



TOWNSHIP OF EWING  
ORDINANCE NO. 23-

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY BICYCLES, TO THE BOYS AND GIRLS CLUB OF TRENTON AND MERCER COUNTY, A 501(c)(3) NON-PROFIT ORGANIZATION

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WHEREAS, the Township Council determines that the following personal property owned by the Township, consisting of bicycles no longer needed for municipal purposes by the Township of Ewing:

**Bicycles**

Approximately 43 bicycles of various types that have been collected and/or provided to the Township over time (see attached list)

WHEREAS, pursuant to N.J.S.A. 40A:12-21.1, the Township Council authorizes the private sale of such personal property for nominal consideration to any organization listed in N.J.S.A. 40A:12-21; and

WHEREAS, The Boys and Girls Club of Trenton and Mercer County is an approved 501(c)(3) not-for-profit charity formed to enable all young people, especially those most in need, to reach their full potential as productive, caring, and responsible citizens; and

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k), The Boys and Girls Club of Trenton and Mercer County meets the definition of an organization to which municipalities may make private sales of personal property for nominal consideration.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Ewing, as follows:

Section 1.

The following personal property owned by the Township of Ewing, consisting of bicycles, which is no longer needed for municipal purposes by the Township of Ewing:

**Bicycles**

Approximately 43 bicycles of various types that have been collected and/or provided to the Township over time (see attached list)

shall be sold pursuant to N.J.S.A. 40A:12-21.1 and N.J.S.A. 40A:12-21(k) to The Boys and Girls Club of Trenton and Mercer County for a nominal consideration of \$1.00.

Section 2.

This Ordinance shall take effect as provided by law.

**STATEMENT**

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to authorize the private sale of bicycles no longer needed for municipal purposes by the Township of Ewing.

# Ewing Police Department Storage Location Listing

# BIKES

**Current Custody:** Location: BULK BIKE STORAGE - Status: Stored In Location  
 Department Case Number: **i-2014-037653** Case Officer: 151 - DIGRISTINA,P  
 Offense Date/Time: 10/28/2014 - 15:45hrs Offense Type: 6006 - MV.ACC. W/INJ  
 Collection Date: 10/28/2014

**Item: 003**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: Black Huffy Mens bike Serial #0800000S on bike rack (tag #113670)

Department Case Number: **I-2019-023269** Case Officer: CA229 - CHELSEA ARNOLD  
 Offense Date/Time: 09/03/2019 - 20:47hrs Offense Type: 6006 - MV.ACC. W/INJ  
 Collection Date: 09/03/2019

**Item: 001**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: RED SAHARA MONGOOSE BICYCLE (TAG #113694) S/N:CA20980759/ /

Department Case Number: **i-2019-029185** Case Officer: 162 - RICARDO SOOKHU  
 Offense Date/Time: 11/05/2019 - 17:20hrs Offense Type: 6006 - MV.ACC. W/INJ  
 Collection Date: 11/05/2019

**Item: 006**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: Blue mens "NEXT" bike (Tag #113696)

Department Case Number: **I-2020-002035** Case Officer: 201 - JUSTIN UBRY  
 Offense Date/Time: 01/22/2020 - 10:09hrs Offense Type: 2C:20-11B(2) - SHOPLIFTING  
 Collection Date: 01/23/2020

**Item: 003**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: ONE BLUE AND WHITE RALEIGH MOUNTAIN BIKE (U33K36350) BIKE TAG # 113698

Department Case Number: **I-2020-011283** Case Officer: AJ195 - ABDELBASSET JIBBOU  
 Offense Date/Time: 05/18/2020 - 14:06hrs Offense Type: 2C:20-11B(1) - SHOPLIFTING  
 Collection Date: 05/18/2020

**Item: 004**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: Genesis 26 purple bike (Tag #113702). S/N:30950-G51806/ /

Department Case Number: **I-2020-012082** Case Officer: MW223 - Matthew Wherley  
 Offense Date/Time: 05/29/2020 - 03:26hrs Offense Type: 4022 - SUSP.PERSON  
 Collection Date: 05/29/2020

**Item: 001**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: BLUE HUFFY MOUNTAIN BICYCLE (Tag #113703) S/N:SO1C0009069/ /

Collection Date: 05/29/2020

**Item: 002**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: BLUE TREK MOUNTAIN BICYCLE (Tag #113704) S/N:GU619732/ /

Department Case Number: **I-2020-012114** Case Officer: CW224 - Charles Wyckoff  
 Offense Date/Time: 05/29/2020 - 14:13hrs Offense Type: 5004 - FOUND/RECOVERED ARTI  
 Collection Date: 05/29/2020

**Item: 001**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: BLACK/YELLOW SCHWINN TRAVERSE (Tag #113705)

Department Case Number: **I-2020-013788** Case Officer: MJ209 - MELVIN JUMPER  
 Offense Date/Time: 06/20/2020 - 10:50hrs Offense Type: 2C:20-7A - RECEIVING STOLEN PROPERTY  
 Collection Date: 06/20/2020

**Item: 002**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: PURPLE BRAVO BICYCLE (Tag # 113706)

# Ewing Police Department Storage Location Listing

Current Custody: Location: BULK BIKE STORAGE - Status: Stored In Location

Department Case Number: I-2020-014392

Offense Date/Time: 06/28/2020 - 13:19hrs

Case Officer: DH234 - David Hartmann

Offense Type: 5004 - FOUND/RECOVERED ARTI

Collection Date: 06/28/2020

Item: 001

PACKAGING QUANTITY ITEM TYPE: NO PACKAGING - QTY: 1 - BICYCLE

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: RED/BLACK BICYCLE (Tag #113707)

Department Case Number: I-2020-016928

Offense Date/Time: 08/02/2020 - 23:4 hrs

Case Officer: MW223 - Matthew Wherley

Offense Type: 5004 - FOUND/RECOVERED ARTI

Collection Date: 08/03/2020

Item: 001

PACKAGING QUANTITY ITEM TYPE: NO PACKAGING - QTY: 1 - BICYCLE

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: BLACK MONGOOSE BICYCLE MODEL #R0900WM (Tag #113708) S/N:FSD0715AG//

Department Case Number: I-2020-017830

Offense Date/Time: 08/15/2020 - 11:07hrs

Case Officer: SA230 - STEPHEN ARNOLD

Offense Type: 2C:20-11 - SHOPLIFTING

Collection Date: 09/08/2020

Item: 001

PACKAGING QUANTITY ITEM TYPE: NO PACKAGING - QTY: 1 - BICYCLE

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: WHITE BICYCLE (Tag #113709)

Department Case Number: I-2020-021094

Offense Date/Time: 09/27/2020 - 20:03hrs

Case Officer: TF222 - Tyler Finnerty

Offense Type: 5083 - Recovered Property ONLY

Collection Date: 09/27/2020

Item: 001

PACKAGING QUANTITY ITEM TYPE: NO PACKAGING - QTY: 1 - BICYCLE

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: RED "NEXT" BRAND "WIPEOUT" BMX BICYCLE (Tag #113710). S/N:DJKK114452//

Department Case Number: I-2020-023067

Offense Date/Time: 10/24/2020 - 10:52hrs

Case Officer: MJ209 - MELVIN JUMPER

Offense Type: 7415 - Found Item

Collection Date: 10/24/2020

Item: 001

PACKAGING QUANTITY ITEM TYPE: NONE -

Packaging/Quantity/Item Type: NONE -

Detail Description: Black and Red Huffy Mountain Bike (Tag #113643)

Department Case Number: I-2020-025257

Offense Date/Time: 11/22/2020 - 14:00hrs

Case Officer: 203 - CHRISTOPHER MESSICK

Offense Type: 2C:20-11B(2) - SHOPLIFTING

Collection Date: 11/22/2020

Item: 002

PACKAGING QUANTITY ITEM TYPE: NONE -

Packaging/Quantity/Item Type: NONE -

Detail Description: PURPLE PALOMAR "GT" MOUNTIAN BICYCLE SERIAL NUMBER: POCM57588 (TAG #113644)

Department Case Number: I-2021-009170

Offense Date/Time: 04/13/2021 - 15:40hrs

Case Officer: TP233 - Thomas Piraino

Offense Type: 2C:29-9B - CONTEMPT OF COURT ORDER

Collection Date: 04/13/2021

Item: 001

PACKAGING QUANTITY ITEM TYPE: NONE -

Packaging/Quantity/Item Type: NONE -

Detail Description: ONE ORANGE AND BLACK MONGOOSE BICYCLE (TAG 113645)

Department Case Number: I-2021-013267

Offense Date/Time: 05/25/2021 - 09:08hrs

Case Officer: 216 - DAVID MASSI

Offense Type: 5004 - FOUND/RECOVERED ARTI

Collection Date: 05/25/2021

Item: 001

PACKAGING QUANTITY ITEM TYPE: NONE -

Packaging/Quantity/Item Type: NONE -

Detail Description: SILVER IN COLOR MIYATA BICYCLE WITH A FRONT FLAT TIRE AND BROKEN REAR BRAKE (Tag #113646)  
S/N:UV08120//

Department Case Number: I-2021-014952

Offense Date/Time: 06/11/2021 - 15:00hrs

Case Officer: DH234 - David Hartmann

Offense Type: 2C:20-11B(2) - SHOPLIFTING

# Ewing Police Department Storage Location Listing

<p><b>Current Custody:</b> Location: BULK BIKE STORAGE - Status: Stored In Location</p> <p><b>Department Case Number:</b> I-2021-014952</p> <p><b>Offense Date/Time:</b> 06/11/2021 - 15:00hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> NONE -</p> <p><b>Detail Description:</b> RED OLD BICYCLE FROM THE SUSPECT OF A SHOPLIFTING (Tag #113647)</p>	<p>Case Officer: DH234 - David Hartmann</p> <p>Offense Type: 2C:20-11B(2) - SHOPLIFTING</p> <p>Collection Date: 06/11/2021</p>
<p><b>Department Case Number:</b> I-2021-015742</p> <p><b>Offense Date/Time:</b> 06/21/2021 - 15:3 hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> No Packaging - Qty: 1 - BICYCLE</p> <p><b>Detail Description:</b> AM2 BARRACUDA</p>	<p>Case Officer: MF218 - Matthew Folis</p> <p>Offense Type: 6006 - MV.ACC. W/INJ</p> <p>Collection Date: 06/21/2021</p>
<p><b>Department Case Number:</b> I-2021-015836</p> <p><b>Offense Date/Time:</b> 06/22/2021 - 14:4 hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> NONE -</p> <p><b>Detail Description:</b> GREEN RAZOR SCOOTER</p>	<p>Case Officer: 211 - COREY FORNAROTTO</p> <p>Offense Type: 7415 - Found Item</p> <p>Collection Date: 06/22/2021</p>
<p><b>Department Case Number:</b> I-2021-019474</p> <p><b>Offense Date/Time:</b> 08/08/2021 - 15:42hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> No Packaging - Qty: 1 - BICYCLE</p> <p><b>Detail Description:</b> ONE BLUE/BLACK GLACIER POINT BIKE (TAG #113712)</p>	<p>Case Officer: DH234 - David Hartmann</p> <p>Offense Type: 2C:29-9 - CONTEMPT</p> <p>Collection Date: 08/08/2021</p>
<p><b>Department Case Number:</b> I-2021-022607</p> <p><b>Offense Date/Time:</b> 09/13/2021 - 02:44hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> No Packaging - Qty: 1 - BICYCLE</p> <p><b>Detail Description:</b> BLACK AND PINK ENCHANT LIV BICYCLE SN: C2AG9433 (TAG # 113713)</p>	<p>Case Officer: NJ232 - NICHOLAS JONES</p> <p>Offense Type: 2C:17-3A(1) - CRIMINAL MISCHIEF W/DAMAGE</p> <p>Collection Date: 09/13/2021</p>
<p><b>Department Case Number:</b> I-2021-023382</p> <p><b>Offense Date/Time:</b> 09/20/2021 - 06:09hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> NONE -</p> <p><b>Detail Description:</b> 1 Black Mongoose mountain bicycle SN:SNSFD-I4BM4840 (TAG # 113714)</p>	<p>Case Officer: JT228 - JOSEPH TOTH</p> <p>Offense Type: 5004 - FOUND/RECOVERED ARTI</p> <p>Collection Date: 09/20/2021</p>
<p><b>Department Case Number:</b> I-2021-025034</p> <p><b>Offense Date/Time:</b> 10/05/2021 - 21:15hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> No Packaging - Qty: 1 - BICYCLE</p> <p><b>Detail Description:</b> PACIFIC CYCLE BICYCLE WITH GREY/RED FRAME (TAG #113715) S/N:R4416WMJT/ FSD05JF/</p>	<p>Case Officer: MW223 - Matthew Wherley</p> <p>Offense Type: 2C:20-3A - THEFT OF MOVABLE PROPERTY</p> <p>Collection Date: 10/05/2021</p>
<p><b>Department Case Number:</b> I-2021-027099</p> <p><b>Offense Date/Time:</b> 10/29/2021 - 11:55hrs</p> <p><b>Item:</b> 001</p> <p><b>Packaging/Quantity/Item Type:</b> NONE -</p> <p><b>Detail Description:</b> BLUE GREAT DIVIDE MAGNA MOUNTAIN BIKE (TAG # 113716)</p>	<p>Case Officer: CW224 - Charles Wyckoff</p> <p>Offense Type: 2C:20-11B(1) - SHOPLIFTING</p> <p>Collection Date: 10/29/2021</p>
<p><b>Department Case Number:</b> I-2021-032840</p> <p><b>Offense Date/Time:</b> 12/30/2021 - 01:02hrs</p>	<p>Case Officer: DH234 - David Hartmann</p> <p>Offense Type: 2C:20-3A - THEFT OF MOVABLE PROPERTY</p>

# Ewing Police Department Storage Location Listing

Current Custody: Location: BULK BIKE STORAGE - Status: Stored In Location

Department Case Number: I-2021-032840

Offense Date/Time: 12/30/2021 - 01:02hrs

Case Officer: DH234 - David Hartmann

Offense Type: 2C:20-3A - THEFT OF MOVABLE PROPERTY

Collection Date: 12/30/2021

Item: 001

Packaging/Quantity/Item Type: NONE -

Detail Description: GREY "GIANT" MOUNTAIN BIKE (TAG # 113717). S/N:C17H6380//

Department Case Number: I-2022-003471

Offense Date/Time: 02/03/2022 - 19:43hrs

Case Officer: MW223 - Matthew Wherley

Offense Type: 0320 - Robbery

Collection Date: 02/03/2022

Item: 008

Packaging/Quantity/Item Type: NONE -

Detail Description: Black Mongoose Bicycle with defaced serial number (TAG # 113718)

Department Case Number: I-2022-005401

Offense Date/Time: 02/21/2022 - 13:26hrs

Case Officer: KM225 - Kyle McGuire

Offense Type: 0602 - SHOPLIFTING

Collection Date: 02/21/2022

Item: 002

Packaging/Quantity/Item Type: NONE -

Detail Description: MAROON "MAGNA" 18 SPEED BIKE (TAG # 113719) S/N:97TD933243//

Department Case Number: I-2022-012363

Offense Date/Time: 05/11/2022 - 01:57hrs

Case Officer: MG236 - MICHAEL GIOVANNETTI

Offense Type: 2C:29-9 - CONTEMPT

Collection Date: 05/11/2022

Item: 001

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: 1 PURPLE RALEIGH USA M50 BICYCLE (NO SERIAL NUMBER) TAG # 113720

Department Case Number: I-2022-015596

Offense Date/Time: 06/02/2022 - 13:10hrs

Case Officer: LF240 - LIAM FITZPATRICK

Offense Type: 2C:20-3A - THEFT OF MOVABLE PROPERTY

Collection Date: 06/02/2022

Item: 001

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: ONE (1) BLUE MURRAY BRAND ULTRA TERRAIN EXTREME BICYCLE WITH STAMPED SERIAL NUMBER IN FRAME. TAG # 113721 S/N:MOT3037885//

Department Case Number: I-2022-017046

Offense Date/Time: 06/15/2022 - 16:10hrs

Case Officer: MG236 - MICHAEL GIOVANNETTI

Offense Type: 7415 - Found Item

Collection Date: 06/15/2022

Item: 001

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: One Gold Avigo Ignite Bicycle. Tag # 113722

Department Case Number: I-2022-017851

Offense Date/Time: 06/23/2022 - 09:27hrs

Case Officer: 199 - NICHOLAS BROWER

Offense Type: 5004 - FOUND/RECOVERED ARTI

Collection Date: 06/23/2022

Item: 001

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: LIGHT BLUE DYNACRAFT MOUNTIAN BIKE (Tag # 113723)

Department Case Number: I-2022-019369

Offense Date/Time: 07/10/2022 - 04:38hrs

Case Officer: 194 - EDWARD LESTER

Offense Type: 2495 - Flee or Attemp to Elude Police Officer

Collection Date: 07/10/2022

Item: 002

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: grey huffy bike (TAG #113727)

Department Case Number: I-2022-019466

Offense Date/Time: 07/11/2022 - 08:26hrs

Case Officer: SM235 - Shane Miller

Offense Type: 2C:20-11B(2) - SHOPLIFTING

# Ewing Police Department Storage Location Listing

Current Custody: Location: BULK BIKE STORAGE - Status: Stored In Location

Department Case Number: I-2022-019466  
Offense Date/Time: 07/11/2022 - 08:26hrs

Case Officer: SM235 - Shane Miller  
Offense Type: 2C:20-11B(2) - SHOPLIFTING  
Collection Date: 07/11/2022

Item: 001

1 BICYCLE (TAG #113724)

Packaging/Quantity/Item Type: NONE -

Detail Description: CHILDRENS KENT "SWEETNESS" BICYCLE (tag #113724)

Department Case Number: i-2022-020394  
Offense Date/Time: 07/22/2022 - 09:23hrs

Case Officer: 152 - IRVING BRUNO  
Offense Type: 2C:20-11B(2) - SHOPLIFTING  
Collection Date: 07/22/2022

Item: 001

1 BICYCLE (TAG #113725)

Packaging/Quantity/Item Type: NONE -

Detail Description: 24IN FEMALE PURPLE MURRAY/REACT TOUNING MNT BIKE (TAG 113725)

Department Case Number: I-2022-020655  
Offense Date/Time: 07/25/2022 - 15:12hrs

Case Officer: MW223 - Matthew Wherley  
Offense Type: 2C:20-11B(2) - SHOPLIFTING  
Collection Date: 07/25/2022

Item: 002

1 BICYCLE (TAG #113726)

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: BLUE/SILVER TREK 4300 BICYCLE (TAG 113726) S/N:TBI0415CC1A3963//

Department Case Number: I-2022-021768  
Offense Date/Time: 08/07/2022 - 22:37hrs

Case Officer: 215 - Chris DeAngelo  
Offense Type: 59 - BICYCLES  
Collection Date: 08/07/2022

Item: 001

1 BICYCLE (TAG #113728)

Packaging/Quantity/Item Type: NONE -

Detail Description: one (1) bike and silver bike (TAG # 113728)

Department Case Number: I-2022-021929  
Offense Date/Time: 08/09/2022 - 18:11hrs

Case Officer: JQ219 - Justin Quinlan  
Offense Type: 5004 - FOUND/RECOVERED ARTI  
Collection Date: 08/09/2022

Item: 001

1 BICYCLE (TAG #113729)

Packaging/Quantity/Item Type: NONE -

Detail Description: Black/Green Fuji Adventure Bicycle (TAG-113729) S/N:TC161211//

Department Case Number: i-2022-022212  
Offense Date/Time: 08/13/2022 - 18:00hrs

Case Officer: 194 - EDWARD LESTER  
Offense Type: 2C:20-11B(2) - SHOPLIFTING  
Collection Date: 08/13/2022

Item: 001

1 BICYCLE (TAG #113730)

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: bike used in shoplifting lwmf004560 (TAG 113730)

Department Case Number: I-2022-022983  
Offense Date/Time: 08/22/2022 - 16:24hrs

Case Officer: NJ232 - NICHOLAS JONES  
Offense Type: 2C:15-1A(2) - ROBBERY BY INJURY THREAT  
Collection Date: 08/23/2022

Item: 010

1 BICYCLE (TAG #113731)

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: MONGOOSE MGX "M000314860" MOUNTIAN BIKE (TAG 113731)

Department Case Number: I-2022-023159  
Offense Date/Time: 08/24/2022 - 11:59hrs

Case Officer: 215 - Chris DeAngelo  
Offense Type: 8001 - WARRANT SER  
Collection Date: 08/24/2022

Item: 001

1 BICYCLE (TAG #113732)

Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE

Detail Description: ONE (1) unkown silver brand bike (TAG 113732)

Department Case Number: I-2022-025036  
Offense Date/Time: 09/11/2022 - 03:57hrs

Case Officer: 211 - COREY FORNAROTTO  
Offense Type: 2020 - Possession of Controlled Substance

# Ewing Police Department Storage Location Listing

**Current Custody:** Location: BULK BIKE STORAGE - Status: Stored In Location  
 Department Case Number: I-2022-025036  
 Offense Date/Time: 09/11/2022 - 03:57hrs  
 Case Officer: 211 - COREY FORNAROTTO  
 Offense Type: 2020 - Possession of Controlled Substance  
 Collection Date: 09/11/2022

**Item: 005**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: WHITE SCHWINN BICYCLE (TAG # 113733) S/N:SNFSD20MW4369/ /

Department Case Number: I-2022-026554  
 Offense Date/Time: 09/26/2022 - 18:53hrs  
 Case Officer: 215 - Chris DeAngelo  
 Offense Type: 6006 - MV.ACC. W/INJ  
 Collection Date: 09/26/2022

**Item: 001**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: one gray pacific 200 gray bike with bent handle bars (TAG # 113734)

Department Case Number: i-2022-026699  
 Offense Date/Time: 09/28/2022 - 06:54hrs  
 Case Officer: CA229 - CHELSEA ARNOLD  
 Offense Type: 2020 - Possession of Controlled Substance  
 Collection Date: 09/28/2022

**Item: 003**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: Purple, grey and white Shimano girls 26' bicycle (TAG # 113735)

Department Case Number: I-2022-026871  
 Offense Date/Time: 09/29/2022 - 22:04hrs  
 Case Officer: KS239 - Kourtney Schneider  
 Offense Type: 2C:18-2 - BURGLARY  
 Collection Date: 09/29/2022

**Item: 007**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: ORANGE NISHIKI BICYCLE (TAG # 113736) S/N:ACA110700388/ /

Department Case Number: i-2022-027171  
 Offense Date/Time: 10/04/2022 - 08:44hrs  
 Case Officer: 198 - KENNETH VAGNOZZI  
 Offense Type: 2020 - Possession of Controlled Substance  
 Collection Date: 10/04/2022

**Item: 007**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: 1 WHITE AND PURPLE "MONGOOSE" BICYCLE (TAG #113737) S/N:SNFSD13HW928/ /

Department Case Number: I-2022-027186  
 Offense Date/Time: 10/04/2022 - 12:42hrs  
 Case Officer: KM225 - Kyle McGuire  
 Offense Type: 2C:20-11B(1) - SHOPLIFTING  
 Collection Date: 10/04/2022

**Item: 001**  
 Packaging/Quantity/Item Type: No Packaging - Qty: 1 - BICYCLE  
 Detail Description: 1 GREEN BICYCLE WITH NO IDENTIFIABLE MODEL/SERIAL# (TAG #113738)

Department Case Number: I-2022-029282  
 Offense Date/Time: 10/26/2022 - 11:26hrs  
 Case Officer: AJ195 - ABDELBASSET JIBBOU  
 Offense Type: 2C:20-11B(2) - SHOPLIFTING  
 Collection Date: 10/26/2022

**Item: 001**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: HIGHLAND HUFFY BICYCLE (TAG # 113739) S/N:AH19C029495/ /

Department Case Number: I-2022-029640  
 Offense Date/Time: 10/29/2022 - 22:07hrs  
 Case Officer: AJ195 - ABDELBASSET JIBBOU  
 Offense Type: 2C:29-9 - CONTEMPT  
 Collection Date: 10/29/2022

**Item: 001**  
 Packaging/Quantity/Item Type: NONE -  
 Detail Description: WHITE/BLUE RALLYE TRAIL CLIMBER (TAG # 113740) S/N:GS92649/ /

Department Case Number: i-2023-000177  
 Offense Date/Time: 01/03/2023 - 03:35hrs  
 Case Officer: SC231 - SEAN CRUZ  
 Offense Type: 2020 - Possession of Controlled Substance







THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY

ORDINANCE NO. 23-

**AN ORDINANCE OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY ADOPTING THE TOWN CENTER REDEVELOPMENT PLAN**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) authorizes the Township of Ewing (the “**Township**”) to determine whether property within the Township constitutes an “area in need of redevelopment” or an “area in need of rehabilitation”; and

**WHEREAS**, the Township Council (“**Township Council**”) of the Township authorized and directed the Township Planning Board (the “**Planning Board**”) to conduct a preliminary investigation to determine whether the area including Block 344, Lots 31, 32, 33, 34, 35, 36 and 37; Block 345, Lots 1.01, 141 and 142, Block 351, Lots 1-15, Block 352, Lots 1-12; Block 364, Lots 1, 73 and 77; Block 365, Lots 10.01, 11, 12, 13, 14, 15, 19.01, 20 and 23; Block 375, Lots 1, 2, 4-12, 14, 18, 19, 20, and 24 on the Township’s tax map the (“**Study Area**”), which consists of approximately 67.47 acres on Parkway Avenue, Scotch Road and Silvia Street, meets the criteria in the Redevelopment Law for designation as an “area in need of rehabilitation” and/or an “area in need of redevelopment” and should be so designated, provided, however, that, if the area is designated as an “area in need of redevelopment”, the Township may use all of the powers provided by the New Jersey Legislature for use in a redevelopment area, except the power of eminent domain; and

**WHEREAS**, on March 14, 2023, the Township Council adopted Resolution #23R-64, designating the entire Study Area as an area in need of rehabilitation (the “**Town Center Rehabilitation Area**”) and authorizing Latini & Gleitz Planning (the “**Planner**”) to prepare a redevelopment plan for such area; and

**WHEREAS**, on March 14, 2023, the Township Council also adopted Resolution #23R-65, designating the portion of the Study Area consisting of Block 344, Lots 31.011, 31.012, and 37.01, Block 345, Lot 1.01, Block 364, Lots 1, 73 and 77, Block 365, Lots 10.01 – 15, 19.01, 20 and 23, and Block 375, Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 19, 20 and 24 as a Non-Condemnation area in need of redevelopment (the “**Town Center Redevelopment Area**” and, together with the Town Center Rehabilitation Area, the “**Town Center Redevelopment/Rehabilitation Area**”) and authorizing the Planner to prepare a redevelopment plan for such area; and

**WHEREAS**, the Planner prepared a redevelopment plan for the Town Center Redevelopment/Rehabilitation Area (the “**Town Center Redevelopment Plan**”); and

**WHEREAS**, pursuant to the Redevelopment Law, the Planning Board must review the Town Center Redevelopment Plan and transmit its recommendations relating to such plan to the Township Council in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)*; and

**WHEREAS**, Pursuant to *N.J.S.A. 40A:12A-7e*, the Mayor and Council hereby refer the Town Center Redevelopment Plan to the Planning Board for review. The Planning Board shall prepare a report regarding its recommendations as to the Town Center Redevelopment Plan and submit same to the Mayor and Council within 45 days as required by the Redevelopment Law.

**WHEREAS**, the Township Council hereby finds that the Town Center Redevelopment Plan is in the best interests of the Township and now desires to approve and adopt same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Ewing, New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Town Center Redevelopment Plan, a copy of which is on file with the Municipal Clerk and is incorporated herein by reference, is hereby adopted and

shall govern the redevelopment/rehabilitation of the Town Center Redevelopment/Rehabilitation Area.

3. The zoning district map of the Township's Land Development Ordinance is hereby amended to reflect the applicability of the Town Center Redevelopment Plan to the Town Center Redevelopment/Rehabilitation Area.
4. The Town Center Redevelopment Plan shall supersede the Township's Land Development Ordinance as it affects the Town Center Redevelopment/Rehabilitation Area.
5. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.
6. This ordinance shall take effect as provided by law.



*Town Center*

*Redevelopment Plan*

EWING, NEW JERSEY

JUNE 13, 2023



**L&G**  
LATINI & GLEITZ

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## Introduction

This Town Center Redevelopment Plan is designed to complement the Parkway Avenue Redevelopment Plan 2013, as amended in 2022. While the General Motors site has begun construction and Naval Base nears demolition, adjacent property owners have begun to see investment opportunities avail themselves. As new opportunities and creative ideas are unveiled, the Township too must provide the ability for the area immediately surrounding these major redevelopment initiatives to evolve and compliment them. The impetus behind this Plan is to recognize the challenges of reimagining disjointed historical development patterns and their challenging environmental conditions, while utilizing the design process to ensure integration of these redevelopment projects within the community at-large.

This Redevelopment Plan incentivizes property owners within the Town Center Zone (TC) by creating access to financial agreement for projects that are based on the strong design principles and architectural form the plan outlines. This plan, like the Parkway Avenue Redevelopment Plan seeks to create a more vibrant commercial and residential market by capitalizing on Ewing's location, transportation infrastructure, and natural assets to grow its market potential. Pedestrian friendly amenities will provide access to open space and recreational facilities, such as the D&R Canal Path, the Delaware River, and Ewing Community Center, as well as creating an enjoyable atmosphere on site. All told, the environment from which the plan seeks to create is aimed at supporting the past decade of effort the Township has made toward creating a new Town Center from the ashes of its industrial heritage.

The undertaking of expanding the targeted planning effort of the Town Center is consistent with the planning objectives stated in the Township's 2006 Master Plan and 2012 Re-examination Report. To accomplish this Plan however, great strides have been taken to make this planning effort successful through public involvement over the last ten (10) years and professional analysis. Some of the pertinent efforts included:

- *Ewing Township/TCNJ Community Survey.*
  - *Phase I, Mail Survey – 2002;*
  - *Phase II, Personal Interviews - 2003*
- *Multi-modal Transportation Center Study. 2004 – DVRPC*
- *West Trenton TOD Neighborhood Planning Study. 2005 DVRPC by McCormick Taylor and AKRF*
- *US 1 BRT Alternative Analysis. 2006 – NJ TRANSIT*
- *Draft EIS for the West Trenton Rail Line. 2007 – NJ TRANSIT*
- *Future Bus Plan. 2012 - DVRPC*
- *Ewing Town Center Transit Feasibility Study. On-going - NJDOT by StanTec*
- *Trenton-Mercer Airport Strategic Land Development Study. On-going - Mercer County by Kimball*
- *Feasibility Assessment for Highway Improvements in the Parkway Avenue Redevelopment Area, Ewing Township, NJ. Under review - DVRPC by Urban Engineers*
- *Parkway Avenue Redevelopment Plan. 2013 by L&G Planning*

This Plan relies on the groundwork provided in these past planning efforts and the input provided by residents as well as key stakeholder interviews and internet-based input opportunities. As the planning kicked-off in January 2012, the Township continued to see broad-based support for the ideas derived over the years. As the process moved forward, the Township has sought to ensure these ideas remained feasible and has kept an open dialogue with both local experts (citizens) and industry experts from throughout the region.



Partnerships with the County of Mercer and State of New Jersey have also been strengthened and continue to grow. As the buildout of the Ewing Town Center continues through the approvals granted to Atlantic Realty, the relationships between government and the private sector continue to reveal new opportunities while gaining clearer understanding of the challenges, namely for the Naval base in addition to how the development interfaces with the surrounding community. These 2022 amendments seek to address issues pertaining to transportation logistics, potential neighborhood impacts, and flexibility as to the type of uses permitted in the Town Center zone as it pertains directly to the Naval Base.

## Planning for the Future

### **THE PLAN'S Area OF FOCUS**

The Redevelopment Area was delineated and studied as to whether or not it met the criteria set forth in the Local Redevelopment and Housing Law. The Area was found to meet the criteria through a report entitled "Ewing Town Center Redevelopment Area Determination Report: Parkway Avenue Redevelopment Area" dated September 2022, and as such, this Plan for what will in time become Downtown Ewing was formulated.

The Study Area consisted of property totaling 67.47 acres primarily along Parkway Avenue, Scotch Road, and Silvia Street. The designated area however consists primarily commercial properties surrounding the Parkway Avenue Redevelopment Area and as depicted on Redevelopment Area Map A.

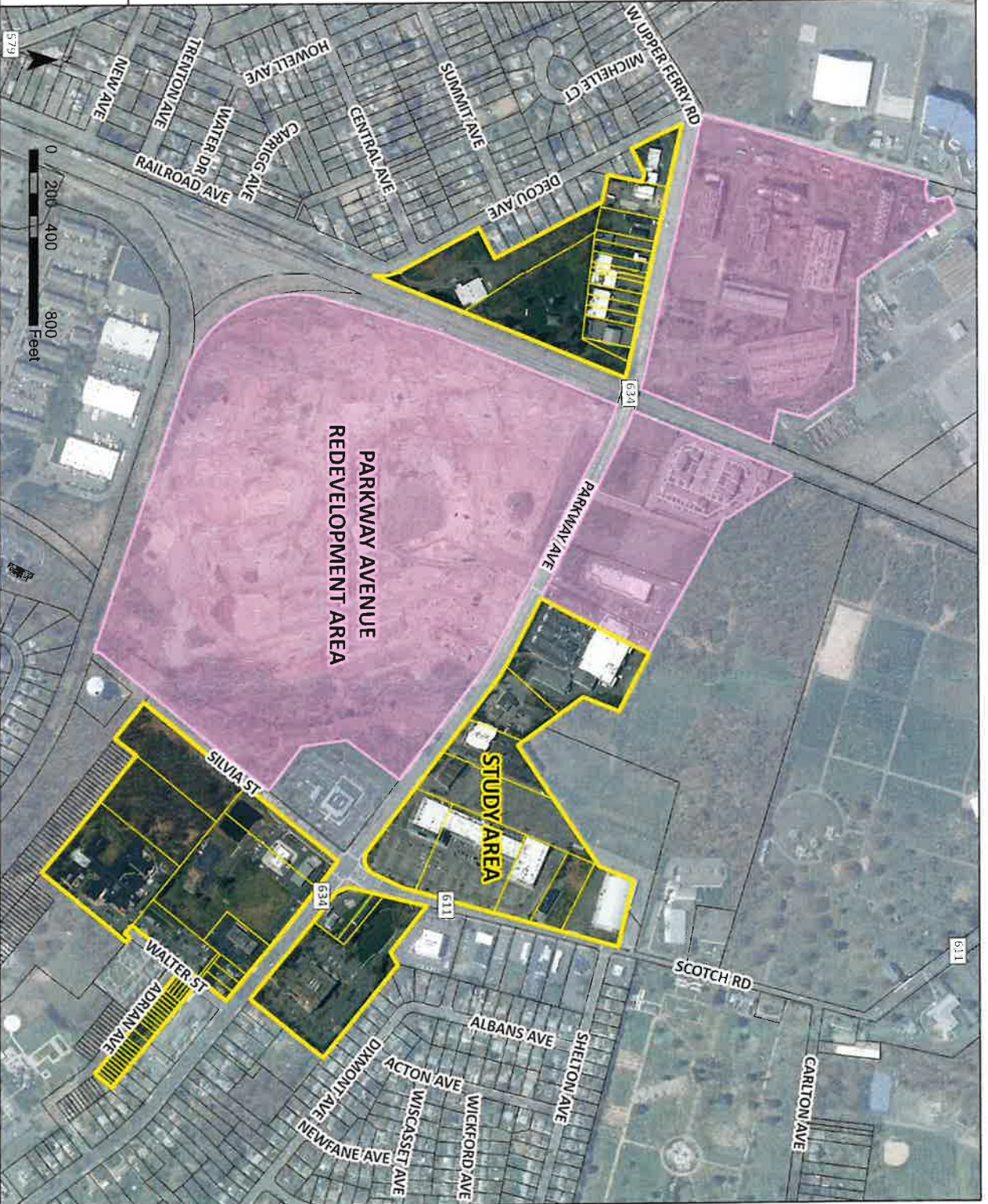
Block	Lot	Property Address	Applicable Criteria								Section 3
			A	B	C	D	E	F	G	H	
344	31.011	1300 Silvia St									X
344	31.012	Parkway Avenue			X		X			X	
344	37.01	1235-1241 Parkway Ave	X	X			X				X
345	1.01	1200 Silvia St			X		X				
364	1	1230 Parkway Ave									X
364	73	1252 Parkway Ave	X	X		X	X				
364	77	4 Scotch Rd									X
365	10	1400 Parkway Ave				X			X		X
365	11	25-49 Scotch Rd				X			X		X
365	12	1320 Parkway Ave	X	X		X	X		X		
365	13	1300 Parkway Ave				X			X		X
365	14	35 Scotch Rd	X		X	X	X				
365	15	45 Scotch Rd	X			X			X		
365	19.01(19)	1340 Parkway Ave									X
365	20	51 Scotch Rd				X			X		X
365	23	1330 Parkway Ave									X
375	1-2	1505 Parkway Ave									X
375	4-6	1507 Parkway Ave									X
375	7-11, 24	1515 Parkway Ave	X	X	X	X	X		X		

### Redevelopment Study Area

- Block 344; Lots 1.01, 31-33, 35-37
- Block 345; Lots 1.01, 141, 142
- Block 351; Lots 1-15
- Block 352; Lots 1-12
- Block 364; Lots 1, 73, 77
- Block 365; Lots 10.01, 11-15, 19.01, 23
- Block 375; Lots 1-2, 4-12, 14, 18, 19, 20, 24

- Legend
- Study Area Boundary
  - Parkway Avenue Redevelopment Area
  - Study Area Lots (Block:Lot)

Source(s): Mercer County Parcel Data, N30GIS



375	12	1523-1525 Parkway Ave										X
375	14	1543 Parkway Ave				X	X				X	

For purposes of this Plan, the Redevelopment Area is primarily the area under the Town Center Zoning district (TC).

**Land Uses & Site Descriptions**

*Parkway Avenue has long serviced the General Motors and Naval facilities. A four-lane roadway lined with several shopping centers and auto-oriented land uses that traverses through the Redevelopment Area, Parkway Avenue runs east-west and connects all properties within the Plan's jurisdiction. As the main thoroughfare of the Town Center, Parkway is being redesigned to be an inviting gateway that is pedestrian-friendly and designed to become a truly great street in the future. The roadway will become a two-lane pedestrian friendly thoroughfare with drastically reduced speed limits and bike lanes that will act as the spine of the Town Center with new roads and off-road travel facilities connecting into the remainder of the community.*

**RELATIONSHIP TO TOWNSHIP ORDINANCES AND REVIEW PROCESS**








This Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Plan. The Plan supersedes use, bulk, and design standard provisions of the Township Land Use Regulations applicable to the property within the Redevelopment Area. All other provisions of the Township's Land Development Regulations shall apply.

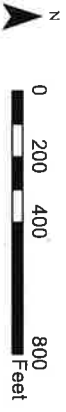
The Ewing Township Redevelopment Agency (ETRA) is designated as the redevelopment entity pursuant to and shall have such powers as are provided by N.J.S.A. 40A:12A-1 et seq. No application for development or redevelopment in the Redevelopment Area may be filed with the Planning Board until such time as the applicant has applied for and received a designation as a Redeveloper and has executed a Redevelopment Agreement (or Conditional Redevelopment Agreement) with ETRA providing for the proposed application. Alternatively, any approval granted by the Planning Board shall make such designation and Agreement and condition to such approval.

All development applications shall be submitted to the Planning Board through the normal site plan and subdivision procedures as identified in N.J.S.A. 40:55D-1, et seq. The Planning Board (but not the Board of Adjustment) may grant variances 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 and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property. The Planning Board may also grant such relief in any application relating to a specific piece of property, where the purposes of this Redevelopment Plan would be advanced by a variance from the strict requirements of this Plan and the benefits of the variance would outweigh any detriments.

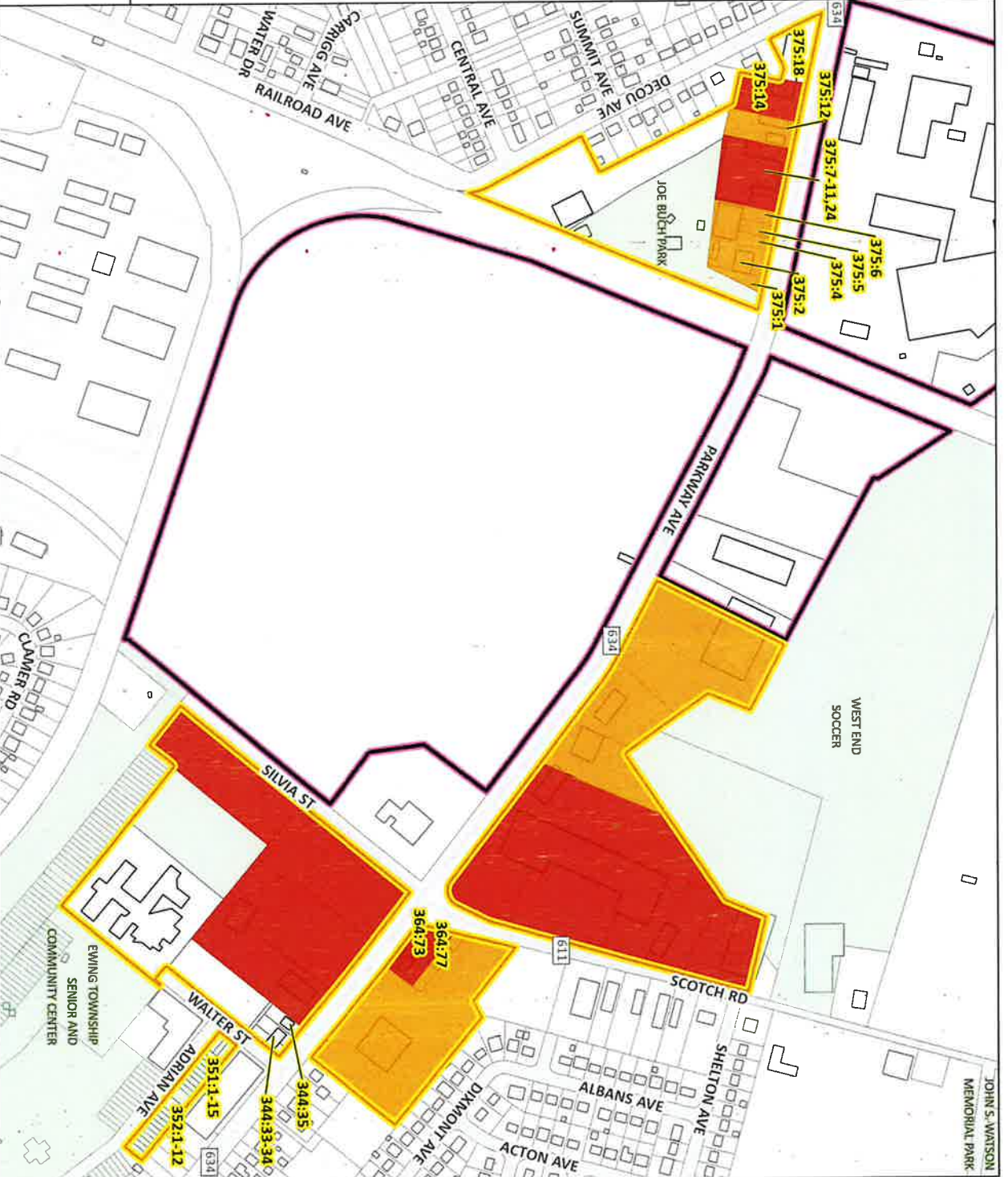
# Town Center Zone

## Legend

-  Layer
-  Town Center Redevelopment/Rehabilitation Area
-  Parkway Avenue Redevelopment Area
-  Parks and Open Space
-  Town Center Redevelopment Area
-  Redevelopment ("A-H" Criteria)
-  Redevelopment ("Section 3")



Source(s): MOD-1V\*, Mercer County GIS, NDOGIS



No relief may be granted under terms of this section unless such variance or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An applicant for a variance from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12(a) and (b).

Notwithstanding the above, neither the Planning Board nor the Board of Adjustment shall have authority to allow variances from the permitted use, or expansions of a nonconforming use not identified within this Plan, or other "d"- use type variances. Any such variance may only be granted through a formal amendment to the Plan by the Township Council in accordance with the process set forth in the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1 et seq., and only upon finding that such variance would be consistent with and in furtherance of the goals and objectives of this Plan.

***The Zoning Board of Adjustment retains no jurisdiction within the Plan's area.***

The Township reserves the right to require an applicant requesting variances, deviations, or use, to reimburse the Township for such costs of its professional engineers, planners and attorneys in furtherance of such request, for which an escrow fund may be established. The Township further reserves the right to require an applicant requesting an amendment to the Plan to prepare a study of the impact of such amendment, which study must be prepared by a Professional Planner licensed in the State of New Jersey and certified by the American Institute of Certified Planners.

While the permitted uses and design standards within the various districts are detailed in the Land Use Regulations & Design Standards section for each respective district, the Architectural Standards section also applies.

***Redevelopment Process***

Following the adoption of the Redevelopment Plan, all development shall be subject to a Redevelopment Agreement and thus the off-tract improvements and design details of this Plan shall be negotiated accordingly. A Redevelopment Agreement applies to owners of the property at the time of adoption who seek to redevelop, as well as to contract-purchasers and other developers.

Undertaking a redevelopment project through a Redevelopment Agreement will require the following steps:

1. The ETRA, Township, Property Owner, alone or in partnership will address the following issues:
  - a) Description of the redeveloper, including type of company or partnership, disclosure of ownership interest, list of references with name, address and phone information, list of any general or limited partners, financial profile of the redeveloper, and where applicable, a list of comparable projects successfully completed.
  - b) Description of proposed use for the redevelopment project, including analysis of the site and overall approach to site development regulatory process, use of contractors and subcontractors, etc.
  - c) Anticipated construction schedule, including estimated pre-construction time period to secure permits and approvals once granted final site plan approval by the Township.
2. The ETRA will designate a redeveloper entity as the Conditional Redeveloper for a project subject to the successful negotiation and execution of a redevelopment agreement with ETRA within a reasonable time period.

3. ETRA may, at any time, entertain an unsolicited proposal from a prospective redeveloper or property owner for redevelopment of a redevelopment project. ETRA will have the option of conferring conditional redeveloper designation to such a redeveloper or putting out an RFQ if the property is publicly owned to solicit interest in the project from other potential redevelopers, subject in either case to the completion of Step 1 above prior to the execution of a redevelopment agreement. Existing property and business owners will be involved in this process as provided in this Plan. Preference on the selection of a redeveloper will be given to an entity that represents all of the property and business owners within a suggested redevelopment parcel and otherwise meets the requirements of the Plan for the selection of a redeveloper. Finally, no redeveloper designation will be made pursuant to an unsolicited proposal received by the ETRA until the affected owners of properties within the redevelopment parcel are given the opportunity to present their own proposal within a reasonable time period as established by ETRA.

### Redevelopment Agreements

All projects undertaken within this Redevelopment Area will be pursuant to a Redevelopment Agreement. In order to effectuate this Redevelopment Plan, the Local Redevelopment & Housing Law (N.J.S.A. 40A:12A,8-9,) provides for the Redevelopment Entity (ETRA) the ability to enter into redevelopment agreements. Such agreements allow the Township through ETRA and a prospective redeveloper to provide each other a degree of expectation during the development process. Whether it be timing of a public improvement or monetary donations in-lieu of construction, the Redevelopment Agreement is a useful tool for all parties involved, public and private. A Redevelopment Agreement is necessary to implement this Plan.

Although agreements are subject to negotiation, basics of an agreement should include the following considerations:

All parties to the agreement shall be named and their capacities to enter into the agreement clearly stated. In the case of developer/owners, their equitable or legal interests in the property must be stated.

- Relationship of the Parties. The relationship between the parties to the agreement shall be stated clearly. Typically, the statement will specify that the relationship is contractual and that the owner/developer is an independent contractor, and not an agent of the local government.
- Property. The property to be subject to the agreement shall be clearly and thoroughly identified. An attachment, preferably with a map, specifically describing the property shall be provided and incorporated into the agreement by reference. Specifically, the agreement shall provide that the property is located in the Township of Ewing, more particularly describing which real property is the subject matter of this Agreement, and that said property consists of meets and bounds, acreage, block and lot and/or other defining features of the property. All agreements shall contain a covenant running with the land.
- Intent of the Parties. The intent of the parties to be bound by the terms of the agreement should be clearly stated. The agreement shall specifically include a statement that the property owner represents that it has an equitable or a legal interest in the real property and that all other persons holding legal or equitable interests in the real property are to be bound by the agreement. The redevelopment agreement will provide for the rights and obligations of the property owner under the agreement and shall run with the land.

- Recitation of Benefits and Burdens. The agreement shall recite the benefits each party expects to gain from entering into the agreement, as well as the burdens each party agrees to bear. Because the agreement will be treated as a contract, the consideration each party is to receive from the other should be stated clearly in order to ensure enforceability. The benefits to the local government and community must be expressed in terms that exhibit the agreement as consistent with the Plan.
- Approval and Permit Requirements. The agreement should specify all discretionary approvals and permits that will have to be obtained before the development can proceed beyond its various stages. All conditions precedent to the obtaining of the permits and approvals should be listed.
- Dedications and Reservations. The agreement should provide, where appropriate, a statement of any land or improvements to be dedicated to the Township or land reservations made by the developer for public purposes, and the specific time period for such dedications and reservations as they relate to the date of entering into the agreement.
- Utility Connections. All water and sewer service, either to be provided by the developer or by the local government, shall be described in detail, together with schedules of construction completion, cost allocation (between or among developers and government and later developers), hookup or connection schedules, and parameters for permitting, including fees for utility provision, service and/or relocation.
- Duration of the Agreement. The agreement shall state a termination date. It should also specify project commencement and completion dates, either for the project on the whole, or for its various phases. The agreement should specify that the termination date can be extended by mutual agreement, and that commencement and completion dates may also be extended.
- Transference. The agreement is not transferable without written consent of the Redevelopment Entity except for certain transfers identified in the agreement.
- Periodic Review. The agreement should provide for periodic reviews of the project in order to determine compliance with the terms of the agreement. Unless otherwise negotiated, Ewing Township Construction Office shall be responsible for performing such reviews.
- Remedies and Enforcement. Remedies for breach on the part of either party shall be provided, and the agreement shall provide for enforcement of its provisions.
- Relocation Assistance. If a developer acquires property, the developer may be required to offer relocation assistance.

#### Property Acquisition

NJ State law requires that the principles of property acquisition be discussed within the Plan. The Local Redevelopment and Housing Law authorizes the use of eminent domain for public acquisition of property for the purpose of redevelopment when such properties are specifically identified in a redevelopment plan. The Township has determined to limit the use of eminent domain within the Parkway Avenue

Redevelopment Area. Accordingly, the Township has taken an approach of partnership to move properties forward in the process.

### Property Disposition

The Redevelopment Entity shall have the authority to sell, lease, vacate or otherwise convey to the Redeveloper(s) for redevelopment, subject to the restrictions, controls and requirements of this Plan, all or any part(s) or portion(s) of land within the Redevelopment Area that becomes available for disposal as a result of public action under this Plan. Neither the Redevelopment Entity nor any of its assigns, nor any purchasers or lessees shall discriminate upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental, or in the use and occupancy of, land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.

## **LAND USE REGULATIONS & DESIGN STANDARDS**

There are several key features surrounding the Redevelopment Area that are assets to be leveraged. These features consist of large and smaller sites, both public and privately held outside of this Plan's jurisdiction. Some are commercial properties such as shopping centers, and public property such as park space; while other assets are infrastructure related.

This Plan will focus more on how each parcel relates and functions with adjacent properties holistically to create a cohesive development and strong market future. **Accordingly, this plan focuses on continuity, connections, and form, therefore the Plan will be flexible upon implementation so long as the goals and vision are upheld.** By taking the best that the area and its assets have to offer, and combining it with what is best about towns of similar attributes, the plan recommends both short and long term solutions that work toward building a future for Ewing that its own history would be proud of.

There are many ways to assemble and realize the vision this Plan presents. The Plan will remain flexible to allow creativity by the market to implement the Plan but will be strict on the vision, design, and long-term objectives. **While some Bulk standards are presented in the Plan, it is the Plan's design principles that rise to an even higher level of importance upon implementation.**

### **Plan Objectives**

The objectives this Plan seeks to implement are based on sound land use, as well as State and National, Transit-Oriented Development principles and practices. Ultimately, the vision presented in the Plan emanate from these principles and work toward standards that the development community will use to implement the vision established by the citizens of Ewing.

- *To Enhance Ewing Township as a special place that includes:*
  - Pedestrian friendly amenities;
  - High Quality public spaces;
  - Enhancement and compatibility with history;
  - Mixed-use development opportunities with increased market rate housing choices;
  - A creative environment within which one can live, work, and play ;
  - "Four-sided" site planning, access and architecture;
  - Employment opportunities in emerging industries.
  
- *To unite the entire community by:*



- Enhancing pedestrian and bicycle connections to and through the sites;
  - Enhancing and upgrading existing open space;
  - Improving vehicular circulation;
  - Creating a sense of Place for all residents to enjoy;
  - Enhancing property values by improving current conditions.
- *To utilize the Regional Transportation assets (West Trenton/Ewing Train Station, Trenton/Mercer Airport @ Ewing) as a catalyst for new economic development opportunities that:*
    - Increase Ewing's tax base;
    - Compliment the existing business community and neighborhoods;
    - Enhance socioeconomics in Town;
    - Spurs investment;
    - Provide employment opportunities;
    - Leverage Ewing's unique location and access to transportation routes
  - *Accommodates parking*
    - Strategically plans the parking location and volume to accommodate needs- current and future demand;
    - Works to supplement residential and commercial activity while taking a "pedestrian first" approach within all site planning decisions.

### ***Principles of Zoning***

The location of new development, creation of new affordable housing, implementation of public park space (both large and small) and infrastructure improvements must all be factored-in to create a neighborhood. All development created pursuant to this Plan will contribute to the improvement of the infrastructure upgrades necessary to implement the Plan; including regional stormwater management. These contributions will be determined as projects advance, their impacts evaluated, and contributions assessed and agreed to within the Redevelopment Agreement. No development will be exempt from the improvements identified herein. All funds generated through this Area's development will be utilized in support of the Area itself in order to achieve success.

Each district will exact through negotiation certain contributions as well as bonus-based contributions affecting:

- ***AFFORDABLE HOUSING:*** All redevelopers will have to make affordable housing contributions – on-site or in fee in accordance with the Township's Settlement Agreement with Fair Share Housing and the adoption of its April 2018 Housing Plan & Fair Share Element of the Township Master Plan. The purpose of this Plan as it relates to affordable housing is to ensure the Township's obligations to provide affordable housing are met.
- ***OFF-TRACT IMPROVEMENTS:*** Contributions to the Area's infrastructure will be made pursuant to developer agreements and study generated by the Township, County and Utility authorities. Silvia Street, West Trenton Bypass, Parkway Avenue and Sewer and Water Infrastructure Improvements.
- ***PARKS/OPEN SPACE:*** Contributions to the creation of the Open Space network in this Plan are required. Any land dedicated and developed for open space/parks will be credited against the required contributions. Trails to the Ewing Community Center, West Trenton Station, West End, D&R Canal, TCNJ, etc.

- **COMMUNITY FACILITIES:** the Plan may seek new community and cultural spaces.
- **GREEN DESIGN:** the Plan seeks to encourage green rooftops and offers bonuses for high performance building as per such standards as "LEED".

### **Key Design Principles Overall -**

The Parkway Avenue Corridor has always been a major trunkline of circulation for the Township for the better part of the last century. Designed as what is in essence a four-lane highway to accommodate the thousands of workers accessing General Motors and the Navy properties, Parkway itself has adequate vehicular capacity, but lacks proper pedestrian amenities. While some minor issues with the roadway need to be resolved, Parkway Avenue itself will be the major face of the Downtown as one enters by foot, bike, car, bus and train. Parkway Avenue will be enhanced with, on-street parking, bicycle lanes, and other pedestrian friendly components that provide access to and through the Downtown area by any means of travel a resident or visitor chooses to utilize.

The West Trenton/Ewing Station will eventually become a focal point that extends out and across Parkway Avenue by a refurbished/replaced train trestle. Travelers by train will be able to access from all four sides of the trestle at Parkway Avenue. When one hits the street level, they will be met by development that is oriented toward the street with streetscapes and sidewalks that are pleasing to walk on.

The position of buildings regardless of use will provide an aesthetically pleasing street-wall with interesting façade treatments and public pocket respites. Notwithstanding a formal gateway being defined, the continuation of the existing auto-dependent land uses outside of the Redevelopment Area will continue until market forces seeking to capture their proximity to the Ewing Town Centre reveal more lucrative and complimentary development. While single-use parcels are not truly inappropriate per se, some of the parcels are in need of rehabilitation and/or redesign to fit better within the Plan's vision, such as those developments on Scotch Road.

This plan implements the following design principles to guide the design process:

#### **Overall**

- **Create a strong presence along the Avenue with architectural definition, and street-wall orientation;**
- **Implement high quality streetscape and pedestrian amenities;**
- **All development must take a "pedestrian first" approach with amenities clearly defined and accessible with bus stop amenities;**
- **Create a partnership with adjacent property owners to ensure design integration and programming opportunities through cross-access, shared parking, etc;**
- **Rehabilitate the Railroad Bridge to become a visual focal point.**

#### **General Parking Requirements**

Parking lots and structures must be fully integrated within the site's design, and in some cases, properly screened from view to create and preserve the pedestrian environment.;

Additionally:

- (1) No exhaust area or vent shall open directly into any sidewalk or park space.

- (2) All self-parking spaces shall be a minimum of 9 by 18 feet deep. All aisles shall be a minimum of 22 feet wide (unless angled parking). Compact spaces may be provided upon Planning Board acceptance.
- (3) Curb cuts within residential and mixed-use developments are generally limited to twenty-four feet (24') in width and must include provisions for safe, efficient pedestrian crossing. Generally, no more than one (1) curb cut per block will be permitted unless agreed upon by the Planning Board as consideration within the overall context of the surrounding area.
- (4) Below grade parking is permitted.
- (5) Areas where vehicular access is required shall be designed to match the adjacent active uses. A non-contrasting garage door shall be provided that provides glazing at eye level. The door must be made of a solid material and must be kept closed.
- (6) Surface parking areas must be designed in accordance with the Township's Landscaping Ordinance 215-57. Parking is permitted in the front yard area subject to streetscape and landscape design.
- (7) All new streets must be designed with parallel parking and adorned with streetscape.

### Parking Standards

Traditional on-site parking standards and guidance have denigrated downtowns in New Jersey and nationwide. Standards such as those detailed in New Jersey's Residential Site Improvement Standards (RSIS) and guidance such as the Institute of Transportation Engineers (ITE) Manual prioritize movement of cars over other modes, presenting a difficult challenge to planning for truly great places, and environments where there is a deliberate effort to put pedestrians first and provide modal choice.

Although the RSIS standards are inappropriate for the downtown environment envisioned in this Plan, they require waiver upon development application with the New Jersey Department of Community Affairs. This Plan recommends parking standards that are slightly lower than RSIS standards, because it is common for parking ratios to be lower with rail service and compact development patterns. The Plan further recommends the use of shared parking. This approach takes advantage of the reality of how different land uses make different demands on parking, and creates a more efficient use of land. In mixed-use environments, parking demand patterns can differ during the day and evening. For example, an office building will utilize parking spaces primarily during the day. If the office building has a ground floor restaurant, which serves dinner only, they can share the same parking lot. This kind of shared arrangement results in a need for fewer total parking spaces when compared to the total number needed for each individual use. General use parking lots, and on-street parking are other forms of shared parking. This Plan recommends that all development applications utilize the Urban Land Institute's (ULI) "Shared Parking Manual" as well as the case examples of best practices in transit-oriented development. Development demand can partially be met through credits for on street parking supply and adjacent joint use shared opportunities.

The following ratios shall apply to determine the number of off-street parking requirements:

### Parking Ratios

- (1) Residential: 1.3/unit average. Further broken down by unit type:
  - a. Studio apartments — 0.75 spaces per unit
  - b. 1 Bedroom — 1.25 spaces per unit
  - c. 2 Bedroom — 1.5 spaces per unit

- d. 3 Bedroom — 2.0 spaces per unit
- (2) Non-Residential Ratios
- a. Ground floor Retail: One (1) per 500 square feet maximum (on-street parking counts for those retail shops located on-street)
  - b. Stand-alone retail: One (1) per 250 square feet
  - c. Restaurant: One (1) per Four (4) Seats
  - d. Commercial and Professional Office space — 3 per 1,000 square feet minimum
  - e. Hotel — One (1) per room

### Loading Requirements

(1) There are no requirements for loading for residential uses.

(2) All loading areas for non-residential uses shall be screened from public view. In mixed uses development programs where doors are visible from public spaces and streets, dock doors kept closed except when loading and unloading. Trash and recycling materials must be kept inside refuse areas prior to pick-up. See design requirements for vehicular access above.

(3) Only supermarkets, hotels, research and development, and large-format stores are required to have off-street loading berths.

- a. Generally
  - i. First 8,000 square feet — None
  - ii. Next 10,000- One (1)
  - iii. Each additional 200,000 or fraction thereof — One (1)
- b. Hotels
  - i. First 100,000 square feet — None
  - ii. Each additional 10,000 or fraction thereof — One (1)

### Parking Structures

(1) Parking within structures is encouraged to be fully or partially below grade, but is permitted at-grade.

- a. Parking is permitted at the first floor and above the first floor but shall be fully screened from public view and located behind active uses
- b. Where structured parking is not screened by active uses it must be clad to match the building above and must have appropriate ground level window treatments with translucent but not transparent glazing no smaller than three feet by three feet starting no higher than three feet above ground.
- c. Access to all parking facilities must be appropriately located and may not be located along any street envisioned to be vacated

(2) Parking may be allowed within the front yard provided that the streetscape is implemented with appropriate landscaping. Such parking may only be permitted with a single drive-aisle and be pre-existing at the time of this Plan's adoption. However, no such parking will be permitted between the CSX railroad line and Scotch Road unless pre-existing.

### Bicycle

Bicycle parking/storage is important, and where possible shall be provided in interior storage rooms for multi-family buildings. Retail and commercial sites shall provide bicycle parking/storage on the exterior, the following ratios apply. All racks should be decorative and fit the design vocabulary of the proposed streetscape.

## (1) Required bicycle parking spaces – exterior (commercial combined)

- a. 0 spaces under 7,500sf
- b. 2 spaces between 7,500sf and 20,000sf
- c. 1 space per every 10,000sf over 20,000sf

## (2) Required bicycle parking spaces – interior (multi-family dwellings)

- a. 0 spaces less than 12 units
- b. 1 space per every three units, in buildings of 12 units or greater

## **Specific Design Standards**

When people enjoy being in a place, they will incorporate it into their daily lives, using it and enjoying it even when they have no expressed purpose for doing so. Such a place establishes a sense of community that gives focus to people's daily lives. Public places where people can conveniently and happily carry out their normal day-to-day activities without the inconvenience associated with poorly designed development. The following performance and design standards will help create a "place" for the people of Ewing that they will feel comfortable in and want to return to again and again.

## (1) Purpose and intent. The purpose of these design regulations include:

- a. Encouraging building forms that reinforce the high quality of life in the Redevelopment Area and vicinity.
- b. Creating usable outdoor space through the arrangement of compatible commercial buildings along street frontages.
- c. Encouraging buildings of compatible type and scale to have creative ornamentation using varied architectural styles.
- d. Creating a business district, which is an attractive destination for living, recreating, entertainment, and shopping.
- e. Creating a sense of place and strengthen property values of adjacent areas.
- f. Creating attractive walkways and continuous street-front experiences that maximize the quality of the pedestrian environment and afford opportunities to increase retail traffic;
- g. Configuring sidewalks on all streets so people feel safe and comfortable; make sidewalks wide, appealing, and shady;
- h. Providing a hierarchy of direct and indirect lighting (no sodium vapor lights) that illuminates walkways, ensures safety, highlights buildings and landmark elements, while providing sight lines to retail uses. – (Such as a view from a café to bookstores and unique shops.);
- i. Installing well-designed, high quality street furniture to reinforce the strong image and comfort of the place;
- j. Carefully placing strong landscaping elements, including shade trees, that enhance the create of place;
- k. Varying roof-scape and façade designs. (Retailers depend on diverse, appropriately scaled, and customized shop fronts.);
- l. (Using compelling, informative, and consistent signage to tell the story of the place. (Not literally);
- m. Designing attractive corners and gateways into the Area;
- n. Adding vitality by requiring active uses along the sidewalks such as outdoor dining, interactive displays in shop windows, entertainment, and diverse architectural elements, styles and setbacks;

- o. Deterring crime by designing for security; ensure street-level vitality and plenty of “eyes on the streets”;
- p. Incorporating a variety of urban residential uses in the form of live/work spaces, apartments above stores fronts and townhouses to ensure activity around the clock.

(2) Applicability. Except where this Plan specifically provides otherwise, these design standards apply to all buildings or portions thereof that are being newly built, and to “substantial improvements” on properties that are within the Plan’s jurisdiction.

(3) Compliance determinations. Compliance with these standards shall be determined as part of the site Plan review process after submission to the Township Planning Board. However, prior to submission to the Planning Board for approval, the applicant may seek conceptual review as follows:

- a. A redevelopment agreement is necessary to implement all projects in the Redevelopment Area.
- b. An applicant may seek conceptual review of a specific building and/or site design during the development process through the Redevelopment Entity and/or Site Review Committee in consultation with Township professionals. The review may include specific site plans, building elevations and other architectural detail. The project architect shall clearly specify on the drawings the extent to which he/she believes the application has met these design standards and whether any deviations are sought.
- c. An applicant must submit all such applications to the Mayor of the Township and to the designated Redevelopment Entity if not the Township to determine substantial compliance with these standards before an application is filed with the Planning Board. Note that such a determination will not in any way supersede the Board’s procedures pursuant to the Municipal Land Use Law regarding complete applications.
- d. The Township Planner and/or Engineer will provide a written copy of each compliance determination to the applicant and to the Planning Board within 45 calendar days of receipt.
- e. The professional time spent on the review will be billed to the developer’s escrow account set up for site plan review at the Planning Board.

## **Use Regulations.**

All buildings in the Area are encouraged to be mixed-use structures except as otherwise set forth herein:

(1) Standards for all uses:

- a. Parking will be designed to ensure the integrity of the pedestrian environment is protected with specific connections to and from future proposed mass transit facilities preserved and furthered through site development. Surface parking in excess of 200’ along Parkway Avenue shall incorporate; landscaping and buffering design techniques. Additionally, pedestrian access points as appropriate will be required to further strengthen the pedestrian circulation network.
- b. Architecture preserves and enhances a sense of place. Blank streetwalls are prohibited along any public street of public facility.
- c. Design integration with adjoining properties is required to ensure coherence within the overall area’s development.

(2) Ground floor commercial is mandatory in area along Parkway Avenue and Scotch Road, generally:

- a. Retail within mixed-use buildings containing residential, the residential uses are not permitted on the same floor with non-residential uses other than shared ground floor lobby space. Tenant lounges and gym space may be located on the ground floor.

- b. Residential is not permitted on the ground floor of structures located along the Parkway and Scotch frontage.
- c. Residential uses must have access, which is separate and secure.
- d. Mixed commercial/retail. Mixed use permitted with office and/or residential above.

Specifically:

- a. Restaurant, bar or other similar establishment serving food or beverages. *New Drive-thru services may be considered upon strict condition.*
- b. Professional Office in accordance with the Principal and Accessory Use regulations of the PRO- Professional Research Office Zone
- c. Retail goods and services in accordance with the Principal and Accessory Use regulations of the BN- Neighborhood Business Zone (With exception to single-family housing). *New Drive-thru services are regulated by other sections of this Plan.*
- d. Office in accordance with the Principal and Accessory Use regulations of the OP3- Office Park – 3 Zone
- e. Hotels
- f. Combination of two or more permitted uses within one building or property.
- g. Uses existing as of the date of adoption of this amendment may be permitted to expand upon review and approval of site plan and design standards.

(3) Permitted accessory buildings and uses.

- a. Off-street parking facilities, including parking garages, charging stations, and refuse collection structures.
- b. Pop-up shops, and micro-retail.
- c. Fences, walls and hedges as regulated by § 215-63.
- d. Signs as regulated by BH zone ordinance.
- e. Satellite communications dish receiving antennas, provided the dish antenna does not exceed 15 feet in diameter, is not located in a front yard, conforms to the rear and side yard requirements for a principal building and does not exceed 5 feet in height. Microwave antennas or facilities are not permitted as an accessory use.
- f. Other uses customarily incidental to a permitted principal use or conditional use, such as;
  - a. Club House
  - b. Recreational amenities including passive and active recreation.
  - c. Managerial, Sales and Lease Offices.

(4) Conditional Uses-

- a. Drive-thru businesses are limited to those that meet the following conditions:
  - i. They must be located 200 feet from Parkway Avenue and/or located behind conforming uses.
  - ii. They are appropriately landscaped and buffered with pedestrian crossing demarcations where appropriate.
  - iii. Traffic may not egress directly onto the road network.
- b. Expansion and Retrofitting of Existing Shopping Centers in accordance with the requirements of § 215-35C(13).
- c. Expansion of existing Multipurpose Fueling Stations / Convenience Stores in accordance with the requirements of § 215-35C(14).
- d. Residential Multi-family in accordance with the requirements of § 215-35C(16).

- e. Discount retailers, Pawn, dollar stores, and sexually oriented business are prohibited within the district.

## **Green Design**

All buildings are encouraged to be LEED-certified buildings. The following High Performance design elements are encouraged to be incorporated within each application:

(1) Measures to reduce “heat-island” effects including the following:

- a. Green rooftops - especially on parking structures or larger format buildings with flat roofs.
- b. Solar or Solar ready structures - especially on parking structures or larger format buildings with flat roofs.
- c. Appropriate landscaping that increases shading of paved portions of the site
- d. Building orientation and design that reduces heating and air-conditioning use.
- e. Pedestrian circulation patterns leading to and/or including waiting areas for buses or light rail trains that are highly efficient and aesthetically pleasing to encourage the use of mass-transit facilities
- f. Indoor bicycle storage facilities that are incorporated into the building

(2) Natural resource efficiencies have been employed resulting in:

- a. Measurable reduction in water usage. Including, but not limited, to rainwater capture, low flow fixtures, and low irrigation landscaping
- b. Optimization of energy performance
- c. Utilization of locally manufactured construction materials.
- d. Utilization of recycled materials for construction

## **Build-to lines, Step-backs, & Setbacks.**

Build-to and Step-back lines distinguished. The Plan specifies build-to lines for street frontages and step-back lines for buildings over certain heights.

(1) A build-to line identifies the precise horizontal distance (or range of distances) from a street that the front of all primary structures must be built to, in order to create a fairly uniform line of buildings along streets.

(2) A step-back line identifies the minimum distance that the portions of buildings above specific heights must be set back from the building’s edge or build-to line in order to minimize the effects of taller buildings at street level.

(3) Requirements for build-to lines.

- a. Where a build-to line is specified as a range (for instance, 5 to 10 feet), this means that building fronts must fall within that range of distances from the front property line. Where there is a range, the front facade does not have to be parallel to the street or in a single plane, as long as the front facade remains within the range.
- b. At least 75% of the building frontage is required to align with the build-to line. The remaining 25% may be recessed up to 10 feet behind the build-to line, for instance to provide recessed pedestrian entrances or simply for architectural diversity.
- c. Build-to lines are subject to adjustment to maintain visibility for vehicles exiting onto primary streets.
  - i. Site triangles must be maintained on both sides of intersecting streets and exiting driveways to provide equivalent visibility.
  - ii. Within these triangles, no buildings, shrubs, or low-hanging tree limbs may obstruct visibility between the height of 2 feet and 6 feet above ground. However, visibility



triangles are not required at intersections with 2 or 4-way stop signs or traffic signals.

- (4) Stories up to the fifth (5<sup>th</sup>) floor are encouraged to remain in the same vertical plane, with the exception of vertical architectural elements that are employed to “break up” long horizontal planes, such as the first floor. Above the five (5) stories, step-backs and other additional provisions must be met.
- (5) Awnings, canopies, balconies, bay windows, porches, stoops, arcades, and colonnades are allowed on building exteriors provided that they comply with the design standards. These features may extend beyond the build-to or step back provisions, but must adhere to additional regulations provided herein.
- (6) All streets shall have sidewalks. A minimum width of eight (8) feet shall be provided on all streets in the Area with exception to designated streets within the Downtown Core district where fifteen (15') to twenty feet (20') shall be provided with street trees and pedestrian scaled lighting.
- (7) Arcades are permitted provided:
  - a. No recess exceeds twenty (20) feet from the public R.O.W.
  - b. A minimum of eight (8) feet of open sidewalk, not under the arcade is provided.

### ***Building frontages and lot frontages.***

(1) Generally - Building frontage is the length of a building facade that faces a street. All buildings that face a street shall be treated like a front regardless of garage or loading needs. In some instances, landscape screening may be utilized for “dead spaces” created by operation needs of larger structures

### **(2) Additional Requirements**

- a. All setback and building recesses along any street shall be appropriately landscaped. Low fences, walls and gates may be provided along the landscape area but shall not exceed three (3) feet in height.

### ***Building placement.***

(1) Build-to lines established. Build-to lines for all public streets are 0 feet to 25 feet from front property lines, except:

- a. Where insufficient R.O.W. exists for minimum of fifteen (15') foot sidewalk requirements. Street Profile section applies to the future ROW needs and must be consulted.
  - Adjustments to build-to lines to maintain visibility do not apply:
    - i. To buildings fronting Public Plaza or Park space, or
    - ii. To building fronts, where wide sidewalks and on-street parking lanes allow the necessary visibility.
- b. Adjustments to build-to lines to create public parks, enhanced streetscapes, public plazas, transit station access, and/or commercial amenities are permitted when meeting the following conditions:
  - i. A parallel drive/street that minimizes curb cuts and include one row of parking.
  - ii. Street scape and pedestrian scaled amenities are designed along the street. Amenities such as benches, bus-stops, etc.

(2) Stepback lines are established as follows:

- a. Build-to lines must be met for all buildings up to four (4) stories. Beyond four (4) shall be stepped back a minimum of 10'.

### **Building size.**

#### **(1) Building frontage.**

- a. All buildings fronting any street shall be considered fronts.
- b. For multiple adjoining lots under single control, or for a single lot with multiple buildings; all standards apply to the combination of lot(s) and building(s).
- c. For buildings facing important viewsheds, historic sites or parks it is encouraged that the ground level storefronts be restaurants, cafes, or other types of "assembly" uses such as bookstores with outdoor seating.
- d. All buildings fronting public park space should be oriented to respect the space without allowing any portion of it to function privately unless it is space devoted to special use, such as restaurant, cafe or similar quasi-public use.

#### **(1) Building height. Building heights are regulated as follows. Unless regulated by other regulations, such as those presented by the FAA:**

- a. Five (5) story maximum (~75') with exception to special architectural considerations which may reach six (6) stories, but for no more that 25% of a typical block area (generally 200' x 400'). Varied heights within the block's design are mandatory.
- b. Minimum heights along Parkway Avenue shall be two (2) stories with three (3) stories + being the ideal at points of key visual interest.
- c. All heights above three (3) stories, unless otherwise specified in each Zoning District Sections, are encouraged to use design techniques that enhance a small-town appeal, such as Stepbacks or architectural widths greater that 140' wide
- d. The following shall be considered roof appurtenances and may penetrate the maximum height limit by no more than twenty-five (25) feet so long as, in the aggregate, the appurtenances do not occupy more than 10% of the topmost roof:
  - i. a. Chimneys and flues
  - ii. b. Elevator or stair bulkheads, water tanks and mechanical equipment (such as air conditioning condensers)
  - iii. c. Parapets, cornices and other decorative architectural elements will not count toward roof coverage so long as they are not higher than five feet above the roof slab.
- e. Single story structures are discouraged in areas where a strong streetwall and pedestrian experience are important principles.
- f. The Planning Board, may modify the special height restrictions set forth in this Section for any development pursuant to the requirements and limitations of the MLUL in the course of site plan review provided for in the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1 et seq., where height provisions that exceeds the Planning Board's ability to grant a 10% increase in height or 20' feet, whichever is less, can only be made through a formal Plan amendment by the Township Council in accordance with the process set forth. As a condition for such modification, the Board shall find that:
  - i. a. All other provisions of the particular Zoning District are met.
  - ii. b. The project is providing additional open space or public gathering spaces,
  - iii. c. The modified proposal provides adequate access of light and air to surrounding streets and properties.
- g. The Board may also prescribe appropriate conditions and safeguards to protect and minimize any adverse effects on the surrounding community.

### **Block Size.**

- (a) The Plan seeks to avoid the creation of superblocks and site design dependent on a single-mode of transportation.
- (b) Blocks must be situated and/or have a condition on approval to ensure future regional connections are possible - pedestrian and vehicular. Reference Transportation Network and Street Typologies graphic.
- (c) Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required to provide for convenient access, circulation control and safety of street traffic.
- (d) Typically blocks will be no wider than 600' in length. Exceptions may be granted based on existing site conditions and site design logistics, but not at the risk of jeopardizing walkability and the pedestrian environment in general.
- (e) In blocks over 500 feet long, pedestrian crosswalks may be required in locations deemed necessary by the planning board. Any such walkway shall be 10 feet wide and straight from street to street.

### **Landscaping and Environmental**

- (a) Relation of proposed structures to environment shall be related harmoniously to themselves, the terrain, existing buildings, neighborhoods, roads, and other significant features in the vicinity that have a visual relationship to the proposed structures achieved by the following means:
  - (1) Visual scale and pattern of building width and height.
  - (2) Shadow and wind effects. The building shall be designed to minimize the effect of shadows and wind on the public street, pedestrian ways and adjacent properties
  - (3) Nuisance mitigation. Elements of the Plan which might create nuisance factors shall be located or screened so as to minimize the impacts on adjacent properties, especially residences
  - (4) Lighting The location, intensity, directions and time of use of outdoor or indoor lighting shall be harmoniously related to and compatible with the public street, pedestrian ways, and adjacent properties
  - (5) Existing features. Existing site features, natural and manmade, which have community value, such as specimen vegetation, vistas and terrain features, shall be preserved and incorporated into the design where possible
  - (6) Surface water drainage. Any proposed development shall meet the requirements of the Ewing Township Stormwater Management standards
- (b) All landscaping plans will include a 60% native species requirement.
- (c) High quality pavers and other types of landscaping materials such as planters, knee walls, and street furniture shall be utilized.
- (d) Foundation plantings, planters and other decorative features are encouraged.

### **Additional Standards**

- (a) The design standards shall apply to all buildings, or portions thereof, that are being newly built or substantially improved.
- (b) Open space and buffers. All open space and buffers must be consistent with the Parks & Open Space Section.

(c) Outdoor sales. Merchandise may be sold outdoors but only in accordance with this subsection:

- (1) On private property. Retail businesses may sell their regular merchandise outdoors on private property between their stores and a street right-of-way or on up to two wheeled vending carts that meet the following criteria:
  - a. No additional signage whatsoever;
  - b. Carts must be non-motorized, moveable by hand, and no taller than 8 feet including the height of the merchandise on the cart;
  - c. Carts must be moved indoors during any hours that the business is not open; and
  - d. Carts shall have integral roofs or umbrellas and use traditional or creative designs.
- (2) On public property. Retail businesses may extend their operations onto public sidewalks and plazas only as follows:
  - a. Locations explicitly sanctioned by the Township Council and/or where public markets or festivals are located.
  - b. Vending rights are available only to the owner or primary lessee of the private property that immediately abuts the sidewalk or pedestrian plaza; vending rights may not be further sub-leased.
  - c. No fixed or moveable equipment may be placed on a public sidewalk or plaza to sell or serve food except as follows:
    - i. Tables, umbrellas, and chairs may be placed by restaurants for the use of their customers; no signage is permitted except lettering on umbrellas.
    - ii. Wheeled food carts are permitted if they meet the following criteria:
      1. Not more than one chair or stool may be provided for the employee; and;
      2. One sign per cart may be displayed, with each sign limited to 3 square feet in area.
    - iii. All tables and carts shall not block pedestrian movement along the sidewalk.
  - d. No merchandise may be displayed on a public sidewalk or plaza except when placed on tables or shelves that do not exceed the following dimensions:
    - i. Maximum height: 3 feet
    - ii. Maximum width: 8 feet
    - iii. Maximum depth: Depth may encroach the ROW line, must ensure pedestrian ROW remains clear.
  - f. Vending rights may be exercised only upon issuance of a permit by the Township that sets forth conditions, including:
    - i. Additional restrictions on the degree, which tables, umbrellas, chairs, and carts may interfere with pedestrian movement;
    - ii. Restrictions on the extent to which food or merchandise not available in the abutting business may be sold;
    - iii. Requirements that the area surrounding the tables or carts be kept free from debris and refuse at all times;
    - iv. Insurance requirements;
    - v. Payment of fees established by the Township for vending rights;
    - vi. Limitations on leasing of vending rights, if any; and
    - vii. Other reasonable conditions as determined by the Township, including full approval rights over the design of umbrellas, carts, tables, etc.

## **Architectural Design Standards**

(a) Generally. This section governs the architectural features of all buildings in the Redevelopment Area. In order to minimize the bulk of large buildings, all facades shall provide architectural elements to reduce these effects.

(b) Horizontal Massing.

- (1) Base. Defined as the first one and one half (1½) to two (2) stories on facades of multi-story buildings, shall be oriented to the pedestrian and the greater sidewalk network. The Base on larger buildings should appear "heavier" than the upper stories through material and dimension.
- (2) Middle. Shall be treated with horizontal elements such as belt courses and shall exhibit changes in materials or patterns.
- (3) Top. Defined as any roofline, shall be accentuated with parapet walls and/or balustrades or deep cornice features with projection.

(c) Vertical Massing.

- (1) The façade plane shall be broken into 30'- 60' foot- sections along major street frontages
  - a. Distinguished by columns, pilasters, gutters, size and spacing of windows, pattern of balconies or other acceptable architectural measures the Township deems appropriate.
  - b. All commercial uses at street level shall relate to the buildings' vertical patterns

(d) Balconies.

- (1) "Juliet" balconies are permitted.
- (2) Balconies in excess of three (3') feet shall be recessed behind the principal façade.
- (3) Balconies may not directly access any park space and shall be located at a minimum of two(2) full stories above the grade of the adjacent park.

### ***Exterior walls***

(a) Generally. These standards require buildings to have traditional pedestrian oriented exteriors and to be clad with materials that are durable and appropriate to the visual environment and climate while respecting the history of communities along the Delaware River. Design flexibility and creativity is encouraged using ornamentation from a wide variety of architectural styles but in essence should seek to enhance the Township's character. Historic imitation is not the goal of this Plan, compatibility is, therefore introduction of more contemporary architecture may be appropriate, but should work to bring forth the Township's rich history.

(b) Finish materials for walls. Exterior walls are the publicly visible part of most buildings. Their exterior finishes shall be as follows:

- (1) Any of the following materials may be used for exterior walls and for columns, arches, and piers:
  - a. Natural stone, brick and integrally colored masonry units
  - b. Reinforced cast in place, or pre-cast concrete (with smooth finish, stucco. or textured paint)
  - c. Concrete block with stucco (CBS)
  - d. Wood, pressure-treated or naturally decay-resistant species
  - e. Glass, aluminum and steel

- f. A combination of the above
- (2) Other materials for exterior walls may be used only if approved as a deviation from this section when explicit approval has been granted to vary from these regulations. Faux material shall be discouraged.
  - (3) Fastenings that may be required to dry flood-proof the first story of commercial buildings shall be integrated into the design of principal facades or be visually unobtrusive.

(c) Types of exterior walls. Principal facades and their requirements are defined herein. Exterior walls that are not defined as principal facades require a lesser degree of finish and transparency. At a minimum, Principal facades should be designed to meet the following as a guide:

- (1) Transparent windows must cover at least 20% of the wall area below the expression line and at least 10% of the wall area between the expression line and the cornice.
- (2) All windows must have their glazing set back at least 3 inches from the surface plane of the wall or set back at least 2 inches when wood frame construction is used.

### ***Principal Facade walls***

(a) Facade elements. Principal facades are those facades that face a public space such as a street or a public park. Being in public view, they shall be given special architectural treatment.

- (1) All principal facades shall have a prominent cornice and expression line, a working entrance, and windows (except for side-wall facades where entrances are not required).
- (2) Buildings wider than 60 feet shall, to the extent feasible, incorporate varied heights and roof types to enhance visual interest. This may be accomplished with a parapet designed to vary in height as it traverses the roofline so long as the average height of the parapet alone is no more than five feet.
- (3) Principal facades facing a street, plaza, or public park may not have blank walls (without doors or windows) greater than 10 feet in length.
- (4) Expression lines and cornices shall be a decorative molding or jog in the surface plane of the building that extend at least 3 to 6 inches out from the principal facade, or a permanent canopy may serve as an expression line.
- (5) Awnings may not hide or substitute for required features such as expression lines and cornices.

(b) Entrances. A primary entrance and views into the first floor of buildings are fundamental to creating an interesting and safe pedestrian environment.

- (1) The primary entrance to all buildings shall face the street.
- (2) Corner buildings shall have their primary entrance face either the intersection or the street of greater importance. Buildings may also locate the primary entrance on the corner.
- (3) Ground floor retail spaces within the same building shall all have their respective primary entrances face streets unless the retail space does not adjoin the exterior wall along a street.
- (4) Where building frontages exceed 50 feet, provide commercial fronts whose design and construction allow for entrances with public access at intervals averaging no greater than 50 feet

(c) Windows. Every principal facade must contain transparent windows on each story with the exception of windows opening into a parking floor. Garage windows shall have translucent glazing.

- (1) All windows.

- a. All windows (with exception of all-glass structures) must:
    - i. Contain visible sills and lintels on the exterior wall, and;
    - ii. Have their glazing set back at least 3 inches from the surface plane of the wall or set back at least 2 inches when wood frame construction is used.
  - b. Glass in windows and doors, whether integrally tinted or with applied film, must transmit at least 50% of visible daylight.
- (2) First-story windows. In order to provide clear views inward and to provide natural surveillance of exterior spaces, the first story of every commercial building's principal facade shall have transparent windows meeting the following requirements:
- a. Window openings shall cover at least 60% of the wall area below the expression line;
  - b. The bottom of the window opening can be no higher than 30 inches from sidewalk level; and
  - c. Where principal use is appropriate windows shall be maintained so that they provide continuous view of interior spaces lit from within. However, private interior spaces such as offices may use operable interior blinds for privacy.
- (3) Upper-story windows. All stories above the first story of every building's principal facade shall contain between 50% of the wall area with transparent windows.

(d) Corner buildings. For buildings located at the intersection of two streets, the corner of the building at the intersection may be angled, curved, or chamfered. The distance from the corner shall not exceed 20 feet measured from the intersection of the right-of-way lines to the end of the angled or curved wall segment, unless a greater amount is required by the visibility triangles.

(e) Facade projections. Facade projections add visual interest to buildings. Some projections also provide protection from the sun and rain for those passing by; others provide additional floor space for the building. The following types of facade projections are permitted as indicated below. At least one of these facade projections is required on each principal facade of all commercial buildings. Any projections extending beyond the front lot line into the public right-of-way of a county road are subject to approval by Mercer County. Any projections into local roads are subject to the approval of the Township Council or its designee:

- (1) Awnings and canopies:
  - a. Awnings and canopies may extend forward of the build-to line and may encroach into a sidewalk right-of-way.
  - b. Awning or canopies extending from the first story cannot exceed the following dimensions:
    - i. Depth: 15 feet maximum.
    - ii. Height: the lowest point on an awning or canopy shall be no lower than 7 feet above sidewalk level and the highest point shall be no higher than 12 feet above sidewalk level
    - iii. Length: 25% to 90% of the front of the building
  - c. There are no minimum or maximum dimensions for awnings or canopies extending from a second story or higher except that they are limited to window openings.
  - d. Awnings shall be covered with fabric. (High-gloss or plasticized fabrics are prohibited). Backlighting of awnings is prohibited.
- (2) Balconies:
  - a. Balconies may extend forward of the build-to line or step-back line and may encroach into a street right-of-way from the 2nd story floor and above.

- b. Balconies cannot exceed the following dimensions:
  - i. Depth: 5 feet maximum
  - ii. Height: 10 feet minimum distance from any sidewalk.
  - ii. Length: 25% to 40% of the building frontage.
  - iii. Top of railing: must be in accordance to all Township and State building and construction standards.
- c. On corners, balconies may wrap around and forward of the build-to line
- (3) Bay windows:
  - a. Bay windows may extend forward of the build-to line but may not encroach on the public right of way below the 2nd floor.
  - b. Windows extending from the first story cannot exceed the following dimensions:
    - i. Depth: 3 feet maximum from facade
    - ii. Height: 10 feet maximum
    - iii. Length: 6 feet maximum
  - c. Bay windows shall have the same details required for principal facades: sills, lintels, cornices, and expression lines but may not encroach into a street right-of-way above the sidewalk and below the second story.
- (4) Stoops:
  - a. Stoops may extend forward of the build-to line but may not encroach into a street right-of-way or sidewalk without specific approval by the County or Township.
  - b. Front porches and Stoops cannot exceed the following dimensions:
    - i. Depth: 6 feet (minimum) Measured from R.O.W to front façade.
    - ii. Length: 5 feet (minimum) Measure across front facade
    - iii. Top of railing: 2-3/4" (minimum)
  - c. Stoops may be roofed or unroofed but may not be screened or otherwise enclosed.
- (5) Arcades:
  - a. Placement: Ten (10) of exposed sidewalk area must be preserved;
  - b. Height: Twelve (12') feet minimum.

## **Roofs**

- (a) Roof types permitted. Buildings may have any of the following roof types: hip roofs, gable roofs, shed roofs, flat roofs with parapets, or mansard roofs.
  - (1) All flat roofs, and any shed roof with a slope of less than 2 inches vertical per 12 inches horizontal, must have their edges along all streets concealed with parapets and trimmed with decorative cornice.
  - (2) All hip roofs and gable roofs, and any shed roof with a slope of more than 2 inches vertical per 12 inches horizontal, must have overhangs of at least 18 inches.
    - a. Exposed rafter ends (or tabs) are encouraged.
    - b. Wide overhangs are encouraged and can be supported with decorative brackets.
  - (3) Mansard roofs are permitted only when the lowest sloped surface begins above a cornice line and then slopes upward and inward.
  - (5) Dormers are permitted and encouraged on sloped roofs.
  - (6) Skylight glazing must be flat to the pitch of the roof if the skylight is visible from a primary street, plaza, or public park.
- (b) Roofing materials permitted. Commercial building roofs may be constructed with one or more of the following roofing materials:
  - (1) Shingles: No imitation type products are permitted.
    - a. Asphalt (laminated dimensional shingles only)



- b. Fiber-reinforced cement
- c. Metal (same as (a)(1))
- (2) Tiles:
  - a. Clay or terra cotta
  - b. Concrete
- (3) Flat roofs: Any materials allowed by applicable building codes
- (4) Gutters and downspouts: Metal (same as (c)(1))

(c) Other roof types and materials. Other types of roofs and roofing materials are prohibited unless explicitly approved by the Planning Board.

(d) Vegetated green roofs designed with such standards as identified in the LEED program are permitted but not required for the topmost roof on all new buildings; lower level roofs of new buildings as well as roofs of buildings which are renovated shall be landscaped and accessible to building occupants.

(e) Mechanical and equipment located on roofs shall be screened from Parkway Avenue pedestrian view or otherwise positioned as to not be visible by pedestrians on Parkway Ave.

### **Signage**

(a) Permitted signs. The following types of signs shall not be permitted: billboards and signs elevated on poles or pylons. New signs are allowed generally as follows:

- (1) Signs can be painted or attached directly onto buildings walls.
- (2) Signs can be mounted onto a marquee that extends out from the front of a building.

(b) Purpose of this section. Commercial pylon signs or pole mounted signs are inappropriate for pedestrian-oriented commercial buildings, as are large faced internally illuminated signs designed to be viewed from a distance. The purpose of this section is to restrict inappropriate wall signs and pylon signs and to replace them with a selection of signs that are externally illuminated; project out perpendicular from a building's principal facade; or other pedestrian-focused approaches.

- (1) Ground signs/ Monument Signs. Ground signs are generally not permitted along Parkway unless part a community sign that is incorporates an artist component to the development but not designed to identify specific businesses.
- (2) Wall signs. Wall signs must be placed flat against a principal facade. Internally lit signs are not permitted.
- (3) Projecting signs. Signs designed in accordance with this section may extend over public sidewalks, but must maintain a minimum clear height above sidewalks of nine (9') feet. Signs shall not extend closer than two (2') feet to an existing or planned curb. Projecting signs may not be internally lit and should reflect the character of the district

(c) Size and number of signs.

- (1) Maximum gross area of all signs shall generally be guided by the Township's Sign Ordinance (BN Business Neighborhood) The Planning Board may entertain larger signs for larger-scaled buildings however such proposals must respect building scale, size, architecture, and materials, in addition to the surrounding neighborhood context as well as the need to screen and buffer certain structures from public view..
- (2) Maximum height of ground signs is seven 7' and be appropriately landscaped.

(3) Signage for multiple tenants is permitted.

(d) Illumination of signs. Signs shall be illuminated externally only, except that individual channel block letters and/or logo symbols may be internally lit.

(e) Placement of signs on principal facades. The following illustration shows correct placement of signs on principal facades. Signs must coordinate in size and placement with the building and storefront;

- (1) Building signs shall not conceal the cornice;
- (2) Over-varied shapes create visual confusion and are discouraged;
- (3) Awning signs shall not cover masonry piers with signage limited to the valance;

## **Public Access & Community Mobility - Transportation, Pedestrian & Open Space**

Good street design is an extremely important component of successful communities. Whether in New Jersey or Europe, how a street is designed will define the quality of the pedestrian realm and how well a town can attract residents, businesses and visitors.

This Plan envisions an enhanced multi-modal transportation network designed around the concept of integrating and connecting the surrounding community to and within the Downtown and West Trenton/Ewing Station. With this Plan, Ewing seeks a “pedestrian-first” policy using the street design principles, traffic calming measures and streetscape standards discussed below.

This Plan provides for the reservation of designated streets, public drainage-ways, flood control basins, or public areas within the proposed development, before approving a subdivision or site plan, the planning board may further require that such streets, ways, basins or public areas be shown on the subdivision plat or site plan in locations and sizes suitable to their intended uses. The planning board may reserve the location and extent of such streets, ways, basins or public areas shown on the plat or plan for a period of one year after the approval of the final plat or plan or within such further time as may be agreed to by the developer. These principles are to be a part of every project in the Redevelopment Area

### ***Urban Street Design Principles***

- Create an appealing pedestrian environment
- Make it an easier and safer choice to walk, bike or choose transit.
- Promote a healthy, safe environment
- Design streets to be public spaces that support “livability” and economic vitality

### ***Traffic-Calming Measures***

In transportation planning, streets are characterized by their functional classification, which broadly defines design and operational characteristics primarily as they relate to serving vehicles. In a multi-modal environment, design must accommodate pedestrians, bicycles, transit cars, and trucks. Traffic calming is the practice of applying engineering and other measures to slow down vehicular speed or reduce vehicular traffic, and increase pedestrian safety and comfort. This Plan includes measures and techniques to provide traffic calming, including:

- Textured crosswalks and paving to define pedestrian space,

- Raised crosswalks/speed tables in strategic locations to calm traffic, in strategic locations (for example the Town Square area) shall be installed subject to approval by Township and County as needed
- Median landscaping, including street trees and planters for aesthetics and safety
- Greenways for recreational and pedestrian access to the area
- Pedestrian plazas at:
  - Town Square
  - West Trenton/Ewing Station Access points
  - Interface with public facilities
- Roundabouts - mini and standard - shall be used to signal entry into the Redevelopment Area.

### **Framework Street Design**

Each street in the Plan serves a function, not just as a travel way for people, and vehicles of all types, but as a component of the overall environment. For example, a retail street can promote an active pedestrian environment with generous sidewalks, attractive landscape, and parking.

Each street is comprised of a cartway space, which accommodates vehicles between the curbs, and a sidewalk space, which is the exclusive realm for people between the curb and the building line. The Sidewalk area is the area of the sidewalk available for pedestrian travel, excludes curb, utility, furniture, tree lawn, shy or building frontage space. Depending on its use, the cartway space is further defined by the number and use of each travel lane, and other features, such as whether bicycles and parking are accommodated.

To achieve the urban street design principles of the Plan, the following shall be used as guidance as streets are designed:

- *Operating speed shall be less than or equal to 25 mph*
- *Travel lane width shall not exceed 11'*
- *On street parking shall be allowed on all streets except where specifically prohibited.*
- *Parallel Parking lanes shall be a maximum of 8 feet wide.*
- *Bulb outs/curb extensions shall be provided at all intersections and mid-block crosswalks, and required where adjacent to an on-street parking lane*
- *Curb radii shall be minimized, generally not to exceed 25 feet*
- *Sidewalks shall be a minimum of 6' minimum pedestrian zone adjacent to residential zones, 12 feet minimum adjacent to commercial zones.*

### **Streetscape Design Standards**

To achieve a uniform streetscape in the Redevelopment Area, the following standards are proposed:

1. Any current above-ground utilities shall be located underground.

2. All streetscapes shall be designed to present a uniform look along in the TC Zone. The landscaping standards shall be applied to all projects. A minimum fifteen (15') sidewalk easement shall be required for all projects consisting of:

- (i) Three foot (3') landing zone. Brick.
- (ii) Seven foot (7') sidewalk along Parkway Avenue. Five (5') foot sidewalk along Silvia Street and internal walkways. Concrete
- (iii) Planting Strip / Landscape Easement seven foot (7') minimum in accordance with

Township Standards. Alternatives may be considered by the Planning Board.

- a. London Plane Trees shall be planted thirty feet (30') on-center along Parkway Avenue
- b. Honey Locust shall be planted thirty feet (30') on-center along Silvia Street.
- c. All other streets, per consultation with the Township's species recommendations located in the Landscaping and Tree Preservation Ordinances.

### 3. Streetscape design.

- a) All streets shall have trees planted at a maximum of thirty (30') feet on-center or as appropriate for the tree species unless space is needed for signature entrance ways and driveway curb-cuts.
- b) Streetlights and traffic signal standards shall be installed consistent with the type of standards utilized for all streetscape in the Area.
- c) Pavers shall be installed on all pedestrian crosswalks. These may be raised at some key crossings near parks, rail and bus facilities. Quality materials such as "Brookshire-Albany" and acceptance by the Planning Board
- d) New street furniture and other installations, including tree grates, shall maintain uniformity with existing streetscape.
- e) Trash receptacles with tops that discourage inhibit residential use shall be provided.
- f) Attractive bus stop shelters should be located at all stops in the southwest to be consistent with those pictured in the Design Standards sections.
- g) Landscape design shall include plantings and planters. All streetscape will be designed in consultation with Township professionals and Environmental Commission.
- h) Bike parking shall be required. Building containing residential uses are required to provide storage rooms.
- i) Attractive bus stop shelters shall be located at all stops. Shelters should be designed to limit the ability to mount non-sanctioned advertisements on them.

### ***Regional Connections***

Consistent with the Parkway Avenue Redevelopment Plan, this plan doesn't merely contemplate development of the parcels within the Redevelopment Area. It seeks the creation and solidification of the entire Ewing community. The Regional Connections Map adjacent begins to share the opportunities that work part and parcel with the Transportation Network. Many things need to be designed and worked through to realize implementation of this entire Plan, and as such, some components will change as more details arise, but the concept and vision will remain. Connecting the entire community, whether by foot or automobile is vital in creating a lasting economy for Ewing Township. Some key considerations include;

- Creating better and safer streets for existing neighborhoods and their children;
- Linking current and future open spaces to one-another and development through pedestrian and bike ways, such as for example:
  - Katzenbach School and NJM through Silvia Street;
  - Ewing Community Center via Green Acres encumbered land and the "paper street" network
- Future considerations that utilize the abandoned rail spur for express bus or future light rail protect neighborhoods from cut-thrus include traffic calming measures, sidewalks, bikepaths, cul-du-sacs;

### ***Parks, Recreation & Open Spaces***

Public Spaces must always be a consideration in the design of any community – large or small. Consistent with the Parkway Avenue Redevelopment Plan has recommended specific areas where new opportunities avail themselves. In general, development should consider the following:

- *Utilize existing topography and other geographic features to handle site development needs such as adherence to State of New Jersey stormwater and water quality rules and regulations.*
- *Use quality materials for all paving, ledges and walls, such as the Veneer Panels found at [www.eastweststone.com](http://www.eastweststone.com) or equivalent.*
- *Inclusion of public art in all public spaces.*
- *Provide commuter-waiting areas through public plazas the future Station area.*
- *Provide the community pedestrian linkages to the existing West End Soccer Fields with additional public recreation space integrated into the existing park area.*
- *Enhance the CSX Trenton Rail spur with the potential to utilize for other types of public transit such as light rail and bus rapid transit, but also the inclusion of pedestrian and bicycle opportunities as well.*
- *Work with private sector to add to the public park space throughout the area so that a solid pedestrian environment is created throughout the development area. Link public places, such as the post office and Town hall to pedestrian plazas, walkways and open space.*
- *Include residential amenities into the design of new buildings. This could include pools, playgrounds and sitting areas within the building and/or above parking structures.*
- *Create a greenway network that links the entire Township to the area by more than automobile.*
- *Enhance and highlight the history, geography and natural characteristics of Ewing Township and the Area.*

### **Plan Implementation**

Implementation of this Plan and its elements is set forth herein to provide a focus for implementation efforts moving forward upon adoption of the Plan. The success of each development the Plan facilitates must be leveraged with another in order to build and strengthen the marketplace. In other words, some Plan elements, like residential, are more critical to be developed in the short-term so that other parts of this new community become financially feasible, like retail. However, based on what Ewing is, its people, both staff and residents, forecasting success in the Township is not guesswork but merely a matter of time as the marketplace matures.

This Plan not only prioritizes Ewing's development, but the following recommendations will also help focus staff and political efforts. Some of these recommendations are meant to run on parallel tracks and simultaneously with others. Ultimately it will be the Township's call on whether to pursue these recommendations in the order presented, but should do so based on staffing and/or fiscal constraints.

### **Implementation Recommendations**

1. *Implement this Plan in phases that permits transitional use of property that works toward strengthening long-term objectives. Work with property owners on site planning, marketing, and RFP's as deemed necessary to ensure successful implementation of the Plan.*

2. *Continue to foster partnerships with property owners and State Agencies to ensure access to funding streams for public improvements.*
3. *Continue to work with the County of Mercer and current grant funding dedication develop design documents that outline costs for off-tract improvement to existing and future roadway access.*
4. *Facilitate development of the Parkway Avenue corridor as environmental conditions allow. This will work to ensure environmental cleanup progress of the more challenged areas continues while building the overall market strength (and marketability/ of the entire area. It is also the important "face" of the area as one traverses Parkway Avenue and its ability to improve the marketability of the area is evident.*
5. *Create a marketing program that indicates potential "niche" markets for the area or services that Ewing requires by protectively approaching businesses and indicating opportunities that exist within Ewing.*
6. *Continue to pursue discussions with SEPTA and NJ TRANSIT on the relocation of the West Trenton/Ewing Train Station.*
7. *Continue to pursue discussions with CSX regarding the replacement of the existing train culvert*
8. *Continue to pursue discussions with CSX regarding the abandonment of the Trenton spur for other public transportation purposes; BRT, LRT and pedestrian/bicycle.*
9. *Create a special improvement district that includes the potential for a parking authority to help manage and pursue improvements necessary for success in the area.*
10. *Pursue Streetscape Funding that can be utilized to offset cost borne to the development side.*
11. *Pursue a Grant Program for use by the surrounding business community. For façade and streetscape improvements.*
  - a. *Attempt collective application of merchants*
  - b. *Coordinate County input and activity*

With Ewing/West Trenton identified as a "Center" in the New Jersey State Development and Redevelopment Plan, Ewing should be in a position to gain assistance from this effort as it remains an area of regional economic significance. As train service, airport and job growth opportunities avail themselves in the redevelopment area, how major infrastructure improvements and private investment come together to create this special place for the region is critical. By working with the State and County, Ewing may be in a position to utilize the incentives that become available through grants, technical assistance, and most importantly, leverage public and private partnerships to upgrade infrastructure amongst other things.

Consistent with the Parkway Avenue Redevelopment Plan, this plan recommends working closely with the government at all levels to ensure that Ewing's needs and comfort levels are achieved moving forward.

### **Statutory Requirements**

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

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;

3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Area, which is proposed to be acquired in accordance with the Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plan to:
  - The Master Plans of contiguous municipalities;
  - The Master Plan of the County in which the municipality is located; and
  - The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985, C398 (C52:18A-196 et al.).
6. An inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C52:27D-304)... that are to be removed as a result of implementation of the redevelopment plan ... and a plan for providing replacement affordable units. No affordable units will be removed in the implementation of this Plan
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months.
8. "Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network." This shall be addressed in connection with site plan reviews.

### **Relationship to Township Master Plan Objectives**

This Redevelopment Plan has coalesced market data, community input, including input from property owners inside and outside the redevelopment area, local/regional industry leaders, and market sensibilities to develop the following planning goals, which are in line with the Township's Land Development Regulations:

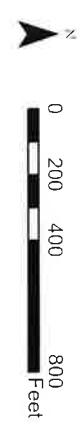
#### Planning Goals

- To provide a world-class destination worthy of the historical relevance of the sites given the area's importance to our Nation during the Revolution, WWII, and the automotive industry.
- To guide future development and redevelopment of land that melds a new vision for Ewing Township with new construction that enhances the character of the Township physically and socially while remaining cognizant of municipal budget concerns;
- To facilitate development that meets the needs of the Township residents while developing long-term economic viability;
- To provide for and enhance the vitality of established commercial districts and neighborhoods;
- To preserve and promote a balanced variety of residential, commercial, industrial, public, recreation and conservation land uses;
- Safeguard and broaden the Township's existing tax base by creating economic balance through the provision of employment opportunities, new ratables, and appropriate utilization of land resources;
- To maintain a balanced circulation system that incorporates the needs of pedestrians, bicyclists, autos, trucks, buses and rail and connects neighborhoods to Downtown life and activity.

# Map B - Land Use

Parkway & Scotch Redevelopment Study  
9/7/22

- Legend**
- Study Area Lots (Block:Lot)
  - Study Area Boundary
  - Parkway Avenue Redevelopment Area
- Land Use\***
- Vacant
  - Residential (1-4 Units)
  - Residential (5+ Units)
  - Mixed-Use
  - Commercial
  - Industrial
  - Parks and Open Space
  - Institutional/Non-Profit
  - Cemetery
  - Transportation/Utility



\*Land use data has been estimated where null and/or inconsistent with field assessment.  
Source(s): MOD-IV\*, Mercer County GIS, MIOGIS





- To incorporate new development standards that advance sustainability and green design practice and market demands.

Additionally, the following Master Plan objectives, which relate to the Redevelopment Area, are relevant to this Plan. They include:

#### Master Plan Goals and Objectives

##### *Community Vision*

Goal: Enhance and create a sense of place that encourages economic vitality and community activity through well-designed land development that is consistent with established and planned land use patterns and preserves the community's suburban and urban landscapes alike, which make Ewing Township a unique and desirable place to both live and work.

Objective: Reduce auto-dependency through innovative design practices that encourage and allow for pedestrian activity where appropriate.

Encourage a sustainable community through the implementation of smart growth principles and efficient building practices that promote the use of "green" engineering and design technologies proven to encourage resource conservation.

Encourage the continued redevelopment of business corridors and centers including Olden Avenue, as well as key intersections such as Parkway and Olden Avenues, Pennington and Ewingville Roads, Pennington and Somerset Roads, and Pennington Road and Parkway Avenue.

##### *Land Use*

Goal: Preserve residential neighborhoods.

Objective: Where development is proposed in adjacent municipalities that will impact residential communities in Ewing Township, all reasonable measures should be taken to participate in the public hearing process and minimize deleterious and negative impacts to Ewing Township residents and the general quality of life in Ewing Township.

Goal: Maximize potential for expansion of the economic base to support the costs of providing municipal and educational services to Ewing residents.

Objectives: Identify remaining tracts of land with potential for economic development through the use of redevelopment, planned developments and general development plans that encourage connectivity to existing neighborhoods and enhance opportunity to make Ewing a destination to live, work and play.

Continue to pursue the redevelopment of the General Motors (GM) Plant site, either through assisting GM with the transfer of the property to a developer or through redevelopment area designation. Any potential redevelopment of this site should consider Transit Oriented Design (TOD) redevelopment and center-based planning. The study undertaken by McCormick Taylor & Associates should be considered.

Continue to pursue the redevelopment of the Naval Air Warfare Center site and support the implementation of the Foreign Trade Zone on the Trenton-Mercer Airport site. The TOD study undertaken by McCormick Taylor & Associates should be considered for this area as well.

Goal: Ensure adequate buffering of Airport facilities to existing neighborhoods and future development.

Objective: Review and analyze zoning and surrounding land uses to ensure preservation and enhancement of flight hazard zones while also preserving existing vistas through the preservation of government-owned property.

Continue coordination and discussion with Mercer County to ensure that the expansion of the airport is conducted in a manner that is consistent with the goals of Ewing Township and is beneficial for the local residents and businesses.

### ***Circulation***

Goal: Provide alternative routes for regional traffic to disperse and diffuse traffic to reduce and eliminate existing and potential congestion.

Objectives: Continue to support interchange and road improvements along Interstate 95 that will reduce the use of Bull Run Road, Rockleigh Drive, Ewingville Road and Federal City Road by through traffic to access existing interchanges.

Look at alternative east-west and north-south grid connections to facilitate vehicular traffic through the Township in an expeditious manner.

Work with NJDOT and Mercer County on improving railroad trestles to appropriate heights to facilitate better flow of truck traffic.

Goal: Combine circulation and land use objectives wherever possible.

Objectives: Pursue the extension of Scotch Road to Silvia Street through redevelopment of the GM site that provides multiple access points to and through the site. Doing so will help to reduce the traffic impact of said redevelopment project.

Implement a network of pathways for bicycle and pedestrian use through open space preservation in new planned developments, existing abandoned rail rights-of-way (ROWs) and other property.

Expand the network of pathways through Township acquisition or jurisdiction over stream corridors, flood plains, unused ROW, etc.

Ensure that any redevelopment efforts in the West Trenton section of Ewing are inextricably linked to and consider pedestrian, vehicular, bicycle and mass transit circulation patterns.

Goal: Provide for the safe and efficient circulation of people and goods by capitalizing on Ewing Township's excellent regional highway access and multi-modal transportation system.

Objectives: Improve on Ewing Township's existing transit systems to develop an enhanced multi-modal system capitalizing on intra-municipal transit.

Create an enhanced multi-modal system and encourage businesses to implement ride-sharing programs aimed at lessening dependence on single passenger automobile occupancy.

Examine and pursue the potential of expansion/relocation of the West Trenton/Ewing Train Station, specifically addressing the availability of parking at the existing station.

Consider metered parking in areas served by mass transit.

Goal: Designate and encourage the development of meaningful pedestrian corridors and bikeways linking Township, County and State recreational and community facilities within Ewing and surrounding municipalities.

Objectives: Link public facilities, including but not limited to, the Delaware & Raritan (D&R) Canal, TCNJ, state facilities and municipal or county lands

### ***Analysis of Existing Zoning***

The majority of the Redevelopment Area resided in the Industrial Park 1 (IP-1) zone. Surrounding it are primarily Residential zoning (R-2 and Multi-family R-M) and Business Highway Zoning (BH). The BH zone was recently amended to become the TC – Town Center Zone. Each of these zoning categories is discussed below. However, this Plan shall supersede these zones. Some portions of the Ewing Township Land Development Ordinance (LDO) may remain relevant but the use and bulk standards of the zoning that existed prior to this Plan's adoption will no longer remain relevant within the boundary of this Plan;

- **Town Center Zone (TC):** The Township revised the Business Highway Zone standards to allow for more creative opportunities for existing property and business owners to take advantage of the atmosphere this Redevelopment Plan will create upon implementation.
- **IP1 Industrial Park Zone (IP-1)-** This district comprises the majority of the Redevelopment Area and under today's market conditions no longer are relevant.
- **Residential-2 Zone (R-2)-** This district comprises some of the surrounding neighborhoods adjacent to the Redevelopment Area. The zoning remains relevant and the intent of this Downtown Redevelopment Plan is to ensure design integration with it.
- **Residential Multi-family Zone (RM)-** This district is adjacent to the Redevelopment Area along the southerly edge and is consistent with this Downtown Redevelopment Plan. The zoning remains relevant and the intent of this Downtown Redevelopment Plan is to ensure design integration with it.

### ***Relationship to Other Plans***

#### **Township of Ewing Master Plan**

This Plan is entirely consistent with the Township's Master Plan, it implements it. Over the past 10 years, the Township has studied the issue of redeveloping GM and the Naval Warfare Center. As such, the Planning Board saw fit to include the ideas that sparked this Plan's creation within the 2006 Master Plan.

#### **County of Mercer Master Plan**

This Plan is consistent with Mercer County's Master Plan. Directing growth around transportation hubs and existing infrastructure is one of the main goals of the Plan. Mercer County's 3-tiered approach of economy, environment and transportation balance is embodied within this Redevelopment Plan.

#### **State Development & Redevelopment Plan - The State Strategic Plan**

This Plan is consistent with the 2001 State Plan which has been rendered functionally obsolete.



THE TOWNSHIP OF EWING  
Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



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Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj](http://www.ewingnj)

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**

**Resolution #23R-** WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Ewing in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year CY2023 in the sums of:

NJDOT – Phillips Boulevard Improvements - \$612,000

**BE IT FURTHER RESOLVED** that the like sums of:

NJDOT – Phillips Boulevard Improvements - \$612,000

Appropriated under the caption *Public and Private Programs offset by Revenues*;

**IT IS SO RESOLVED.**

**Certification:**

I, **Kim J. Macellaro**, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.

SEAL

---

**Kim J. Macellaro, CMC**  
Municipal Clerk

THE TOWNSHIP OF EWING  
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## **A RESOLUTION NAMING SUBSTITUTE MUNICIPAL PROSECUTORS**

**Resolution #23R-** WHEREAS, per *N.J.S.A.* 2B:25-4 the Council of the Township of Ewing (“Township”) is empowered to appoint a municipal prosecutor and assistant municipal prosecutors, as needed; and

WHEREAS, the Township desires to name substitute Township Municipal Prosecutors in the event the municipal prosecutor is unavailable for any reason; and

WHEREAS, the substitute Municipal Prosecutors will be named as substitutes for a term effective retroactively from January 12, 2023 through December 31, 2023; and

**NOW THEREFORE, BE IT RESOLVED**, by the Ewing Township Council that:

1. The Township has authorized the following attorneys to serve as substitute Municipal Prosecutors, as needed, effective retroactively from January 12, 2023 through December 31, 2023, unless otherwise determined by this Council:
  - a. Leslie Adams - Bergen County
  - b. Patricia Atkins - Mercer County
  - c. Adam Brown - Middlesex County
  - d. Lori Caughman - Mercer County
  - e. Brian Clancy - Essex County
  - f. Kareem Crawford - Mercer County
  - g. Lenore Hannah - Mercer County
  - h. Deirdre Mason - Union County
  - i. Any Assistant Mercer County Prosecutor as necessary
2. Assistant municipal prosecutors shall submit a purchase order, voucher and any other necessary documents to the Finance Office for payment after rendering municipal prosecutor services in the municipal court.

3. The Administration is authorized to execute all necessary documents to effectuate this award.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**



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**A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF EWING, MERCER COUNTY, NEW JERSEY AND THE CITY OF TRENTON, MERCER COUNTY, NEW JERSEY, FOR THE PROVISION OF PUBLIC HEALTH NURSE CASE MANAGEMENT SERVICES FOR CHILDHOOD LEAD POISONING**

**Resolution #23R-** WHEREAS, the Township of Ewing (the "Township") requires public health nurse case management services for lead-burdened children in the Township ("Nursing Services"); and

WHEREAS, the City of Trenton ("Trenton"), Department of Health & Human Services, Division of Health Promotion, Bureau of Lead Case Management (the "Bureau") is a state certified, local health department and a grant-funded agency of the Child and Adolescent Health Program, within the Division of Family Health Services in the New Jersey Department of Health; and

WHEREAS, Trenton has agreed to expand their service jurisdictions to nearby municipalities for provision of Nursing Services in accordance with N.J.A.C. 8:51, *et seq.*; and

WHEREAS, the Township and Trenton are desirous of entering into a Shared Services Agreement for the provision of Nursing Services by Trenton to the Township, upon the terms and conditions set forth in the attached Memorandum of Understanding ("MOU"), which is incorporated by reference herein in its entirety; and

WHEREAS, the Township is authorized to enter into a Shared Services Agreement with the Trenton for the provision of Nursing Services as described in the MOU, pursuant to N.J.S.A. 40A:65-1, *et seq.*

**NOW THEREFORE, BE IT RESOLVED**, by the Ewing Township Council that:

1. The Township is hereby authorized to enter into a Shared Services Agreement for the provision of Nursing Services by Trenton to the Township.
2. The Mayor and Municipal Clerk are authorized to execute all necessary documents to effectuate this agreement.
3. This agreement shall become effective upon signature by authorized officials from the Ewing Township Health Department and the City of Trenton and will remain in effect until modified or terminated by one or all of the parties, by mutual consent, or upon 60 days prior written notice.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**

Memorandum of Understanding  
Between  
Ewing Township Health Department  
And  
City of Trenton, Mercer County

Public Health Nurse Case Management Services for Childhood Lead Poisoning

This Memorandum of Understanding (MOU) is made and entered into between the Ewing Township Health Department and the City of Trenton regarding activities related to the delivery of public health nurse case management services from the City of Trenton located at 319 East State Street, Trenton, NJ, 08608, for lead-burdened children whose jurisdiction is covered by the Ewing Township Health Department located at 2 Jake Garzio Drive, Ewing, NJ, 08628.

**I. Purpose**

The purpose of this MOU is to provide a framework for cooperation between the Ewing Township Health Department and the City of Trenton in developing a collaborative relationship for the delivery of public health nurse case management services for lead-burdened children in the jurisdictions covered by the Ewing Township Health Department. The Ewing Township Health Department is mandated to provide (directly or indirectly via contract) public health nurse case management services to lead-burdened children living in their jurisdiction. The City of Trenton, a grant-funded agency of the Child and Adolescent Health Program, has agreed to expand their service jurisdictions to nearby municipalities/counties for provision of nurse case management services in accordance with N.J.A.C. 8:51.

**II. Background**

Ewing Township Health Department and the City of Trenton share common priorities and interests in primary and preventive care services delivery. Each organization has unique competencies through which it addresses this goal. The Ewing Township Health Department and the City of Trenton recognize that, by forming a strategic partnership, they can capitalize on the individual strengths of each organization to achieve the established goals and objectives for public health services delivery and those related interest.

The Ewing Township Health Department is a state certified, local health department which provides public health services to the residents of Ewing Township, New Jersey. While providing such care, the Ewing Township Health Department is responsible under N.J.A.C. 8:51 to follow-up on lead burdened children in their jurisdiction, specifically environmental intervention and nursing case management. The

City of Trenton is a state certified, local health department located in the City of Trenton, which provides public health services to the residents of the City of Trenton. The City of Trenton is also a grant-funded agency of the Child and Adolescent Health Program and has agreed to expand their service jurisdictions to nearby municipalities/counties for provision of nurse case management services in accordance with N.J.A.C. 8:51 (Childhood Lead Poisoning).

The Ewing Township Health Department and the City of Trenton are uniquely positioned to provide leadership in both the Township of Ewing and the City of Trenton through its mission to serve the interest of individuals in accessing quality public health services, to expand health access, reduce health disparities, increase health outcomes, and improve the quality of life of residents.

### **III. Statement of Responsibilities**

In consideration of the above stated mutual interest and objectives, the parties agree to the following:

#### **The Ewing Township Health Department will :**

1. Permit the City of Trenton to provide public health nurse case management services, including home visits, in accordance with N.J.A.C. 8:51 for lead-burdened children living in jurisdictions covered by the Ewing Township Health Department;
2. Ensure that a Certified Ewing Township Lead Inspector/Risk Assessor will participate in joint home visits with the public health nurses from the City of Trenton;
3. Ensure that a designated Lead Inspector/Risk Assessor will consult and meet regularly with public health nurses from the City of Trenton to discuss the active cases; and,
4. Document in CDRSS all activities related to environmental investigations conducted for the lead-burdened children; and

#### **The City of Trenton will:**

1. Comply with the provision of public health nurse case management services in accordance with N.J.A.C. 8:51 for lead-burdened children living in jurisdictions covered by the Ewing Township Health Department;
2. Ensure that assigned public health nurses will consult and meet regularly with Lead Inspector/Risk Assessors from the Ewing Township Health Department to discuss active cases;
3. Document, including scanning and uploading all relevant documents into the Communicable Disease Registry Surveillance System, all activities related to nurse case management services conducted for the lead-burdened children living in jurisdictions covered by the Ewing Township Health Department;
4. Ensure confidentiality, privacy, and security of information in accordance with the HIPAA and other applicable federal or state laws;
5. Comply with all applicable federal, state, and local laws and regulations governing the provision of public health nurse case management services; and

6. Comply with the provision of Risk Assessor/Lead Inspector services in accordance with N.J.A.C. 8:51 for lead-burdened children living in jurisdictions covered by the Ewing Township Health Department.

#### **IV. General Provisions**

##### **(A.) Mandatory General Provisions**

1. During the term of this agreement, both parties shall comply with all federal, state, and municipal laws, rules, and regulations generally applicable to the activities performed pursuant to this agreement.
2. Each of the parties is an independent entity and neither party shall hold itself out as an agent, partner, or representative of the other.
3. Failure by either party to exercise any right or demand performance of any obligation under this agreement shall not be deemed a waiver of such right or obligation.
4. If any of the provisions of this agreement are, or become invalid, to any extent, the other provision of this agreement shall not be effected thereby. In the event of the invalidity of a provision, the parties agree to accept a provision which reflects as closely as possible the intention of the invalid provision.
5. This agreement may not be assigned without the prior written consent of the NJDHSS.
6. The laws of the State of New Jersey govern this agreement.

#### **V. Duration of the Agreement**

It was mutually agreed upon and understood by the parties that:

1. The parties will meet prior to consider renewing or modifying the MOU after receiving guidance from the NJ Department of Health and Senior Services; and,
2. This MOU shall not restrict the parties from participating in similar activities or arrangements with other public or private agencies, organizations, or individuals; and,
3. This agreement shall become effective upon signature by authorized officials from the Ewing Township Health Department and City of Trenton and will remain in effect until modified or terminated by one or all of the parties, by mutual consent, or upon 60 days prior written notice.
4. Modification of the City of Trenton's grant with the Child and Adolescent Health Program will not immediately terminate this agreement.

**VI. Principal Contracts**

The principal contracts for all notifications require or otherwise necessary under this Agreement shall be as follows:

Ewing Township Health Department:

Name: Sharon McNellis-Kissel, Health Officer

Address: 2 Jake Garzio Drive, Ewing, NJ, 08628

Phone: (609) 883-2900 Ext

Email: [smcnellis-kissel@ewingnj.org](mailto:smcnellis-kissel@ewingnj.org)

City of Trenton:

Name: Yvette Graffie-Cooper, Health Officer

Address: 319 East State Street, Trenton, NJ, 08608

Phone: (609) 989-3242

Email: [ygraffie-cooper@trentonnj.org](mailto:ygraffie-cooper@trentonnj.org)

\_\_\_\_\_  
Sharon McNellis-Kissel  
Ewing Township Health Department

Date \_\_\_\_\_

\_\_\_\_\_  
Yvette Graffie-Cooper, Health Officer  
City of Trenton

Date \_\_\_\_\_

**THE TOWNSHIP OF EWING**

Municipal Complex  
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**A RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF THE PROFESSIONAL SERVICES CONTRACT FOR THE PROVISION OF PEDIATRIC SERVICES IN THE EWING TOWNSHIP HEALTH DEPARTMENT TO MALTI DAMANI, M.D.**

**Resolution #23R- WHEREAS, the Township of Ewing (the "Township") entered into a Professional Services contract for Pediatric Services with Malti Damani, M.D., in January 2021 (Resolution #21R-97) for a one-year term, with an option to renew the agreement for two (2) one-year terms for a fee of \$350 per clinic, in a total amount not to exceed \$5,000 per year; and**

**WHEREAS, the Township has an ongoing need for Pediatric Services, including a monthly child health services clinic and at least one (1) pediatric flu clinic per year; and**

**WHEREAS, the Township desires to continue its contract with Dr. Damani for Pediatric Services by exercising the second of its two (2) one-year options for extension; and**

**WHEREAS, the Chief Financial Officer has supplied a certification of availability of funds indicating that sufficient funds exist for the award of this contract; and**

**NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that the Township hereby exercises the second of its two (2) one-year options for extension of its contract with Malti Damani, M.D. for Pediatric Services for an additional one-year term for a fee of \$350 per clinic, in a total amount not to exceed \$5,000.00 per year.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.**

**SEAL**

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**Kim J. Macellaro, CMC  
Municipal Clerk**

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**Joanna Mustafa, CFO**

**THE TOWNSHIP OF EWING**

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
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**A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET TAHOE 4WD 4 DOOR COMMERCIAL TRUCK FOR PURPOSE AND USE FOR THE FIRE DEPT, UNDER STATE CONTRACT T-2776, THRU GENTILINI MOTORS, EGG HARBOR N.J.**

**Resolution #23R- WHEREAS, the Township of Ewing wishes to purchase A 2023 CHEVROLET TAHOE THRU GENTILINI MOTORS, STATE CONTRACT, T-2776 in the amount of \$45,604.91; and**

**WHEREAS, said equipment was approved for purchase through Fund 30, Capital Fund, 305693408, Ord 2023-11 Various Improvements; and**

**WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in the Fund 30, Capital Fund, 305693408, Ord 2023-11 Various Improvements; and**

**NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ewing hereby authorizes the purchase of the above-mentioned Vehicle from Gentilini Motors, 2703 Fire Road, Egg Harbor, NJ 08234 in the amount of \$45,604.91; and**

**BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the QPA.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, and State of New Jersey held on the 13<sup>th</sup> day of June 2023.**

**SEAL**

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**Kim Macellaro, CMC  
Municipal Clerk**

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**Joanna Mustafa, CFO  
(Certifying Funds)**



**THE TOWNSHIP OF EWING**

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**A RESOLUTION AUTHORIZING THE DONATION, RECYCLING OR DISPOSAL OF PROPERTY OF NOMINAL VALUE**

**Resolution #23R-** WHEREAS, the Township is in possession of property as identified in the schedule of obsolete property attached hereto that is no longer usable and has reached the end of its useful life; and

WHEREAS, the Fire Director of the Township has recommended disposal of said property which is presently being stored on-site at Fire Station 30; and

WHEREAS, the Fire Director has determined that such property is of little or no value and recommends that said property either be donated, recycled, or disposed of; and

WHEREAS, said property is not needed for public purposes;

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of Ewing that the Fire Director is hereby authorized to donate, recycle, or dispose of the obsolete property as set forth on the attached schedules as he deems appropriate in his discretion.

**IT IS SO RESOLVED.**

**Certification:**

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.

SEAL

---

**Kim J. Macellaro, CMC**  
**Municipal Clerk**



**THE TOWNSHIP OF EWING**

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**A RESOLUTION AUTHORIZING THE DONATION, RECYCLING OR DISPOSAL OF PROPERTY OF NOMINAL VALUE**

**Resolution #23R-** WHEREAS, the Township is in possession of property as identified in the schedule of obsolete property attached hereto that is no longer usable and has reached the end of its useful life; and

WHEREAS, the IT Director of the Township has recommended disposal of said property which is presently being stored on-site at the Ewing Township Municipal Building, 2 Jake Garzio Drive; and

WHEREAS, the Business Administrator has determined that such property is of little or no value and recommends that said property either be donated, recycled, or disposed of; and

WHEREAS, said property is not needed for public purposes;

**NOW, THEREFORE, BE IT RESOLVED** by Township Council of the Township of Ewing that the Business Administrator is hereby authorized to donate, recycle, or donate the obsolete property as set forth on the attached schedule as he deems appropriate in his discretion.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 13<sup>th</sup> day of June 2023.**

SEAL

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**Kim J. Macellaro, CMC**  
Municipal Clerk

HP CP2025 (Broken)

Axis 21896 x12

Axis 25-DCF7-3100 x4

Axis 24889 x7

Axis 25736 x6

Axis 25733 x4

70-TRAN100 x13

ALTV 244300 x8