

TOWNSHIP OF BORDENTOWN

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN ADOPTING AMENDMENTS TO THE SOUTHERN GATEWAY REDEVELOPMENT AREA REDEVELOPMENT PLAN

ORDINANCE NO. 2024-12

WHEREAS, the Bordentown Township Committee (the “Township”) is the Redevelopment Authority for Bordentown Township; and

WHEREAS, the Township previously adopted amendments to the Southern Gateway Redevelopment Area Redevelopment Plan (“the Plan”) via Ordinances 2014-29, 2016-7, 2016-12 and 2017-1, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, *et. seq.*); and

WHEREAS, the Redevelopment Area was originally designated as a Redevelopment to spur redevelopment of the area by permitting uses that were beneficial and complimentary to highway commercial development; and

WHEREAS, the Bordentown Township Planning Board has adopted revisions to the Township Master Plan in recent years which include the 2019 and 2022 Land Use Plan Element; 2022 Economic Development Plan Element and the 2018 Master Plan Re-Examination Report; and

WHEREAS, the aforementioned plan elements have recognized the need to amend the Township Redevelopment Plans in order to account for changing economic circumstances and other changes which prompted evolving standards in land use and development such that it is appropriate to recognize and incorporate new or evolving types of uses including those contemplated herein, which the amendment is designed to effectuate the specific intent of the Township’s Master plan; and

WHEREAS, the Township Committee received a request from the property owners of Lot 2 in Block 127 to allow for an expansion of the permitted uses within the Southern Gateway Redevelopment Plan area including site specific uses for Lot 2 in Block 127; and

WHEREAS, the amendments to the Plan were forwarded to the Township Planning Board for a review for consistency with the Township Master Plan in accordance with the provision of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, *et. seq.*) and the Municipal Land Use Law (N.J.S.A. 40:55D-1 *et. seq.*); and

WHEREAS, the Township Planning Board reviewed the Plan amendments at the regularly scheduled meetings of May 23, 2024 and June 13, 2024 and forwarded a resolution containing recommendations along with a memorandum by Mark Siegle, AICP, PP, CNU-A, Director of Community Development, recommending that the Township Committee adopt Ordinance 2024-12 as it was found to be substantially consistent with the Township Master Plan.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Bordentown that the Southern Gateway Redevelopment Plan shall by hereby amended as follows (additions shown as **thus**, deletions shown as ~~**thus**~~, and specific instructions are *italicized*):

Section 1.

III. Redevelopment Plan

- B. Proposed Land Uses and Building Requirements
Gateway Commercial—South (GWC-S) District
- B. Permitted principal uses:
2. Eating and Drinking Establishments including:
Add the following uses
- **Micro-breweries, distilleries, and meaderies**
 - **Wine tasting establishments**
 - **Brew Pubs**
6. Indoor Recreational Uses, including:
Add the following uses:
- **Single- or multiple-attraction venues for adults and children with or without eating and drinking establishments including, but not limited to, laser tag; game simulators and virtual games; trampoline activities; amusement rides; arcade and boardwalk games; birthday, party and event rentals; axe throwing venues; rage rooms; climbing walls and features; and rope climbing**
 - **Single- or multiple-attraction venues for children including, but not limited to, inflatables room, indoor playhouses, and dress-up/costume rooms**
 - **Art studios and classes including, but not limited to, drawing, painting, ceramics and pottery, photography, glass blowing, sculpture (metal, wood, stone, ceramic and other media), fiber arts and weaving, and other types of art**
- D. Conditional Uses, per N.J.S.A. 40:55D-67, including:
- 5. Assisted Living Facilities on Block 127, Lot 2:**
- a. An assisted living facility shall be duly licensed by the New Jersey Department of Health and Senior Services before a building permit shall be issued for the facility.**
 - b. The maximum floor area ratio shall be 0.30.**
 - c. The maximum building height shall be 48 feet and four stories.**
 - d. Minimum parking shall be provided at a rate of 0.50 spaces per dwelling unit in accordance with the New Jersey Residential Site Improvement Standards.**
 - e. Barber/beauty shops, gift shops, magazine/newspaper stands, and similar uses shall be permitted as accessory uses, provided they have no outside building access for customers and no outside advertising.**
 - f. Off-street parking shall be provided in accordance with the design requirements set forth in Section 500-509, which may be waived or modified by the approving authority, as it deems appropriate for the particular application, during site plan review. Those spaces shall be for automobile or four-wheeled vehicles only. The approving authority may permit, in its sole discretion and in accordance with an approved site plan, parking for not more than two oversized vehicles, such as recreational vehicles.**

- g. Other development standards shall be in accordance with the provisions of Article V, which may be waived or modified by the approving authority as it deems appropriate, after testimony to the relevant fact, for the particular application during site plan review.**
 - h. A monument sign shall be permitted in accordance with Section 500-515.**
 - i. Vehicular access to Mill Street shall be limited to emergency vehicles. A solid 6-foot-high fence with a locked gate shall be erected 20 feet from the property line along Mill Street. A Knox Box shall be provided for emergency access through the locked gate by the Bordentown Township Police Department, Fire Department, and other emergency services.**
 - j. A landscape buffer having a 20-foot width shall be provided between the property line along Mill Street and the solid fence required above. The landscape buffer shall consist of a staggered row of conifers mixed with masses of large-growing evergreen and deciduous shrubs. Street trees shall be planted 50 feet on center along Mill Street.**
 - k. Outdoor courtyards, of sufficient size and design, shall be provided for each level of care, including independent, assisted, sub-acute and memory impairment residences within the senior living community. The courtyards shall be enclosed by a fence (type and style determined, based on level of security required.) A minimum 750 square foot patio with 5' wide walking paths, shade structures and landscaping plantings shall be included.**
 - l. Outdoor courtyard and recreation areas shall be located away from US 130 to avoid noise and distraction from vehicular traffic.**
 - m. A 25-foot-wide evergreen buffer shall be installed along the US 130 frontage. The evergreen trees shall be a minimum of 8 feet in height at the time of planting and spaced 12 feet on center in a staggered row.**
 - n. The architectural design of the building shall be to reduce the visual height of the building from US 130.**
 - o. Parking shall be designed to accommodate staff and visitors, as well as resident vehicles.**
 - p. Circulation shall be provided to ensure safety as per emergency services requirement**
 - q. The parcel shall not contain parking for the first 50 feet as measured from the ingress/egress point from US 130 in order to provide a safe entrance from the highway.**
 - r. Sidewalks should be installed to connect with the existing sidewalk along US 130 adjacent to the shopping center.**
- 6. Personal Service Establishments on Block 127, Lot 2:**

- a. Personal service establishments, with the exception of a funeral home, are a conditionally permitted use only in a mixed-use building that contains principal uses permitted in the GWC-S District.
- b. Personal service establishments shall comply with the following requirements: Section 500-601R(2)(a) – (e) and (g), and (3), with the exclusion of funeral homes.
- c. Vehicular access to Mill Street shall be limited to emergency vehicles. A solid 6-foot-high fence with a locked gate shall be erected 20 feet from the property line along Mill Street. A Knox Box shall be provided for emergency access through the locked gate by the Bordentown Township Police Department, Fire Department, and other emergency services.
- d. A landscape buffer of 20 feet consisting of a berm with a maximum 3:1 slope (horizontal to vertical) and fencing shall be provided between the property line along Mill Street. The landscape buffer shall consist of a staggered row of large-growing evergreen trees and evergreen shrubs. Evergreen trees shall be a minimum of 8-10' in height at the time of planting and planted 8-10 feet on center. All proposed plantings shall be native species. Street trees shall be planted 35 feet on center along Mill Street and shall be a minimum of 2.5-3" caliper at the time of planting. Existing healthy vegetation along Mill Street shall be preserved to greatest extent possible.
- e. Site landscaping shall be maintained by drip-irrigation for a minimum of 2 years from the time of installation.
- f. The proposed parking area shall comply with the landscaping requirements found in §500-509 of the Township Land Development Ordinance ("LDO").
- g. New building construction shall comply with architectural design guidelines found within §500-523 of the Township LDO in addition to the Building Design Guidelines found within the Plan. In the event of conflict, the provisions found in §500-523 shall prevail.
- h. Any proposed illuminated signage shall be turned off within one hour after closing or by 11 pm, whichever is earlier.

Section 2.

The following definitions shall be added to Section B. Definitions beginning on Page 4 of the Plan:

BREW PUB

Shall mean an establishment licensed to brew any malt alcoholic beverages in amounts in accordance with the State Alcoholic Beverage Law, and operated in conjunction with a restaurant regularly and principally used for the purpose of providing meals to its customers and having adequate kitchen and dining room facilities.

CRAFT DISTILLERY

Shall mean a facility holding a craft distillery license issued in accordance with the State Division of Alcoholic Beverage Control (ABC), producing distilled alcoholic beverages, to rectify, blend, treat and mix distilled alcoholic beverages, including the sale and distribution of the product to licensed wholesalers and retailers, including the retail sale of the product direct to consumers in limited quantities for consumption off the premises, or in connection with a tour of the distillery, the retail sale or offering of samples, for consumption on the premises.

MEADERY

Shall mean an establishment holding a cidery and meadery license issued in accordance with the State Division of Alcoholic Beverage Control (ABC), producing hard cider and mead and to sell and distribute these products to licensed wholesalers and retailers, including the retail sale of the product to consumers in limited quantities for consumption on the licensed premises or off premises, or in connection with a tour of the meadery, or for offering of samples, for consumption on the premises.

MICROBREWERY

Shall mean a brewery holding a limited brewery license issued by the State of New Jersey as defined by N.J.S.A. 33:1-10.1b, producing less than 300,000 barrels of 31 gallons of malt beverage per year. The holder of this license shall be entitled to sell this product at retail to consumers on the licensed premises of the brewery for consumption on the premises or in a quantity of not more than 15.5 fluid gallons per person for consumption off the premises, and to offer samples for sampling purposes.

WINERY TASTING AND SALES ESTABLISHMENT

Shall mean a business operating for consumption of wine on or off the winery's premises, and for sampling purposes for consumption on the premises, in order to showcase New Jersey viniculture when operated by one who holds a license permitting same issued by the Director of the State Division of Alcoholic Beverage Control (ABC) and who operates as permitted by the ABC regulations

Section 3. This ordinance shall take effect upon final passage and publication according to law.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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

INTRODUCED: May 13, 2024

ADOPTED: June 24, 2024

RECORD OF VOTE													
First Reading							Second Reading						
COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Grayson	✓				✓		Grayson	✓					✓
Holliday	✓					✓	Holliday	✓				✓	
Lozito	✓						Lozito	✓					
Miller	✓						Miller	✓					
Fuzy	✓						Fuzy	✓					

✓ - indicates Vote AB - absent NV - not voting ORD - moved SEC - seconded
I, MARIA S. CARRINGTON, Township Clerk, do hereby certify that this is a true copy of an ordinance adopted by the Township Committee of the Township of Bordentown on the 24th day of June, 2024.



MARIA S. CARRINGTON, Township Clerk