

*Amended*

# **Municipal Complex Redevelopment Plan**

**TOWNSHIP OF MIDDLETOWN, MONMOUTH COUNTY, NJ**

**Block 815, Lots 1.01, 6 and 7**



## ACKNOWLEDGEMENTS



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Monmouth County, New Jersey

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## **I. INTRODUCTION**

### **A. Redevelopment Process**

The following Redevelopment Plan addresses the need for the redevelopment of the Township Municipal Complex, Block 815, Lots 1.01, 6 and 7 ("Redevelopment Area") as identified on the Township of Middletown's Official Tax Maps.

On April 3, 2017, the Township Committee adopted Resolution 17-133 requesting that the Planning Board undertake a preliminary investigation of the above-referenced properties to determine whether the Redevelopment Area qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et. seq. of the Local Redevelopment and Housing Law ("LRHL").

On June 7, 2017, the Planning Board held a properly noticed public hearing to review the study, evidence and testimony in support of the findings of whether the Redevelopment Area satisfies the requirements of the LRHL to be considered an area in need of redevelopment. The Planning Board concluded that the Redevelopment Area satisfies the requirements of the LRHL.

On June 19, 2017, the Township Committee adopted Resolution 17-184 designating the Study Area as an area in need of redevelopment for non-condemnation purposes pursuant to N.J.S.A. 40A:12A-6.

This Redevelopment Plan for the Township of Middletown Municipal Complex ("Redevelopment Plan") has been prepared in accordance with N.J.S.A. 40A:12A-7 of the LRHL.

### **B. Description of the Redevelopment Area**

The Redevelopment Area is bound by State Highway 35, Kings Highway, and Penelope Lane. Lot 1.01 is located at the intersection of State Highway 35 and Kings Highway with its westerly property line fronting along Penelope Lane, while Lots 6 and 7, located to the west of Lot 1.01, have frontage along Penelope Lane.

**Table 1: Tax Block and Lots for the Redevelopment Area**

Block	Lot
815	1.01
815	6
815	7

The Redevelopment area contains a total area of approximately 9.75 acres. Lot 1.01 contains an area of approximately 8.65 acres, while Lot 6 and Lot 7 contain an area of approximately 33,075 square feet and 28,350 square feet, respectively. Block 815, Lot 1.01 contains a total of four buildings. These buildings house the Township's administration building, police department, department of building construction, and department of finance. Block 815, Lot 6 contains a dwelling unit which currently houses the Department of Planning and Community Development. Block 815, Lot 7 contains the Middletown Emergency Medical Services (MEMS) Department.



Figure 1: Aerial Map of the Township Municipal Complex Redevelopment Properties

The Redevelopment Area is surrounded by a mix of commercial, office, and residential uses. Properties directly across State Highway 35, to the northeast of the Redevelopment Area and fronting along the north bound lane of Route 35, contain a strip mall, a self-storage facility, and a car rental facility. The property to the northwest of Lot 1.01, fronting along the southbound lane of Route 35, contains the AT&T retail store and a medical office. The medical office shares its southerly property line with Block 825, Lot 7. The properties along Kings Highway contain office and residential uses, while properties abutting the Redevelopment Area along Penelope Lane contain residential uses.

## **II. STATUTORY REQUIREMENTS**

This Redevelopment Plan is written pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7.a.), which provides that "no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinances of the municipal governing body." Pursuant to the requirements of the LRHL, the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment area sufficient to indicate:

- 1) Its relationship to definite 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 redevelopment area.
- 3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the redevelopment 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 that the municipality envisions acquiring, in accordance with the Redevelopment Plan.
- 5) Any significant relationship of the Redevelopment Plan to: (a) the Master Plans of contiguous municipalities; (b) the Master Plan of the county in which the municipality is located; and (c) the State Development and Redevelopment Plan ("SDRP"), adopted pursuant to the "State Planning Act," P.L. 1985, c. 398 (N.J.S.A.52:18A-196 et al.).

This Redevelopment Plan meets these statutory requirements as evidenced by the following sections of the plan.

### III. PLAN RELATIONSHIP TO ZONING



Figure 2: Zoning Map

Block 815, Lot 1.01 is split zoned in the B-2 and B-3 Business Zone District, as illustrated in Figure 2. The westerly portion of the Redevelopment Area is located in the Middletown Village Historic District. Government offices are a permitted use in the Zone District.

The B-2 Zone District stipulates a minimum lot area of 20,000 square feet, while the B-3 Zone District stipulates a minimum lot area of three (3) acres. Block 815, Lots 6 and 7 are located within the B-2 Zone District. These zone districts permit a variety of non-residential uses, including but not limited to, banks, offices, animal hospitals, medical offices, personal service uses such as beauty shops, laundry, and other retail uses such as bakeries, grocery stores, etc. Conditional uses in the B-2 and B-3 Zone include fast food restaurants, schools, golf courses, cemeteries, places of worship, commercial communication antenna or tower, public utility office or substation, telephone communication center, and television communication center. Additionally the B-3 Zone District conditionally permits uses such as hospitals, massage parlors, arcades, and adult entertainment centers.

The entirety of lots 6 and 7, and the portion of Lot 1.01 fronting on Penelope Lane is located within the Middletown Village Historic District. This is one (1) of the five historic districts that have been officially designated by ordinance and is shown on the Township Zoning Map. Furthermore, the Middletown Village Historic District (ID#2026) has been listed on the New Jersey and National Registers of Historic Places.

The properties to the north, northeast, northwest and south of the Study Area and fronting along State Highway 35 are located in the B-3 Zone District. The properties to the west and fronting along Penelope Lane are located in the R-22 Residential Zone District. The properties to the south and fronting along Kings Highway are located in the R-O Residence and Office Zone District.

The entirety of lots 6 and 7, and the portion of Lot 1.01 fronting on Penelope Lane is located within the Middletown Village Historic District. This is one (1) of the five historic districts that have been officially designated by ordinance and is shown on the Township Zoning Map. Furthermore, the Middletown Village Historic District (ID#2026) has been listed on the New Jersey and National Registers of Historic Places.

## **IV. REDEVELOPMENT PLAN VISION, GOALS AND OBJECTIVES**

### **A. Vision Statement**

The vision of the Municipal Complex Redevelopment Plan is to encourage the environmental remediation, rehabilitation, and development of the Township of Middletown's Municipal Complex. The existing municipal services will be replaced with a new improved facility and may potentially be undertaken under a public-private partnership.

### **B. Goals and Objectives**

The Municipal Complex Redevelopment Plan sets forth the following goals and objectives:

- 1) Advance the goals and objectives of the Township of Middletown's 2004 Master Plan and the subsequent Reexamination Reports.
- 2) To maintain the ability to utilize and operate the existing municipal facilities during the construction of the new municipal complex to the extent practicable.
- 3) To replace the obsolete, outdated, dilapidating, non-ADA compliant buildings and structures with new buildings constructed as per current engineering standards designed to serve our community for at least the next hundred years.
- 4) To provide sufficient off-street parking for all the municipal offices and facilities on the site.
- 5) To reduce the impact of development on the environment through encouraging the implementation of green infrastructure techniques. Incorporate green building technologies into the site improvements and the building design to the maximum extent practicable.

6) To take into consideration the existing neighborhood's established historical character, while incorporating a modern and innovative development that will complement and align with the established neighborhood.

## **V. REDEVELOPMENT LAND USE PLAN**

For the purposes of this Redevelopment Plan, the Land Use Plan shall be an overlay to the existing B2 and B3 Zoning as shown in Figure 2. The requirements of this Redevelopment Plan shall be implemented under a Redevelopment Agreement with the Township Committee, acting as the Redevelopment Agency for the development of any property for uses permitted in the Redevelopment Plan that are not provided for in the underlying Zoning District.

### **A. Uses Permitted in the Redevelopment Area**

#### **1. Permitted Principal Uses**

- a) Municipal buildings, municipal police stations and other governmental use;
- b) Library;
- c) Emergency Medical Services;
- d) Public buildings;
- e) Community meeting rooms;
- f) Convenience Store with or w/o Gasoline Station
- g) Banks, Business Offices or retail space.

#### **2. Permitted Accessory Uses**

- a) Parking lots;
- b) Parking decks;
- c) Active and passive recreational facilities;
- d) Common outdoor public spaces and public plazas;

- e) Street furnishings, planters, streetlights, and exterior, garden types, shade structures (gazebos);
- f) Green Building Techniques and Green Roofs;
- g) Towers and/or antennae for wireless communications
- h) Signs.

### **3. Conditional Uses**

- a) Public Utility Uses;

### **4. Off Street Parking Requirement**

- a) Parking areas must maintain a minimum setback of ten feet from Kings Highway and Penelope Lane. Parking areas can be located up to the property line (zero (0') foot setback) along Route 35.
- b) Parking shall be provided in accordance with Section 540-627 of the Planning and Development Regulations. In event of a conflict, the Redevelopment Plan supersedes any conflicting requirement stipulated within Section 540-627.
- c) A minimum buffer width of ten (10') feet shall be provided between the redevelopment area and any residential use or residential zone.
- d) The Township Committee may authorize a de minimis design waiver from the parking requirement without the need for amending the Redevelopment Plan as described under Section VIII.C.10 of this Plan.

### **B. Building, Area and Yard Requirements**

The Redevelopment Plan shall comply with the building, area and yard requirements as outlined within **Table 2**, below.

**Table 2: Building, Area and Yard Requirements For Municipal Uses**

<b>Lot Dimensions</b>	
Minimum required lot size	5 acres
Minimum lot frontage	N/A
<b>Building Setback Dimensions</b>	
Front yard (Kings Highway)	20 feet
Street side yard (Route 35)	35 feet
Street side yard (Penelope Lane)	35 feet
Side yard	25 feet
Rear yard	40 feet
<b>Other Requirements</b>	
Floor Area Ratio	0.30
Maximum Lot Coverage	70%
<b>Building Height Requirements</b>	
Stories	3
Height	50 feet
<i>(Buildings in the Middletown Village Historic District)</i>	
Stories	2.5
Height	35 feet

- 1) Any building constructed within the boundaries of the Middletown Village Historic District must take into consideration the character of the district and would require approval from the Landmarks Commission as stipulated within Section 540-944 of the Planning and Development Regulations.
- 2) The height limitations noted in Table 2 shall not apply to spires, belfries, cupolas, domes or clock towers, provided they do not contain advertising material and are not used for human occupancy.

3) The Township Committee may authorize de minimis design waivers from the above requirements without the need for amending the Redevelopment Plan as described under Section VIII.C.10 of this Redevelopment Plan.

4) For all Non Municipal Uses the following shall apply:

- a) Minimum Lot size: .75 Acres
- b) All Building Setbacks: 20 ft.
- c) F.A.R: n/a
- d) Lot Coverage n/a
- e) Building Height: 40 feet and 3 stories.

All other requirements shall be in conformance with Table 2.

## **C. Development Regulations**

1) The Redevelopment Plan shall be redeveloped with a combination of municipal, governmental and public uses, and potentially private office or retail uses as part of the public private partnership of the Township with the selected redeveloper.

2) The Redevelopment plan envisions demolishing the existing structures.

3) The Redevelopment Area consists of three (3) individual lots. These lots may be merged or further subdivided subject to Township Committee authorization.

4) The Redevelopment Plan is illustrated on a concept prepared by Arcari + Iovino Architects PC, identified and included within Section VI of this Redevelopment Plan. These include a conceptual site plan, floor plans, elevations, and building renderings. This iteration is intended to provide a general vision for the redevelopment project. It is understood that these

renderings are representative and that the final design may change based on proposals and concepts received.

5) It is envisioned that the existing municipal facilities and all business operations performed on site will continue to function during the construction of the new municipal building. An unspecified number of parking spaces will be temporarily eliminated and/or relocated and alternate parking arrangements should be provided on other areas of the site to accommodate the needs and to minimize any disruptions to the municipal operations during the construction phase.

6) The use of green building technologies is encouraged to be incorporated into all aspects of the project design where practicable.

7) All new electric, telephone, cable, gas, and other utility services lines servicing the buildings shall be installed underground.

## **D. General Design Guidelines**

These general design guidelines shall be applied with the relevant bulk and use standards defined in this Redevelopment Plan. They are intended to reinforce the physical and spatial characteristics of the Middletown Municipal Complex. Exceptions may be granted at the discretion of the Township Committee.

### **1. Design Consideration and Standards**

- a) Buildings shall be oriented towards the street so as to contribute to provide form and function to the streetscape.
- b) Design considerations for the municipal building:
  - 1) The main building entry shall be prominent and easily identifiable.

- 2) The base of all buildings shall meet the pedestrian level in a human scale and manner. The height of the base must relate to the building's architecture and design and must be proportional with the overall building height.
- 3) Upper level facades shall be articulated in order to provide architectural interest. Facades shall not be left blank.
- 4) It is recommended that facades of all buildings shall be developed and designed using high quality materials such as masonry (standard or Norman brick), pre-cast stone or concrete and brick panels, etc. Stucco may be used as an accent.
- c) To the maximum extent practicable, non-municipal buildings must use materials and architectural styles that complement the municipal building and give an appearance of being part of one complex.
- d) Part of the Redevelopment Area, along Penelope Lane, is located in the Middletown Village Historic District, which is listed on both the State and National Register of Historic Places. As such, the architectural and site plans should be consistent with the surrounding character of the District relative to the building's architectural elements, to the extent possible. Therefore, it is recommended that the building design reference traditional design features such as lintels, cupolas, cornices, pilasters, etc. These architectural elements may be used in a contemporary manner provided that the building as a whole presents a cohesive appearance and the quality of the building materials is maintained.
- e) Building designs may utilize various types of materials and material changes for façade articulation; the intent of this is to create interesting and varied building facades such that the building facades do not read as continuous slabs along the streetscape.
- f) All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable residential sound standards as defined by the State of New Jersey.
- g) Rooftop mechanical units, vents, and flues shall be screened using parapets, or pitched roof forms, and located, to the extent practicable, centrally on the building roof with screening materials constructed of the same or similar material as the building.
- h) Mechanical equipment at ground level shall be screened from the public view.

## **2. Signage**

Signage should be integrated with the overall architectural design of the building. One monument sign identifying the Municipal Complex along the State Highway 35 and Kings Highway intersection is recommended to identify the destination. Another smaller monument sign may be installed along Kings Highway. Within the municipal complex, wayfinding or directional signs may be installed to display and help visitors find specified parking and individual locations for the different uses on the site. Such signs shall not exceed two square feet per identification and letter height of six inches, with a total area not exceeding ten square feet in area. The structure to which the signs are attached shall not exceed 12 feet in height.

Apart from the municipal complex and its ancillary uses, should there be any other use on the site, pursuant to the public-private partnership, then one freestanding sign, not exceeding 50 square feet in area, 25 feet in height and at a setback of 25% of building setback, for the uses; and one façade sign not to exceed 10% of the front wall area is permitted for such a use in the Redevelopment Area.

Signage standards stipulated within Section 540-635 of the Planning and Development Regulations that are not specific to a zone district apply to the Redevelopment Area. In event of a conflict, the Redevelopment Plan supersedes any conflicting requirement stipulated within Section 540-635. The redeveloper will prepare a comprehensive sign plan as part of the site plan process that will identify, locate, and illustrate each proposed sign within the project.

The Township Committee may authorize a de minimis design waiver from the signage requirement without the need for amending the Redevelopment Plan as described under Section VIII.C.10 of this Redevelopment Plan.

### **3. Landscape treatments**

A developer shall be required to submit a landscape plan showing a variety of native plant material to enhance the character of the site, including foundation plantings, and perimeter trees and shrubs. The landscape plan shall be designed in accordance with the following guiding principles:

- a) Landscaping shall accent and complement buildings.
- b) Yard areas and open spaces of buildings shall contain, to the maximum extent practicable, the equivalent of one shade or ornament tree for each 1,500 square feet of yard area, not including the areas devoted to parking.
- c) Street trees shall be located at 30 feet on center, allowing plus or minus for driveways, walkways or other obstructions.
- d) Areas that do not contain parking, driveways, walkways shall be landscaped using trees, shrubs, grass or other plants of suitable size and variety.

- e) Bases of trees and other landscaped areas shall include suitable ground cover so as to discourage the growth of weeds.

### **4. Lighting**

The following standards shall apply for lighting within the redevelopment area:

- a) Adequate lighting should be provided for security and identification without allowing light to trespass onto adjacent sites.
- b) Exterior lighting, including interior lighting for exterior identification signs, shall be LED or any other energy saving technology available at the time of construction, depending upon the availability of suitable architectural lighting.
- c) To the maximum extent practicable, this Redevelopment Plan recommends decorative light fixtures in lieu of standard shoe box fixture. Following are few examples illustrating different decorative lighting fixtures as a reference.



- d) Lighting shall be in compliance with the applicable sections of Chapter 540, Planning and Development Regulations. The Township Committee may authorize de minimis design waivers from the lighting requirement without the need for amending the Redevelopment Plan as described under Section VIII.C.10 of this Redevelopment Plan.

## **5. Green Design and Elements**

The use of green building technologies is strongly encouraged to be incorporated into all aspects of the project design. This is in accordance with the Township Committee's commitment to making Middletown a sustainable community. In fact, the Township Committee, pursuant to Resolution 10-215, has pledged to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible. The following green design and elements have been incorporated within this Redevelopment Plan:

- a) The existing municipal complex site is being redeveloped; however, one existing building will continue to function until the completion of construction of the new municipal complex.
- b) Construction of a Stormwater management system in accordance with the NJ Department of Environmental Protection (DEP) Stormwater regulations.
- c) The Redevelopment Plan recommends, to the extent practicable, incorporating raingardens, bioswale tree lawns and pervious pavements to maximize absorption of storm water.
- d) Outdoor water use reduction and indoor water use reduction (low flush fixtures, etc.).
- e) High efficiency HVAC systems.
- f) Occupancy sensors for room lighting.
- g) LED lighting fixtures and other high efficiency lighting.
- h) Storage and collection of recyclables.
- i) Use of local raw materials for construction.
- j) Indoor air quality to meet Code.
- k) Thermal comfort and control systems.
- l) Quality indoor lighting.
- m) Use of daylight to maximum extent practicable.
- n) Incorporation of shade trees within the Redevelopment Area and use of native plant species.

## **VI. CONCEPT PLANS**

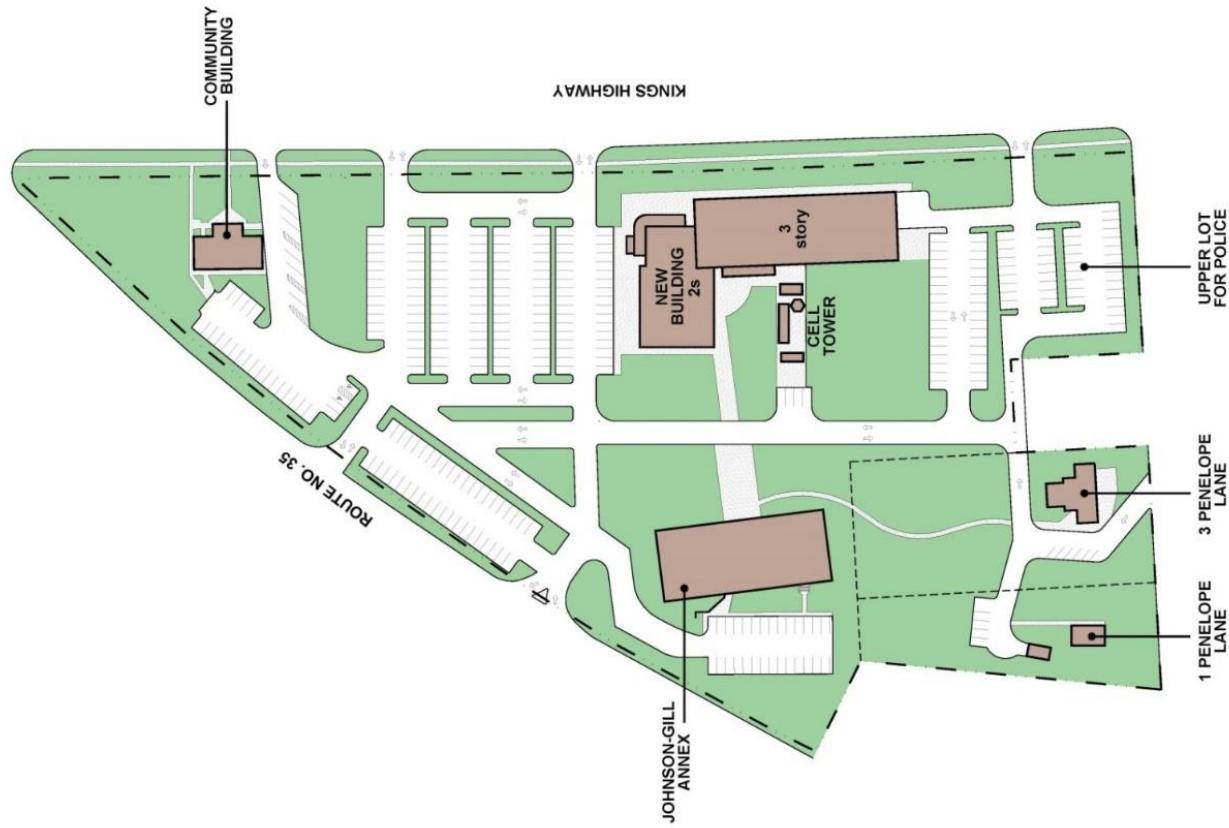


Figure 3: Conceptual Site Plan

**PROPOSED SITE PLAN**  
 MIDDLETOWN MUNICIPAL COMPLEX SCHEMATIC DESIGN - 2016.09.12 SP2

**arcari + iovino**  
ARCHITECTS PC

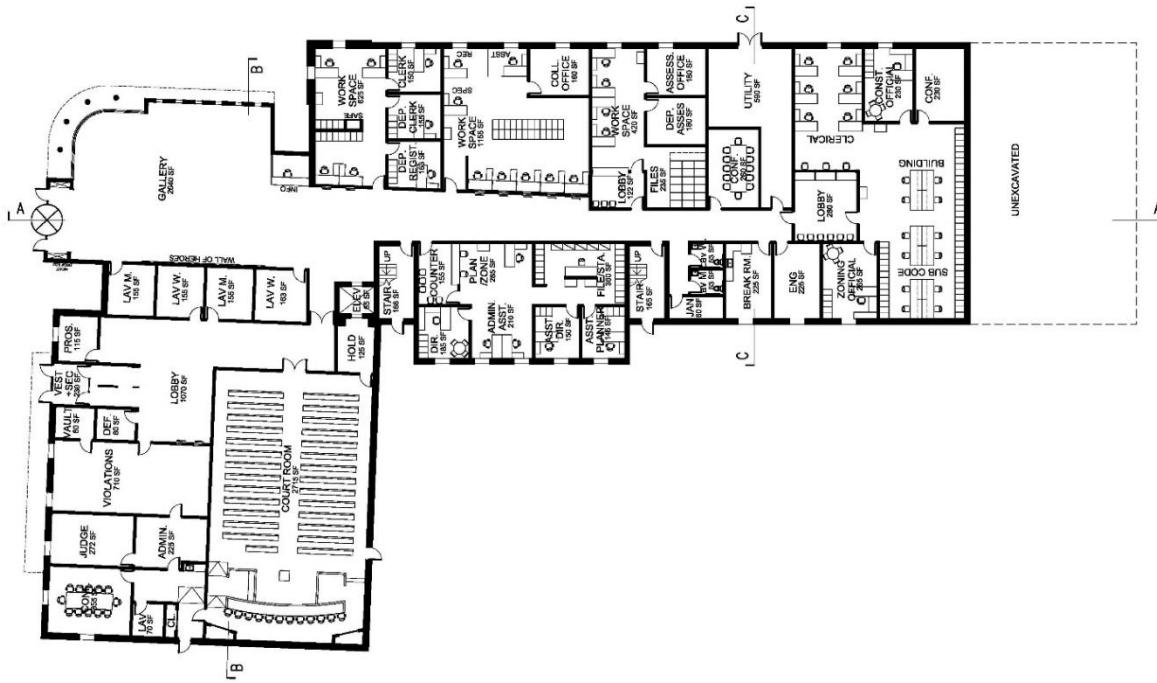


Figure 4: Architectural Floor Plan 1



Figure 5 – Architectural Floor Plan 2

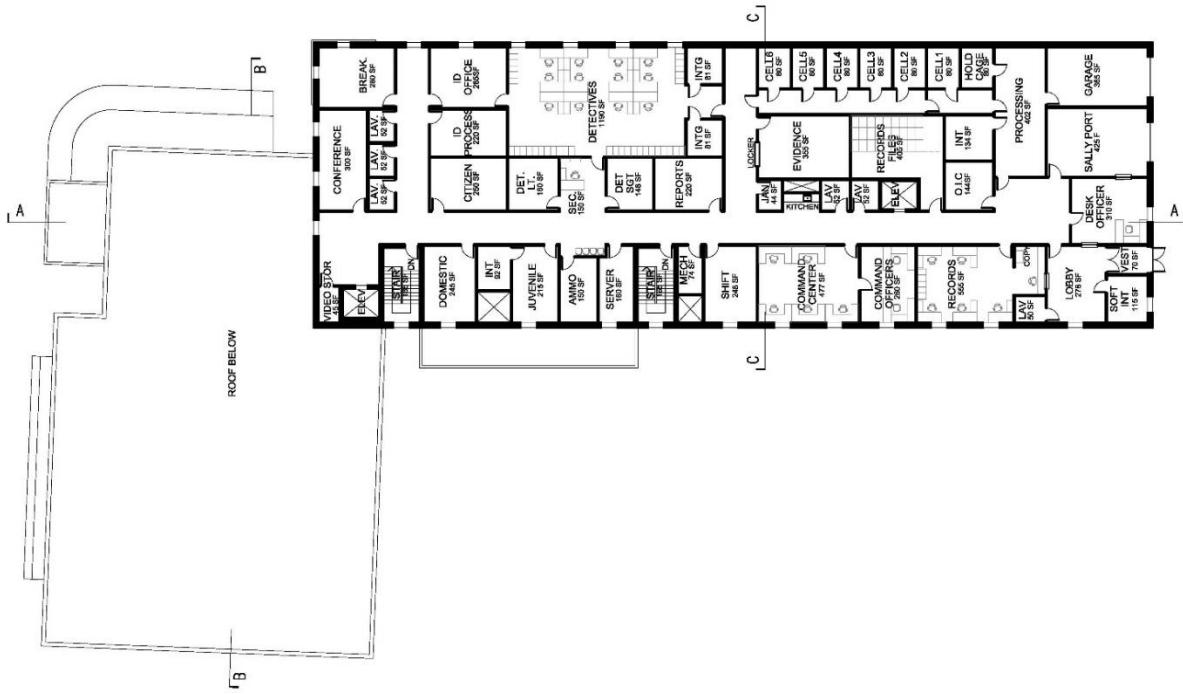


Figure 6 – Architectural Floor Plan 3



Figure 7 – Building Rendering



Figure 8 – Building Rendering (Bird's Eye View)

## **VII. PLAN CONSISTENCY REVIEW**

The following section identifies the relationship of this Redevelopment Plan to a number of other Plans and local, regional and State goals and objectives in accordance with NJSA 40A:12A-1 et seq.

### **A. Township of Middletown Master Plan**

#### **1. 2004 Master Plan**

The Township's 2004 Master Plan sets forth a statement of objectives, principles, assumptions, policies and standards, and includes a Land Use Plan Element along with other plan elements such as Circulation Element; Utility Service Element; Community Facilities Element; Open Space, Recreation and Conservation Plan Element; Historic Preservation Element; Recycling Element; and the Housing Element, which was replaced by the Amended Housing Element and Fair Share Plan in December 2008.

The following section identifies the objectives, principles, assumptions, policies and standards that are relevant to this Redevelopment Plan:

#### ***Objectives***

- 1) To encourage municipal actions which will guide the long range appropriate use, development and preservation of lands within the Township in a manner designed and intended to promote the public health, safety, morals, and general welfare of present and future residents.
- 2) To secure safety of the community, to the extent possible from fire, flood, panic and other natural and manmade disasters.
- 3) To provide adequate light, air, and open space.

- 4) To ensure that development with the Township does not conflict with the development and general welfare of neighboring municipalities, the County, the region, and the State as a whole.
- 5) To encourage the appropriate and efficient expenditure of public funds by coordinating public and private investment and development within a framework of land use and development principles and policies.
- 6) To provide sufficient space in appropriate locations within the Township for agricultural, residential, business, office, industrial, mixed use, and public and quasi-public uses in a manner which will provide for balanced Township growth and development.
- 7) To promote a desirable visual environment through creative development techniques with respect to environmental assets and constraints of the overall Township and of individual development sites.

#### ***Principles***

- 1) Locating public, commercial, industrial, professional office and agricultural uses at sites and in locations which are suitable for their use environmentally, economically, and geographically, and are compatible with existing uses, public facilities, roadways, and natural features.
- 2) Continued recognition of the Township's unique and historic pattern of neighborhoods and villages. Efforts have been ongoing to enhance, redevelop and improve these areas throughout the Township. Such endeavors should be continued.

## **Policies**

- 1) Land development should be designed to protect and enhance the environmental quality of the Township and preserve and protect valuable open spaces and natural resources.
- 2) The Township will consider and evaluate innovative development proposals which would enhance and protect environmental features, minimize energy usage and encourage development densities consistent with existing patterns of development.

The Community Facilities Plan Element of the 2004 Master Plan identifies the principal community facilities within the Township, both public and quasi-public. This element provides an overview of the municipal facilities that existed in 2004. Furthermore, the Master Plan recognizes that "within the next five (5) years the Township should consider consolidation into a single municipal complex. While recent improvements to facilities and relocation of departments has improved governmental efficiency, the fact that the Township must maintain multiple buildings and grounds results in added costs for maintenance and upkeep. A single Municipal complex will be more efficient and convenient for the public who will be able to conduct virtually all of their business as one location. The existing facilities are also extremely inefficient in terms of energy consumption." The Master Plan was adopted in October 2004 and it is almost 13 years since then.

## **2. 2014 Master Plan Reexamination Report**

The following recommendations from the 2014 Master Plan Reexamination Report are relevant to this Redevelopment Plan:

- Modifications to circulation patterns at Penelope Lane are critical considering the increased traffic demands to be placed on this narrow roadway by office development currently under construction.
- Consideration should be given to converting the northerly 200' +/- section of Penelope Lane to a one-way roadway heading northbound. Restricting right turn movements from Highway 35 should also be considered by altering the intersection geometry. Overall roadway conditions are in need of rehabilitation.

## **3. Middletown Village Historic District Survey Report**

The Middletown Village Historic District survey report was prepared in 1990 by the Middletown Township's Landmarks Commission and Historic Preservation consultant Gail Hunton for the purpose of redesignating the historic district under Township Ordinance #2017. An inventory of 99 properties was identified to substantiate the significance of the district as a whole by listing the architectural and historical documentation of its individual components. Properties were classified into three categories:

- Key: Any building, structure, sites or objects which, due to their significance, would individually qualify for landmark status.
- Contributing: Any buildings, structures, sites or objects which are integral components of the historic district either because they date from a time period for which the district is significant or because they represent an architectural type, period, or method of construction for which the district is significant.
- Non-contributing: Any buildings, structures, sites or objects which are not integral components of the historic district either because they neither date from a time period for which the district is significant nor

represent an architectural type, period, or method of construction for which the district is significant.

The report further clarified the contributing structures within the historic district by stating the following:

*Although village origins date from the late 17th century and a number of “Key” 18th century structures and sites distinguish the district, the existing physical and architectural characteristics of Middletown Village are predominantly 19th century. Consequently, all 19th century buildings are classified as “Contributing” unless they have lost integrity through radical alteration. In addition, the Middletown Village Historic District is characterized by a significant number of structures dating from the early 20th century. Therefore those buildings that over fifty years old (before 1940) and exhibit compatible scale, form, and materials with the overall district, are also classified as “Contributing.”*

The house on Block 815, Lot 7 (Old Block 56, Lot 9), identified in the report as “Morford House,” was classified in the report as “Contributing.” However the report notes that the structure was substantially altered in the 20th Century, with the rebuilding of the foundation, fenestration changes, and vinyl siding covering the wood siding and trim. This currently houses the Emergency Medical Services.

The structure on Block 815, Lot 6 (Old Block 56, Lot 9.01) was classified in the report as “Non Contributing.” This structure, a one-story mid-20th century ranch with wood siding, currently houses the Department of Planning and Community Development.

## **B. Relationship to the adjacent municipalities**

Middletown Township is located in Monmouth County and is bordered by the municipalities of Keansburg Borough, Atlantic Highlands Borough, Highlands Borough, Red Bank Borough, Tinton

Falls, Colts Neck Township, Holmdel Township, and Hazlet Townships. However, the Redevelopment Area that is the subject of this Redevelopment Plan is located in the central portion of the municipality. Due to the isolated nature of the Redevelopment Area, there are no impacts expected on adjacent municipalities.

## **C. Monmouth County Master Plan**

Monmouth County's Master Plan was adopted in October 2016. The following are the goals and objectives relevant to this Redevelopment Plan:

Master Plan Goal #3 is to promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay. The purpose of this goal is to assist municipalities in determining the best use of increasingly scarce undeveloped land resources and to help identify opportunities for the redevelopment of other areas in ways that will best meet the demands of the evolving marketplace and needs of the community. The purpose is also to assist those municipalities that desire to maintain and/or enhance their community's current character as their highest local priority.

In that the following are few of the objectives that are relevant to this:

- To encourage the redevelopment and revitalization of highway commercial corridors that incorporate multi-purpose uses, higher design standards, are located outside Special Flood Hazard Areas (“SFHA”), and improve circulation both on and offsite.
- Promote the redevelopment or reuse of environmentally degraded places such as brownfields and greyfield sites into safe, new uses and public amenities that promote healthy community design.

- Promote the retention, improvement, maintenance, and upgrading and/or adaptive reuse of existing governmental and institutional facilities.

## **D. State Development and Redevelopment Plan**

On March 1, 2001, the State Planning Commission (“SPC”) adopted the State Development and Redevelopment Plan (“SDRP”). The SDRP establishes a proposed statewide planning framework that is designed to maintain and revitalize existing cities and towns and organize new growth in “center” – compact, mixed-use communities that provide a variety of choices in housing, employment opportunities, entertainment, services, transportation, and social interaction.

The Redevelopment Area is located entirely within the Metropolitan Planning Area 1 (PA-1). According to the SDRP, the intent of the Metropolitan Planning Area 1 is to:

- Provide for much of the state’s future development;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The Policy Objectives governing the Metropolitan Planning Area 1 (PA-1) include the following:

- Land Use: Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts.
- Housing: Provide a full range of housing choices through redevelopment.
- Economic Development: Promote economic development by encouraging strategic land assembly, site preparation and infill development, [and] public-private partnerships.
- Natural Resource Conservation: Reclaim environmentally damaged sites and mitigate future negative impacts.
- Public Facilities and Services: Complete, repair, or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region.

## **VIII. GENERAL PROVISIONS**

### **A. Role of the Township of Middletown**

In order to implement the Redevelopment Plan, the Township Committee, acting as a Redevelopment Agency, shall designate and enter into a contract with a Redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A:12A-4(c)) as per the guidelines mentioned within this section of the Redevelopment Plan.

#### **1. Redeveloper Selection**

The following procedural standards shall help guide the selection of the prospective redeveloper. The Township Committee may, at any time, proactively solicit potential redevelopers by utilizing appropriate methods of advertisement and other forms of communication, or may, at its discretion entertain unsolicited proposal(s) from a prospective redeveloper(s) for the project development. The Township Committee may, at its discretion, choose to enter into a public-private partnership wherein a certain portion of the Redevelopment Area can be developed by the Redeveloper to contain permitted uses noted within the Redevelopment Plan, in order to offset the cost of building the municipal complex. This would include, but is not limited to, a pad site to contain office, retail or similar uses that are deemed compatible/complementary to the municipal complex by the Township Committee. The Township Committee reserves the right to select the redeveloper(s) in all areas governed by this Redevelopment Plan. All designated redeveloper(s) will be required to execute a Redevelopment Agreement satisfactory to and authorized by the Township Committee.

The selection of a redeveloper may be based upon a competitive selection process, which may be taken from time to time at the discretion of the Township Committee. An applicant for selection as a redeveloper will be required to submit materials to the Township Committee that specify their qualifications, financial resources, experience and design approach to the proposed redevelopment project. The competitive selection process will likely include the submission of some or all of the following materials (additional submission materials may be requested by the Township Committee if deemed necessary):

- a) Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, parking, landscaping, and other elements that are consistent with the standards set forth within this Redevelopment Plan.
- b) Anticipated construction schedule, including an estimated pre-construction time period to secure permits and approvals.
- c) Documentation evidencing the financial responsibility and capability of the proposed redeveloper with respect to carrying out the proposed redevelopment and site environmental remediation, if required, including but not limited to: type of company, partnership or other ownership structure, all shareholders, general or limited partners, the financial profile of the redeveloper entity and its parent, if applicable, disclosure of all ownership interests, list of comparable projects successfully completed, list of references with name, address and phone number.
- d) The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) and shall apply

notwithstanding any provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
2. The redeveloper, its permitted successor or assigns, shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
3. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Agency, the Redeveloper covenants that as provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument, said covenants and agreements shall remain in full force and effect.
4. The Redevelopment Agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the Redeveloper and any other provisions deemed necessary by the Township Committee to assure the successful completion of the project.
5. The designated Redeveloper shall be responsible for any installation or upgrade of infrastructure related to the project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric, water, sanitary and storm sewers, telecommunications, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the Redeveloper's Agreements with the Township.
6. All utilities shall be placed underground.

7. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage law, where applicable.

8. In addition to the provision of the Infrastructure Items set forth herein, the Redevelopment Agreement may provide that the Redeveloper will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.

## **B. Approvals Process**

The following section sets forth the procedure for review and compliance with this Redevelopment Plan.

### **1. Township Committee Review**

The Township Committee, acting as the Redevelopment Agency, shall review the proposed redevelopment projects within the redevelopment area to ensure that such projects are consistent with the Redevelopment Plan and relevant redeveloper agreement(s). Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board. The Township Committee shall determine whether the proposal is consistent with this Redevelopment Plan and the relevant Redevelopment Agreement. The review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of this Redevelopment Plan.

### **2. Planning Board Review**

A development application shall be submitted to the Township of Middletown Planning Board through the procedures outlined in the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-1 et. seq. and

the LRHL. This process shall occur subsequent to the Township Committee review.

### **3. Variances & Design Waivers**

Neither the Planning Board or the Zoning Board of Adjustment shall grant any deviations from the terms and requirements of this Redevelopment Plan nor shall grant any variance relief pursuant to N.J.S.A. 40:55D-70(c) and N.J.S.A. 40:55D-70(d). Unless otherwise specified in this Redevelopment Plan, any proposed changes shall be in a form of an amendment to the Redevelopment Plan adopted by the Township Committee in accordance with the requirements set forth in the LRHL pursuant to N.J.S.A. 40A-12A-1 et. seq.

## **C. Site Plan Review**

### **1. Site Plan Review**

The Township Committee and the Planning Board shall review any development application in accordance with the procedures mentioned within Section VIII.A.2 of this Redevelopment Plan. If any changes are proposed subsequent to this approval, then no construction related to the changed project features can take place until a site plan and other pertinent drawings reflecting such additions or changes have been submitted and approved by both the agencies. This includes revisions and additions proposed prior to, during, and after completion of such improvements.

### **2. Approvals by Other Agencies**

The redeveloper shall be required to provide the Township with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the

Redeveloper's Agreement to be executed between the redeveloper and the Township.

### **3. Certificate of Completion and Compliance**

Upon the inspection, verification and approval by the Township Committee that the redevelopment of a parcel subject to a Redevelopment Agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel(s) will be deemed no longer in need of redevelopment.

### **4. Severability**

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

### **5. Adverse Influences**

No use or reuse 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. Non-Discrimination Provisions**

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by a developer or any of his successors or assigns, whereby land within the

Redevelopment Area is restricted by the Township Committee, or the developer, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color or national origin.

## **7. Escrows**

The redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Township to review the proposed redevelopment project and advise the Township on any and all aspects of the redevelopment process and as otherwise set forth in a Redevelopment Agreement.

## **8. Infrastructure and Public Improvements**

The redeveloper, at the redeveloper's cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and storm water sewer service to the project, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on- and off-site traffic controls and road improvements for the project or required as a result of the impacts of the project. The Redevelopment Agreement between the Township and the redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security)

pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project.

## **9. Duration of the Plan**

The provisions of this Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of up to 30 years from the date of approval of this plan by the Township Committee.

## **10. Procedure for Amending the Approved Plan**

The Township of Middletown Township Committee, at its sole discretion, may amend the Redevelopment Plan from time to time upon compliance with the requirements of state law.

## **APPENDIX A**

### **Township Committee Resolution 17-184 Designating the Area in Need of Redevelopment**