

ORDINANCE 02-2026
TOWNSHIP OF MENDHAM
COUNTY OF MORRIS, STATE OF NEW JERSEY

**AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR ALCOTT MANOR
NON-CONDEMNATION REDEVELOPMENT AREA (BLOCK 143, LOT 7, 161 MENDHAM ROAD EAST)**

WHEREAS, on October 28, 2024, the Township Committee ("the "Township Committee") of the Township of Mendham, in the County of Morris, New Jersey (the "Township") adopted Resolution 2024-170 declaring the above referenced block and lot as an Area in Need of Redevelopment (the "Alcott Manor Redevelopment Area"); and

WHEREAS, the Department of Community Affairs (the "DCA") approved this designation on December 2, 2024; and

WHEREAS, N.J.S.A. 40A:12A-7 provides for a procedure for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block No. 143, Lot 7 in the Township (the "Property"), located at 161 Mendham Road East, are within the Alcott Manor Redevelopment Area; and

WHEREAS, N.J.S.A. 40A:12A-7.a., provides that "No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation,"; and sets forth statutory requirements for the contents of a Redevelopment Plan; and

WHEREAS, the Township Committee directed its planning consultant, H2M engineers and architects (the "Professional Planner") to prepare a draft redevelopment plan concerning the Alcott Manor Redevelopment Area; and

WHEREAS, the Township Committee is desirous of enacting a redevelopment plan to guide the future use, development and redevelopment of Block 143, Lots 7, heretofore designated as an area in need of redevelopment with provisions to enable the construction of an 100% affordable housing development.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mendham, County of Morris and State of New Jersey as follows:

SECTION 1. The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit A and by the reference made a part hereof is hereby approved and adopted pursuant to N.J.S.A. 40A-12A-1 et. seq.

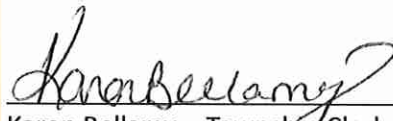
SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall take effect 20 days after final passage and publication as prescribed by law.

#

Introduced: February 23, 2026
Public Hearing: March 09, 2026
Adopted: March 09, 2026

Attest:



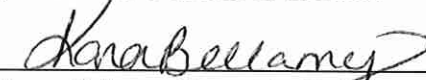
Karen Bellamy, Township Clerk

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

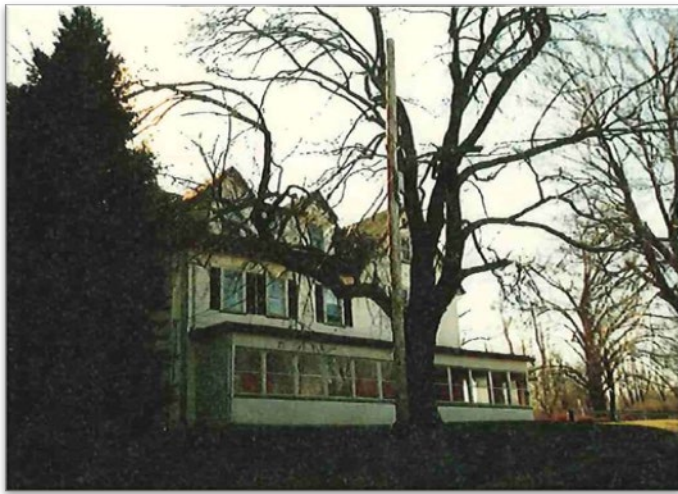


Sarah Neibart, Mayor

CERTIFICATION I, Karen Bellamy, Township Clerk of the Township of Mendham, do hereby certify the foregoing to be a true copy of the Ordinance adopted by the Township Committee of the Township of Mendham at a duly noticed regular meeting held on March 09, 2026, after a public hearing was held and all interested persons were given an opportunity to be heard on this Ordinance.



Karen Bellamy, Township Clerk



Mendham Township Alcott Manor

REDEVELOPMENT PLAN

Date: February 2026

Prepared by:



**REDEVELOPMENT PLAN
FOR THE ALCOTT MANOR (161 MENDHAM ROAD)**

Redevelopment Area

Mendham Planning Board

Sante D'Emidio, Chair, Class IV
Arjan Roghanchi, Vice Chair, Class IV
Amalia Duarte, Class III
Ross Johnson, Class II
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Board Planner

Mendham Township Committee

Sarah Neibart, Mayor
Nick Monaghan, Deputy Mayor
Amalia Duarte, Member
Tracey Moreen, Member
Lauren Spirig, Member

Consultants:

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119 Cherry Hill Road, Suite 110
Parsippany, NJ 07054

Adopted by Mendham Township Committee:

March 9, 2025

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12



Sanyogita Chavan PP, AICP, License Number: 33LJ00593300

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1.0 INTRODUCTION

1.1 BASIS FOR THE PLAN

This redevelopment plan has been prepared for the Alcott Manor Area in Need of Redevelopment within Mendham Township, Morris County, New Jersey. Comprised of one lot—Block 143, Lot 7—the Redevelopment Area has an area of 1.39 acres and is located on the southerly side of Mendham Road East. The property contains a three-story residential building that was previously used as a boarding house (“main building”), two detached accessory structures to the rear, and gravel driveway and parking. The main building is located to the north of the property, along Mendham Road East. In the rear yard, to the southwest of the main building, there is a one-story, two-car garage that is attached to a shed with a lean-to roof. The property was designated as a non-condemnation area in need of redevelopment pursuant to Resolution 2024-170, which means that the Township **will not use eminent domain** to acquire these properties. The resolution is included herein in **Appendix A**. This redevelopment plan provides the development regulations and other standards to guide the redevelopment of the Alcott Manor Redevelopment Area (“Redevelopment Area”).

Figure 1: Alcott Manor Redevelopment Area Map



1.2 PURPOSE/VISION

The Alcott Manor Redevelopment Plan sets forth standards for development and site improvements in the declared area in need of redevelopment. The Alcott Manor Redevelopment Plan (“Redevelopment Plan”) is intended to comprehensively revitalize the study area to address a few Township goals and priorities such as protecting environmental resources, maintaining the rural and historic character of the town, providing affordable housing options, and ensuring that new developments are supported by existing infrastructure.

The Township of Mendham, a low-density residential community with significant sensitive land, is located within the New Jersey Highlands Region (“Highlands”). The Highlands is known for its scenic views and natural beauty, but it is also an important resource for the state and a source of drinking water for over half of New Jersey residents. As such, redevelopment is the preferred method to create more residential units in the Township in order protect environmental resources in compliance with the Highlands Act.

The Township must also plan to meet the affordable obligations for the most recent, Fourth Round of Fair Share Housing Obligations. This round of affordable housing regulations encourages the conversions of non-conforming commercial or industrial properties into affordable housing opportunities. As per the property record, the Redevelopment Area is currently classified as “4A – Commercial” and was used as a boarding house. This non-conforming use is in the Township’s R1 – One Family Residential Zone District. The uses immediately surrounding the property are single-family residential homes. As such, the Redevelopment Area would be an appropriate location to develop more housing for affordable housing.

In the context of the goals and priorities mentioned above, the Redevelopment Area is an appropriate candidate for providing affordable housing opportunities. This will allow the Township to meet its affordable housing obligations and protect environmental resources by redeveloping an existing property that is already disturbed and will be as per the goals of the Highlands Act.

1.3 NOTE ON PLAN TERMINOLOGY

Throughout the Redevelopment Plan, a conscious distinction is made in the regulations between “shall” and “should.” “Shall” means that a developer is required to comply with the specific regulation, without any deviations. “Should” means that a developer is encouraged to comply but is not required to do so.

1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN

The Local Redevelopment and Housing Law (LRHL) pursuant to N.J.S.A 40A:12A-7 requires a redevelopment plan to include an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment area sufficient to indicate the following:

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

3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - a. The master plans of contiguous municipalities.
 - b. The master plan of the county in which the municipality is located.
 - c. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c.398 (C.52:18A-196 et al.).
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.
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 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.
8. Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. The redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
10. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c. 291 (C.40:55D-1 et seq.).

11. The redevelopment plan must state whether it shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.
12. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

2.0 EXISTING CONDITIONS

2.1 2024 AREA IN NEED OF REDEVELOPMENT INVESTIGATION SUMMARY

On June 24, 2024, the Township Committee authorized the Planning Board to undertake a preliminary investigation to determine whether the properties, identified in the Township's Tax Maps as Lot 7 on Block 143, qualified as an area in need of redevelopment according to the criteria set forth in Section 5 of the LRHL (N.J.S.A. 40A:12A-5). On July 17, 2025, Mendham Township's Planning Board held a public hearing on the findings of the preliminary investigation as set forth within the report entitled "Alcott Manor Area in Need of Redevelopment Preliminary Investigation Report ("AINR Report"). The AINR Report found that parcels within the area met criteria "d." A summary of the necessary criteria as presented in the AINR Report and met by the study area is listed below.

- **Criterion d**
Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. Both parcels in the Redevelopment Area were classified as meeting the "d" criterion, as the properties were found to be inconsistent with modern land use planning standards and practices.

The Planning Board made a recommendation that the Township Committee designate the said parcels as an area in need of redevelopment on October 16, 2024. The Township Council accepted the Planning Board's recommendation and designated the area as an area in need of redevelopment on October 28, 2024. The Department of Community Affairs (DCA) approved the designation on December 2, 2024, included herein in **Appendix A**.

2.2 SURROUNDING AREA CONTEXT

The redevelopment study area is located along Mendham Road East, to the west of Corey Lane. The study area parcel is located within the Township's R-1 One Family Residential Zone District. A detailed description of the permitted uses and bulk standards for the R-1 zone can be found in Section V of this document. The Zone districts are illustrated in **Figure 4**.

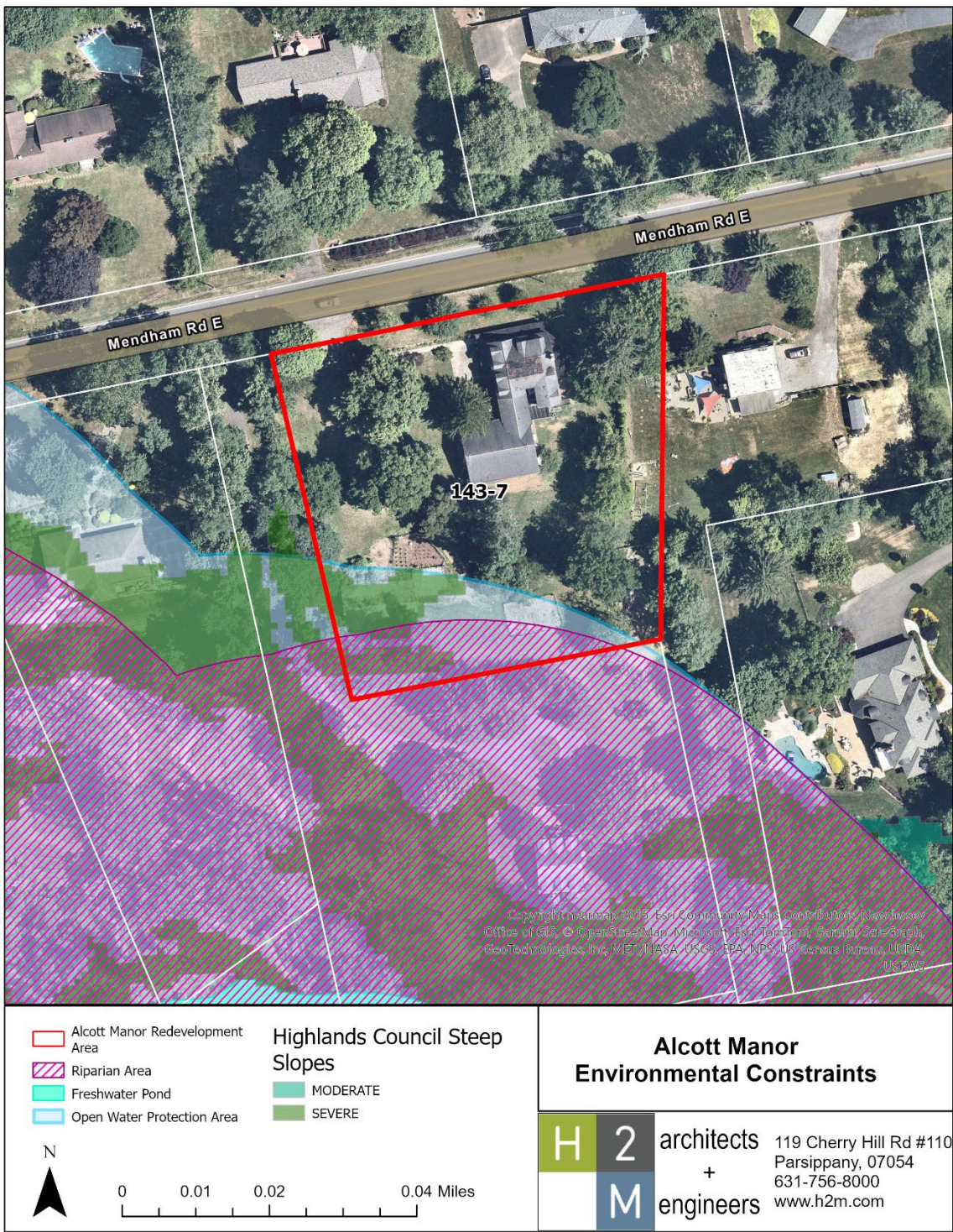
The Highlands Water and Protection and Planning Act (Highlands Act) has designated two specific boundaries within the Highlands Region, the Planning Area and the Preservation Area. The entirety of Mendham Township is in the Planning Area, which in turn contains three primary distinct land use capability zones: the Protection Zone, the Conservation Zone, and the Existing Community Zone. Conservation of natural resources over most major development is prioritized in the Protection Zone and Conservation Zone. In contrast, the Existing Community Zone consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due to previous development patterns and may have existing infrastructure that can support additional development and/or redevelopment. Where served by adequate supporting infrastructure, lands within the Existing Community Zone are suited to higher densities and intensities of development than other zones. As the noted in the 2021 Master Plan, existing growth in the community must not surpass densities and intensities that can be reasonably supported by the Township's existing infrastructure. The Master Plan recognizes that residential development is likely to occur in small, piecemeal projects and potentially through the redevelopment of existing properties. The redevelopment study area, as mentioned in the prior section, is in the Highlands Planning Area's Existing Community Zone as illustrated in **Figure 2**.

Like much of Mendham Township, there are some environmental constraints on the property. As seen in **Figure 3**, a small area along the southerly property line appears to be located within Highlands Open Water Protection Area. Additionally, a small portion to the southwest contains steep slopes. This area, however, is developed with improvements such as the two accessory structures, driveway, etc.

Figure 2: Highlands Region Land Use Capability Zones



Figure 3: Alcott Manor Redevelopment Area Environmental Constraints



The redevelopment study area property is in the Township's R-1 One Family Residence District. A list of uses permitted in the zone district is provided below. Complete zoning standards for each District are in Chapter 21 of the Township Code.

The Redevelopment Area, as shown in **Figure 3**, is located within one (1) zoning district - the Township's "**R1**" **One Family Residential District**. A list of permitted uses allowed in the zone district is provided below. The complete zoning standards are located in Chapter 500 of the Township Code.

R1 – One Family Residential District

Section 500-4.A Uses

In R-1 One Family Residence District, only the following uses are permitted:

1. Single detached house used as a residence by not more than one family with a minimum floor area of not less than 800 square feet.
2. Horticulture or agriculture as a livelihood, subject to § 21-4.5 and provided that commodities offered for sale upon the premises are grown on the premises.
3. Parks and playgrounds, not associated with any building.
4. Accessory uses and buildings as regulated by § 21-4.4 (accessory uses and 21-4.5 (Supplementary Regulations) of this Chapter provided that no accessory building shall exceed 2,000 square feet of footprint by itself or when the footprint of all accessory buildings aggregated together exceed 2,000 square feet unless approved in accordance with paragraph §21 – 4.6(g) (Conditional Uses).
5. Conditional uses as regulated by §21-4.6 of this Chapter.
6. Agricultural uses, meaning the right to engage in agriculture defined herein, shall be permitted in every residential zone, and it shall be presumed that such uses, activities and structures in connection therewith shall not constitute a public or private nuisance, provided that such agricultural uses are conducted in conformance with Acceptable Agricultural Management Practices as defined herein. The ordinance further lists uses and structures that are customarily incidental to agricultural uses

Figure 4: Alcott Manor Redevelopment Area Zoning Map



2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The Township's latest Master Plan was adopted in June 2021. The Master Plan sets forth the goals and objectives for land uses within the Township. The following information from the plans relates to the redevelopment area:

2021 Master Plan

The following section identifies the goals and objectives in the Land Use Element and Housing Element of the 2021 Master Plan are relevant to this redevelopment investigation:

Land Use Element Objective 1:

Mendham Township has a limited infrastructure base only suitable for very low density of overall development. Major improvements to that base would be prohibitively expensive, contrary to environmental planning goals and inconsistent with the policies of the New Jersey State Development and Redevelopment Plan. The future densities and intensities of development in Mendham Township should not exceed the capacities of the existing infrastructure to support it.

Land Use Element Objective 2:

The Township should recognize and continue to address its constitutional responsibility to provide for its fair share of affordable housing for its region based on the limitations of its infrastructure and nitrate study as discussed throughout this document.

The Housing Plan notes that "the Municipal Land Use Law requires the Township consider existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing. Such housing may be considered substandard and is capable of being rehabilitated." Although all the Township's housing stock is in good condition, the Township should take advantage of opportunities to rehabilitate existing structures when they arise. Furthermore, the Master Plan expects a plateauing of population growth in future and recognizes that "residential development is likely to occur in small, piecemeal projects and potentially through the redevelopment of existing properties."

Fourth Round Housing Element and Fair Share Plan

In accordance with the Fair Housing Act at N.J.S.A. 52:27D-310, Mendham prepared a Housing Element and Fair Share Plan (HEFSP) that is designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. After initial filing of the HEFSP on June 30, 2025, Fair Share Housing Center (FSHC) filed a challenge on August 31, 2025, pursuant to N.J.S.A 52:27D-304.1(f)(2)(b) regarding the Township's first iteration of the HEFSP. The Township and FSHC have agreed to amicably resolve the issues set forth in the challenge through a Settlement Agreement, dated December 26, 2025. In that one of the mechanisms was provision of affordable housing through a Redevelopment Plan for the Alcott Manor Redevelopment Area. The Township has further committed to promoting a five-unit, 100% affordable development within the redevelopment area.

Regional Planning

Highlands Regional Master Plan (RMP)

As mentioned earlier, the entirety of the Township is located within the Highlands Region Planning Area. The Highlands Act requires that the “Regional Master Plan provide for the preservation, to the maximum extent possible, of environmentally sensitive lands and other lands necessary for recreation and conservation, and for the protection and maintenance of lands essential to the character of the Region while supporting new growth opportunities in the Planning Area that:

- Promote the continuation and expansion of agricultural, horticultural, recreational, and cultural uses.
- Promote brownfield remediation and redevelopment.
- Encourage—consistent with the State Development and Redevelopment Plan and smart growth strategies appropriate patterns of compatible residential, commercial and industrial development—redevelopment and economic growth while discouraging sprawl; and
- Promote a sound and balanced transportation system consistent with smart growth strategies.”

Both the Planning and Preservation Areas are further divided into three land use capability zones, namely the Protection Zone, Conservation Zone, and Existing Community Zone and three sub-zones namely, the Lake Community Zone, and the Environmentally Constrained Sub-Zone within both the Conservation Zone, and the Existing Community Zone. These zones distinguish between resource constrained lands, where development will be limited (Protection Zone), and those lands characterized by existing patterns of human development where, dependent on land or capacity constraints, additional growth may or may not be appropriate (Existing Community Zone). The subject site is within the Existing Community Zone. As per the RMP, the Existing Community Zone consists of areas with regionally significant concentrated development signifying existing communities. These areas tend to have limited environmental constraints due to previous development patterns and may have existing infrastructure that can support development and redevelopment, provided that such development is compatible with the protection and character of the Highlands environment at levels that are appropriate to maintain the character of established communities.

More specifically, the RMP states that “redevelopment activities may be accommodated in previously settled areas, thus conserving natural resources and protecting drinking water supplies and advancing smart growth principles in the Region. Redevelopment can transform vacant, underutilized, or blighted properties into productive uses.”

State Planning

2025 State Development and Redevelopment Plan (SDRP)

In 1986, the New Jersey Legislature passed the New Jersey State Planning Act, which created the State Planning Commission and required the preparation and adoption of the State Development and Redevelopment Plan (the “State Plan”). The most current adopted plan is dated December 17, 2025. The purpose of the State Plan is to:

Coordinate Planning Activities and establish statewide planning objectives in the following area: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services and intergovernmental coordination (N.J.S.A. 52:18A-200(f), the State Planning Act).

The 2025 SDRP sets forth the following ten goals:

- 1. Promote economic growth that benefits all residents of New Jersey.*
- 2. Provide an adequate supply of housing for residents of all ages and incomes in communities of their Choosing that meet their needs and offer ready access to the full range of supportive goods and services.*
- 3. Economic opportunity through nation-leading infrastructure.*
- 4. Revitalize and recenter the State’s underutilized developed areas.*
- 5. Effectively address the adverse impacts of global climate change.*
- 6. Protect, maintain, and restore the State’s natural and water resources and ecosystems.*
- 7. Protect the environment; prevent and clean up pollution.*
- 8. Protect, enhance, and improve access to areas with exceptional archeological, historic, cultural, scenic, open space, and recreational value.*
- 9. Implement equitable planning practices to promote thriving communities for all New Jerseyans.*
- 10. Foster sound and integrated planning and implementation at all levels Statewide.*

The State Plan uses a policy map to differentiate areas from highest growth to lowest growth based on information, such as natural resources, sewer availability, etc. These differentiations are called planning areas, which range from PA1-Metropolitan to PA-5 Environmentally Sensitive. The Township of Mendham is almost fully located within the Planning Area 5-Environmentally Sensitive (PA5). The intent of the PA5 area of the SDRP is to:

- protect environmental resources;
- protect both large and small contiguous areas of land;
- promote restoring habitats and bio-diversity;
- accommodate growth only in Centers;

- protect the character of existing stable communities;
- confine programmed sewers and public water services to Centers;
- revitalize cities, towns, and older traditional settlements;
- protect, enhance, and support the existing character of stable communities.

However, as per the Highlands the entire site is located within an Existing Community Zone, which acknowledges existing development patterns as noted in the prior section.

2.4 REDEVELOPMENT PLAN OBJECTIVES

The Township seeks to promote the redevelopment of the area located at 161 Mendham Road East (Block 143, Lot 7) as an area that is attractive, maintains appropriate density for the surrounding neighborhood, and improves an underutilized property with a nonconforming use. The Redevelopment Plan helps to achieve the Township's goals of providing affordable housing opportunities while preserving valuable environmental resources.

The objectives for this Redevelopment Plan are to:

1. Create an overlay wherein all the units will be affordable to low- and moderate-income households as per the adopted Housing Element and Fair Share Plan.
2. The Redevelopment Area shall be redeveloped with a combination of residential uses, and potentially conservation or recreation and open spaces uses.
3. The Redevelopment Area may be subdivided into (2) individual lots. However, the Redevelopment Area shall be considered as one consolidated property for the purposes of evaluating the Redevelopment Plan and the provisions herein.

2.5 RELATIONSHIP TO ZONING ORDINANCE

The use, bulk, design and performance standards for this Redevelopment Plan shall be an overlay on the underlying R-1 Zone Districts and the provisions set forth within the Zoning Ordinance of the Township of Mendham. In all situations where zoning issues are not specifically addressed herein, the Zoning Ordinance of Mendham Township shall remain in effect. The Township's Zoning Map shall be amended upon the adoption of this Plan in accordance with N.J.S.A. 40A:12A-7.c to reflect this new classification.

3.0 DEFINITIONS

The definitions set forth within Chapter XII “General Definitions” shall apply to this plan, with the following additional definitions.

Pocket Park – an outdoor public park space, occupying one acre of land or less.

Existing Community Zone – an overlay zone delineated by the Highlands Council which consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due to previous development patterns and may have existing infrastructure that can support additional development and/or redevelopment.

Highlands Land Use Capability Zones/Highlands Zones and Sub-Zones – are overlay zones, delineated by the Highlands Council which identify the underlying natural resources, the extent of existing development and supporting infrastructure, and the potential to support new development and/or redevelopment. The Highlands Zones include three primary zones (the Protection Zone, Conservation Zone, and Existing Community Zone) and four sub-zones (Wildlife Management Sub-Zone, Conservation Zone–Environmentally Constrained Sub-Zone, Existing Community Zone–Environmentally Constrained Sub-Zone, and Lake Community Sub-Zone) each with its own purpose, application and development criteria as determined by the Highlands Council.

Sign, Monument – a freestanding sign that is placed upon or supported by the ground and is attached to a proportionate base or plinth, or integrated ground planter box, or structural frame other than a mast or pole(s).

4.0 USE AND BULK REGULATIONS

4.1 LAND USES

The purpose of the Redevelopment Plan is to create an affordable housing overlay zone.

1. Permitted Uses:
 - a. Residential apartments, 100% Affordable Housing
 - b. Pocket Park
 - c. Recreation and Open Space.
2. Accessory Uses:
 - a. Accessory uses customarily incidental to the principal or conditional use.
 - b. Off-street parking in accordance with Section 4.6 of this Redevelopment Plan.
 - c. Refuse and recycling enclosures.

4.2 BULK REGULATIONS

Development in the Redevelopment Area is subject to the requirements in the table below.

Bulk Standards	Requirements
Min. Lot Area	20,000 square feet
Min Lot Width	200 feet
Min Lot Frontage	275 feet
Min. Front Yard Setback	15 feet
Max. Front Yard Setback	20 feet
Min. Side Yard Setback (one)	25 feet
Min. Side Yard Setback (both)	60 feet
Rear Yard Setback	50 feet
Max Building Height (stories/feet)	3 stories
The maximum number of units shall be in accordance with the septic capacity of a maximum of 2,000 gallons/ day.	

4.3 PROHIBITED USES IN REDEVELOPMENT AREA

Uses not expressly permitted as per Section 500-4 “Residence Districts” of the Zoning Ordinance will be prohibited within the Redevelopment Area.

4.4 AFFORDABLE HOUSING REQUIREMENTS

The Redevelopment Area shall contain 100% affordable housing and shall comply with the following requirements:

1. At least 50% of units shall be affordable to low-income units.
2. At least 50% of units shall be affordable to moderate-income units.
3. Affordable units shall comply with Uniform Housing Affordability Controls (UHAC) and applicable affordable housing regulations (P.L. 2024, Chapter 2).

4. The affordable units shall remain affordable rental units for a period of at least forty (40) years from the date of their initial occupancy ("Deed-Restriction Period") and shall otherwise comply with UHAC in terms of duration of the controls, commencement of controls and all other requirements so that the Township may count the units against its obligations to provide family rental affordable housing. This obligation includes, but is not limited to compliance with (1) bedroom distribution requirements, (2) income split requirements, (3) pricing requirements, (4) affirmative marketing requirements; (5) candidate qualification and screening requirements, (6) deed restriction requirements, which shall acknowledge that the Township reserves the right to reserve to extend affordability Controls for an additional 40-year period, subject to the then applicable UHAC regulations or other requirements for extension of controls that may control.

4.5 BUILDING AND UNIT DESIGN

1. Dwelling unit size: One- or two-bedroom units are permitted and must meet the following criteria set forth by the Neighborhood Preservation Balanced Housing Rules (N.J.A.C. 5:43-2.4 et seq.).
2. Bedroom Distribution:
 - a. the combined number of efficiency and one-bedroom units is no greater than 20% of the total low-and moderate-income units;
 - b. At least 30 percent of all low-and moderate-income units are two-bedroom units;
 - c. At least 20 percent of all low-and moderate-income units are three-bedroom units;
 - d. The remainder, if any, may be allocated at the discretion of the developer.
3. Buildings with residential uses shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents. Window air conditioning units are not permitted. Television connections shall be provided for each unit.

4.6 DRIVEWAYS

1. Driveways shall not be located closer than 15 feet from a property line.
2. Two-way driveways shall be a minimum of 24 feet wide; in instances where a center median is proposed, the median shall be a minimum of 5 feet in width and the driveway shall be a minimum of 18 feet in width. Depressed curb may be provided to enable circulation of emergency vehicles.
3. One-way driveway shall be a minimum of 12 feet.
4. It is recommended that the driveways in the Redevelopment area utilize pervious pavement surfaces or pervious pavement systems.

4.7 PARKING

Parking in the Redevelopment area shall follow the requirements below and any other pertinent parking regulations set forth within the Township code. In an event of conflict, the standards set forth shall prevail.

1. Parking in the Alcott Manor Redevelopment Area shall be required based on the following table:

Permitted Uses	Minimum Parking Requirements
One-bedroom apartment	1.8 spaces per unit
Two-bedroom apartment	2.0 spaces per unit
Three-bedroom apartment	2.1 spaces per unit

- a. Residential uses must be provided with off-street parking.
 - b. The Planning Board may grant deviations and exceptions based on the ratios provided above.
 - c. All off-street parking must comply with regulations for Make-Ready EV parking spaces set forth by P.L. 2021, c.171 of the Municipal Land Use Law. By providing Make-Ready EV spaces, no more than 10% of the required off-street parking may be waived in the Redevelopment Area. The Planning Board may grant deviations and exceptions.
2. Parking is prohibited in any required front yard setback.
 3. Parking shall be located to the rear or side of a building to maintain the residential character of the area.
 4. Adequate fire and emergency access must be provided subject to the Township of Mendham Fire Department.
 5. All parking spaces shall be at least nine feet by eighteen feet, except that two and one-half feet of the length may be included in any overhang.
 6. Parking spaces within any parking area shall be clearly marked to show the parking arrangement within the parking area.
 7. On-site parking shall not be used for any purpose other than parking.
 8. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).
 9. It is recommended that the parking lot in the Redevelopment area utilize pervious pavement surfaces or pervious pavement systems.

4.8 ON-SITE PEDESTRIAN WALKWAY REQUIREMENTS

1. Pedestrian walkways shall be provided to connect parking areas to building entrances.
2. Pedestrian walkways shall be of a different material than parking areas.
3. Walks, sidewalks and parking areas shall have lighting as required by the Township's land use ordinances and as otherwise required by the Planning Board.

4. Internal walkways shall be a minimum of four-feet wide and shall be designed to comply with the requirements of the Americans with Disabilities Act (ADA).

4.10 SIGNAGE

1. One monument sign identifying the residential use may be provided at the entrance to the parking area along Mendham Road East. The signs shall meet the following requirements:
 - a. Monument Sign The sign base shall have a maximum height of two feet with the sign face on the top of the base. The material and appearance of the sign base shall be complementary to the building and in accordance with the residential character.
 - b. The sign shall have a maximum width of four feet, maximum height of three feet, and maximum area of twelve (12) square feet.
 - c. The sign shall be set back at a minimum distance of ten feet from the right-of-way of Mendham Road.

5.0 BUILDING AND SITE DESIGN

These design guidelines shall be applied with the relevant use and bulk standards to reinforce the physical and spatial character of the Redevelopment Area. The following guidelines are intended to create a plan that excels at providing comfortable, convenient, and aesthetically pleasing mixed-use development for the Township.

5.1 ARCHITECTURE AND RESIDENTIAL STANDARDS

1. **Dwelling Unit Mix.** The mix of dwelling units shall be of the size and the mix set forth in Section 4.4 in an arrangement that promotes the enjoyment of the dwelling units, other on-site facilities, and the community as a whole by residents of the development. The Planning Board shall require, as a condition of final approval of the development plan, the provision that the locations of the dwelling unit mix conform with the above standards.
2. **Dwelling Unit Privacy.** Adjacent dwelling units shall be adjoined in such a manner as to provide code required STC values for soundproofing and privacy between such units.
3. **Site Layout.** Surface parking lots are not permitted in the front yard along Mendham Road and should be provided to the rear or side. The parking area shall maintain the minimum front yard setback along Mendham Road.
4. **Entrance Lighting.** A minimum of one (1) low-wattage incandescent or LED light fixture shall be provided outside the exterior entrance to the residential portion of the building.
5. **Fire Escapes.** Buildings containing dwelling units located above the second story, and requiring a second means of egress pursuant to the Uniform Construction Code, shall not utilize an attached external fire escape as one of the required means of egress.
6. **Type of Lighting Source.** Low-wattage lamps shall be used along all sidewalks, walkways, courtyards and plazas and on any building or unit. Parking lot lighting shall be incandescent or another light source compatible with the same. Both shall comply with the Township's lighting standards.
7. **Cable Television Utility.** All dwelling units shall be provided with such facilities for potential linkage to the Township's cable television utility.
8. **Common Entrances.** Common entrances, lobbies, elevators and/or stairwells shall be designed to promote safety and security of residents and visitors using such areas.

5.2 BUILDING MATERIALS

1. Building materials. Permitted building materials shall consist of the following, individually or in combination: brick, stone, metal panels or siding, fiber-cement lap siding, fiber-cement shingles, clapboard or synthetic alternative (Hardie board), wood or architectural metal. Exterior insulated finishing systems (EIFS) and vinyl siding shall not be permitted.
2. Natural materials are encouraged.
3. Nonnatural materials intended to imitate natural materials shall not be permitted.
4. There shall be no blank facades and buildings shall adhere to the standards listed above and in this document.

5.3 BUFFERS

1. A minimum 25-foot landscaped buffer is required along residential zones and uses.

5.4 FAÇADES

1. As far as it is practicable, the existing building should be rehabilitated. If not, then the new construction replacing the existing building should continue to maintain the same architectural style and scale as the existing building.
2. The building shall provide scale-defining architectural elements or details, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies. These elements should reflect the existing character and scale of Mendham and incorporate elements that relate to the façade of the existing building, while not imitating the exact elements.
3. All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and other elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building as a whole, as shall the doors.
4. The building exterior shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level, shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
5. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.
6. There shall be no blank facades along any side, especially the sides that are visible from the street and parking lot.
7. Fenestration:
 - a. Fenestration patterns should utilize large window openings and/or tight groupings of smaller windows.
 - b. Window sizing and spacing shall be consistent with and complementary to the overall façade composition.
 - c. Window types shall be consistent with the building elements.

- d. Roofs shall be provided in accordance with Section 5.5 of this Redevelopment Plan.

5.5 ROOFS

1. The shape, pitch, and color of a roof should be architecturally compatible with the style, materials, and colors of such building.
2. Roofline offsets shall be provided along any roof measuring more than 50 feet in length in order to provide architectural interest and articulation to a building.

5.6 MECHANICAL EQUIPMENT SCREENING

1. Screening of mechanical equipment is required.
2. All rooftop mechanical equipment (HVAC, exhaust systems, etc.) shall be screened from view in all directions and elevations to minimize the negative impact.
3. Screening materials shall be consistent with the architectural detail, color and materials of the building. Wire mesh screening is not permitted.
4. All roof and HVAC systems must meet the building code requirements and be set back a minimum of 15 feet from any street or public open space and screened to not be visible from any adjacent public street or public property within the Redevelopment Area.
5. If wall pack ventilation units are being used, they are required to match the adjacent building material color.
6. If external mechanical equipment is being proposed, then that should be located in the side and rear yard and screened with evergreen shrubs at least four feet in height.

5.7 TRASH/TRASH ENCLOSURES/RECYCLING

All trash enclosures shall follow all regulations set forth within Chapter 289 “Solid Waste; Recycling” of the municipal code as well as the following supplemental requirements:

1. All outdoor containers shall be visually screened within a durable, noncombustible enclosure, so as not to be visible from adjacent lots or sites, neighboring property or streets. No collection areas shall be permitted between a street and the front of a building. Chain-link fencing or wire-mesh screening is not permitted.
2. Collection areas shall be effectively designed to contain all material generated on site and deposited between collections. Deposited materials should not be visible from outside the enclosure.
3. Collection enclosures shall be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.

4. Collection areas shall be located upon the site so as to provide clear and convenient access to collection vehicles. Refuse collection and recycling areas shall not be located within required landscaped yards and buffers.
5. An option to reduce the visual impact of the collection containers is to store and compact material inside the building, thus eliminating the need to screen outside containers.
6. Delivery, loading, trash removal or compaction, or other such operations may be limited by the Township between certain hours where noise impacts at the lot line of any adjoining residential property or district shall be required to meet Township and State requirements.
7. Any internal collection and storage of trash or recycling within the building shall be in an area easily accessible by residents and shall be maintained to prevent any foul odors or spillage and to prevent any condition which may pose a hazard to life, health and safety.
8. All bulk containers shall always be kept in good repair, be structurally sound and leak-proof and constructed to stand firmly upright and shall be equipped with a cover which is secured to the unit or able to be secured. No bulk container shall be filled more than its stated capacity, causing overflow and unsanitary conditions. All users of bulk containers shall ensure that such containers are emptied promptly, not less than once a week. All bulk containers shall be maintained to prevent any foul odors or spillage and to prevent any condition which may pose a hazard to life, health and safety.

5.8 UTILITIES

All new utility distribution lines and utility service connections from such lines to buildings in the Redevelopment Area shall be located underground. To the extent possible, existing utility lines should also be relocated underground. Remote readers for all utilities, in lieu of external location of the actual metering devices, are preferred.

5.9 LIGHTING

1. Adequate lighting shall be provided for all parking areas and pedestrian walkways. All outdoor lighting, including streetlamps and accent lighting, should comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Lighting for a building must be contained on the property on which the building is located. LED lighting shall be permitted in addition to all of the conditions of the Township ordinance standards for lighting.
2. All lighting shall be serviced by underground wiring.
3. Spotlight-type fixtures attached to buildings are prohibited.
4. Where lights along lot lines will be visible from the interior of adjacent buildings, the lights shall be properly shielded and/or mounting heights reduced.
5. All lighting designs and installations are subject to Township review and approval.

6. All lighting plans shall be accompanied by a point-by-point plan indicating numerical illumination levels. The plan shall indicate the average, minimum, maximum and minimum to maximum illumination levels for maintained foot-candles.

5.10 STORMWATER MANAGEMENT

All developments in the Redevelopment Area shall also comply with all the pertinent Township ordinances.

5.11 SUSTAINABILITY

The following sustainable development standards and practices are required in the redevelopment area:

1. Landscaping
 - a. Use native species and species that do not need excessive watering or excessive use of fertilizer for all landscaping trees and plantings.
 - b. Retain existing trees and shrubs and replant more trees than removed. Any trees slated for removal shall be replaced in accordance with Chapter XX Land Disturbance and Lot Grading Permit.

The following sustainable development standards and practices are not mandatory but are strongly encouraged in the redevelopment area:

1. Energy Efficiency
 - a. Ensure refrigerators, washers, dryers, and dishwashers are ENERGY STAR rated.
 - b. Specify windows with a low-E coating and follow ENERGY STAR guidelines.
 - c. Ensure windows are operable in dwelling units to allow residents to naturally vent or cool space.
 - d. Include digital, programmable and user-friendly thermostats in the dwelling units.
1. Indoor Air Quality
 - a. Incorporate ENERGY STAR rated fans that automatically vent in bathrooms in dwelling units.
 - b. Protect ducts and HVAC from dust during construction to ensure they are clean before occupancy.
2. Water Efficiency
 - a. Use WaterSense rated fixtures in dwelling unit bathrooms.

6.0 PLAN CONSISTENCY

The Redevelopment Plan carefully considers the needs, issues and opportunities of multiple jurisdictions to further the goals of existing plans.

6.1 RELATIONSHIP TO MASTER PLANS **Mendham Master Plan.**

This Plan acknowledges and serves to address many of the goals and objectives noted in the 2021 Master Plan as noted earlier in this document.

Adjacent Municipalities

The Redevelopment Area is not close to the boundaries of any of the neighboring towns. Nevertheless, in reviewing the master plans for the adjacent municipalities of Morris Township, Mendham Borough, Randolph, and Chester Township. There are no inconsistencies with the goals and recommendations of this plan.

Highlands Region Master Plan (RMP)

Mendham Township is within the Highlands Planning Area where conformance to the Highlands RMP is optional. At the time of writing this redevelopment plan, Mendham Township is in the process of petitioning the Highlands Council for conformance with the RMP. Furthermore, the Redevelopment Area is within the Highlands Existing Community Zone which are the lands that are suitable for development and redevelopment activities, as explained in Section 2.3 above. This Redevelopment Plan is consistent with the goals for the RMP, and its goals for the Existing Community Zone.

2025 State Development and Redevelopment Plan (SDRP).

The objectives of the Alcott Manor Redevelopment Plan are consistent with the goals, strategies and policies of the 2025 New Jersey State Development and Redevelopment Plan (SDRP). The entire Plan Area is located within the PA-5 Environmentally Sensitive Area. The intent of the PA-5 area of the SDRP is to: protect environmental resources through the protection of large contiguous areas of land; accommodate growth in Centers; protect the character of existing stable communities; confine programmed sewers and public water services to Centers; revitalize cities and towns. The following SDRP goals are pertinent to this Redevelopment Plan : revitalize and recenter the state's underutilized developed areas; conserve the state's natural resources and systems; provide an adequate supply of housing for residents of all ages and incomes, in location-efficient places with ready access to the full range of supportive goods and services; implement equitable planning practices to promote thriving communities for all New Jerseyans. As mentioned earlier in this document, the Township got approval from the DCA on December 2, 2024, accepting the designation as an Area in Need of Redevelopment.

7.0 IMPLEMENTATION

7.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS

1. The Mendham Township Committee shall be the designated Redevelopment Entity as permitted under the LRHL (N.J.S.A. 40A: 12A-1 et seq.) and shall for the purposes of this plan be identified as the Mendham Redevelopment Agency (“MRA”).
2. The MRA may designate an entity to implement redevelopment plans and carry out redevelopment projects in the area designated by this plan, if necessary.
3. When necessary for the implementation of this plan, MRA, as authorized shall designate and enter into a contract with a redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A: 12A-4(c)).
4. The designated redeveloper shall agree to retain interest acquired in the project until the completion of construction and development of the specified project, as required by this Redevelopment Plan. The redeveloper shall further agree not to lease (other than residential leases to residential end-users of the residential units and site improvements constructed in the Redevelopment Area), sell or transfer any interest acquired, or any part thereof, without prior written approval of the MRA.

7.2 CRITERIA AND PROCEDURES FOR REDEVELOPER SELECTION AND IMPLEMENTATION OF THE REDEVELOPMENT PLAN

1. Applicants wishing to be designated as redeveloper(s) shall submit the following materials to the MRA, together with any other materials requested by the MRA (collectively, “Redeveloper Materials”):
 - a. Documentation evidencing financial responsibility and capability with respect to proposed development.
 - b. Estimated offering price and deposit for acquisition of any land(s) to be acquired from the municipality for development.
 - c. Estimated total development cost.
 - d. Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base.
 - e. Detailed description of proposed public amenities and benefits.
 - f. Estimated time schedule for start and completion of development.
 - g. Conceptual plans and elevations sufficient in scope to demonstrate the design, architectural concepts, parking, vehicle and pedestrian circulation, landscaping, and sign proposals for all uses.
 - h. A detailed proposal for the transition and relocation assistance that will be provided to existing tenants, including where feasible incorporation of existing tenants in the project.

- i. A certification that no member of the governing body nor any member of the MRA will receive any pecuniary benefit from the Redeveloper or as a consequence of the redevelopment of the subject properties.
 - j. The MRA shall review such submissions, may request supplemental information (which supplemental information shall be considered within the scope of "Redeveloper Materials") and, in its reasonable discretion, determine the acceptability of such submissions and determine whether to proceed with redeveloper designation and negotiation of a redevelopment agreement.
2. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan and the Redevelopment Agreement.
3. The redeveloper shall devote land within the Redevelopment Area for the uses specified therein.
4. Upon completion of the required improvements, the conditions determined to exist on the subject property at the time of the determination of the Redevelopment Area shall be deemed to no longer exist, and the land and improvements thereon shall no longer be deemed "in need of redevelopment" pursuant to the LRHL.
5. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redevelopers, the Township, or successors, lessees, or assigns of any of them, by which the land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, or marital status.
6. Neither the redeveloper nor Township and the MRA, nor the successors, lessees, or assigns shall discriminate upon the basis of race, color, creed, religion, sexual orientation, ancestry, national origin, sex, or marital status in the sale, lease or rental in the use and occupancy of land or improvements erected thereon or any part thereof the Redevelopment Area.

7.3 GENERAL PROVISIONS

1. The MRA and the Mendham Planning Board specifically reserve the right to review and approve the redeveloper's plan and specifications with respect to their conformance to the Redevelopment Plan. Such a review shall be based on submission of a site context plan locating the proposed project in the Redevelopment Area; a site plan illustrating all site features; and building elevations for facades facing primary and secondary streets. If design changes are made after submission, no construction related to the changed project features can take place until a site plan and other pertinent drawings reflecting such additions or changes have been submitted and approved by both agencies. This pertains to revisions and additions prior to, during, and after completion of such improvements.
2. As part of the final site plan approval process, the Planning Board may require a developer to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. Either the Township Attorney or the Planning Board shall approve such performance guarantees. The amount of such performance guarantees shall be determined by the Township and shall be sufficient to ensure completion or improvements within two years of final site plan approval.

3. The redeveloper shall also comply with the requirements of the LRHL, P.L. 1992, Chapter 79.
4. No building shall be constructed over an easement in the project area without prior written approval of the Township of Mendham.
5. Utility easements, when necessary, shall be provided by developers and approved by the Township of Mendham.
6. The developer(s) of the Redevelopment Area shall submit, if needed, a storm water management plan as part of the design submission for review by the Planning Board, which is intended to minimize the quantity of storm water entering the municipal sewer system or flowing directly into any adjacent streams.

7.4 SITE PLAN AND SUBDIVISION REVIEW

1. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the site plan and subdivision ordinance of Township of Mendham, except that where this Redevelopment Plan contains provisions that differ from those in the subdivision ordinance, this plan shall prevail.
2. Prior to commencement of construction, site plans for the construction, and/or rehabilitation of improvements to the Redevelopment Area, prepared in accordance with the requirements of the Township Zoning Ordinance and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and shall be submitted by the developer(s) to the Planning Board for approval.
3. Any revisions to plans previously approved by the Planning Board must also be submitted to the Planning Board for approval. This pertains to revisions or additions prior to, during, and after completion of the improvements.

7.5 INFRASTRUCTURE

Infrastructure improvements may include, but are not limited to gas, electric, water, septic, telecommunications, curbs, and sidewalks. The extent of the redeveloper's responsibilities will be outlined in the redeveloper's agreement with the Township of Mendham. All improvements shall comply with applicable federal, state and local law.

7.6 ACQUISITION AND RELOCATION

The Redevelopment Plan does not anticipate the need to acquire privately-owned property within the Redevelopment Area by the Township of Mendham. All properties will be acquired through private negotiation between individual property owners and the designated redeveloper.

7.7 AFFORDABLE HOUSING REQUIREMENTS

The Redevelopment Area contains no 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). Any residential development within the Plan Area shall provide the required affordable housing as per the Township's Adopted Housing Element and Fair Share Plan. Such residential developments will

comply with accepted UHAC standards and be otherwise subject to all laws and regulations governing affordable housing in the Township of Mendham and the State of New Jersey.

7.8 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS

The Mendham Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, whereby reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Planning Board may also grant such relief where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this plan and the benefits of the deviation would outweigh any detriments.

No relief may be granted under the terms of this section if such deviation or relief will have substantial detriment to the public good or substantial impairment of the intent and purpose of this Redevelopment Plan.

An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the requirements of public notice as set forth in N.J.S.A. 40:55D-12.a and b. Notwithstanding the above, no deviations should be granted that would permit any of the following: a use or principal structure that is not otherwise permitted by this plan; or 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.

No deviation from the requirements herein shall be cognizable by the Mendham Zoning Board of Adjustment.

7.9 ADVERSE INFLUENCES

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

7.10 PROCEDURES FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee as determined by the Township shall be paid by the party requesting such amendment, unless the request is issued from the Township of Mendham. The municipal governing body, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study shall be prepared by a professional planner licensed in the State of New Jersey.

7.11 DURATION OF THE PLAN

The selected redeveloper within the Redevelopment Area shall begin the development of land and construction of improvements within a reasonable period of time, as specified in a redevelopment agreement.

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

7.12 COMPLETION OF REDEVELOPMENT

Upon the inspection and verification by the Township of Mendham that the redevelopment within the Redevelopment Area has been completed, certificates of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such certificates.

7.13 SEVERABILITY

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

APPENDICES

Appendix A

Resolution Designating Area in Need of Redevelopment

Correspondence from the DCA

RESOLUTION 2024-170
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
DESIGNATING THE PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 143, LOT 7,
COMMONLY KNOWN AS ALCOTT MANOR, 161 MENDHAM ROAD EAST
AS AN AREA IN NEED OF REDEVELOPMENT UNDER 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.*, as amended and supplemented (the "Redevelopment Law"), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment and/or rehabilitation; and

WHEREAS, to make such a determination under the Redevelopment Law, the Township Committee of the Township of Mendham (the "Township Committee"), by way of Resolution No. 2024-121 authorized and directed the Planning Board of the Township of Mendham (the "Planning Board") to conduct a preliminary investigation of the property identified on the Township's tax maps as Block 143, Lot 7 (the "Study Area"), and to determine whether all, or a portion of, the Study Area meets the criteria for an area in need of redevelopment, which designation would permit the Township to use all of the redevelopment powers, except for Eminent Domain (a "Non-Condernation Redevelopment Area"), pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on July 17, 2024, by way of Resolution, the Planning Board authorized the firm of H2M Architects and Engineers to conduct a preliminary investigation and to prepare a written report for review by the Planning Board concerning the Study Area and whether said Study Area should be designated as a Non-Condernation Redevelopment Area; and

WHEREAS, on October 16, 2024, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area met the redevelopment criteria provided under the Redevelopment Law, and the Planning Board, by Resolution 2024-05, recommended that the Township Committee designate the Study Area as a Non-Condernation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, the Township Committee has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated as a Non-Condernation Redevelopment Area under the Redevelopment Law, with such designation authorizing the Township and Township Committee to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of Eminent Domain,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted, and adopted by reference herein, by the Township Committee.

Section 3. Based on the findings and recommendations of the Planning Board as to the Study Area, the Township Committee hereby designates the Study Area as a Non-Condernation Redevelopment Area pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

RESOLUTION 2024-170- (CONTINUED)

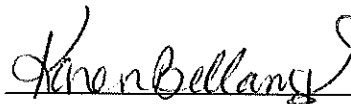
Section 4. The Township Clerk shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs, as the transmittal pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Township Clerk shall serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condernation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection to the designation and stated, in or upon the written submission, an address to which notice of the determination may be sent, such service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

Adopted: October 28, 2024

Attest:


Karen Bellamy, Acting Township Clerk

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS


Sarah Neibart, Mayor

CERTIFICATION: I, Karen Bellamy, Acting Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on October 28, 2024


Karen Bellamy, Acting Township Clerk



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800



JACQUELYN A. SUÁREZ
Commissioner

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

December 2, 2024

The Honorable Sarah Neibart
Mayor
Township of Mendham
2 West Main Street
P.O. Box 520
Brookside, New Jersey 07926

RE: Resolution 2024-170 determining Block 143, Lot 7 to be an Area in Need of
Redevelopment (Non-Condensation)

Dear Mayor Neibart:

The Department of Community Affairs (DCA) received the above-referenced resolution on November 4, 2024. The determination area is located in an Environmentally Sensitive (PA5) Planning Area, which is not an area in which development or redevelopment is to be encouraged pursuant to State law or regulation. The determination, therefore, requires review pursuant to N.J.S.A. 40A:12A-6b.(5)(c).

Based on our review, which recognizes the existing development on the property and its location within an Existing Community Zone, as mapped by the New Jersey Highlands Water Protection and Planning Council, the determination area is approved.

The municipality or redeveloper may find the New Jersey Business Action Center (BAC), located in the Department of State, helpful in identifying potential sources of state financing to facilitate the redevelopment of these properties. You may contact the BAC by calling 1-800-Jersey 7 (1-800-537-7397). We also recommend you contact the New Jersey Highlands Council at (908) 879-6737 to access additional planning assistance and grant funding, which is available only to municipalities in the Highlands Region, for redevelopment and many other planning activities.

This determination is a tribute to the work the Township of Mendham has done. Please do not hesitate to contact Keith Henderson at (609) 948-0015 if you need any further assistance.

Sincerely,

Jacquelyn A. Suárez
Commissioner

cc: Karen Bellamy, Acting Municipal Clerk
Benjamin L. Spinelli, New Jersey Highland Council
Donna Rendeiro, State Planning Commission
Keith Henderson, Local Planning Services

