as the Passaic River walkway. Examples of Green Infrastructure include rain gardens, pervious pavements and sidewalks, all of which can significantly reduce urban runoff to Town storm sewers and ultimately reduce chemical fertilizer and pesticide transport to the Passaic River. The implementation of recharge areas, such as wet basins, is also encouraged within parcels that have frontage along the Passaic River. Accompanied by adequate landscape design, recharge areas can function as an aesthetic amenity as perennials and bulbs often attract the presence of birds and butterflies.

Property to be Acquired

The Town's primary objective is to strengthen partnerships with existing property owners and businesses to promote private redevelopment within the Redevelopment Area. With that said, this Redevelopment Plan authorizes the Town to exercise its condemnation powers on all properties within the Redevelopment Area. This empowers the Town to acquire property or to eliminate restrictive covenants, easements or property interests which may undermine the execution of this plan. As identified in the Redevelopment Area Assessment Report produced by the State Department of Community Affairs (DCA), the Town is strongly encouraged to contact Conrail through New Jersey Department of Transportation (NJDOT) for sale of Block 1 Lots 7 & 10 or pursue condemnation of this railroad property. These lots once provided rail access to the industrial tenants in the southwest corner of the Redevelopment Area, while currently the spur remains inactive. This currently represents a major impediment to redevelopment.

Relocation

Should relocation be necessary, the Town of Kearny will provide all displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law. Such assistance will be provided through an appropriately designated office of the municipality, which will assist in any relocation of persons, businesses, or other entities. Current housing statistics show that local market contains ample comparable housing

opportunities to absorb the residents of Kearny who may be displaced by the redevelopment process. Further, Kearny and the surrounding area contain sufficient land and buildings, which would be appropriate for relocation of existing businesses from the Redevelopment Area. The Town assumes no responsibility for relocation of residents and businesses if not directly caused by the Redevelopment Plan.

Relationship to Definitive Local Objectives

The Redevelopment Plan is consistent with the following long-term goals and objectives the Town of Kearny, first established by the 1991 Master Plan Revision and reiterated throughout the last two decades, most recently by the 2008 Master Plan Reexamination Report/Master Plan Revision:

Land Use Plan Element

- To protect the character and value of residential neighborhoods by regulating the type and intensity of land uses within residential areas.
- To retain and encourage the development of commercial uses in various locations in the Town.
- To promote objectives for future residential development which are consistent with community goals.
- To provide for development of alternative housing resources and housing types in the Town to meet the needs of residents.

Circulation Plan Element

- To maintain and improve the street and circulation system and provide access to all segments of the Town, where feasible.
- To improve the safety pedestrian and vehicular traffic flows.

Recreation Plan Element

- To ensure the retention of Town-owned parkland for public use.
- To provide additional active and passive recreation areas in the Town and expand existing sites, where feasible.

Conservation Plan Element

- To preserve the environmental resources of the Town by:
 - Limiting development in environmentally sensitive areas.
 - Encouraging general landscaping and preservation of the Town's natural elements.

- Promoting an attractive appearance for new development in Kearny.

Relationship to Master Plans

The Passaic Avenue Redevelopment Plan is cohesive in nature with the Master Plan of adjacent municipalities, the Hudson County Master Plan, and the State Development and Redevelopment Plan. Highlights of which are exemplified within this section.

Adjacent Municipalities

Neighboring municipalities to the Town of Kearny include North Arlington and Lyndhurst to the north, Newark to the west, Jersey City to the east, as well as and Harrison to the south. The Passaic Avenue Redevelopment Area is adjacent to the border of East Newark and its recently designated Passaic River Waterfront Redevelopment Area which promotes mixed-use and residential redevelopment.

The Residential and Mixed-Use Overlay Districts outlined within this plan provide a perfect complement to the permitted uses

directly adjacent to the area. The nearby City of Newark and Town of Harrison have each commissioned significant waterfront planning efforts along the Passaic River within recent years. The Waterfront Plans of both communities have concluded that mixed-use development accompanied by entertainment centers and recreational waterfront amenities align with current market trends. This plan provides perfect complement to the waterfront revitalization efforts on-going within both municipalities. The congruent efforts of all four municipalities are anticipated to assist in revitalization of the Passaic River corridor within Hudson County.



East Newark's Adjacent Industrial Property for Residential Redevelopment

Hudson County Master Plan

The Hudson County Master Plan was adopted by the Hudson County Planning Board on February 20, 2002 and accepted by the Board of Chosen Freeholders on March 28, 2002. This Redevelopment Plan is consistent with the following Land Use goals of the Hudson County Master Plan:

- To maintain and improve areas that provide centers for employment, education, entertainment facilities, services, shopping and other resources.

- To provide for a full range of retail businesses and personal services in suitable locations to serve the needs of the County.
- To assist in the implementation of the development and redevelopment of the waterfronts of the Hudson, Passaic and Hackensack Rivers.
- To relate land use planning to transportation capacity and to promote development intensities that will support mass transit.

This Redevelopment Plan is consistent with the following Land Use objectives of the Hudson County Master Plan:

General:

- Encourage redevelopment that utilizes transit-friendly design practices and capitalizes on existing and planned transportation improvements.
- Consider the established character of existing neighborhoods as a factor in the evaluation of new development and redevelopment projects.
- Encourage municipalities to consider design standards for new construction that create a sense of unity and order in the structures and separate standards for unified streetscape improvements in downtown areas.

Waterfront Areas:

- Encourage the construction of a coordinated waterfront walkway along the County's waterfronts.
- Encourage the development of marinas and ports, where appropriate.
- Integrate waterfront development with adjacent neighborhoods by assuring strong physical linkages and appropriate infill development.

Commercial Areas:

- Encourage convention, cultural, and entertainment activities within the core areas of the County.
- Encourage the grouping of compatible retail establishments into functional commercial centers to promote synergy among businesses.
- Encourage municipalities to provide creative solutions to parking problems.
- Promote the viability of commercial districts by retaining first floor retail sales and services.
- Encourage design and aesthetic controls in commercial areas to create and maintain attractive shopping areas.
- Identify and create financial and technical assistance programs available to businesses from the County, State, and Federal government.

This Redevelopment Plan is consistent with the following Circulation goals of the Hudson County Master Plan:

- To provide transportation improvements which support economic activity.
- To promote transit and use of alternate transportation modes.
- To coordinate land use activities with the transportation network.
- To support system coordination, efficiency and safety.
- To protect and improve quality of life.

This Redevelopment Plan is consistent with the following Circulation objectives of the Hudson County Master Plan:

- Coordinate local bus and shuttle service, pedestrian ways and parking with transit station, residential and commercial locations.
- Coordinate public and private bus service, information on service, transfers, fares and bus passes.
- Encourage pedestrian/bike traffic by providing appropriate, safe and attractive facilities between population and employment centers.
- Provide scenic walkways and bikeways along the Waterfront.
- Coordinate the development and design of comprehensive and continuous walkways and bikeway facilities among the communities.

[State Development and Redevelopment Plan](#)

Pursuant to N.J.S.A 52:18A-200(f), the purpose of the State Development and Redevelopment Plan (SDRP) is to '*coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.*'

The State Development and Redevelopment Plan defines the Town of Kearny in Metropolitan Planning Area 1 (PA1). This Redevelopment Plan is congruent with the goals and objectives of both the SDRP as a whole as well as those particular to PA 1, as outlined below.

Revitalize the State's Cities and Towns:

- Leverage private investments in jobs and housing.
- Reduce the barriers which limit mobility and access of residents to jobs, housing, services and open space within the region.
- Build on the assets of cities and towns such as their labor force, available land and buildings, strategic location, and diverse population.

Conserve the State's Natural Resources

- Maximize the ability of natural systems to control runoff and flooding, and to improve air and water quality and supply.
- Promote ecologically sound development and redevelopment in the Metropolitan and Suburban Planning Areas.
- Accommodate environmentally designed development and redevelopment in the Centers in the Fringe, Rural, and Environmentally Sensitive Planning Areas.

Protect the Environment, Prevent and Clean Up Pollution:

- Create incentives to prevent and reduce pollution and toxic emissions at the source.
- Promote the development of businesses that provide goods and services that eliminate pollution and toxic emissions or reduce resource depletion.

Provide Adequate Housing at a Reasonable Cost:

- Create and maintain a broad choice of attractive, affordable, ecologically designed housing.
- Create and maintain housing at densities that support transit and reduce commuting time and costs, and at locations easily accessible to employment, retail, services, cultural, civic, and recreational opportunities.
- Remove unnecessary regulatory and financial barriers to the development of housing at appropriate locations.

Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space, and Recreational Value:

- Enhance, preserve, and use historic, cultural, scenic, open space, and recreational assets.
- Support the important role of the arts in contributing to community life and civic beauty.

Administrative and Procedural Requirements

Amending the Redevelopment Plan

Within the limitations of applicable law, the Mayor and Council of the Town of Kearny reserve the exclusive right of revision, modification, and amendment of this Redevelopment Plan.

Duration of Redevelopment Plan

This Redevelopment Plan shall remain active and fully enforced for a period of thirty (30) years from the date of approval by the Mayor and Council of the Town of Kearny.

Conveyance of Land

Subject to the restrictions of use, requirements, and design standards established by this Redevelopment Plan, the Mayor and Council of the Town of Kearny may lease, sell or otherwise convey any portion of land within the Redevelopment Area to a redeveloper for the purpose of redevelopment. The Town reserves the right to establish a real estate agreement and enforce resale covenants.

Criteria and Procedures for Reveloper Selection and Implementation of Redevelopment Plan

Notwithstanding the provisions of any zoning or building ordinance or other regulation established by the Town of Kearny, the following constraints shall be instituted in regards to the selection of a redeveloper for the Area. The following stipulations shall be incorporated in any redeveloper agreement entered between the Town of Kearny and a designated redeveloper;

- The redeveloper is obligated to construct proposed improvements in accordance with this Redevelopment Plan.
- The redeveloper shall dedicate land within the Area in accordance with the permissible land uses outlined within this Redevelopment Plan.
- The redeveloper shall initiate and complete the proposed development of these lands within an agreed upon time period to be determined by the Mayor and Council of the Town of Kearny.
- Without prior written consent from the Mayor and Council, the redeveloper is not permitted to sell, lease, or otherwise transfer or dispose of property until the completion of all proposed improvements.
- Upon completion of all proposed improvements, the prior conditions defining the parcel as an Area in Need of Redevelopment shall no longer be valid. As a result, the parcel will no longer be subject to eminent domain.
- No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redevelopers, the Mayor and Council of the Town of Kearny, or the successors, lessees, or assigned representatives of either party, by which land within the Redevelopment Area is restricted in regards to sale, lease, or occupancy upon the basis of race, creed, religion, ancestry, national origin, sex or marital status.
- Neither the redevelopers, the Mayor and Council of the Town of Kearny, or the successors, lessees, or assigned representatives of either party shall discriminate upon

the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements to be erected within the Redevelopment Area.

Incentives and Project Funding

The following entities have been identified as resources for the successful redevelopment of the Area as they provide technical expertise and financial incentives which can be used to maximize the leveraging capabilities of private investment.

New Jersey Economic Development Authority (EDA)

The EDA is an independent State agency that finances small and mid-sized businesses, administers tax incentives to retain and grow jobs, revitalizes communities through redevelopment initiatives, and supports entrepreneurial development by providing access to training and mentoring programs. EDA financial assistance includes: tax-exempt and taxable bond financing, loans, loan guarantees, and business and tax incentives. In addition, they offer real estate development assistance and operate state-of-the-art technology facilities such as the Technology Centre of New Jersey in North Brunswick and the Waterfront Technology Center at Camden. The EDA is an independent State agency that finances small and mid-sized businesses, administers tax incentives to retain and grow jobs, revitalizes communities through redevelopment initiatives, and supports entrepreneurial development by providing access to training and mentoring programs.

Bond Financing:

The EDA offers long term financing for credit worthy manufacturing companies, not for profits, or exempt facilities in the State of New Jersey. It can be used for capital improvements and expansions, including real estate acquisitions, new equipment, machinery, building construction and renovations. Government issued tax exempt bonds can be used for projects owned and operated for the benefit of local, county or state governmental bodies. These bonds may also be used as working capital and in debt refinancing situations for certain eligible not for profit borrowers. Industry specific funds manufacturing, government owned public land uses, facilities that supply water, energy, or dispose of solid waste, commercial and industrial projects in certain designated economic zones are all available through this program.

Redevelopment Bond Financing:

The EDA offers powerful resources to increase the self-sufficiency and economic development of New Jersey's urban areas. Municipalities that take advantage of redevelopment bonds can expect lower borrowing costs, and an increased ability to

bridge the financial gap during large scale projects. These bonds can be used for new projects or improvements like infrastructure; development, rehabilitation, utility management and Brownfield remediation projects in conjunction with a new development project as a part of an approved redevelopment plan.

Community Development and Small Business Lending Division:

This division offers comprehensive services and programs for small businesses including seminars, workshops, training programs and consultations. These services are available to both start up, and established businesses.

Revenue Allocation Districts (RAD):

The goal of the RAD financing program is to generate affordable financing for projects to encourage the development of target areas in a redevelopment plan. Municipalities may designate a district of up to 15% of the taxable area in the community of a specific re-development plan. Once designated, the EDA may act on the municipality's behalf as a redeveloper and district agent. Funds may be used for land acquisition, demolition, renovations and improvements among other eligible uses.

New Jersey Redevelopment Authority (NJRA)

The NJRA was established by the 1996 New Jersey Urban Redevelopment Act, which provided opportunities to urban centers for the creation of long lasting partnerships between private entities and public municipalities to leverage funds for job creation, enhance community empowerment and spur economic development in some of NJ's most distressed urban neighborhoods. Kearny is one of the 67 communities eligible to apply for low to zero-interest loans, equity investments and technical assistance.

Hudson County Economic Development Corporation (EDC)

The Hudson County Economic Development Corporation provides market research and related services to the business community of Hudson County. The EDC also entices non-local organizations to establish operations in Hudson County through loans and liaison services between state and local government.

Hudson County Improvement Authority

The Hudson County Improvement Authority provides a wide range of services to the businesses and residents of Hudson County, while minimizing the cost to taxpayers. Solid waste management, recycling, affordable housing, transportation management, and education of Hudson County's residents through marketing of these programs are the main priorities of the Hudson County Improvement Authority. The Authority is responsible for the development of

public facilities for government use, recreational facilities intended for tourism, as well as public transportation associated with these facilities. They also provide financial assistance to low and moderate income families, as well as to public or not-for-profit entities looking to acquire equipment or construction capital for projects.

[Transportation Improvement Funds](#)

The New Jersey Department of Transportation and New Jersey Transit are able to provide grants for transportation projects directed at improving safety, increasing intermodal traffic, creating economic opportunity, and protecting the environment. Examples of these grants are as follows:

Transportation Enhancement Grants:

Transportation Enhancement Grants provide funding for transportation projects that improve the cultural, aesthetic, and environmental qualities of a community, such as development of pedestrian accessible paths and walkways.

Sustainable Communities Program:

The Sustainable Communities Program encourages the construction of environmentally friendly developments.

Bicycle and Pedestrian Paths Program:

This program focuses on providing funding for projects focused on creating paths and walkways that promote bicycling and walking as more viable methods of transportation.

[NJDEP Green Acres Matching Grants Program](#)

The Green Acres Program's mission statement is '*to achieve, in partnership with others, a system of interconnected open spaces, whose protection will preserve and enhance New Jersey's natural environment and its historic, scenic, and recreational resources for public use and enjoyment.*' Together with public and private partners, Green Acres has protected almost 640,000 acres of open space and provided hundreds of outdoor recreational facilities in communities around the State. This program provides matching grants up to 50% of a property's purchase price to eligible municipalities with an open space levy and approved Open Space and Recreation Plan.

The Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007 authorized \$12 million for acquisition of lands in the floodways of the Delaware River, Passaic River or Raritan River, and their respective tributaries, for recreation and conservation purposes. An additional \$24 million was approved by the voters in the Green Acres, Water Supply and

Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009. Properties and infrastructure that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage, are eligible for Blue Acres Floodplain Acquisition.

US Department of Housing and Urban Development (HUD)

The goal of this department is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD works to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life and build inclusive as well as sustainable communities free from discrimination. HUD also provides Community Development Block Grant (CDBG) funding.

New Jersey Housing and Mortgage Finance Agency (HMFA)

The New Jersey Housing and Mortgage Finance Agency provides funding for affordable home ownership and housing opportunities for a myriad of New Jersey residents such as first-time homeowners, senior citizens and the special needs communities. HMFA investments are intended to leverage existing community resources and enhance market value and community wellbeing. The HMFA relies on progressive federal and state housing legislation to raise funds through:

- Selling taxable and tax-exempt bonds to private sector investors in national financial markets;
- Applying for and administering federal and state grants and housing assistance programs; and
- Developing cooperative relationships with state, municipal, not-for-profit agencies and foundations.

Historic Preservation

There are many different historic preservation grants both on the state and federal level, which provide funding for the preservation, rehabilitation and or adaptive reuse of historic sites within the New Jersey. State programs like the Garden State Historic Preservation Trust Fund and the Cultural Trust Capital Preservation Grant Program provide grants to local historic sites. The State Historic Preservation Office operates a federal income tax credit program for historic sites. All projects selected for funding by the New Jersey Historic Trust's Board of Trustees will require the approval of the Garden State Preservation Trust and the New Jersey Legislature before grant funds can be released.

Payments in Lieu of Taxes (PILOTs)

Payments in Lieu of Taxes are typically given to local government to help offset forgone tax revenue as a result of tax-exempt federal land parcels within municipal boundaries. These payments are one of the ways that the federal government can fulfill its role of being a good neighbor to local communities. Similar payment programs can also be used to stimulate private investment in redevelopment of the Area through tax incentives and structured payments, both of which can enhance project cash flow.

NJDEP Brownfield Development Area (BDA)

The NJDEP works with communities that are affected by multiple Brownfields to design and implement remediation and reuse plans for sites simultaneously, stimulating redevelopment in a coordinated fashion. The BDA process provides a framework that encourages participation from stakeholders in the property, responsible parties, developers as well as community groups, local government and residents in the clean-up and revitalization of the sites.

US EPA Brownfields Program Tax Incentive

Designed to entice private investment in blighted areas, the federal Brownfields tax incentive program is a critical tool cleanup and redevelopment efforts throughout both the State and nation. Environmental cleanup costs are fully deductible in the year that they are incurred, rather than capitalized over time (as many as 30 years). There are three requirements to qualify:

- The property must be owned by the taxpayer incurring the eligible cleanup expenses, and be used in a trade or business or for the production of income.
- Hazardous substances or petroleum contamination must be present or potentially present on the property.
- Taxpayers must obtain a statement from a designated state agency overseeing the Voluntary Cleanup Program (VCP) that confirms the site is a Brownfield and therefore eligible for the tax incentive. Participation in a State-run VCP satisfies this requirement.

NJDEP Brownfields Hazardous Discharge Site Remediation Fund (HDSRF)

NJDEP's Brownfields Hazardous Discharge Site Remediation Fund provides grants to municipalities, counties and redevelopment entities for 100% of investigation costs and up to 75% of cleanup costs pursuant to the Site Remediation Program requirements for a suspected or known discharge of a hazardous substance or hazardous waste. The HDSRF is funded through a constitutionally dedicated portion of the New Jersey Corporate Business Tax, and is administered through a partnership between NJDEP and the New Jersey Economic Development Authority (EDA). NJDEP evaluates an applicant's preliminary eligibility

requirements and the estimated remediation costs. Upon NJDEP's recommendation for funding, the EDA evaluates an applicant's financial status, determines grant and/or loan eligibility and awards funding.