

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2036**

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 26, LOT 2 AND BLOCK 183, LOT 1 (INCLUDING BLOCK 26, LOTS 10 & 11)

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”), provides a mechanism to assist local governments in efforts to promote programs of redevelopment and sets forth the procedures for the Township of Mahwah to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, by Resolution #230-21 adopted on June 17, 2021, the Township Council (“Council”) authorized the Mahwah Township Planning Board (“Board”) to conduct a preliminary investigation to determine if an area encompassing Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, (the “Study Area”) constituted an area in need of condemnation redevelopment as defined under the LRHL; and

WHEREAS, the Township Planner produced a study entitled, “Redevelopment Determination of Need Study” dated May 24, 2022 and amended June 13, 2022 (“Study”) and presented the Study at a duly noticed June 13, 2022 Board meeting, which Study included a map of the Study Area and was circulated to the members of the Board and provided to the public in accordance with the time and other notice provisions of the LRHL; and

WHEREAS, the Study provided detailed information regarding the Study Area and the applicable statutory criteria required to be evaluated, based on which the Study concluded that the Study Area affirmed the LRHL criteria to enable the Board to recommend to the Council that an AINR designation was warranted; and

WHEREAS, at the public hearing, the Board accorded to all members of the public the opportunity to offer their comments regarding the Study Area, which comments were made part of the public record; and

WHEREAS, after discussion and consideration, the Board on a motion adopted a resolution concluding that the Study Area met the criteria under the LRHL as an area in need of condemnation redevelopment and forwarded that recommendation to Council; and

WHEREAS, on June 13, 2022 the Planning Board adopted a resolution memorializing the Board’s determination and setting forth detailed reasons and criteria on which the determination was based; and

WHEREAS, on June 16, 2022, the Township Council reviewed the Study and Board’s resolution and found, consistent with the Board’s recommendation based on the Study, that the LRHL criteria for determination of an area in need of condemnation redevelopment were satisfied with respect to the Study Area; and

WHEREAS, based upon the facts and findings of the Study, all made in accordance with N.J.S.A. 40A:12A-6, the Council adopted the Board's recommendations memorialized in the Board's June 13, 2022 resolution, and the Council adopted Resolution #232-22 declaring Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, an area of condemnation redevelopment, duly served notice as required by law, and directed and authorized Colliers to prepare a redevelopment plan for the properties designated by the resolution as an area in need of condemnation redevelopment; and

WHEREAS, the Township Planner prepared and submitted to the Township a redevelopment plan dated December 2, 2022 entitled, "Crossroads Redevelopment Plan" ("Redevelopment Plan") outlining the planning, development and redevelopment of the Redevelopment Area in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, the Board received a copy of the Redevelopment Plan and performed a Master Plan Consistency review at the December 8, 2022 Board meeting, finding it consistent with the Township Master Plan that had been recently amended by the Board's approval of a 2022 Land Use Element Amendment; and

WHEREAS, by resolution adopted on December 8, 2022, the Board memorialized its determination and set forth general comments for consideration by Township Council; and

WHEREAS, the Township Council reviewed the Board's resolution and comments and on December 21, 2022 adopted the Redevelopment Plan by way of Ordinance #2000; and

WHEREAS, the Township Planner prepared and submitted to the Township certain amendments to the Redevelopment Plan entitled "Crossroads Redevelopment Plan: Amendment #1" dated June 6, 2024 ("Redevelopment Plan Amendment #1"), attached hereto, adding data centers and fulfillment centers as permitted principal uses, parking garage as permitted accessory uses, and modifying certain bulk standards; and

WHEREAS, the Board received a copy of the Redevelopment Plan Amendment #1 and performed a Master Plan Consistency review at the June 17, 2024 Board meeting, finding it not inconsistent; and

WHEREAS, by Resolution adopted on July 15, 2024, the Board memorialized its determination and set forth general comments for consideration by Township Council; and

WHEREAS, the Township Council has reviewed the Board's resolution and comments and now desires to adopt the Redevelopment Plan Amendment #1.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan Amendment #1, attached hereto as Exhibit A and made a part hereof, is hereby approved pursuant to N.J.S.A. 40A:12A-7.

SECTION 2. The Redevelopment Plan Amendment #1 is hereby incorporated into the Township's Zoning Ordinance, Chapter 24, entitled "Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, Redevelopment Zone."

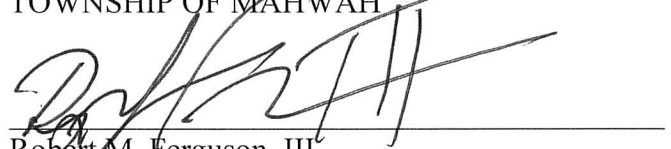
SECTION 3. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 4. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 5. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 6/10/24
Adopted: 7/22/24
Effective Date: 8/12/24

TOWNSHIP OF MAHWAH



Robert M. Ferguson, III
Council President

ATTEST:



Carolyn George, RMC
Municipal Clerk



Engineering & Design



Crossroads Redevelopment Plan: Amendment #1

Township of Mahwah
Bergen County



July 22, 2024

Prepared for:

Township of Mahwah

Prepared by:

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Crossroads Redevelopment Plan

Recommended by the Planning Board: December 8, 2022

Amendment #1, Recommended by the Planning Board: June 17, 2024

Adopted by the Township Council: December 21, 2022 via Ordinance 2000

Amendment #1, Adopted by the Council: July 22, 2024

Project No. MWT-0024

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1. Introduction

On June 17, 2021, the Mahwah Township Council adopted Resolution #230-21, which authorized the Planning Board to conduct a preliminary investigation to determine if Lot 2 of Block 26 and Lot 1 of Block 183, which includes Lots 10 and 11 of Block 26, qualify as an Area in Need of Redevelopment with Condemnation, pursuant to the New Jersey Local Redevelopment and Housing Law (“LRHL”). Subsequently, a report was produced entitled Redevelopment Area Determination of Need Study, dated May 24, 2022, amended June 13, 2022 (“Redevelopment Study”). According to the report, the properties included in the preliminary investigation qualify for designation as follows:

- Block 26, Lot 2 – Criteria B and D
- Block 183, Lot 1 (includes Lots 10 & 11 of Block 26) – Criteria C and D

Based on the findings presented in Redevelopment Study, the Planning Board found that the above properties satisfied the statutory criteria to be designated as an Area in Need of Redevelopment at a public meeting held on June 13, 2022. The Planning Board memorialized their findings in a Resolution adopted on June 13, 2022. Subsequently, the Township Council adopted a Resolution #232-22 on June 16, 2022, which designated Lot 2 of Block 26 and Lot 1 of Block 183, which includes Lots 10 and 11 of Block 26, as a Condemnation Redevelopment Area (see Appendix A). Said Resolution also authorized the preparation of a redevelopment plan for the designated Redevelopment Area. This Crossroads Redevelopment Plan is essentially a master plan with “teeth” – a planning document that merges the vision of a master plan with the authority of a zoning ordinance. The required components of a redevelopment plan are described in the following section.

The Crossroads Redevelopment Plan is contemplated by the October 11, 2022 Fair Share Housing Center Settlement Agreement, the First Amendment between the Township and Fair Share Housing Center and the November 2022 Crossroads Project Amended Settlement Agreement, which agreements resolve issues relating to the Township's Declaratory Judgment Action, bearing docket number BER-L-6281-15.

1.1 Required Plan Components

The LRHL, specifically Section 40A:12A-7a, requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the designated parcels. Specifically, the following components are required:

- (1) The Redevelopment Plan's relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. (See Section 4.1.)
- (2) Proposed land uses and building requirements in the project area. (See Section 6.2.)
- (3) Adequate provisions 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. (See Section 6.1.)
- (4) An identification of any property within the area, which is proposed to be acquired in accordance with the redevelopment plan. (See Section 6.1.)

- (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; the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.). (See Sections 4.2, 4.3, and 4.4.)
- (6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, 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 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure. (See Section 6.1.)
- (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, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided that they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within, or in close proximity to, the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section. (See Section 6.1.)
- (8) Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network. (See Chapter 5.)

2. Redevelopment Area

The Block 26, Lot 2 and Block 183, Lot 1 (which includes Lots 10 and 11 of Block 26) Redevelopment Area (“Redevelopment Area”) encompasses approximately 140 acres according to the Tax Map¹ and is generally located at the interchange of Interstate 287 and New Jersey Route 17. The Redevelopment Area is surrounded by a variety of uses including office and warehouse uses to the north, vacant land and single-family dwellings to the east, office and vehicle storage to the southeast, commercial uses and vehicle storage to the south and southwest, and Interstate 287 and Route 17 to the west (see the Aerial Map on page 5). The Redevelopment Area is located near the Mahwah Train Station and Suffern Train Station in New York, which both provide access to NJ Transit’s Main Line and Bergen County Line. The Suffern Train Station is also located on the MTA Metro-North Port Jervis Line (an extension of the NJ Transit Main Line). However, both stations are more than a 20-minute walk from the Redevelopment Area and Route 17 does not provide sidewalks, making pedestrian travel from the site unsafe. NJ Transit does not offer any bus service nearby to the Redevelopment Area. The entire Redevelopment Area is in the MUD-2 Mixed-Use Development 2 Zone (see the Zoning Map on page 6).

Block 26, Lot 2 is developed with a mixed-use office and hotel building commonly known as the Sheraton Hotel and Crossroads Corporate Center. This parcel also contains a parking garage that supports the mixed-use building. The group of three parcels, Lot 1 of Block 183, and Lots 10 and 11 of Block 26 are primarily undeveloped land. However, some gravel and/or dirt paths are located along the western property line. See the Aerial Map on page 5 for the limits of the Redevelopment Area.

2.1 The Parcels

This section provides information on each parcel and its current zoning designation.²

Block 26, Lot 2

Lot 2 comprises most of the Redevelopment Area at just over 101 acres. The property is generally located at the Interstate 287 and Route 17 interchange. The site has two areas of frontage along Route 17. There is a small section of 240 feet of frontage at the southeast corner of the site. The western property line has nearly 2,000 feet of frontage along the Interstate 287 and Route 17 right-of-way. However, the property has direct access to Cross Road/Orient Boulevard, which are within the interchange right-of-way and run parallel to the highways. Additionally, the Tax Map shows the property fronting on Leisure Lane and Park Lane, which stem from Route 17. The property is also adjacent to the US Route 202 right-of-way, but the property line is setback from the physical roadway.

As noted above, Lot 2 is commonly known as the Sheraton Hotel and Crossroads Corporate Center. The property is developed with a single 24-story building containing a variety of existing uses including a hotel, conference rooms, banquet and event rooms, dining options, a pool, office space, and space for accessory and

¹ The term “approximate” is used due to the different measurements found as part of the [Redevelopment Study](#). The tax map for the area suggests Lot 2 of Block 26 is 101.37 acres, Lot 1 of Block 183 is 10.81 acres, Lot 10 of Block 26 is 7.75 acres, and Lot 11 of Block 26 is 19.34 acres, which totals 139.27 acres. However, according to the tax records from the Open Public Records Search System, Lot 2 of Block 26 is 99.345 acres and Lot 1 of Block 183 (including Lots 10 and 11 of Block 26) is 37.91 acres, which totals 137.255 acres. Due to the discrepancies, the [Redevelopment Study](#) utilized the tax map measurements. This [Crossroad Redevelopment Plan](#) will also utilize the tax map measurements.

² Chapter 24, Zoning, of the Township Code, <https://ecode360.com/34814044>

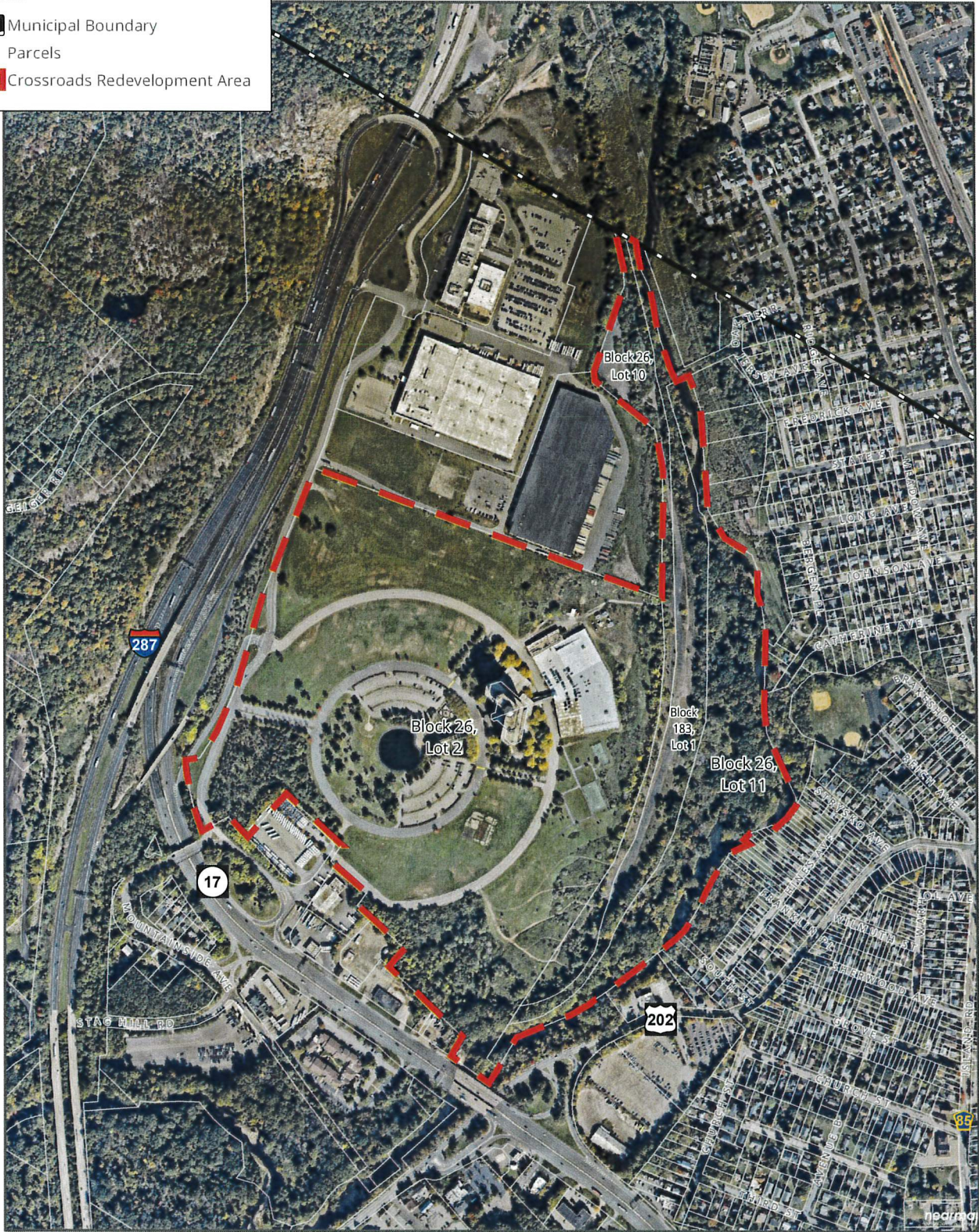
mechanical equipment. To the east of the building is a three-story parking structure which is connected to the hotel/office building via a skywalk. Other site improvements include surface parking areas, a helipad, tennis courts, lighting, landscaping, a fountain, surface mechanical equipment, and a mechanical building connected to the 24-story building via an underground tunnel. Access to the site improvements is provided via an outer circular road commonly known as Continental Boulevard, which also has smaller “stem” roads providing access to an inner circular road commonly known as International Boulevard. These stem roads are commonly known as Avenue of the Americas, Queensland Road, and Leisure Lane. The Tax Card indicates the building was constructed in 1987.

Block 183, Lot 1 (including Block 26, Lots 10 & 11)

Located to the east of Lot 2 is this group of three parcels, which encompasses approximately 37.9 acres. Lot 1 of Block 183 is the parent lot to Lots 10 and 11 in Block 26. The properties are primarily vacant. However, there are some dirt and/or gravel paths along the western property line shared with Lots 1 and 2 in Block 26. Reviewing the Tax Maps reveals the property is adjacent to the Route 202, South Street, and Franklin Place rights-of-way. However, the property line is setback from the Route 202 roadway and the west ends of South Street and Franklin Place adjacent to the property are unimproved. Moreover, the Ramapo River is located at the ends of these streets. It should be noted that the Tax Map also illustrates a private road, known as “Houvenkopf Road”, to access the site in the northeast corner. It appears this private road connects to the residential streets of Jersey Avenue and Oak Terrace to the east. However, Google Streetview images from 2013 and 2018 show the bridge connecting the property to these streets marked as closed to public access and unsafe.

Legend

-  Municipal Boundary
-  Parcels
-  Crossroads Redevelopment Area



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nearmap



0 375 750
Feet
1 inch = 750 feet

Crossroads Redevelopment Area
Aerial Map
Township of Mahwah
Bergen County, New Jersey



November 2022

Legend

-  Municipal Boundary
-  Parcels
-  Crossroads Redevelopment Area
- Zone Districts**
-  R5 - One Family Residential
-  R11 - Two Family Residential
-  R40 - One Family Residential
-  ML1 - Mount Laurel Housing District
-  MF-2 - Multi-Family-2
-  MUD-2 - Mixed-Use Development 2
-  B10 - Neighborhood Business
-  B40 - Highway Business
-  C200 - Conservation
-  POS - Public Open Space
-  CEM - Cemetery
-  OP200 - Office Park



0 375 750
 Feet
 1 inch = 750 feet

**Crossroads Redevelopment Area
 Zoning Map**
 Township of Mahwah
 Bergen County, New Jersey



November 2022

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3. Plan Goals

This chapter provides the goals of the Crossroads Redevelopment Plan, which are as follows:

1. To eliminate the hazardous conditions and dilapidated improvements within the Redevelopment Area.
2. To diversify the Township's non-residential sector and provide jobs for residents.

4. Relationship to Local Objectives & Other Plans

This chapter analyzes the relationship of the plan to local objectives, specifically existing master plan goals, objectives, and recommendations. Additionally, this chapter describes the relationship to the master plans of adjacent communities, Bergen County, the State Development and Redevelopment Plan, and the Highlands Regional Master Plan.

4.1 Local Objectives & Plans

This section is divided into two parts. The first analyzes the relationship of the report to the Township's goals, objectives, and recommendations, while the second section reviews the plan against the Zoning Ordinance.

2013 Comprehensive Master Plan

On March 11, 2013, the Planning Board of the Township of Mahwah adopted a new Comprehensive Master Plan to replace the 1989 Master Plan.³ The Plan contains a Land Use Plan Element, a Sustainability Element, a Community Facilities Element, a Historic Preservation Element, and a Circulation Element. However, the properties within the Redevelopment Area are only mentioned in the Land Use Element.

Land Use Element

The Land Use Element contains 16 Goals and Objectives, which can be found on pages 12 through 14. The following goals would be advanced by the redevelopment of the Redevelopment Area:

- Goal 1: To encourage proper distribution of land areas.
 - *This Redevelopment Plan will allow for a variety of land uses located at the Interstate 287 and Route 17 interchange.*
- Goal 5: To ensure that any prospective development is responsive to the Township's environmental features, and can be accommodated while preserving these physical characteristics.
 - *All redevelopment activities will abide by New Jersey Department of Environmental Protection regulations as well as the environmental rules of the New Jersey Highlands Water Protection and Planning Council.*
- Goal 10: To preserve and enhance the Township's commercial areas.
 - *Redevelopment of the sites will maximize underutilized areas and expand the Township's non-residential base.*
- Goal 14: To support the overall philosophy of the Highlands Water Protection and Planning Act.

³ This document can be found at <https://www.mahwahtwp.org/ArchiveCenter/ViewFile/Item/74>

- *Redevelopment and/or development of the Redevelopment Area will be located on a site with existing infrastructure and utilities and take into account the proximity to the Ramapo River and its associated environmental constraints such as wetlands and riparian area.*

In addition to the advancement of the goals described above, the Land Use Plan Element provides recommendations for 15 residential and 15 non-residential land use categories. Page 20 contains a discussion of the Office Park category, which recommends the continuation of the OP-200 Office Park Zone District designation of the Redevelopment Area. While the zoning of the Redevelopment Area has already changed since the adoption of the 2013 Comprehensive Master Plan (see 2019 Housing Element and Fair Share Plan below), this document no longer recommends the continuation of an office park within the Redevelopment Area.

2014 Sustainable Economic Development Plan

On September 8, 2014, the Mahwah Township Planning Board adopted a Sustainable Economic Development Plan (“SEDP”), which evaluated the existing economic conditions of the Township through surveys and outreach programs. The Plan also included an analysis of the Township’s strengths, weaknesses, opportunities, and threats (“SWOT Analysis”). The SEDP established five goals to guide economic development in Mahwah, which are as follows:

1. Build upon the Township’s successes in attracting large corporations to support existing businesses and attract new, complementary businesses.
2. Diversify Mahwah’s economy by utilizing its existing parks and historic features to transform the Township into a destination for culture/heritage tourism and outdoor recreation.
3. Encourage public and private actions and expenditures to consider sustainable strategies that will enhance residents’ quality of life and advance “Sustainable Mahwah”.
4. Transform the Franklin Turnpike into a walkable, cohesive, and attractive place that residents can be proud of.
5. Improve the aesthetics and safety of the Route 17 corridor.

The SEDP includes a Cultural, Historic & Recreation Plan, which discusses post-tourism activity partnerships on pages 117 and 118. The Plan recommends creating various partnerships with hotels in Mahwah, including the Sheraton Hotel, to offer “themed” packages with a stay at the hotel. Examples include a round of golf at the Darlington Golf Course, a ski weekend at Campgaw Mountain, or a dinner at a local restaurant.

This document does not envision the continuation of the existing Sheraton Hotel. However, it does seek to continue the Township’s accomplishments and attract new corporations to locate within the Redevelopment Area.

2017 Master Plan Reexamination & Master Plan Amendment

The Township Planning Board adopted the 2017 Master Plan Reexamination & Master Plan Amendment on May 8, 2017, which had the specific goal of protecting drinking water in the Township. As this document was limited in scope to that topic, there were no recommendations made specific to the Redevelopment Area.

2019 Housing Element and Fair Share Plan

On June 10, 2019, the Planning Board adopted the Township's 2019 Housing Element and Fair Share Plan ("HEFSP"). Subsequently, the Township Council endorsed the HEFSP on June 13, 2019. This Plan provides the existing and proposed mechanisms that will be utilized to address the Township's constitutional obligation to provide affordable housing, which are detailed in Chapter 10. The Redevelopment Area is referred to as "Crossroads" in the HEFSP and is identified as a site to contribute towards the Township's Third Round Realistic Development Potential. Page 50 of the document details the Crossroads site and indicates the Township entered into a Settlement Agreement with the property owners at the time, Crossroads Developers Associates (Block 26, Lot 2) and Garden Crossroads, LLC (Block 183, Lot 1) on March 29, 2018. The Settlement Agreement permits a maximum of 800 units on the properties, including 200 to 216 age-restricted units. A 15% affordable housing set-aside is required, which could yield 120 affordable units. Additionally, up to 300,000 square feet of non-residential uses is permitted.

Since the adoption of the 2019 HEFSP, the Township Planning Board adopted Ordinance No. 1912 on July 29, 2020, which created the MUD-2 Zone. The MUD-2 Zone covers the entirety of the Redevelopment Area. This zone permits the residential and non-residential uses as outlined in the Settlement Agreement.

The Crossroads Redevelopment Plan is an overlay redevelopment plan, so the underlying MUD-2 Zone will remain in place and the Crossroads Redevelopment Plan will become an option for the sites.

2020 Reexamination & Master Plan Amendment

Most recently, the 2013 Comprehensive Master Plan was reexamined in 2020 in a report entitled 2020 Reexamination & Master Plan Amendment ("2020 Reexamination") and adopted by the Planning Board on September 14, 2020. The 2020 Reexamination provides recommendations for the Comprehensive Master Plan, which includes amending the Land Use Plan Element to incorporate the four zones adopted to address the Township's affordable housing obligation. One of those four zone includes the MUD-2 Zone, which encompasses the Redevelopment Area. Chapter VIII of the 2020 Reexamination includes the Master Plan Amendment, which amends the Land Use Plan Element to identify and describe the MUD-2 Zone.

Land Use Ordinance

The two tax lots (four parcels) in the Redevelopment Area are in the MUD-2, Mixed-Use Development 2 Zone, which includes three categories of permitted uses. Each category permits different principal, conditional, and accessory uses. The following sections detail the three categories of uses, which includes:

- Office park uses on a minimum of 30 acres ("Office").
- Business/retail/industrial uses on a minimum of 30 acres ("Non-residential").
- Mixed-use inclusionary residential development uses on a minimum of 58 acres ("Mixed-use").

Permitted Uses

The Office category permits the principal uses of the OP200 Office Park Zone District, which includes:

- Finance, insurance, and real estate offices
- Health-care facilities
- Professional offices and general business offices, provided there is no sale of products on the premises
- Public facilities

- Restaurants, excluding fast food
- Scientific or research laboratories, testing, experimental, or computation centers
- Solar energy systems
- Warehouse and/or distribution facilities, including those with an office use

The Non-residential category permits the following uses:

- Up to 300,000 square feet of any B40 Highway Business Zone permitted use, excluding service stations and auto service and repair. The permitted B40 Zone uses include:
 - Assembly or packaging of products from previously prepared materials
 - Bus terminals, offices, garage, and facilities for servicing, repairing, maintaining, and parking buses and other related equipment and vehicles
 - Distribution terminals
 - Business, professional, finance, insurance, and real estate offices
 - Funeral parlors
 - Health-care facilities
 - Licensed child-care centers
 - Parks
 - Planned commercial and industrial developments
 - Printing plants or publishing houses
 - Public facilities, including recreational facilities
 - Public utility buildings, telephone exchange, telegraph
 - Research laboratories
 - Restaurants, including fast-food and take-out restaurants
 - Retail sales and services
 - Self-storage facilities
 - Solar energy systems
 - Warehouse and/or distribution facilities
- Big box retail, which is defined as a single-retail establishment with at least 100,000 square feet of gross floor area
- Industrial uses permitted in the IP200 Industrial Park Zone as well as warehouses, which are defined as a building that is used by one or more tenants primarily for the storage of goods and materials, which may include an office component. The following uses are permitted in the IP200 Zone:
 - Assembly or packaging of products from previously prepared materials
 - Light manufacturing operations
 - Planned industrial developments
 - Printing plants or publishing houses
 - Public utility buildings, telephone exchanges, telegraphs
 - Research laboratories
 - Self-storage facilities
 - Solar energy systems
 - Warehouse and/or distribution facilities

The Mixed-use category permits one principal use, multi-family residential buildings. A minimum of 200 and a maximum of 216 units are required to be age-restricted to persons 55 years or older.

Conditional Uses

Conditional uses in the Office category are those conditionally permitted in the OP200 Zone, which include essential services and hotels. Conditional uses in the Non-residential category include outdoor storage and essential services. Finally, conditional uses in the Mixed-use category include B200 Shopping Center Business Zone permitted uses, which are as follows:

- Business, professional, finance, insurance, and real estate offices.
- Health-care facilities.
- Licensed child-care centers.
- Public facilities, including parks and recreational facilities.
- Retail sales and services.
- Restaurants, including fast-food and take-out restaurants.
- Solar energy systems.

Accessory Uses

The Office category permits accessory uses in the OP200 Zone, which include:

- Accessory retail sales in office buildings wholly within an office building.
- Accessory storage within a wholly enclosed permanent structure of materials, goods, and supplies intended for sale or consumption on the premises.
- Accessory uses customarily incidental to the permitted principal uses.
- Electric vehicle charging stations.

Permitted accessory uses within the Non-residential category include off-street parking and loading facilities, signs, and accessory storage. Finally, accessory uses within the Mixed-use category include:

- Parks, playgrounds, open space, and dog parks.
- Tenant recreation facilities such as clubhouses, tennis courts, and swimming pools.
- Fences and walls.
- Surface, garage, and structured parking.
- Leasing and maintenance offices to support residential uses.
- Community rooms and amenity spaces.
- Signs.

Bulk Standards

The bulk standards within the Office, Non-residential, and Mixed-use categories vary depending on the permitted principal and conditional uses. Please refer to Section 24-4.30 of the Township Code for detailed information.

Plan Relationship to Zoning

This [Crossroads Redevelopment Plan](#) overlays the underlying zoning for the four parcels noted in this document. The bulk standards proposed for these properties may not precisely conform to the standards

prescribed within the current zone but have utilized the existing bulk standards as a basis in developing the Redevelopment Area's bulk standards.

4.2 Plans of Adjacent Communities

The northern stems of Lot 1 of Block 183 and Lot 10 of Block 26 are adjacent to the New York State line. Across the state line is the incorporated Village of Hillburn in the Town of Ramapo. On January 14, 2020, the Village adopted its 2020 Comprehensive Plan.⁴ Chapter III of the Plan discusses a Conceptual Land Use Plan for the Village and provides policy preferences for the Village's neighborhoods. The Conceptual Land Use Map illustrates the area adjacent to the Redevelopment Area as Light Industrial. Page III-5 characterizes the light industrial areas of the Village as "occupied with various major transportation rights-of-way, utility transmission lines and facilities, including Orange and Rockland Utilities, Rockland County Sewer District No. 1 facilities, the NYS Thruway, Suez New York (formally United Water New York), Algonquin Gas Transmission, Consolidated Edison, and the rail rights-of-way." The 2020 Comprehensive Plan anticipates the light industrial areas to remain the same.

Additionally, on January 14, 2020, the Village of Hillburn adopted Local Law No. 1 of 2020, which repealed and replaced Chapter 250 "Zoning".⁵ The new Zoning Map identifies the areas adjacent to the Redevelopment Area in the LI Light Industrial Zone. The LI Zone permits health fitness facilities, business, professional, and medical offices, and public utility distribution and transmission lines and rights-of-way serving immediate neighborhoods. Additionally, building contractors, indoor commercial recreation, laboratory and research facilities, landscape materials, retail and wholesale trade, light industry, public utility distribution and transmission lines and rights-of-way not serving the immediate neighborhood, public utility substation, and wholesale or warehouse uses are allowed through a special use permit. All uses require site plan approval.

Given that this portion of the Redevelopment Area encompasses a portion of the Ramapo River and associated environmentally sensitive area, it is anticipated that this portion of the Redevelopment Area adjacent to the Village of Hillburn will remain undeveloped. Therefore, any future development of the Redevelopment Area is unlikely to have a substantial impact on the Village of Hillburn.

4.3 Bergen County Plans

According to the Regional Planning & Transportation page of the Bergen County website,⁶ the Planning & Engineering Department initiated the development of a new County Master Plan, which will provide "a guidance tool for future development, redevelopment, and preservation, throughout Bergen County." However, this Master Plan document does not appear to have been completed. The County's website does include a Central Bergen Bicycle & Pedestrian Plan, which was prepared in 2015. However, the Township of Mahwah is not included in the focus area of this Plan. The only applicable document is the 2011 Vision Bergen, which is discussed below.

⁴ https://www.hillburn.org/Portals/hillburn/Comprehensive%20Plan%20Compressed%20for%20Website_1.pdf, accessed November 14, 2022.

⁵ <https://www.hillburn.org/Codes-Laws-Regulations/local-law-no-1-of-2020>, accessed November 14, 2022.

⁶ <https://www.co.bergen.nj.us/planning-engineering-regional-planning-transportation>, accessed November 14, 2022.

2011 Vision Bergen

In 2010, a visioning process was conducted by the County Planning Board to develop a vision and framework to develop a new County Master Plan. The Vision Plan was published in June of 2011.⁷ The Vision Plan mentions the Redevelopment Area in the Summary of Workshop Discussions Chapter. On page 31 of the document, one of the suggestions resulting from the economic vitality discussion states, “Investigate potential transit service in high employment and transit-deficient areas such as the area around the Sheraton in Mahwah.” Additionally, in the transportation discussion on page 35 the Crossroads site is discussed further:

Transit Oriented Development (TOD) was discussed for such locations as River Edge, Saddle Brook, Garden State Plaza, Paramus, and the Mahwah Sheraton/Ford site. Participants pointed out that the former Ford site in Mahwah could have been a large TOD. A mixed-use community was proposed and turned down because the local officials feared it would contribute more kids into the school system. A TOD could have created a whole new village where the Sheraton Hotel is now and could have been served by rail, since there was a spur from the NJTransit Main Line to the old Ford plant, although trains would have had to back into the spur.

However, no other recommendation was made to guide these suggestions and it is unclear if the County has investigated creating transit service or a TOD around the Redevelopment Area.

4.4 State Plans

This section of the report discusses the State Development and Redevelopment Plan as well as the Highlands Regional Master Plan, as Mahwah is located entirely within the Highlands Region.

2001 State Development and Redevelopment Plan

The most recent State Plan was adopted in 2001. The 2001 Plan contains eight State-wide goals.⁸ This redevelopment plan could advance four of these goals:

- Goal #1 – Revitalize the State’s Cities and Towns
- Goal #3 – Promote Beneficial Economic Growth, Development and Renewal for all Residents of New Jersey
- Goal #6 – Provide adequate housing at a reasonable cost
- Goal #8 – Ensure Sound and Integrated Planning and Implementation Statewide

The 2001 Plan also included a State Plan Policy Map to guide future growth into compact areas and to protect the environs of the State. This Map identifies the Redevelopment Area as Planning Area 1 – Metropolitan Planning Area. (Note, since the Plan’s adoption, the Redevelopment Area was removed from Planning Area 1 due to the establishment of the Highlands Region, which contains its own Planning Areas.)

Highlands Regional Master Plan

The Highlands Region encompasses 88 municipalities, including Mahwah. The Regional Master Plan (“RMP”) was adopted on July 17, 2008 by the Highlands Council and seeks to evaluate how best to protect the natural and cultural resources of the Highlands Region while striving to accommodate a sustainable economy.⁹

⁷ https://www.co.bergen.nj.us/images/Departments_Services/Planning_Engineering/Regional_Planning_Transportation/Vision-Bergen-Summary-PRESS-X1A_June_2011_201304290842377018.pdf, accessed November 14, 2022.

⁸ <https://nj.gov/state/planning/assets/docs/2001-state-plan/stateplan030101.pdf>, accessed November 14, 2022.

⁹ https://www.nj.gov/njhighlands/master/rmp/final/highlands_rmp_112008.pdf, accessed November 14, 2022.

Nothing within this document specifically addresses the Redevelopment Area. However, the Plan does encourage redevelopment. The Redevelopment Area is entirely located in the Highlands Planning Area in the Existing Community Zone ("ECZ").¹⁰ Additionally, the Redevelopment Area is within a Highlands Designated Center.

The RMP provides many goals, policies, and objectives to guide the development in the Highlands Region. The following Future Land Use goals, policies, and objectives of the RMP could be advanced by the redevelopment of the Redevelopment Area.¹¹

- Goal 6E: Incorporation of regional development patterns and related environmentally sensitive areas within Existing Community Zones.
 - Policy 6E1: To promote the location of sustainable and economically viable development activities in the Existing Community Zone where not constrained by existing environmentally sensitive resources.
- Goal 6F: Support of compact development, mixed-use development, and redevelopment and maximization of water, wastewater, and transit infrastructure investments for future use of land and development within the ECZ.
 - Policy 6F1: To promote compatible development and redevelopment within the ECZ.
 - Policy 6F3: To ensure that development activities within the ECZ are subject to standards and criteria which ensure that development and redevelopment incorporate smart growth principles and do not adversely affect natural resources.
 - Policy 6F4: To ensure that development and redevelopment within the ECZ are served by adequate public facilities including water supply, wastewater treatment, transportation, educational, and community facilities.
 - Policy 6F6: To encourage new population growth, where desired by the municipality, and development in the ECZ is in the form of center based and mixed-use development.
 - Objective 6F6a: Center based development initiatives shall be planned within the ECZ at densities appropriate to the Zone, the community character, and the State Development and Redevelopment Plan. Densities of five dwelling units and above are encouraged and are required in areas designated as voluntary TDR Receiving Zones where TDR benefits are sought under the Highlands Act.
 - Policy 6F7: To encourage redevelopment in the ECZ as a means to relieve development pressure from more environmentally sensitive areas.
- Goal 6H: Guide development away from environmentally sensitive and agricultural lands and promote development and redevelopment in or adjacent to existing developed lands.
 - Policy 6H4: To promote compatible growth opportunities that include infill development, adaptive reuse, redevelopment, and brownfields redevelopment in existing developed areas.
 - Policy 6H8: Regional growth, where accepted through local planning and regulations, should identify opportunities to maximize land use intensity while protecting natural features and community character.

¹⁰ <https://www.nj.gov/njhighlands/gis/>, Interactive Map, accessed November 14, 2022.

¹¹ https://www.nj.gov/njhighlands/master/rmp/final/highlands_rmp_112008.pdf, pages 187-200, accessed November 14, 2022.

- Policy 6H9: To incorporate smart growth principles and green building design and technology in development and redevelopment initiatives.
- Goal 6I: Accommodation of regional growth and development needs through the reuse and redevelopment of previously developed areas, including brownfields, grayfields, and underutilized sites.
 - Policy 6I2: To encourage redevelopment in the ECZ in the Planning Area of brownfields, grayfields, and other previously developed areas that have adequate water, wastewater, transportation capacity, and are appropriate for increased land use intensity or conversion to greenfields, as approved through Plan Conformance or the Highlands Redevelopment Area Designation process.
- Goal 6K: Concentrate residential, commercial, and industrial development, redevelopment, and economic growth in existing developed areas in locations with limited environmental constraints, access to existing utility, and transportation infrastructure.
 - Policy 6K1: To promote the redevelopment of brownfields, grayfields, and other previously developed areas in a manner consistent with the goals and requirements of the Plan.
- Goal 6M: Protection and enhancement of Highlands Resources through the remediation of contaminated sites in the region.
- Goal 6N: Use of smart growth principles, including low impact development, to guide development and redevelopment in the Highlands Region.
- Goal 6O: Market-rate and affordable housing sufficient to meet the needs of the Highlands Region within the context of economic, social, and environmental considerations and constraints.
 - Policy 6O2: To promote, where appropriate and permitted by the Land Use Capability Zone, center-based development approaches that address a mix of housing types, support mixed uses, and implement compact development approaches.
 - Policy 6O3: To promote, where appropriate and permitted by the Land Use Capability Zone, affordable housing within new residential and mixed-use development, redevelopment, or adaptive reuse projects.

5. Charging Infrastructure

The LRHL was recently amended to require redevelopment plans to identify locations for public electric vehicle charging infrastructure within the Redevelopment Area in a manner that appropriately connects with an essential public charging network. This document requires compliance with Senate Bill 3223, which was signed by Governor Murphy on July 9, 2021. This law amended the Municipal Land Use Law to require applications involving five or more multi-family units to provide 15% of the required parking spaces as “make-ready” spaces and install electric vehicle supply equipment in at least one-third of those spaces. The remaining two-thirds of the 15% must have electric vehicle supply equipment installed within six years. The law also requires non-residential development to install make-ready spaces dependent on the number of parking spaces proposed. Therefore, the submission of a site plan with multi-family and/or non-residential development will trigger the requirement to include make-ready parking spaces.

6. Redevelopment Plan

This chapter of the Crossroads Redevelopment Plan provides the general provisions, including the land use and design requirements, for the potential redevelopment of the Redevelopment Area. This Crossroads Redevelopment Plan is an overlay zone option with specific permitted uses and standards for a redeveloper to pursue. A redeveloper cannot “mix-and-match” uses and bulk standards between the Crossroads Redevelopment Plan and the MUD-2 Zone.

6.1 General Provisions

This subsection addresses the requirements under the LRHL regarding relocation, acquisition, and affordable housing. Additionally, deviations from the plan are discussed.

Relocation

The LRHL requires adequate provision for the temporary and permanent relocation 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 in the existing local housing market.

There are no residential units existing within the designated Redevelopment Area, therefore, a relocation plan is not necessary.

Acquisition

This document does not anticipate the acquisition of any property through eminent domain. It is expected that all acquisitions will occur between an agreeable buyer and seller.

Affordable Housing

There are no deed-restricted affordable housing units within the Redevelopment Area. Therefore, this document does not need to provide for any replacement of affordable housing units or relocation of affordable households.

Deviations From Redevelopment Plan Requirements

The Planning Board of the Township of Mahwah may, after review of a site plan that is in one or more aspects inconsistent with the Crossroads Redevelopment Plan, grant deviations from the strict application of the regulations contained in this Plan in accordance with the provisions for bulk variances in NJSA 40:55D-70c. Notwithstanding the above, no deviations shall be granted that would permit any of the following:

- a use or principal structure that is not otherwise permitted by this document;
- an increase in the maximum permitted floor area ratio;
- an increase in the maximum permitted density; or
- an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less.

6.2 Land Use & Development Requirements

This subsection of the report provides the permitted land uses and building requirements for the Redevelopment Area.

A. Definitions

The following definitions are provided. Any term not defined herein shall rely upon the definitions within Chapter 24 Zoning, specifically §24-1.5b.

DATA CENTER – A facility used to house computer systems and associated components, such as telecommunications and data storage and/or processing systems.

FULLFILLMENT CENTER – A building used, by one or more tenants, for the short-term storage of goods and materials. A fulfillment center has areas devoted to robotic storage and retrieval systems. A fulfillment center may include an accessory office component, which does not exceed 100,000 square feet.

WAREHOUSE - A building used, by one or more tenants, primarily for the storage of goods and materials. A warehouse may include an accessory office component, which does not exceed ten (10%) percent of the building's total floor area. This definition does not include fulfillment centers.

B. Use and Bulk Requirements

1. Permitted Principal Uses.
 - a. 100% affordable multi-family housing on a minimum of 5.8 acres, except that if at least 74 affordable units are provided at an acceptable off-site location, any acreage that would have been utilized for residential purposes may instead be utilized for the other permitted uses.
 - b. Assembly or packaging from previously prepared materials.
 - c. Data centers.
 - d. Fulfillment centers.
 - e. Light manufacturing operations, provided that all performance requirements in §24-5 are complied with.
 - f. Planned industrial developments.
 - g. Public utility buildings, telephone exchange, telegraph.
 - h. Research laboratories.
 - i. Self-storage facilities.
 - j. Solar energy systems.

- k. Warehouse and/or distribution facility.
2. Permitted Conditional Uses.
 - a. Outdoor storage subject to §24-3.6a5.
 - b. Essential services subject to §24-7.1.
 - c. Wireless communication towers and antennas subject to §24-9.4, -9.6, and -9.7, and subject to towers being located on property owned, leased, or otherwise controlled by the Township of Mahwah provided a license or lease authorizing such antenna or tower has been approved by the Township of Mahwah.
 3. Prohibited Uses.
 - a. Major Potential Pollutant Sources as listed in §24-10.2g1.
 - b. Minor Potential Pollutant Sources as listed in §24-10.2g2, except for stormwater retention recharge basins
 4. Non-residential Use Standards and Regulations.
 - a. Permitted Accessory Uses.
 - (1) Off-street parking, parking garages, and loading facilities.
 - (2) Signs in accordance with §24-6.1 and §24-6.2. Wall signs shall also be permitted. One wall sign shall be permitted per tenant, with a maximum sign area of 100 square feet. Tenants occupying more than 600,000 square feet shall be permitted up to three wall signs, each with a maximum sign area of 300 square feet. Said wall signs may be located on any building façade. Wall signs may be illuminated.
 - (3) Accessory storage within a wholly enclosed permanent structure of materials, goods, and supplies intended for sale or consumption on the premises.
 - (4) Fences, limited to a maximum of eight feet in height.
 - b. Area, Bulk and Yard Requirements.
 - (1) Bulk requirements may be measured from the development area boundary and not the true lot line.
 - (2) Development shall include new rights-of-way, either public or private, for building access and site circulation.

- (3) Building shall be set back from one another a minimum of fifty (50') feet from all building facades.
- (4) Principal buildings shall be set back a minimum of fifteen (15') feet from parking areas. This requirement does not apply to driveways, loading areas, or service bays.
- (5) Principal buildings shall be set back a minimum of fifty (50') feet from the development area boundary and the lot line.
- (6) No parking shall be permitted within fifty (50') feet of a lot line, except lot lines adjacent to a B40 Zone, where the minimum parking setback shall be twenty-five (25') feet.
- (7) No drive aisle shall be permitted within twenty (20') feet of a lot line.
- (8) Bulk and yard requirements shall be as follows:

- (a) Minimum lot size shall be thirty (30) acres.

A maximum of one million seven hundred thousand (1,700,000) square feet of ground floor non-residential development shall be permitted within the Redevelopment Area. A maximum of four million (4,000,000) total square feet shall be permitted within the Redevelopment Area. Fulfillment centers shall be limited to a maximum of eight hundred thousand (800,000) square feet of ground floor area.

- (b) The maximum improved lot coverage shall be seventy-five (75%) percent.
- (c) The maximum lot coverage shall be thirty-five (35%) percent.
- (d) The maximum building height for all principal uses except for fulfillment centers shall be fifty-five (55') feet and two (2) stories. The maximum building height for fulfillment centers shall be one hundred and twenty-five (125') feet and five (5) stories. Parapets, mechanical equipment, and screening associated with such equipment shall extend no more than six (6') feet above the maximum permitted building height. The maximum height for parking garages shall be forty (40') feet and three (3) stories.
- (e) Fulfillment centers shall be fully located within one thousand, six hundred (1,600') feet of the western property line as shown in Figure 1 on the following page.

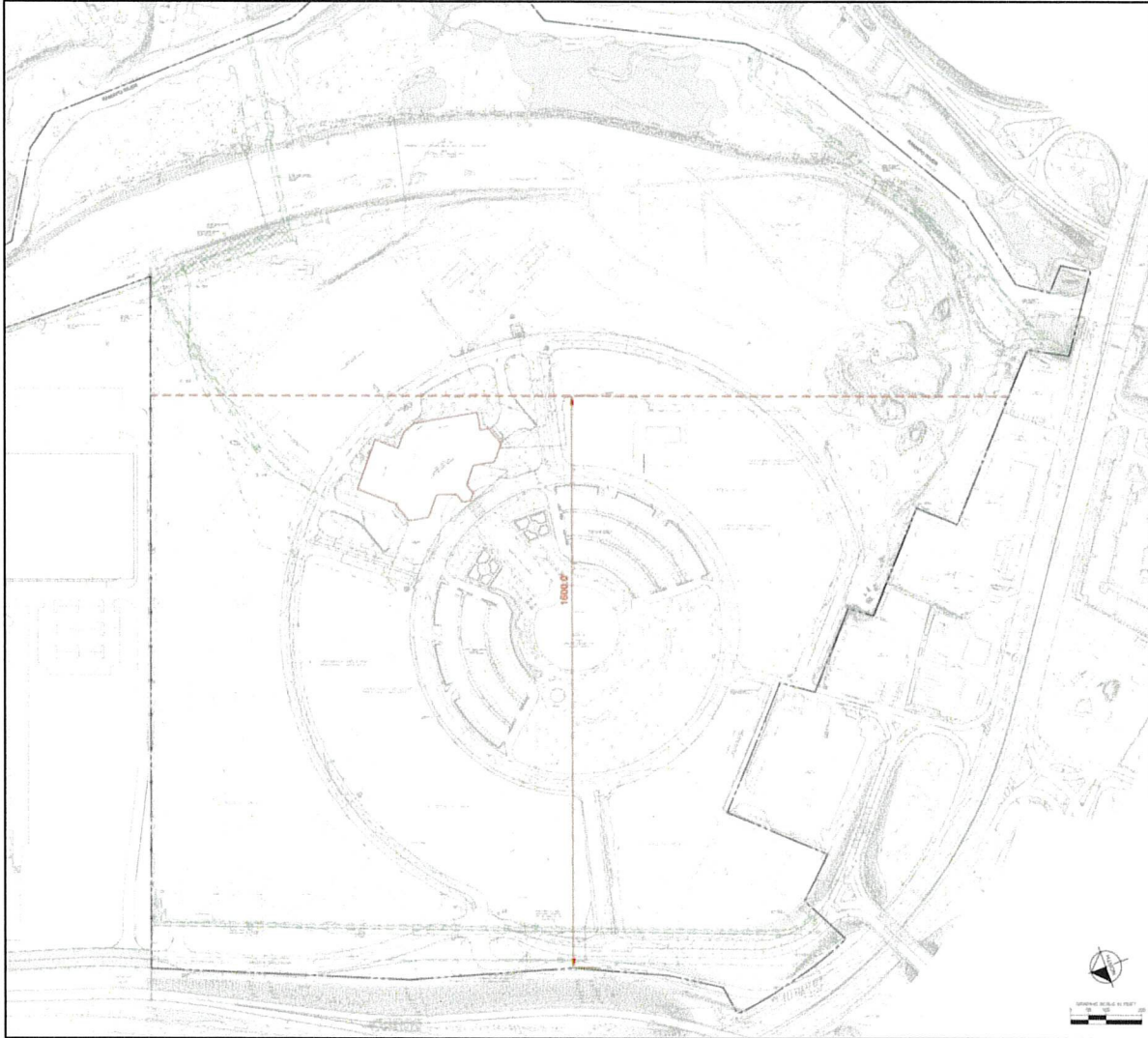


Figure 1 – 1,600-foot Distance Exhibit

- (f) Parking garages shall be located a minimum of fifty (50') feet from any lot line.
- c. Affordable Housing. Projects must comply with the State-wide Non-residential Fee Act, except that such payments may be applied as a credit against any additional fees required under settlement agreements with the Township of Mahwah and/or Fair Share Housing Center.
- d. Circulation and Off-Street Parking Requirements.

- (1) Unless otherwise indicated in this Redevelopment Plan, off-street parking and loading facilities and standards shall be in accordance with Off-street and Loading, §24-3.7. Warehouses shall provide 0.75 parking spaces for every one thousand (1,000) square feet for buildings with six hundred thousand (600,000) square feet or less and 0.5 spaces for every one thousand (1,000) square feet for buildings with six hundred thousand and one (600,001) or more square feet. Data centers shall provide one (1) parking space for every five thousand (5,000) square feet. Fulfillment centers shall provide one (1) parking space for every six hundred (600) square feet of ground floor area. Office areas within warehouses and fulfillment centers shall not have a separate parking requirement.
- (2) All parking spaces shall measure no less than nine (9') feet in width by eighteen (18') feet in length.
- (3) All lighting for off-street parking areas shall be so arranged and shielded as to reflect the light downward and prevent any light from shining directly on adjoining streets, residential zones, and residential uses.
- (4) Parking lot lighting shall provide a maintained minimum average of one-half (0.5) footcandles.
- (5) Within surface parking lots one (1) landscape island shall be provided for every twenty (20) car parking spaces. Said landscape island shall contain a minimum of one hundred sixty (160) square feet. At least half of the landscape islands shall contain a shade tree and other landscaping; the remainder shall contain shrubs.
- (6) Section 22-6.2d.6.(c) regarding driveway widths, depressed curbs, and curb return radius standards shall not apply. However, depressed curb cut width shall be limited to a maximum of two hundred (200') feet.
- (7) Right-of-Way Requirements.
 - (a) The right-of-way and pavement widths of all internal streets, roads and vehicle-traveled ways, whether public or private, shall be determined from sound planning and engineering standards in conformity to the estimated needs of the full proposed development and the traffic to be generated thereby. They shall be adequate in size, location and design to accommodate the maximum traffic, parking and loading needs and the access of fire-fighting and police vehicles.
 - (b) Sidewalks shall be required along all streets and roads, whether dedicated public streets or privately owned and maintained, or any combination thereof. Sidewalks shall have a minimum width of four (4') feet.
 - (c) All streets and roads, either dedicated public streets or privately owned and maintained, or any combination thereof, shall be subject to all Township ordinances as well as the laws of the State of New Jersey with regard to construction.

- (d) The Board shall be guided by the following criteria of street grades but shall have the authority to modify same where exceptional circumstances warrant: six (6%) percent for major and arterial streets and ten (10%) percent for collector and local streets. Exceptions to these limitations shall be made after review and written approval by the Township Engineer and Planning Consultant.
 - (e) When deemed necessary by the Board, the applicant shall provide a continuous street circulation system with adjoining land areas.
 - (f) Where an Official Map or Master Plan, or both, have been adopted, the proposed street system shall conform to the proposals and conditions shown thereon except as may be modified by the Board or governing body, as provided by law.
- (8) Right-of-Way Improvements.
- (a) Monuments, street names and other traffic control devices, shade trees, streetlights, sidewalks, curbs, fire hydrants and all aspects of street construction as well as other improvements shall be subject to local regulations and Township Engineer approval.
 - (b) Shade trees along all public and private rights-of-way shall be provided in accordance with Chapter 14, Tree Preservation, Section 14-10, Shade Tree Requirements.
- e. Building Design.
- (1) Buildings are encouraged to incorporate such building elements as entrances, corners, graphic panels, etc., as a means to provide a visually attractive environment.
 - (2) Design emphasis shall be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint and such details as piers, columns, and framing should be utilized to reinforce verticality.
 - (3) The use of projections is to be encouraged, to break up long facades.
 - (4) Integration of large-scale graphics into the facade, where appropriate, is encouraged. Logos and trademarks shall be considered signage for the purposes of this chapter.
 - (5) Outdoor dumpsters shall be enclosed with a six (6') foot high wood fence or masonry wall. And shall be properly landscaped and buffered to the satisfaction of the Township Engineer.
- f. Landscaping.
- (1) All landscaping is subject to compliance with Landscaping and Buffer Requirements, §24-5.6 and §22-6.5.

- (2) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking areas, mitigate adverse visual impacts, provide windbreaks for winter winds and summer cooling for buildings, and enhance buffer areas. Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat, soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc., shall be considered.
 - (3) Site entrances and unique areas shall have special landscaping treatment. Flowerbed displays are encouraged.
 - (4) A minimum of thirty (30%) percent of the plantings proposed shall be indigenous to the region.
 - (5) Foundation plantings shall be provided at all buildings. These plantings shall include species that provide seasonal interest at varying heights to complement and provide pedestrian scale to the proposed architectural design of the buildings. The foundation planting shall incorporate evergreen shrubs and groupings of small trees in order to provide human scale to building facades and winter interest.
5. 100% Affordable Multi-family Housing Standards and Regulations.
- a. Permitted Accessory Uses.
 - (1) Parks, playgrounds, open space, dog parks, and tenant recreation facilities including but not limited to clubhouses, swimming pools and tennis courts, subject to §24-3.6.
 - (2) Fences and walls subject to §24-5.6b.
 - (3) Surface, garage, and structured parking subject to §24-3.7.
 - (4) Leasing and maintenance offices to support residential use.
 - (5) Community rooms and amenity spaces for the use of building owners and/or tenants.
 - (6) Signs, subject to §24-6.
 - b. Area, Bulk and Yard Requirements.
 - (1) The maximum improved lot coverage shall be 65%.
 - (2) The maximum lot coverage shall be 35%.
 - (3) The maximum building height shall be 55 feet and 4 stories.

- (4) More than one (1) structure shall be permitted on a single tract.
- (5) Bulk and other requirements may be measured from the development area boundary and not the true lot line.
- (6) Development shall include new rights-of-way, either public or private, for building access and site circulation.
- (7) Setbacks.
 - (a) Buildings shall be set back a minimum of ten (10') feet from driveways and parking areas. This requirement does not include access drives into buildings.
 - (b) Buildings shall be set back from one another a minimum of fifty (50') feet from all facades.
 - (c) Buildings shall be set back a minimum of seventy-five (75') feet from all development area boundaries and/or lot lines.
 - (d) Buildings shall be set back a minimum of two-hundred (200') feet from existing and proposed warehouse and industrial buildings/structures.
 - (e) No parking shall be permitted within fifty (50') feet of a lot line.
- (8) Density. Maximum density shall not exceed fourteen (14) units per acre. In no instance shall the total number of units exceed 80.
- (9) Buffer Areas and Landscaping.
 - (a) The buffer provisions for the MUD-2 Zone within §24-5.6 and §22-6.5 apply. Such buffer zone shall be kept in its natural state where wooded; and when natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as determined by the Board.
 - (b) No use or structure, including parking or loading areas, shall be permitted within the required buffer area, but the Board may, upon a finding of reasons therefor, permit a portion of a buffer area to be used for utility easements or streets to ensure access to or from adjacent property.
 - (c) Where the multi-family housing will abut existing or proposed non-residential uses, a planted buffer of not less than seventy-five (75') feet in width that includes a variety of trees, with an initial planting height of eight (8') feet, and may include one or more berms, fencing and/or walls. The seventy-five (75') foot planted buffer may be reduced to not less than fifty (50') feet upon a showing of good cause and additional buffering mechanisms, including taller initial planting height and/or installation of berm upon consent of the Township, Special Master, and Fair Share Housing Center. The buffer shall provide a visual screen of sixty (60%) percent of the view from November to April at a height of ten

(10') feet within two years from installation. These standards may be adjusted for purposes of retaining existing vegetation.

c. Outdoor Recreational Space.

- (1) There shall be a minimum outdoor recreational space of at least fifty (50) square feet per residential unit, which shall include spaces and facilities targeted at all age groups, such as, but not limited to, swings, sandbox, spray mist, climbing equipment, half-court hard surface for basketball, etc., grass field for lacrosse, soccer, frisbee, picnic tables and benches with grilling area, shaded seating areas, etc. These areas shall not be located within required buffer areas.

d. Market-rate Residential Units.

- (1) If a minimum of seventy-four (74) affordable units are proposed, no more than six (6) market-rate units may be included within the development.
- (2) One (1) bedroom – seven hundred (700) square feet.
- (3) Two (2) bedroom – eight hundred fifty (850) square feet.
- (4) No three (3) bedroom market-rate units are permitted.
- (5) Nothing shall preclude an additional room as a den, as long as a closet is not provided. The lease shall preclude any den used as a bedroom.

e. Affordable Housing.

- (1) A minimum of seventy-four (74) units shall be reserved for, and affordable to, low- and moderate-income households.
- (2) The affordable units shall consist of no more than fourteen (14) one-bedroom units, and at least fifteen (15) three-bedroom units, and the remainder shall be two-bedroom units.
- (3) At least fifty (50%) percent of the units within each bedroom distribution shall be low-income units (available to households at or below 50% of area median income), which calculation includes very-low-income units (available to households at or below 30% of area median income). The remainder shall be moderate-income units (available to households at or below 80% of area median income, priced at or below 60% of area median income per UHAC). There shall be a maximum fifty-two (52%) percent affordability average per UHAC.
- (4) At least ten (10) of the seventy-four (74) units shall be very-low-income (available to households at or below 30% of area median income). At least three (3) of the very-low-income units shall be three-bedroom units, no more than two (2) of the very-low-income units may be one-bedroom units, and the remainder of the very-low-income units shall be two-bedroom units.

- (5) Deed Restriction. A deed restriction shall be recorded that complies with UHAC, applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws. The affordability controls for the affordable units shall continue for at least thirty (30) years and thereafter, until terminated by resolution by the Township.
 - (6) The developer shall be responsible for retaining a qualified Administrative Agent, as approved by the township, at the developer's sole cost and expense.
- f. Circulation and Off-street Parking Requirements.
- (1) Parking shall be provided in accordance with RSIS. No parking space shall be used for the storage of goods and materials.
 - (2) Off-Street Parking and Loading facilities and standards shall be in accordance with Off-street and Loading, §24-3.7.
 - (3) All parking spaces shall measure no less than nine (9') feet in width by eighteen (18') feet in length.
 - (4) All lighting for off-street parking areas shall be so arranged and shielded as to reflect the light downward and prevent any light from shining directly on adjoining streets, single-family detached residential zones, and single-family detached homes.
 - (5) Parking lot lighting shall provide a maintained minimum average of one and one-half (1.5) footcandles.
 - (6) Within surface parking lots one (1) landscape island shall be provided for every twenty (20) parking spaces. Said landscape island shall contain a minimum of one hundred sixty (160) square feet. At least half of the landscape islands shall contain a shade tree and other landscaping; the remainder shall contain shrubs.
- (7) Right-of-Way Requirements.
- (a) All streets and roads, either dedicated public streets or privately owned and maintained, or any combination thereof, shall be subject to all Township ordinances as well as the laws of the State of New Jersey with regard to construction. The developer's private internal road network shall comply with RSIS.
 - (b) The Board shall be guided by the following criteria of street grades but shall have the authority to modify same where exceptional circumstances warrant: six (6%) percent for major and arterial streets and ten (10%) percent for collector and local streets. Exceptions to these limitations shall be made after review and written approval by the Township Engineer and Planning Consultant.
 - (c) When deemed necessary by the Board, the applicant shall provide a continuous street circulation system with adjoining land areas.

- (d) Where an Official Map or Master Plan, or both, have been adopted, the proposed street system shall conform to the proposals and conditions shown thereon except as may be modified by the Board or Governing Body, as provided by law.
- (8) Right-of-Way Improvements.
 - (a) Monuments, street names and other traffic control devices, shade trees, streetlights, sidewalks, curbs, fire hydrants and all aspects of street construction as well as other improvements shall be subject to local ordinance requirements and Township Engineer approval.
 - (b) Shade trees along all public and private rights-of-way shall be provided in accordance with Chapter 14, Tree Preservation, §14-10, Shade Tree Requirements.
- g. Building Design.
 - (1) No single building shall have a street-front length of more than two hundred seventy (270') feet.
 - (2) Building wall offsets, including both projections and recesses, shall be provided along any street-facing building wall measuring greater than fifty (50') feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall.
 - (3) The maximum spacing between such vertical offsets shall be forty (40') feet. The minimum projection or depth of any individual vertical offset shall not be less than eight (8") inches.
 - (4) Vertical offsets can include pilasters, projecting bays, changes in facade materials and balconies.
 - (5) The architectural treatment of a facade shall be completely continued around all street-facing facades of a building. All sides of a building shall be architecturally designed to be consistent regarding style, materials, colors and details.
 - (6) If the building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment.
 - (7) Roofline offsets shall be provided along any gable roof measuring more than fifty (50') feet in length.
 - (8) All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and other such elements, where appropriate.

- (9) Building facades visible from any street shall consist of durable, long-lasting materials such as brick, stone, cast stone, Hardie plank or other high-quality material.
 - (10) Tenant refuse collection systems shall be inside all residential buildings. Outdoor dumpsters are permitted so long as they are screened on three (3) sides by a masonry wall and the gate(s) is composed of a sturdy, solid material.
- h. Landscaping.
- (1) All landscaping is subject to compliance with the Township's Landscaping and Buffer requirements, §24-5.6 and §22-6.5.
 - (2) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking areas, mitigate adverse visual impacts, provide windbreaks for winter winds and summer cooling for buildings, and enhance buffer areas. Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat, soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc., shall be considered.
 - (3) Site entrances and unique areas shall have special landscaping treatment. Flowerbed displays are encouraged.
 - (4) A minimum of thirty (30%) percent of the plantings proposed shall be indigenous to the region.
 - (5) Foundation plantings shall be provided at all buildings. These plantings shall include species that provide seasonal interest at varying heights to complement and provide pedestrian scale to the proposed architectural design of the buildings. The foundation planting shall incorporate evergreen shrubs and groupings of small trees in order to provide human scale to building facades and winter interest.
- i. Site Access. Vehicular access to and from the development shall be subject to the review and approval of the Township Police Chief. No vehicular access shall be permitted on the bridge located to the east of the Redevelopment Area unless the bridge is improved and safe for the motoring public
6. Construction Phasing.
- a. A complete development application for preliminary and final site plan approval for the affordable units (whether within the Redevelopment Area or off-site) shall be presented to the Township Planning Board simultaneously with or prior to any development application for preliminary or final site plan approval for non-residential uses within the Redevelopment Area. However, "Building A" as shown on the concept plan attached to the 2022 First Amendment to the Fair Share Housing Center Settlement Agreement, is excluded from this requirement.

- b. The redeveloper shall apply for building permits for the affordable units (whether within the Redevelopment Area or off-site) simultaneously with or prior to apply for building permits for the first non-residential building within the Redevelopment Area. However, "Building A" as shown on the concept plan attached to the 2022 First Amendment to the Fair Share Housing Center Settlement Agreement, is excluded from this requirement.
- c. The redeveloper shall complete construction of and obtain certificates of occupancy for the affordable units (whether within the Redevelopment Area or off-site) prior to obtaining TCOs or certificates of occupancy for any non-residential building within the Redevelopment Area. However, "Building A" as shown on the concept plan attached to the 2022 First Amendment to the Fair Share Housing Center Settlement Agreement, is excluded from this requirement.
- d. At the time of a submission of a site plan application to the Township Planning Board for "Building A" the redeveloper shall have identified the proposed location of the affordable units (whether within the Redevelopment Area or off-site). Any off-site location shall be acceptable to Fair Share Housing Center, the Court Master, and the Township. The site plan application for "Building A" may not proceed until an acceptable on-site location or alternative off-site location is approved by Fair Share Housing Center, the Court Master, and the Township.
- e. Redeveloper acknowledges that this Amendment #1, is subject to the Court's Fairness Hearing Order ("Fairness Order"), dated February 17, 2023, and the agreements that Fairness Order approves, including the Amended Fair Share Housing Center Agreement, dated October 11, 2022 and the Amended Crossroads Agreement, dated November 3, 2023, which governs the production and phasing of the affordable units. Redeveloper agrees to comply with all such requirements and, to the extent relief or modification to any of those requirements is necessary, the Township and Redeveloper must agree to any such modifications with the consent of FSHC, if necessary.

7. Relationship to Zoning

7.1 Zoning Provisions

Effect of Plan

The Crossroads Redevelopment Plan will overlay the existing zoning for the four parcels (two tax lots) within the Redevelopment Area.

This document shall only become effective upon approval by the Superior Court for Docket No. BER-L-6281-15.

Terms & Definitions

Any terms or definitions not addressed within this Crossroads Redevelopment Plan shall rely on the applicable terms and conditions set forth in Chapter 24, Zoning.

Other Applicable Design & Performance Standards

Any design or performance standards not addressed within this Crossroads Redevelopment Plan shall rely on the applicable design and performance standards set forth in Chapter 24, Zoning.

Conflict & Severability

If any word, phrase, clause, section or provision of this plan, is found by a court or other jurisdiction to be invalid, illegal or unconstitutional; such word, phrase, section or provision shall be deemed severable, and the remainder of the Crossroads Redevelopment Plan shall remain in full force and effect.

7.2 Zoning Map Revision

This Crossroads Redevelopment Plan is an overlay to the underlying zoning, Mixed-Use Development 2 (MUD-2) Zone. The Official Zoning Map shall be amended for the two tax parcels. The Zoning Map is hereby amended to illustrate the following block and lots as the "Crossroads Redevelopment Overlay Zone":

- Block 26, Lot 2
- Block 183, Lot 1 (includes Lots 10 and 11 of Block 26)

8. Amendments & Duration

8.1 Amendments to the Redevelopment Plan

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more redevelopers and the Township of Mahwah, the provisions of the redevelopment plan amendment will be contingent upon the amendment of the redeveloper agreement to provide for the plan amendment.

8.2 Recommendations for Redevelopment Agreement Provisions

While this plan provides an outline for the redevelopment of the designated Redevelopment Area, the details of how the redevelopment will be implemented will need to be specified in a redevelopment agreement that is negotiated between the Township and the redeveloper(s). No development shall proceed to the Mahwah Planning Board for subdivision or site plan approval until after a redevelopment agreement is executed by the Township of Mahwah in accordance with Section 9 of the LRHL. The redevelopment agreement shall conform to the provisions of this Plan.

8.3 Certificates of Completion & Compliance

Upon the inspection and verification by the Township Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

This plan will remain in effect until Certificates of Completion have been issued for the designated parcels, or until the plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Township Council.

In the event that Section 6.c.ix in the Fair Share Housing Center Settlement Agreement, First Amendment, or the corresponding Section 2.13 in the Amended Crossroads Settlement agreement is invoked, and the "Alternative Crossroads Development" is abandoned, then the Township may, in its sole discretion, repeal this Redevelopment Plan.

8.4 Designation of Redeveloper(s)

To assure that the vision of the plan will be successfully implemented in an effective and timely way and in order to promptly achieve the goals of the plan, the Township Council, acting as the Redevelopment Entity, will designate the redeveloper(s) for any redevelopment project in the area governed by this plan. All redeveloper(s) will be required to execute a redevelopment agreement satisfactory to the Township Council as one of the requirements to be designated as the redeveloper(s).

9. Appendix

- A. Township Council Resolution #232-22, Designating Block 26, Lot 2 and Block 183, Lot as an Area in Need of Condemnation Redevelopment
- B. Township Council Resolution #352-22, Approving a Scope of Work for a Redevelopment Plan
- C. Township Council Resolution #369-22, Directing the Preparation of a Redevelopment Plan for Block 26, Lot 2 and Block 183, Lot 1
- D. Township Council Ordinance #2000
- E. Township Council Ordinance #2036

Appendix A – Township Council Resolution #232-22

RESOLUTION
TOWNSHIP OF MAHWAH
P.O. Box 733
MAHWAH, NJ 07430

Resolution #232-22

Date: June 16, 2022

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma				✓		
Bolan			✓			
Ervin		✓	✓			
Ferguson	✓		✓			
Paz			✓			
Wong			✓			
May			✓			

RESOLUTION OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN AND STATE OF NEW JERSEY, DESIGNATING BLOCK 26, LOTS 2 AND BLOCK 183, LOT 1 (INCLUDING BLOCK, 26, LOTS 10, 11) AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the LRHL sets forth the procedures for the Township of Mahwah to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, by Resolution #230-21, adopted June 14, 2021, the Mahwah Township Council authorized the Planning Board to undertake a preliminary investigation of Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, (the “Study Area”) to determine whether that area, in whole or in part, is an area in need of redevelopment with the option of using condemnation for said properties, according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, as required by N.J.S.A. 40A:12A-6(b)(2), the Planning Board directed that a public hearing be held on June 13, 2022 and that notice of the public hearing be given for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated Study Area is a redevelopment area; and

WHEREAS, notice of the public hearing was published and served within the time and in the manner required by N.J.S.A. 40A:12A(b)(3)(d); and

WHEREAS, the public hearing was held by the Planning Board on June 13, 2022; and

WHEREAS, Colliers Engineering and Design produced a study entitled, "Redevelopment Determination of Need Study" dated May 24, 2022, amended June 13, 2022 (the "Study"), which Study is incorporated by reference and was presented at the duly noticed June 13, 2022 Planning Board Meeting, and which included a map of the Study Area and was circulated to the members of the Planning Board and provided to the public in accordance with the time and other notice provisions of the LRHL; and

WHEREAS, the Planning Board has considered the Redevelopment Study with reference to the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and with reference to the objectives set forth in the Zoning Ordinance and Master Plan of the Township of Mahwah; and

WHEREAS, at the public hearing, the Planning Board heard from all persons who are interested in or who would be affected by a determination that the delineated Study Area is a redevelopment area, and all objections to such a determination and evidence in support of those objections, given orally or in writing, were received and considered and made part of the public record, as required by N..S.A. 40A:12A-(b)(4); and;

WHEREAS, at the public hearing, the Planning Board heard from all persons concerned about future development of the site and the Planning Board advised that future development is not relevant to the determination of whether the statutory criteria are satisfied, however the Council was provided with the comments the board addressed regarding future development, and the same were received and considered and made part of the public record, as required by N..S.A. 40A:12A-(b)(4); and;

WHEREAS, the Study provided detailed information regarding the Study Area and the applicable statutory criteria required to be evaluated, based on which the Study concluded that the Study Area affirms the LRHL criteria to enable the Board to recommend to the Township Council that an Area in Need of Redevelopment designated is warranted; and

WHEREAS, the Planning Board, after discussion and consideration, adopted a motion concluding that the Study Area meets the criteria under the LRHL as an area in need of condemnation redevelopment and forwarded this recommendation to Council; and

WHEREAS, on June 13, 2022 the Planning Board adopted a resolution, incorporated herein by reference, memorializing the Planning Board's determination and setting forth detailed reasons and criteria on which the determination was based; and

WHEREAS, the Township Council has reviewed the Study and Planning Board's resolution and finds, consistent with the Board's recommendation based on the Study, that the LRHL criteria for determination of an area in need of condemnation redevelopment are satisfied with respect to the Study Area

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

1. Based upon the facts and findings of the Study, all made in accordance with N.J.S.A. 40A:12A-6, the Township Council hereby adopts the recommendation of the Township Planning Board memorialized by resolution adopted May 9, 2022 and declares the following parcels of land known and described on the Tax Maps of the Township of Mahwah to be an area of condemnation redevelopment: Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11 The Study and the Planning Board's June 13, 2022 resolution are incorporated herein by reference.
2. Pursuant to N.J.S.A. 40A:12A-1 et seq., the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a condemnation redevelopment area.
3. The Township shall serve, by certified mail, return receipt requested, a copy of this Resolution upon the owners of the above-mentioned lots, as well as any person who filed a written objection thereto and stated in or upon the written submission, an address to which notice of determination may be sent.

4. Colliers is hereby directed and authorized to prepare a redevelopment plan for the properties designated by this Resolution as an area in need of condemnation redevelopment.

This Resolution shall take effect immediately

I hereby certify that this resolution consisting of three (3) page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 16th day June, 2022.

Carolyn George, Deputy Clerk
Kathrine G. Coviello, RMC/CMC/MMC
Municipal Clerk

David May

David May
Council President

Appendix B – Township Council Resolution #352-22

RESOLUTION
TOWNSHIP OF MAHWAH
P.O. BOX 733
MAHWAH NJ 07430

Resolution #352-22

Date: October 27, 2022

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma				✓		
Bolan	✓		✓			
Ervin			✓			
Ferguson		✓	✓			
Paz			✓			
Wong			✓			
May			✓			

WHEREAS, by Resolution #068-22, dated January 20, 2022, the Township Council awarded a Professional Services Contract to Colliers Engineering and Design (“Colliers”), to serve as Township Planner for 2022; and

WHEREAS, the Township requires Professional Planning Services in connection with Redevelopment Planning; and

WHEREAS, Colliers has submitted a proposal MWT-0024P- dated June 30, 2022, to perform the required services for an amount not-to-exceed \$ 11,750.00, and

WHEREAS, the CMFO has provided a Certification as to the Availability of Funds in Account # 01--201-20-100-204;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mahwah that a Contract be and is hereby awarded to Colliers in a not-to-exceed amount of \$ 11,750.00 for services as specified in Collier’s proposal; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk be and are hereby authorized and directed to execute a Contract Amendment with Colliers in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED, that the Township Clerk shall cause a notice of this action to be printed in the official newspaper of the Township of Mahwah; and

BE IT FURTHER RESOLVED, that the Township Clerk shall keep a copy of this Resolution and Contract Amendment on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor; Business Administrator; QPA; CMFO; Assistant to the

Business Administrator, Director of Planning and Zoning; and Colliers Engineering and Design 53 Frontage Road, Suite 110, Hampton, NJ 08827.

I hereby certify that this Resolution consisting of two pages, was adopted at a meeting of the Township Council of the Township of Mahwah, on the 27th day of October, 2022.

Carolyn George, Deputy Clerk
Kathrine G. Coviello, RMC/CMC/MMC
Municipal Clerk

David May

David May
Council President

TOWNSHIP OF MAHWAH

REQUEST FOR CERTIFICATE OF FUNDS

ORIGINAL

DATE: 10/27/22

TO: CORINNE HOCKMAN, ACTING CFO

FROM: JANET PUZO, ASSISTANT TO THE BUSINESS ADMINISTRATOR

RE: CERTIFICATION OF FUNDS a Professional Service Contract with Colliers Engineering and Design, for Planning Services, Redevelopment Plan MWT-0024 Task 1 and Task 2, Block 26, Lots 2, and Block 183, Lot 1).

Please certify that the following accounts have sufficient funds for a Contract not to exceed \$11,750.00.

Account: 01-201-20-100-201 Amount: \$11,750.00 U/B: 74,018.93 \$

This contract does not exceed \$17,500.00



 DEPARTMENT HEAD

DO NOT WRITE BELOW THIS LINE

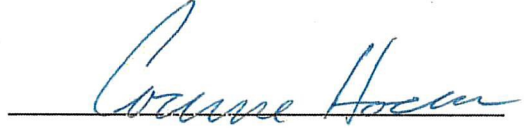
TOWNSHIP COUNCIL

Pursuant to N.J.A.C. 5:30 -- 1.10, I hereby certify that as of 10/20/22,

the free and unencumbered balance in the appropriation account (s) entitled

see above is \$ see above and that there are

adequate funds available for the proposed contract noted above.



 Corinne Hockman, Acting CFO

Resolution No.: 352-22
 Ordinance No.: n/a

This is to certify that the required funds needed in connection with the above are available in Account:
see above

Dated: 10/27/22

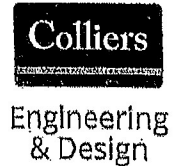


 Benjamin Kezmarsky
 Business Administrator

REC'D MUNICIPAL CLERK
 OCT 21 '22 AM 10:03

Shelbourne at Hunterdon
93 Frontage Road Suite 110
Hampton, New Jersey 08827

Main: 877 627 3772



June 30, 2022

Benjamin Kezmarsky, Business Administrator
Township of Mahwah
475 Corporate Drive
Mahwah, NJ 07430

Proposal for Professional Services
Redevelopment Plan for Block 26, Lot 2 and
Block 183, Lot 1 (which includes Block 26, Lots 10 and 11)
Colliers Engineering & Design Project No. MWT-0024P

Dear Mr. Kezmarsky,

Colliers Engineering & Design, Inc. is pleased to present this proposal for planning services to prepare a Redevelopment Plan for Block 26, Lot 2 and Block 183, Lot 1 (which includes Block 26, Lots 10 and 11). The Township initiated the redevelopment process for the subject sites on June 14, 2021 when the Council adopted Resolution #230-21 authorizing the Planning Board to undertake a preliminary investigation of Block 26, Lot 2 and Block 183, Lot 1 (the "Study Area") to determine whether that area, in whole or in part, meets statutory criteria for an area in need of redevelopment with the option of using condemnation. Thereafter, an investigation was conducted, which resulted in a report entitled "Redevelopment Determination of Need Study" dated May 24, 2022, amended June 13, 2022 (the "Study"). The Study was approved by the Planning Board on June 13, 2022 and on June 16, 2022, the Council adopted Resolution #232-22 directing and authorizing a redevelopment plan to be prepared. This proposal is for the preparation of a Redevelopment Plan for the Study Area and is divided into the following four sections:

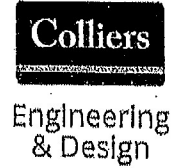
- Section I - Scope of Services
- Section II - Schedule of Fees
- Section III - Township Responsibilities
- Section IV - Client Authorization

SECTION 1 - SCOPE OF SERVICES

Task 1.0 Prepare Redevelopment Plan

Colliers Engineering & Design will prepare a Redevelopment Plan that meets the requirements of Section 7 of the Local Redevelopment and Housing Law. This task assumes the overwhelming majority of the standards and criteria from the existing Mixed-Use Development 2 ("MUD-2") Zone will be utilized in formulating the Redevelopment Plan standards. If this is not the case, an amended proposal will be prepared and submitted.

At the beginning of the process, Colliers Engineering & Design will attend one (1) kick-off meeting with the Township. It is anticipated that we will work with a sub-committee of Township officials during this process.



Based on the meeting, Colliers Engineering & Design will begin drafting the Redevelopment Plan. We anticipate coordination with the subcommittee in drafting the development regulations. A maximum of five (5) hours coordination is included. Once a draft is prepared, it will be presented to the subcommittee for review and comment. Following the meeting, revisions will be incorporated up to a maximum of two (2) hours. Once the comments are incorporated, the final draft will be sent via email to the Township for distribution and to commence the approval process.

Task 2.0 Meeting and Coordination

Colliers Engineering & Design will attend a maximum of three (3) meetings under this task as requested by the Township. We anticipate that one of these meetings will include delivering a presentation during the public hearing held by the Planning Board prior to its recommendation to the Township Council. We anticipate that another meeting will include delivering a presentation to the Mayor and Council. This task includes meeting preparation including presentation materials, handouts, and display boards. We expect to coordinate with the Township Attorney, Board Attorney, and Township Clerk throughout Task 2.0 through phone consultations and emails. This task includes a maximum of five (5) hours coordination.

After the report is adopted, a PDF will be provided to the Township along with three signed and sealed copies.

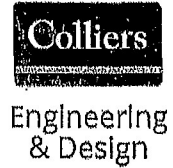
Task 3.0 Additional Services

Any services above and beyond the scope of work in Tasks 1.0 through 2.0, including preparation of notices, meetings above those delineated, etc. will be billed hourly in accordance with the approved Rate Schedule between the Township and Colliers Engineering & Design at the time of service.

SECTION II - SCHEDULE OF FEES

The above tasks shall be invoiced on an hourly basis in accordance with the rates in the Schedule of Hour Rates that are in effect, and included in the professional services agreement between the Township and Colliers Engineering & Design, when the work is performed. We will not exceed the amount below without prior written authorization from the Township. The maximum upset fee for this proposal is as follows:

Task Name	Fee
Task 1.0 - Prepare Redevelopment Plan	\$ 8,250.00
Task 2.0 - Meeting and Coordination	\$ 3,500.00
Task 3.0 - Additional Services	Hourly



SECTION III - TOWNSHIP RESPONSIBILITIES

The Township shall be responsible for the following:

1. Coordination of all meetings and hearings.
2. Advertising of all meetings and hearings.
3. Preparation of all meeting notices, resolutions, etc.

SECTION IV - CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

_____ Signature	_____ Date
_____ Printed Name	_____ Title

Conclusion

If you find this proposal acceptable, please sign where indicated above in Section IV, and return one signed copy to this office. Alternatively, please provide a copy of a Municipal Resolution or Purchase Order approving this proposal, which shall constitute authorization.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you. Should you have any questions, please do not hesitate to call me.

Sincerely,

Colliers Engineering & Design, Inc.

Darlene A. Green, PP, AICP
Township Planner

Deborah Alaimo Lawlor, FAICP, PP
Discipline Leader, Planning Services

cc: Council President David May (via email d.may@mahwahtp.org)
Leonardo E. Ponzio, PLC (via email leo.ponzio@colliersengineering.com)

Appendix C – Township Council Resolution 369-22

RESOLUTION
TOWNSHIP OF MAHWAH
P.O. Box 733
MAHWAH, NJ 07430

Resolution #369-22

Date: November 10, 2022

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma				✓		
Bolan		✓	✓			
Ervin			✓			
Ferguson	✓		✓			
Paz			✓			
Wong			✓			
May			✓			

RESOLUTION OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, DIRECTING DARLENE GREEN PP, AICP, OF COLLIER'S ENGINEERING & DESIGN TO COMMENCE THE PREPARATION OF A REDEVELOPMENT PLAN FOR BLOCK 26, LOT 2 AND BLOCK 183, LOT 1 (WHICH INCLUDES BLOCK 26, LOTS 10 AND 11)

WHEREAS, the Township of Mahwah has previously determined that Block 26, Lot 2 and Block 183, Lot 1 (which includes Block 26, Lots 10 and 11) meets the statutory criteria for an area in need of redevelopment with the option of utilizing condemnation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ("LRHL"); and

WHEREAS, the Township Council hereby requests that Darlene Green PP, AICP, of Colliers Engineering & Design, commence the preparation of a redevelopment plan for the aforementioned property; and

WHEREAS, the LRHL permits the Governing Body to initiate such a process and the preparation of a plan for redevelopment, with the opportunity of the Planning Board to review the plan for a master plan consistency determination.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Mahwah, County of Bergen, State of New Jersey, that:

1. Darlene Green PP, AICP, of Colliers Engineering & Design is hereby directed, on behalf of the Township of Mahwah, to commence the preparation of a redevelopment plan for Block 26, Lot 2 and Block 183, Lot 1 (which includes Block 26, Lots 10 and 11)

I hereby certify that this resolution consisting of one () page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 10th day of November, 2022.

Carolyn George, Deputy Clerk
 Kathrine G. Coviello, RMC/CMC/MMC
 Municipal Clerk

David May
 David May
 Council President

Appendix D – Township Council Ordinance No. 2000

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2000**

**AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF
BERGEN, STATE OF NEW JERSEY, ADOPTING THE
REDEVELOPMENT PLAN FOR BLOCK 26, LOT 2 AND BLOCK 183,
LOT 1 (INCLUDING BLOCK 26, LOTS 10 & 11)**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment and sets forth the procedures for the Township of Mahwah to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, by Resolution 230-21 adopted on June 17, 2021, the Township Council ("Council") authorized the Mahwah Township Planning Board ("Board") to conduct a preliminary investigation to determine if an area encompassing Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, (the "Study Area") constituted an area in need of condemnation redevelopment as defined under the LRHL; and

WHEREAS, Colliers Engineering and Design produced a study entitled, "Redevelopment Determination of Need Study" dated May 24, 2022 and amended June 13, 2022 ("Study") and presented the Study at a duly noticed June 13, 2022 Board meeting, which Study included a map of the Study Area and was circulated to the members of the Board and provided to the public in accordance with the time and other notice provisions of the LRHL; and

WHEREAS, the Study provided detailed information regarding the Study Area and the applicable statutory criteria required to be evaluated, based on which the Study concluded that the Study Area affirmed the LRHL criteria to enable the Board to recommend to the Council that an AINR designation was warranted; and

WHEREAS, at the public hearing, the Board accorded to all members of the public the opportunity to offer their comments regarding the Study Area, which comments were made part of the public record; and

WHEREAS, after discussion and consideration, the Board on a motion adopted a resolution concluding that the Study Area met the criteria under the LRHL as an area in need of condemnation redevelopment and forwarded that recommendation to Council; and

WHEREAS, on June 13, 2022 the Planning Board adopted a resolution memorializing the Board's determination and setting forth detailed reasons and criteria on which the determination was based; and

WHEREAS, on June 16, 2022, the Township Council reviewed the Study and Board's resolution and found, consistent with the Board's recommendation based on the Study, that the LRHL criteria for determination of an area in need of condemnation redevelopment were satisfied with respect to the Study Area; and

WHEREAS, based upon the facts and findings of the Study, all made in accordance with N.J.S.A. 40A:12A-6, the Council adopted the Board's recommendations memorialized in the Board's June 13, 2022 resolution, and the Council adopted Resolution #232-22 declaring Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, an area of condemnation redevelopment, duly served notice as required by law, and directed and authorized Colliers to

prepare a redevelopment plan for the properties designated by the resolution as an area in need of condemnation redevelopment; and

WHEREAS, Colliers prepared and submitted to the Township a redevelopment plan dated December 2, 2022 entitled, "Redevelopment Plan for Block 82, Lots 1 and 3 through 30" ("~~Redevelopment Plan~~") outlining the ~~planning, development and redevelopment of the~~ Redevelopment Area in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, the Board received a copy of the Redevelopment Plan and performed a Master Plan Consistency review at the December 8, 2022, Board meeting, finding it consistent with the Township Master Plan that had been recently amended by the Board's approval of a 2022 Land Use Element Amendment; and

WHEREAS, by resolution adopted on December 8, 2022, the Board memorialized its determination and set forth general comments for consideration by Township Council.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan, attached hereto as Exhibit A and made a part hereof, is hereby approved pursuant to N.J.S.A. 40A:12A-7.

SECTION 2. The Redevelopment Plan is hereby incorporated into the Township's Zoning Ordinance, Chapter 24, entitled "Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, Redevelopment Zone."

SECTION 3. The Zoning Map in the Township's Zoning Ordinance is hereby amended to include the Redevelopment Area in accordance with the boundaries described in the Redevelopment Plan and the provisions contained therein.

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 5. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

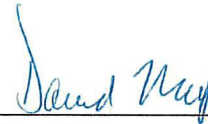
SECTION 6. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Ordinance No. 2000

Page: 44

Dated: January 12, 2023

Attest



David May
Council President



Carolyn George
Municipal Deputy Clerk

I, Carolyn George, Municipal Deputy Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 21st day of December, 2022.



Carolyn George
Municipal Deputy Clerk

Appendix E – Township Council Ordinance No. 2036

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2036**

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 26, LOT 2 AND BLOCK 183, LOT 1 (INCLUDING BLOCK 26, LOTS 10 & 11)

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”), provides a mechanism to assist local governments in efforts to promote programs of redevelopment and sets forth the procedures for the Township of Mahwah to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, by Resolution #230-21 adopted on June 17, 2021, the Township Council (“Council”) authorized the Mahwah Township Planning Board (“Board”) to conduct a preliminary investigation to determine if an area encompassing Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, (the “Study Area”) constituted an area in need of condemnation redevelopment as defined under the LRHL; and

WHEREAS, the Township Planner produced a study entitled, “Redevelopment Determination of Need Study” dated May 24, 2022 and amended June 13, 2022 (“Study”) and presented the Study at a duly noticed June 13, 2022 Board meeting, which Study included a map of the Study Area and was circulated to the members of the Board and provided to the public in accordance with the time and other notice provisions of the LRHL; and

WHEREAS, the Study provided detailed information regarding the Study Area and the applicable statutory criteria required to be evaluated, based on which the Study concluded that the Study Area affirmed the LRHL criteria to enable the Board to recommend to the Council that an AINR designation was warranted; and

WHEREAS, at the public hearing, the Board accorded to all members of the public the opportunity to offer their comments regarding the Study Area, which comments were made part of the public record; and

WHEREAS, after discussion and consideration, the Board on a motion adopted a resolution concluding that the Study Area met the criteria under the LRHL as an area in need of condemnation redevelopment and forwarded that recommendation to Council; and

WHEREAS, on June 13, 2022 the Planning Board adopted a resolution memorializing the Board’s determination and setting forth detailed reasons and criteria on which the determination was based; and

WHEREAS, on June 16, 2022, the Township Council reviewed the Study and Board’s resolution and found, consistent with the Board’s recommendation based on the Study, that the LRHL criteria for determination of an area in need of condemnation redevelopment were satisfied with respect to the Study Area; and

WHEREAS, based upon the facts and findings of the Study, all made in accordance with N.J.S.A. 40A:12A-6, the Council adopted the Board's recommendations memorialized in the Board's June 13, 2022 resolution, and the Council adopted Resolution #232-22 declaring Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, an area of condemnation redevelopment, duly served notice as required by law, and directed and authorized Colliers to prepare a redevelopment plan for the properties designated by the resolution as an area in need of condemnation redevelopment; and

WHEREAS, the Township Planner prepared and submitted to the Township a redevelopment plan dated December 2, 2022 entitled, "Crossroads Redevelopment Plan" ("Redevelopment Plan") outlining the planning, development and redevelopment of the Redevelopment Area in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, the Board received a copy of the Redevelopment Plan and performed a Master Plan Consistency review at the December 8, 2022 Board meeting, finding it consistent with the Township Master Plan that had been recently amended by the Board's approval of a 2022 Land Use Element Amendment; and

WHEREAS, by resolution adopted on December 8, 2022, the Board memorialized its determination and set forth general comments for consideration by Township Council; and

WHEREAS, the Township Council reviewed the Board's resolution and comments and on December 21, 2022 adopted the Redevelopment Plan by way of Ordinance #2000; and

WHEREAS, the Township Planner prepared and submitted to the Township certain amendments to the Redevelopment Plan entitled "Crossroads Redevelopment Plan: Amendment #1" dated June 6, 2024 ("Redevelopment Plan Amendment #1"), attached hereto, adding data centers and fulfillment centers as permitted principal uses, parking garage as permitted accessory uses, and modifying certain bulk standards; and

WHEREAS, the Board received a copy of the Redevelopment Plan Amendment #1 and performed a Master Plan Consistency review at the June 17, 2024 Board meeting, finding it not inconsistent; and

WHEREAS, by Resolution adopted on July 15, 2024, the Board memorialized its determination and set forth general comments for consideration by Township Council; and

WHEREAS, the Township Council has reviewed the Board's resolution and comments and now desires to adopt the Redevelopment Plan Amendment #1.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan Amendment #1, attached hereto as Exhibit A and made a part hereof, is hereby approved pursuant to N.J.S.A. 40A:12A-7.

SECTION 2. The Redevelopment Plan Amendment #1 is hereby incorporated into the Township's Zoning Ordinance, Chapter 24, entitled "Block 26, Lot 2 and Block 183, Lot 1, which includes Block 26, Lots 10 and 11, Redevelopment Zone."

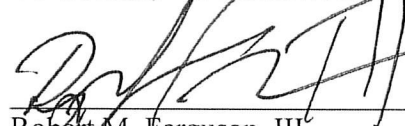
SECTION 3. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 4. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 5. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 6/10/24
Adopted: 7/22/24
Effective Date: 8/12/24

TOWNSHIP OF MAHWAH



Robert M. Ferguson, III
Council President

ATTEST:



Carolyn George, RMC
Municipal Clerk