

**REDEVELOPMENT PLAN FOR THE
PAUL'S AUTO SITE IN THE TOWNSHIP OF CRANBURY NJ**



PREPARED BY **PHILLIPS PREISS GRYGIEL LLC**

PLANNING & REAL ESTATE CONSULTANTS

ADOPTED MAY 9, 2016

**REDEVELOPMENT PLAN FOR THE
PAUL'S AUTO SITE
IN THE TOWNSHIP OF CRANBURY, NEW JERSEY**

Prepared for:

The Township Committee of the
Township of Cranbury

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I. INTRODUCTION

A. Statutory Basis

This Redevelopment Plan has been prepared for a Redevelopment Area designated pursuant to N.J.S.A. 40A:12A-5 known as the “Paul’s Auto Site” and located on the west side of US Route 130 and east of Bennett Place within the Township of Cranbury (“Township”). The Redevelopment Area consists of one parcel that is designated on the Township’s tax maps as Block 33, Lot 13.04. The Redevelopment Area is bounded generally by Route 130 to the east; the southerly property line of Block 33, Lot 4.01 to the north; the easterly property line of Block 33, Lot 13.05 to the west; and the northerly property line of Block 33, Lot 64 (Village Park) to the south. The Bennett Place cul-de-sac is located to the west on Block 33, Lot 13.05. (see Figure 1, Redevelopment Area Location).

The Township Committee of the Township Cranbury adopted a resolution on February 22, 2016, (see Resolution #02-16-045) directing the Planning Board to study the area in order to determine whether it should be deemed a non-condemnation area in need of redevelopment in accordance with the criteria specified in the Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5. The Planning Board subsequently directed its consulting planners, Phillips Preiss Grygiel LLC to conduct the study. The consultants submitted their report, titled *Area in Need of Redevelopment Investigation for the Paul’s Auto Site, Township of Cranbury, New Jersey* to the Planning Board on March 7, 2016 and a public hearing was then held by the Planning Board to determine whether it should recommend that the area be designated a non-condemnation area in need of redevelopment pursuant to the LRHL. On March 17, 2016, the Planning Board adopted a resolution recommending that the area be designated as a non-condemnation area in need of redevelopment.

The Cranbury Township Committee concurred with the Planning Board's recommendation, and declared the area a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12-6 on March 28, 2016. The Township Committee on the same date then directed Phillips Preiss Grygiel LLC to prepare a Redevelopment Plan for the area in question pursuant to the LRHL at N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law, which provides that “no redevelopment projects shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body upon its finding that the specifically delineated project area is located in an area in need of redevelopment or an area in need of rehabilitation, or in both, as appropriate”.

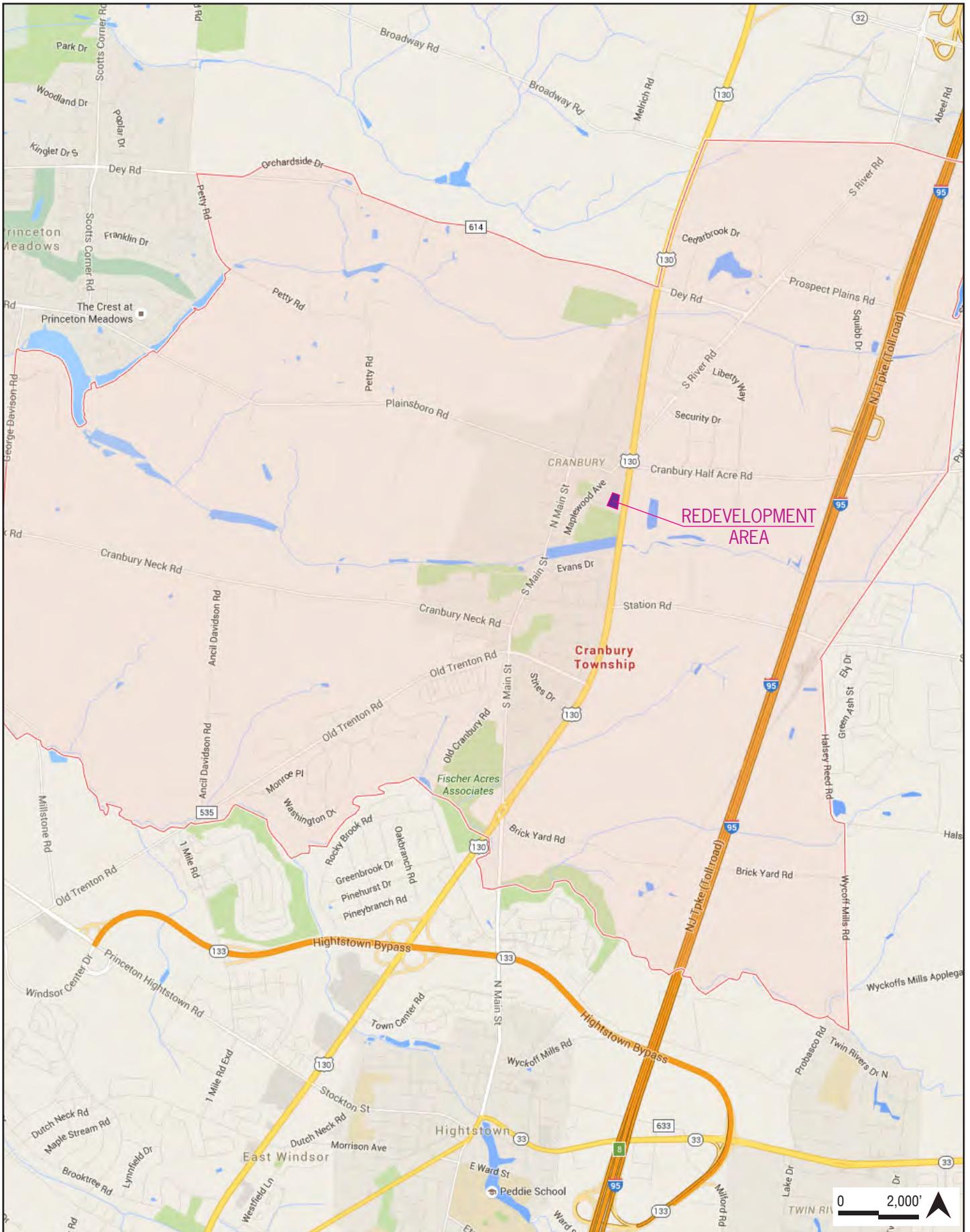


FIGURE 1: REDEVELOPMENT AREA LOCATION
 REDEVELOPMENT PLAN FOR THE PAUL'S AUTO SITE, CRANBURY NJ

B. Description of Redevelopment Area Boundaries

The Redevelopment Area boundaries are formed by property lines of Block 33, Lot 13.04. The Redevelopment Area is bounded generally by Route 130 to the east; the southerly property line of Block 33, Lot 4.01 to the north; the easterly property line of Block 33, Lot 13.05 to the west; and the northerly property line of Block 33, Lot 64 (Village Park) to the south. The Bennett Place cul-de-sac is located to the west on Block 33, Lot 13.05. The Redevelopment Area's tax lot and area boundaries are identified on Figure 2.

The Redevelopment Area is located in a portion of the Township characterized mostly by commercial and automotive uses (i.e. equipment rentals, automotive repair) along Route 130 to the north and east. Specifically, another auto repair/garage use is located immediately adjacent to the Redevelopment Area to the north. Village Park is located along Route 130 to the south of the Redevelopment Area. The Parkside at Bennett Place housing development is located to the west, which consists of affordable family rental units along a cul-de-sac. Brainerd Lake is located further south of Village Park. Light industrial and warehouse uses are located further east across Route 130. The Redevelopment Area's setting within the immediate surrounding area is shown in Figure 3.



FIGURE 3: AERIAL CONTEXT
REDEVELOPMENT PLAN FOR THE PAUL'S AUTO SITE, CRANBURY NJ

II. DESCRIPTION OF EXISTING CONDITIONS

As described above, the Redevelopment Area is located on the west side of Route 130.

The Redevelopment Area encompasses ±3.89 acres and is known as the “Paul’s Auto Site,” though there are several tenants on the property. There are two buildings on the property; a storage garage located adjacent to the northerly property line and a two-story building near the center of the site that consists of repair garages and office space. The northerly building has two tenants that lease garage space for equipment storage but otherwise do not conduct business on the site. The second building consists of the Paul’s Auto Repair garage and office, a trucking company, and a truck repair garage. Both buildings are functional but in poor condition and would likely be considered physically obsolete.

The majority of the property is covered in pavement with haphazard vehicle and truck parking, with only one striped parking area adjacent to the southerly building. Vegetation on the parcel is generally scrub brush and grasses, with some vegetative buffering on the south, north, and western property lines.

III. GOALS OF THE REDEVELOPMENT PLAN AND RELATIONSHIP TO LOCAL OBJECTIVES

A. Redevelopment Plan Goals and Objectives

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

1. To provide for affordable housing in satisfaction of the Township's fair share housing obligation.
2. To promote new residential development in the Redevelopment Area in a manner that will benefit the community.
3. To provide for appropriate land uses that will eliminate blight and serve the needs of the community.
4. To minimize the negative impact of existing land uses in the Redevelopment Area on the surrounding neighborhood.

B. Relationship to Local Objectives

1. Cranbury Master Plan

The most recent comprehensive Master Plan for the Township of Cranbury was adopted in December 2010.

At the time of the writing of the Master Plan, the study area was located in a split zone between the HC Highway Commercial and R-ML Residential Mount Laurel zones; since then, the zone line was changed to reflect the property lines and the study area lies entirely in the HC Zone, while the Bennett Place Development to the rear is located in the R-ML zone.

The Land Use Element of the Master Plan notes that, despite large areas of open space and farm fields in the Township to the east and west of Cranbury Village, there are very few vacant parcels that are not either developed, deed-restricted against future development, approved for development, or in the approval or conceptual development pipeline. According to the Master Plan, most development along the Route 130 corridor was likely to be derived from "redevelopment of marginal or underutilized property," rather than vacant parcels. The Master Plan goes on to note that this would be unlikely under the present zoning due to the fact that permitted retail uses would not likely provide the necessary economic incentive. Recommendations were presented for revising the HC Highway Commercial zone.

The Community Design Element of the Master Plan provides more specific details regarding the density and design considerations for development within the Redevelopment Area. The Community Design Element reinforces once again the need to re-designate the Redevelopment Area and indicates that the existing zoning controls (both use and bulk) to some extent contribute to the stagnant conditions within the Redevelopment Area (i.e., vacant, marginally developed, or undeveloped).

The Community Design Element set forth a recommendation for a new C-C Community Commercial zone to replace portions of the HC Highway Commercial zone along the Route 130 corridor, including the study area and its immediate vicinity. The C-C Community Commercial zone envisioned a broader array of permitted uses and fresh design standards to give the Township a chance to “upgrade the area’s uninspiring visual qualities.” The design standards included recommendations for visual improvements such as buffered front yard parking, easements to adjacent side streets, and sidewalks. The permitted bulk and use standards in the HC zone were deemed too restrictive to encourage redevelopment, particularly with regard to permitted uses and Floor Area Ratio (FAR).

The Land Use and Community Design Elements further present the following goals and objective relevant to the study area:

- Maintain the warehouse-office character of land on the east side of Route 130, but improve the image and visibility of the Route 130 highway commercial corridor.
- Continue to enforce design standards to ensure good visual quality and design for all land use categories.
- Ensure that new development is visually and functionally compatible with the physical character of the Township, especially west of Route 130.
- Improve the visual and physical appearance of nonresidential areas while protecting residential areas from encroachment by incompatible uses.

The Economic Development Plan goes on to state with regard to type of development envisioned for the study area:

“Currently many properties in both the Highway Commercial and General Commercial zone in Cranbury are underutilized or marginal, or contain businesses that have done little to reinvest in or improve their businesses in recent years. Trucking, storage, and older industrial/contract yards proliferate. Low-density, auto-oriented uses – gas stations, auto sales and service – are present. The overall appearance, quality of merchandise offered, [and] variety of goods and services available is substantially lacking, and the real estate potential and value of each as such does not reflect the good visibility and accessibility of these parcels to the regional marketplace.”

It was thought that these proposed changes in zoning regulations, as outlined in the Master Plan, would create incentives for new development within the study area and environs and help to diversify the array of uses along the Route 130 corridor in a manner that would support the Township’s tax base, enhance the visual environment, and provide a transition from the Township’s industrial area to the east of Route 130 to residential neighborhoods and Cranbury Village to the west.

The 2013 Amendment to the Land Use Element reexamined the permitted uses and development standards of non-residential uses along the Route 130 corridor and recommended changes to promote redevelopment and promote the purposes of the Township Master Plan and the MLUL. The Amendment recommended a variety of additional permitted uses in the HC district to encourage redevelopment to increase economic opportunities and improve the appearance of existing business along Route 130. Subsequently, these recommendations were adopted as an amendment to the Township's Land Development Ordinance, as detailed in the following section.

In March 2013, the Planning Board adopted an Amendment to the Master Plan, entitled "Route 130 Corridor Study." No changes to the Redevelopment Area's designation within the HC Zone were part of this amendment, but a broader array of permitted uses were recommended in the study.

2. Cranbury Land Development Ordinance

The Redevelopment Area is located in the HC Highway Commercial zone. At the time of the 2010 Master Plan, the HC zone permitted a variety of retail good and service establishments (i.e. agricultural supplies, home and garden, sporting and hobby, pharmacies, banks, automobile parts), as well as offices, retail shopping centers, hotels, and wholesale uses. In lieu of the C-C Community Commercial district that was recommended in the 2010 Master Plan (as detailed in the previous section), the Township of Cranbury Land Development Ordinance was amended in 2013 per the Land Use Plan Amendment for the Route 130 Corridor to add a variety of new permitted uses to the HC zone. The newly permitted uses include book/music/electronics stores, office supply stores, bakeries, restaurants except fast food, liquor stores and bars, and grocery stores.

The HC zone prohibits automobile-oriented uses such as most automobile and truck sales, gas stations, big-box stores, and self-storage warehouses. Residential development, convenience stores, and supermarkets are also expressly prohibited. The existing uses on the site are nonconforming uses under the current zoning.

While the proposed residential use is not consistent with the existing land use element of the Master Plan or zoning for the Redevelopment Area, the proposed affordable housing is consistent with the Township's goal of meeting its fair share housing obligation on a site that is unlikely to be developed in such a way as to conform to the existing zoning standards. Moreover, the utilization of the Redevelopment Area as a means whereby the Township will be able to satisfy its remaining obligation pursuant to a declaratory judgement by the Superior Court of Middlesex County is a critical part of the duly adopted Amended Third Round Housing Element and Fair Share Plan of the Township of Cranbury, Middlesex County, New Jersey, prepared by Clarke Caton Hintz (adopted April 7, 2016).

IV. LAND USE AND DEVELOPMENT PLAN

A. Notes on Plan Terminology

Throughout this Redevelopment Plan, a meaningful distinction is made in the regulations between “shall” and “should.”

“Shall” or “must” means that a developer is required to comply with the specific regulation, without deviation.

“Should” means that a developer is encouraged to comply but is not required to do so. If the exact recommendation cannot be met, the Planning Board will entertain any modification that meets the underlying spirit and intent of the regulation and/or the Redevelopment Plan generally.

B. Purpose

The Redevelopment Plan is intended to encourage the development of affordable residential housing for seniors and families on an underutilized property within a main corridor within the Township of Cranbury.

C. Illustrative Conceptual Development Plans

The concept site plan herein shows the intended development configuration on the subject property. (See Figure 4, Conceptual Site Plan). It is the intention of the redeveloper, and the requirement of the Township, that the development will be built much like this plan. In order to ensure that a high quality is met, the standards and guidelines in this Redevelopment Plan spell out specific requirements that stem from the redeveloper’s intentions and Township’s goals for the Redevelopment Area.

D. Specific Land Use Provisions for the Redevelopment Area

1. Principal Permitted Uses

Multi-family residential units, including senior apartments, special needs apartments, and family townhouses or apartments.

2. Permitted Accessory Uses

Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

3. Area, Yard and Building Requirements

| Standard | Required/Allowed |
|----------------------------------|-------------------------|
| Min. Lot Area | 2 acres |
| Min. Street Frontage | 200 feet |
| Min. Lot Depth | 250 feet |
| Min. Front Yard Setback | 50 feet |
| Min. Side Yard Setback* | 20 feet |
| Min. Rear Yard Setback* | 25 feet |
| Accessory Structures | |
| Min. Side Yard Setback | 25 feet |
| Min. Rear Yard Setback | 25 feet |
| Max. Impervious Coverage | 70% |
| Max. Building Coverage | 35% |
| Max. Building Height | 3 stories/45 feet |
| Max. Gross Residential Density | 25 units/acre |
| Max. Number of Bedrooms per Unit | 3 bedrooms |

*Porches/balconies permitted to extend 5 feet into setbacks.

4. Affordable Housing

All of the units in the development within the Redevelopment Area shall be affordable units. Income and bedroom distribution for the affordable units shall be provided in accordance with the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.), and the New Jersey Housing and Mortgage Finance Agency’s Qualified Allocation Plan (N.J.A.C. 5:80-33.1 et. seq.).

5. Parking & Circulation

a. Parking Configuration and Location

All off-street parking areas shall be located a minimum of 20 feet from all property lines and a minimum of 15 feet from all buildings.

b. Parking Ratios¹

| Use | Standard |
|-----------------------------|---------------------|
| Senior Apartment | 1 space per unit |
| Family Apartment | 1.5 spaces per unit |
| Min. Total Number of Spaces | 102 Spaces |
| Stall Size | 9 feet x 18 feet |

¹ Inclusive of handicapped parking requirements.

The recommended parking ratios are below the minimum standards set forth in the New Jersey Residential Site Improvement Standards (RSIS). Per the RSIS, de minimis exceptions from such standards may be reasonable if the general purpose and intent of the standards is met.

- c. Porte cocheres and vehicular drop-off areas shall be permitted in the front yard provided they are set back at least forty (40) feet from the front property line.

6. Signage

A single monument sign, of no greater than thirty (30) square feet in area, no taller than five (5) feet in height above grade, and setback no closer than five (5) feet from the front property line, may be provided.

One wall sign may be provided on the front façade of each building, no greater than twelve (12) square feet in area, and mounted no higher than fifteen (15) feet above grade.

Directional signs, as appropriate, for both vehicular and pedestrian access and on-site circulation, may also be provided.

7. Pedestrian and Vehicular Circulation

Sidewalks pursuant to §150-46 of the Cranbury Land Development Ordinance shall be provided throughout the site to offer safe pedestrian access between the buildings, parking areas, and Village Park. Pedestrian walkway connections to Village Park and to the adjacent Parkside at Bennett Place development should be provided in order to facilitate pedestrian access from the Redevelopment Area to the existing sidewalks on Maplewood Avenue, thus affording access to residents of the Redevelopment Area to schools, shopping and other community facilities in downtown Cranbury.

Additionally, in order to afford residents with a more direct means of access to the aforementioned community facilities, the provision of a direct vehicular connection from the Redevelopment Area to Maplewood Avenue to the west is strongly encouraged but not required to be provided.

8. Landscaping

An area with a width of at least 20 feet shall be used exclusively for landscaping, except for pedestrian walkway crossings, along the northern, eastern, and southern property lines. In regard to such landscaping, the standards of Section 150-57 of the Cranbury Land Development Ordinance shall not apply; however, the standards of Section 150-56 shall apply.

9. Stormwater

Except for the following, the standards for stormwater management as set forth in the Cranbury Land Development Ordinance shall apply:

- a. Storm sewer placement shall be unrestricted within the property.
- b. A full stormwater report and Stormwater Maintenance Plan shall only be required as a checklist item for a Final Site Plan application.

10. Soil Movement

Plans and calculations for soil importation/exportation shall only be required as a checklist item for a Final Site Plan application.

V. REDEVELOPMENT ACTIONS

The Redevelopment Plan provides for a number of actions in support of the overall plan objectives, as follows:

A. Outline of Proposed Actions

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan include; the clearance of dilapidated, deteriorated, obsolete or underutilized structures or uses; installation of utility infrastructure necessary to service and support new development; and creation and/or vacation of other easements as may be necessary for redevelopment.

B. Properties to be Acquired

The Township may acquire lot 13.04 of Block 33 (the “Redevelopment Area”) to facilitate redevelopment of the Redevelopment Area as well as to meet the requirements of NJHMFA’s Qualified Allocation Plan criteria for tax credits. However, no condemnation or eminent domain shall be utilized within the Redevelopment Area to implement the Redevelopment Plan.

C. Easements

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Engineer of the Township of Cranbury.

D. Relocation

Implementation of the Redevelopment Plan does not require the involuntary displacement and/or relocation of businesses within the Redevelopment Area. The property owner is a contract seller of land within the Redevelopment Plan and therefore such sale is voluntary.

E. Other Actions

In addition to the demolition and new construction described above, several other actions may be taken to further the goals of this plan. These may include, but shall not be limited to:

- Provisions for public infrastructure necessary to service and support new development.
- Environmental remediation.

VI. RELATIONSHIP TO DEVELOPMENT REGULATIONS AND OTHER PLANS

A. Relationship to the Township of Cranbury Land Development Ordinance

This Redevelopment Plan shall supersede all provisions of the Land Development Ordinance of the Township of Cranbury, except where specific provisions of the Land Development Ordinance are expressly indicated as being applicable.

In all situations where zoning issues are not specifically addressed herein, the Cranbury Land Development Ordinance shall, however, remain in effect. No “d” variance from the requirements herein in accordance with N.J.S.A. 40:55D-70 shall be cognizable by the Zoning Board of Adjustment. Adoption of this Plan by the Township Committee shall be further considered an amendment to the Township of Cranbury Zoning Map.

B. Relationship to Master Plans of Adjacent Municipalities

The Township of Cranbury is bordered by three Middlesex County municipalities, the Township of Plainsboro, the Township of South Brunswick and the Township of Monroe, and one Mercer County municipality, the Township of East Windsor. However, none of these communities directly abuts the Redevelopment Area. Therefore, the Redevelopment Plan goals will not have any impact on adjacent municipalities.

C. Relationship to the Middlesex County Master Plan

Middlesex County’s most recent full master plan was prepared in the 1970s. Updates to certain elements have been prepared more recently, including the Transportation Plan Element in 2013; the Comprehensive Farmland Preservation Plan in 2008; and the Open Space and Recreation Plan in 2003. Though it has not issued a full Master Plan in recent years, Middlesex County has engaged in strategic planning efforts over the past several decades; publications include Growth Management Plans in 1990, 1992 and 1995 and Middlesex County Cross Acceptance Reports in 1998 and 2005.

Four major strategic planning goals were outlined for Middlesex County in the 1998 Middlesex County Cross Acceptance report:

- Facilitate the provision of housing and jobs at reasonable cost, and the achievement of sustainable economic growth;
- Provide for adequate infrastructure capacity, timed and equitably financed to support continued growth without stimulating inefficient growth and capital investment plans;
- Provide for the management and protection of important environmental resources within the county and outside the county, upon which the county depends for public health and quality of life; and

- Provide greater coordination of local, county and state planners and officials, thereby securing a broader perspective in solving regional problems, preserving/improving the character of existing communities and conserving important natural resources.

The overall goals and objectives of this Redevelopment Plan are consistent with these goals.

D. Relationship to the State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) 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.

A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been re-adopted once since its original adoption. A new State Strategic Plan (SSP) has been proposed as the revision to the 2001 SDRP. A timeframe for the adoption of the draft SSP is uncertain.

This Redevelopment Plan is consistent with the SDRP and the draft SSP, as it promotes the redevelopment of an area located within a “Center” on the State Plan Policy Map. As per the SDRP:

A Center’s compact form is considerably more efficient than sprawl, providing opportunities for cost savings across a wide range of factors. Compact form also translates into significant land savings. A Center’s development form and structure, designed to accommodate diversity, is also more flexible than single-use, single-purpose sprawl, allowing Centers to evolve and adapt over time, in response to changing conditions and markets. Centers promote community, protect the environment, provide enhanced cultural and aesthetic experiences, and offer residents a superior quality of life.

Centers are planned to be the location for much of the future growth in the state. By virtue of its existing infrastructure, excellent access and prominent location, the area is an appropriate location for new residential growth. The Redevelopment Plan will facilitate growth in this area.

The purpose of the Redevelopment Plan is to primarily to provide for Cranbury’s fair share of affordable housing and secondarily to remediate and upgrade a property which is in need of redevelopment. In particular, the redevelopment effort will focus on the production of much-needed affordable housing within a SDRP-designated Center consistent with the goals, strategies and policies of the SDRP and the draft SSP.

VII. GENERAL PROVISIONS

A. Site Plan and Subdivision Review

Any subdivision or resubdivision of land within the Redevelopment Area and any construction, reconstruction or rehabilitation, shall require the prior approval of the Cranbury Township Planning Board and shall be in accordance with the requirements of this Redevelopment Plan and the subdivisions and/or site plan requirements set forth in the Township's Land Development Ordinance (LDO). Where a provision of the Redevelopment Plan conflicts with a provision of the LDO, the Redevelopment Plan shall control.

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

B. 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.

C. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee of the Township of Cranbury or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Township Committee of the Township of Cranbury, 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.

D. 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 fifteen (15) years from the date of approval of this plan by the Township Committee of the Township of Cranbury, except that the use and bulk criteria set forth in Section IV.D. of this Plan shall continue to control development or redevelopment within the Redevelopment Area until such time as amended or repealed by the Township Committee.

E. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. Any deviation that would require “d” variance in accordance with the Municipal Land Use Law, NJSA 40:55D-70d et seq., shall require an amendment to the Redevelopment Plan by the Township Committee. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

VIII. OTHER PROVISIONS

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

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- No involuntary displacement and/or relocation of businesses in the Redevelopment Area is anticipated on the part of the Township of Cranbury.
- No acquisition of privately owned lots is anticipated on the part of Township of Cranbury. Specifically no condemnation or use of eminent domain shall occur within the Redevelopment Area.
- As indicated in Chapter III, this Redevelopment Plan is not consistent with the site's designation in the land use element of the Master Plan for the Township of Cranbury but is consistent with the recommendations of the Township's recently adopted Amended Third Round Housing Element and Fair Share Plan (adopted April 7, 2016). The benefits associated with the provision of affordable housing are in line with the Township's overall goals. The Plan complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supersede all provisions of the Zoning Ordinance of the Township of Cranbury regulating development in the area addressed by this Redevelopment Plan. In all situations where zoning issues are not specifically addressed herein, the Cranbury Land Development Ordinance shall, however, remain in effect. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan, as provided herein. Final adoption of this Plan by the Township Committee of the Township of Cranbury shall be considered an amendment of the Township of Cranbury Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

IX. PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be further amended from time to time upon compliance with the requirements of State law. Any party requesting a future amendment shall submit such request to the Township Committee and, unless the request is issued by an agency of the Township, shall pay a fee of \$2500. The Township Committee and/or Planning Board may require that the party requesting the amendment prepare a study of the impact of such amendments, which study shall be prepared by a professional planner licensed in the State of New Jersey, together with such other professionals licensed in the State of New Jersey (e.g., traffic engineer) as may be appropriate. In addition, the Township Committee in its sole discretion may require that the party requesting the amendment establish an escrow account with the Township adequate to allow the Township and/or Planning Board to use the services of a professional planner and other necessary professionals licensed in the State of New Jersey to identify, review and/or prepare proposed further amendments that might be needed, together with any and all necessary documentation related thereto.