

TOWNSHIP OF SCOTCH PLAINS

ORDINANCE NO. 2023-22

ORDINANCE AUTHORIZING REDEVELOPMENT PLAN FOR FATIMA HOUSE, LOCATED AT 2032 WESTFIELD AVENUE AND IDENTIFIED AS A PORTION OF BLOCK 2401, LOT 1 ON THE TAX MAP OF THE TOWNSHIP OF SCOTCH PLAINS IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING CHAPTER XXIII ENTITLED “ZONING” BY THE AMENDMENT OF SUBSECTION 23-3.2 ENTITLED “ZONING MAP” AND BY THE ADDITION OF A NEW SUBSECTION ENTITLED “FATIMA HOUSE REDEVELOPMENT PLAN, 2032 WESTFIELD AVENUE (PORTION OF BLOCK 2401, LOT 1)

WHEREAS, on February 15, 2022, the Township Council adopted Resolution No. 2022-60, which authorized the Township of Scotch Plains Planning Board (“Planning Board”) to undertake a preliminary investigation to determine whether a proposed study area known as a portion of Block 2401, Lot 1 (“Property”) qualifies as a non-condemnation area in need of redevelopment pursuant to N.J.S.A.40A:12A-5; and

WHEREAS, a Redevelopment Study was prepared by Harbor Consultants, Inc. and said Study was presented at a Planning Board public hearing on July 25, 2022; and

WHEREAS, after public comment, the Planning Board adopted Resolution No. 2022-125 determining that a portion of the Property qualifies as a non-condemnation area in need of redevelopment and recommending that the Township Council designate a portion of the Property as a non-condemnation area in need of redevelopment; and

WHEREAS, the Township Council passed Resolution 2022-125 on August 16, 2022, designating a portion of the Property as a non-condemnation area in need of redevelopment and directed Harbor Consultants, Inc. to prepare a Redevelopment Plan for a portion of the Property; and

WHEREAS, Harbor Consultants, Inc. prepared a certain Redevelopment Plan entitled “Fatima House Redevelopment Plan, 2032 Westfield Avenue” dated September 2023 (“Redevelopment Plan”) which is attached hereto as Exhibit A; and

WHEREAS, the Township Council has reviewed the Redevelopment Plan and now desires to adopt the same; and

WHEREAS, the Township Council further desires to amend Chapter XXIII entitled “Zoning” to include the land use, bulk requirements, and design standards contained in the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Scotch Plains, County of Union, State of New Jersey, as follows:

Section 1. The Township hereby approves and establishes the Redevelopment Plan, which is attached hereto as Exhibit A, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Scotch Plains regulating development in the area addressed by said Redevelopment Plan, unless otherwise noted in said Redevelopment Plan.

Section 3. Final adoption of said Redevelopment Plan by the Township Council shall be considered an amendment of the Township of Scotch Plains Zoning Map. The Zoning District Map in the Zoning Ordinances of the Township shall be amended to include the boundaries described in the Redevelopment Plan and the provisions therein.

Section 4. All of the provisions of said Redevelopment Plan shall supersede the applicable development regulations of the Township's ordinances, as and where indicated, for the properties subject to said Redevelopment Plan. In the event of any inconsistencies between the provisions of said Redevelopment Plan and any prior ordinance of the Township of Scotch Plains, the provisions of said Redevelopment Plan shall govern.

Section 5. Chapter XXIII entitled "Zoning" of *The Revised General Ordinances of the Township of Scotch Plains*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in said Redevelopment Plan for lands known as a portion of Block 2401, Lot 1 or a future subdivided lot if necessary to define the redevelopment area.

Section 6. A copy of this Ordinance and said Redevelopment Plan shall be forwarded, after introduction, to the Scotch Plains Planning Board for a Master Plan consistency review in accordance with N.J.S.A 40A:12A-7e.

Section 7. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

Section 8. The within Ordinance shall take effect in the time and manner provided by law.

INTRODUCTION: October 3, 2023

ADOPTION: November 13, 2023

FINAL PUBLICATION: November 23, 2023

Certified copy of an ordinance adopted at a regular meeting of the Township Council of the Township of Scotch Plains, Union County, New Jersey, on

13 NOVEMBER 2023



Bozena Lacina, RMC
Municipal Clerk



Exhibit A

FATIMA HOUSE REDEVELOPMENT PLAN 2032 WESTFIELD AVENUE



Portion of Block 2401, Lot 1

Township of Scotch Plains
Union County, New Jersey



September 2023

PREPARED BY

HARBOR CONSULTANTS

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Roshan "Roc" White, Councilmember

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Bozena Lacina, Township Clerk
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EXHIBITS

1. Concept “E” – Proposed Lot Configuration, Church of St. Bartholomew The Apostle, Tax Lot 1, Block 2401, prepared by EKA Associates, dated July 13, 2023.
2. Fatima House, Rehabilitation of 3-Story Senior Building Architectural Plans, prepared by Inglese Architecture + Engineering dated September 20, 2023.

APPENDICES

1. Scotch Plains Township Council Resolution No. 2022-60, dated February 15, 2022, directing the Planning Board to conduct a necessary investigation to determine if a portion of 2032 Westfield Avenue (Block 2401, Lot 1) qualifies for designation as a Non-Condemnation Redevelopment Area pursuant to under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6.
2. Scotch Plains Township Council Resolution No. 2022-125, dated August 16, 2022, designating a portion of 2032 Westfield Avenue (Block 2401, Lot 1) as a Non-Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “LRHL) and authorizing the Township Planner to prepare a redevelopment plan for a portion of said property.
3. Planning Board Resolution designating that a portion of the property known as Block 2401, Lot be designated a Non-Condemnation Area in Need of Redevelopment adopted on August 15, 2022.
4. Letter from Department of Community Affairs (DCA) dated September 13, 2022, supporting the redevelopment of redevelopment area.

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Figure C: Flood Map of Proposed Fatima House Redevelopment Area and Surrounding Neighborhoods
Figure D: Map of the Proposed Fatima House Redevelopment Area in relation to Tier 1 Phase 1 Redevelopment Plan
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Project Number: 2021014.007A

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

A handwritten signature in black ink, appearing to read "Mistretta", followed by a period.

Michael Mistretta, PP #00575900

SECTION 1. INTRODUCTION

The Township of Scotch Plains has made a long-standing commitment to creating a vibrant downtown for its residents and visitors. Scotch Plains has demonstrated this commitment through a history of focus on the downtown area in a series of Master Plan documents dating back to 1976, and through the preparation of numerous planning studies dating back to 1984. Pre-existing concerns about how to improve the downtown coupled with the Township's settlement agreement addressing its Third Round Affordable Housing obligation has culminated in preliminary investigation reports and redevelopment plans for properties throughout the downtown area, including the preliminary investigation report and redevelopment plan prepared for the parcels included in this Plan. As part of the Township's global settlement with the Courts, Court Master, and Fair Share Housing Center ("FSHC"), this Redevelopment Plan (the "Plan") has been prepared as one part of the Township's strategies to address its Third Round Affordable Housing unmet need obligation.

1.1 STATUTORY BASIS FOR THE REDEVELOPMENT PLAN

On February 15, 2022, the Township Council adopted Resolution No. 2022-60, which authorized the "Township of Scotch Plains Planning Board to undertake a preliminary investigation to determine whether the proposed study area known as a portion of Block 2401, Lot 1, identified within the resolution qualifies as an area in need of redevelopment."

The Redevelopment Study was prepared and presented at a Planning Board public hearing on July 25, 2022. After public comment, the Planning Board of Scotch Plains adopted Resolution No. 2022-125 determining that a portion of the Study Area, within Block 2401, Lot 1, is an area in need of redevelopment. Subsequently, the Township Council of Scotch Plains passed Resolution 2022-125 on August 16, 2022, designating a portion of Block 2401, Lot 1 as an area in need of redevelopment and directed Harbor Consultants to prepare a redevelopment plan for a portion of Block 2401, Lot 1 located at 2032 Westfield Avenue.

The Township received a letter from the New Jersey Department of Community Affairs (DCA) dated September 13, 2022, which states "The DCA received the above-referenced resolution on August 24, 2022. The determination area is situated where development and redevelopment are encouraged pursuant to State law or regulation. Accordingly, pursuant to N.J.S.A 40A:12-6b(5)(c), the redevelopment area determination took effect after transmission to the Commissioner of DCA." A copy of the letter is in the Appendix of this report. Copies of the Resolutions adopted by the Township Council are contained in the Appendix of this report.

1.2 DESCRIPTION OF THE REDEVELOPMENT AREA

The entire area of Block 2401, Lot 1 is approximately 8.38 acres based on municipal tax records. Existing on Block 2401, Lot 1 is the St. Bartholomew the Apostle Roman Catholic Church, the St. Bartholomew Academy Catholic Elementary School, and the Fatima House, which was used as a convent for 70 years since its construction in 1950 and until its closure in 2020. The subject property is proposed to be subdivided into two lots. Existing on one proposed subdivided lot will be the Church and School, whereas the other proposed subdivided lot will be the Fatima House Convent. The Fatima House Redevelopment Plan Area, or the "Redevelopment Area," consists of only the proposed subdivided lot where the Fatima House is located. The approximate area of the Redevelopment Area is 1.29 acres. The Redevelopment Area is bounded to the north by Westfield

Fatima House Redevelopment Plan

Township of Scotch Plains, Union County, New Jersey

Avenue to the south by Church Avenue, to the west by Montague Avenue and to the east by Cook Avenue. Surrounding the Redevelopment Area are single family homes.

Prior to the development of the proposed age restricted building, a subdivision is to occur for Block 2401, Lot 1 necessary to define the Redevelopment Area. The Minor Subdivision of Block 2401, Lot 1 shall be required prior to or in conjunction with the submission of a site plan application. Block 2401, Lot 1 is to be subdivided into two lots, one lot being approximately 7.09 acres and the other lot approximately 1.29 acres. The subdivided lot with 7.09 acres is the location of the Saint Bartholomew Church, School and Rectory buildings with associated parking, and is not included in the Redevelopment Area. The subdivided lot containing 1.29 acres will create a new lot for the Redevelopment Plan Area for the proposed thirty eight (38) units of age restricted housing. The new lots resulting from the subdivision will be subject to new lot numbers assigned by the Township’s Tax Assessor and are to be recorded in the Union County Clerk’s Office.

Table 1: Existing Fatima House Redevelopment Area Property Township of Scotch Plains, Union County, New Jersey			
Owner	Street Address	Block and Lot	Lot Area
CH OF ST BARTHOLOMEW THE APOSTLE	2032 Westfield Avenue	Block 2401, Lot 1	8.38 +/- Acres

Table 2: Proposed Fatima House Redevelopment Area Property Township of Scotch Plains, Union County, New Jersey			
Owner	Street Address	Block and Lot	Lot Area
CH OF ST BARTHOLOMEW THE APOSTLE	2032 Westfield Avenue	Block 2401, Lot 1 (Subdivided lot with Church and School – Tax lot numbers subject to approval from Township Tax Assessor)	7.09 +/- Acres
CH OF ST BARTHOLOMEW THE APOSTLE	2032 Westfield Avenue	Block 2401, Lot 2 (Subdivided lot with Fatima House Convent - Tax lot numbers subject to approval from Township Tax Assessor)	1.29 +/- Acres

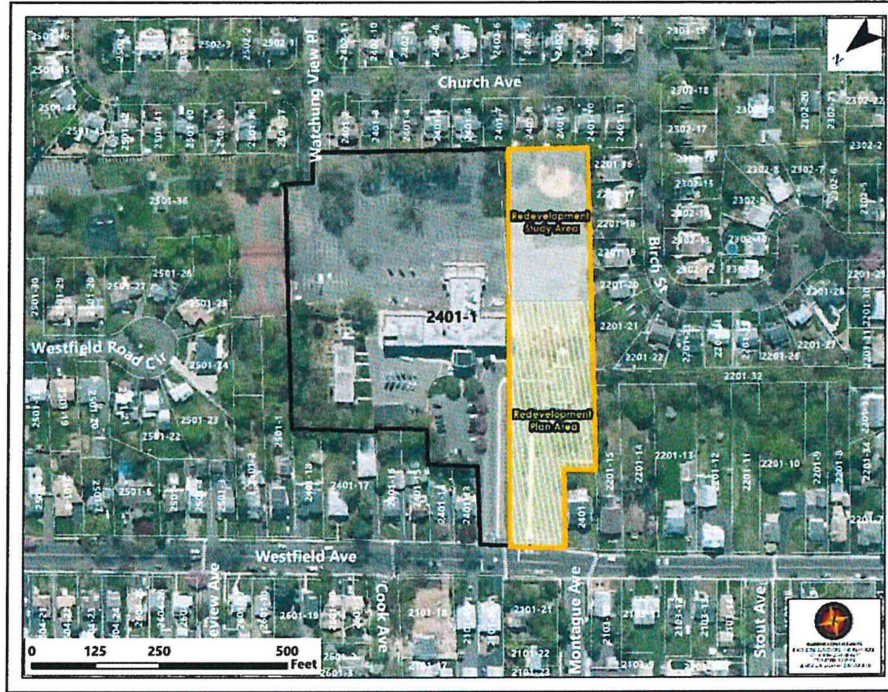


Figure A – Aerial Map of Redevelopment Area

The portion of Block 2401, Lot 1 within the Redevelopment Area is located on the western side of the lot and is identified as 2032 Westfield Avenue. The size of the Redevelopment Area is approximately 1.29 acres. Existing on the Redevelopment Area is the vacant Fatima House Convent building, an accessory parking lot located on the north side of the property with ingress and egress from Westfield Avenue, and a portion of the accessory parking lot to the rear of the Church and School building and the Fatima House Convent building. The Fatima House Convent building is three (3) stories in size, 40 feet in height not including the parapet, and has a brick exterior facade. The building was built in 1950 and was occupied for over 70 years as a convent until the convent closed in 2020. When at full capacity, the Convent building housed fifteen (15) nuns who worked and taught in the existing Church of St. Bartholomew and St. Bartholomew Academy that is located on the eastern portion of the property which is not in the Redevelopment Area. Since the closing of the convent, the building has remained vacant.

As shown in Figure B below, topographic USGS mapping reflects that the area is generally flat with no significant changes in elevation.

Fatima House Redevelopment Plan
Township of Scotch Plains, Union County, New Jersey

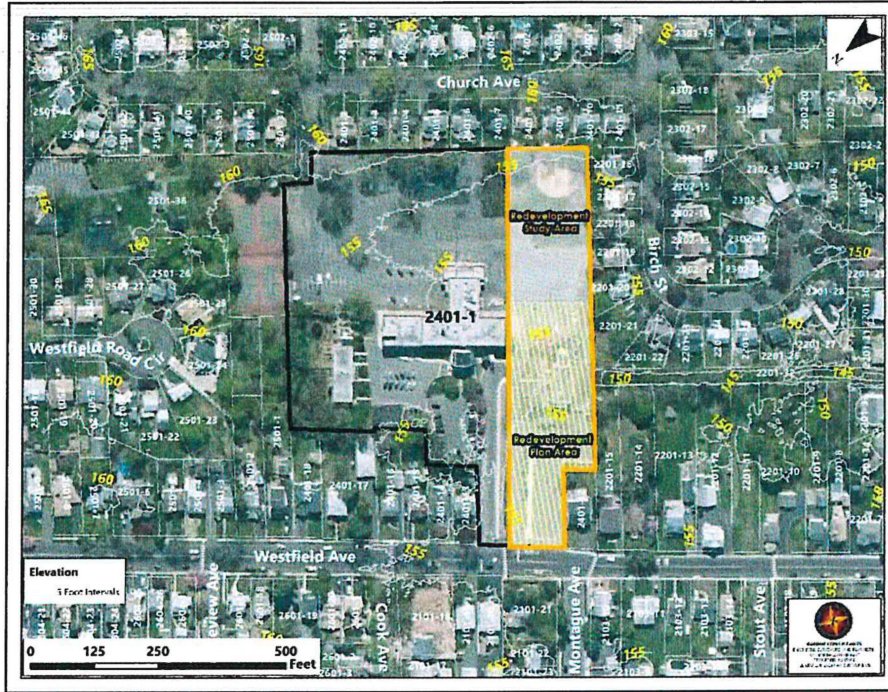


Figure B – Topographic Map of Redevelopment Area

The Redevelopment Area is located within the “Area of Minimal Flood Hazard” zone. To the west of the Study Area there is both a “1% Annual Chance Flood Hazard Zone” (the 100-Year Storm Flood Hazard Area) and a “0.2% Chance Annual Flood Hazard Zone” (the 500-Year Storm Flood Hazard Area) as shown in Figure C. The presence of these flood areas to the west of the property is worth noting. In the event of major storms, there is a potential for flooding for neighborhoods to the northwest of the property. So, although the property is not within a major flood zone, the existing conditions on the property lead to the potential for increased risk of flooding during heavy rainstorms.



Figure C – Flood Hazard Map of Redevelopment Area

1.3 NEIGHBORHOOD

The Redevelopment Area is in the R-3A Residential Zone and is dominated by well-developed single family residential neighborhoods. There is a local park (Green Forest Park) and parking area located to the northeast of the lot and single-family residential homes surrounding each of the other borders. Further northeast of the lot is the Evergreen Public Elementary School and Scotch Plains-Fanwood Public High School. To the west along Westfield Avenue lies the start of the Township’s mixed-use zoning. To the northwest of the lot is the downtown area of Scotch Plains with a public library, restaurants, and retail storefronts.

1.4 PHOTOGRAPHS OF EXISTING CONDITIONS

A field survey of the property was conducted to determine the existing land uses. The photographs contained within this Report were taken on August 14, 2022 and August 23, 2022.

Fatima House Redevelopment Plan
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Image 1: Front Entrance of Fatima House Convent



Image 2: Front Entrance of Fatima House Convent



Image 3: Side View of Fatima House Convent facing Westfield Avenue



Image 4: Rear View of Fatima House Convent facing West

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Township of Scotch Plains, Union County, New Jersey



Image 5: Parking lot to rear of Fatima House Convent facing South



Image 6: Parking lot in the front of Fatima House Convent facing Westfield Avenue



Image 7: Church and School Building



Image 8: Rectory Building on the Eastern Portion of the Subject Property

1.5 AFFORDABLE HOUSING HISTORY

The Township signed a Settlement Agreement with the Fair Share Housing Center on January 12, 2018. This Settlement Agreement became the basis for the Township’s Housing Element and Fair Share Plan (HE&FSP) in 2018, which was prepared in response to the New Jersey Supreme Court Decision decided on March 10, 2015, regarding adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (“Mount Laurel IV”). The HE&FSP required the designation of certain properties for inclusionary affordable housing developments and other sections of the Township with overlay zones and redevelopment areas to address the Township’s Fair Share Obligation and unmet need. A Downtown Redevelopment Map was included as one mechanism for addressing the Township’s unmet need as part of the HE&FSP.

The HE&FSP goals and objectives look to address the Third Round Fair Share Obligation while meeting the needs of the Rehabilitation Obligation and Prior Round Obligation for a total count of 861 units. Although the Redevelopment Area is not located within one of the designated Redevelopment Tiers or Phases, the site remains in close proximity and walking distance to the Downtown Redevelopment areas that are included in the Plan. If this portion of Block 2401, Lot 1 were to be redeveloped based on sound planning principles, the property would be large enough to absorb and integrate an age-restricted housing development (as defined below) that would contribute to the inclusionary housing component of the Township’s unmet need affordable housing obligations — thus expanding upon the goals and objectives of the Township’s HE&FSP.

The portion of Block 2401, Lot 1 identified as the “Redevelopment Area” is shown mapped alongside the Tiered Downtown Redevelopment Phases in *Figure D* below. The Tier 1, Phase 1 Downtown Redevelopment Plan will continue to be used as a means of revitalization for the downtown and the Study Area’s proximity can contribute to the overall goals and objectives of the Township’s Redevelopment strategy and HE&FSP Plans.

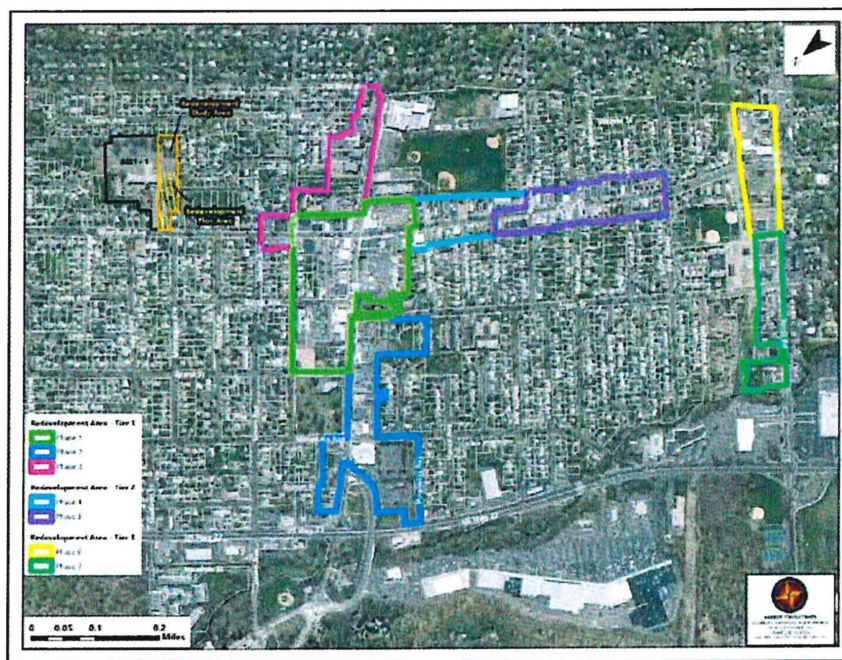


Figure D – Map of Tier 1 Redevelopment Areas in Relation to Redevelopment Area

SECTION 2. THE PUBLIC PURPOSE

2.1 ADOPTION OF A REDEVELOPMENT PLAN

In accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7: “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, or both, according to criteria set forth in section 5 or section 14 of P.L. 1992, c. 79 (C40A:12A-5 or 40A:12A-14), as appropriate”.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- (1) Its relationship to 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.
- (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, and (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) An inventory (as of the date of the adoption of the resolution finding the area to be in need of redevelopment) of all housing units affordable to low- and moderate-income households, as defined pursuant to N.J.S.A. 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.
- (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.

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(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.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

All provisions of a redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan, however 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.

2.2 REDEVELOPMENT GOALS AND OBJECTIVES

The Goals and Objectives of this Plan are as follows:

- Provide for a maximum of 38 inclusionary rental apartment units which will be an age-restricted housing development, with a six (6) affordable unit set-aside inclusionary housing component.
- Redevelop underutilized parcels that have been found to be an area in need of redevelopment and satisfy certain criteria of the Local Redevelopment and Housing Law with a new residential housing development.
- Provide new housing opportunities and promote sound development within walking distance of the downtown core that will help develop a critical mass of residents and shoppers needed for a successful, sustainable, walkable downtown.
- Encourage development of vacant and underutilized properties.
- The elimination of conditions which are detrimental to the growth, health, and safety of the surrounding community.
- Provide for and encourage economic development leading to new tax ratables, new jobs, and growth opportunities to the benefit of the Scotch Plains community.
- Provide for realistic affordable housing opportunities to address the Township’s unmet need affordable housing obligation as outlined in the Township’s Housing Element and Fair Share Plan dated September 2018.
- Incorporate amenities into residential buildings to address the social, active, and passive recreational needs of the residents.

- Provide and maintain safe on-site and off-site pedestrian connections to surrounding properties that incorporate the new development into the existing community and increase connectivity to the downtown.
- Provide sufficient off-street parking spaces and internal vehicular circulation to serve the Redevelopment Plan Area.
- Create a set of design standards consistent with the Redevelopment Plan Area to create a building that is aesthetically pleasing and is contextual to the surrounding buildings on the Redevelopment Plan Area as well as provide for consistent streetscape design, safe pedestrian, and/or bicycle access, architectural themes, signage requirements, Complete Streets strategies (Scotch Plains Township Resolution 2018-34), and others.
- Provide a stormwater management system for the development that meets the recently adopted, enhanced NJDEP Best Management Practices for stormwater management. These requirements, which are consistent with the Township's Stormwater Control Ordinance, shall be designed to ensure that the proposed development will have no adverse effects on the subject properties, the surrounding properties, or the community at large.
- Incorporate green building and site design that would further the goals and objectives of S2607, which amended Section 19 of P.L. 1975, c.291 (C.40:55D-28), which requires the land use plan element of municipal master plans to include climate change-related hazard vulnerability assessment.
- Incorporate strategies to mitigate risk from climate change-related hazard vulnerability, including, but not limited to, consideration of environmental effects and extreme weather, incorporating green infrastructure, incorporate permeable pavements, provide backup generators, and provide stormwater management for any impervious areas.
- Understanding that the subdivision of the subject properties will result in non-conforming conditions with the existing conditional uses on the remaining portion of the property as per Section 23-5 (in particular Sections 23-5.2.b and 23-5.2.c), the Township may prepare a Master Plan Reexamination Report with recommendations to address these non-conformities to be completed parallel with this Redevelopment Plan. The Township recognizes that the subdivision of the subject property from the remaining Church parcel will entail the exacerbation of certain bulk standards and/or the creation of new departures from the R-3A zone district for the remaining Church parcel. As such, the Township has determined that these departures are necessary to effectuate the goals and objectives of this Plan.

2.3 RELATIONSHIP TO MASTER PLAN

1. *Township of Scotch Plains 2001 Master Plan*

The 2001 Master Plan made a specific note that “a number of major themes, however, distinguish this plan from previous township Master Plans,” including “The potential for redevelopment is explored and policies addressing new land uses are established.”¹ Additionally, it identifies that one of the Major Planning Issues since 1976 is that, “Since most of the vacant land in the Township has been developed, the planning focus in the community is shifting toward infill sites or areas with potential for redevelopment.”² The goals and objectives of the 2001 Master Plan clearly establish redevelopment as a means of future development in light of the built-out nature of the Township in the early 2000s. More specifically, under the section to “Provide Opportunities for and Encourage

¹ Township of Scotch Plains 2001 Master Plan, prepared by Kimball & Kimball, June 18, 2001, p. 1.

² *Ibid*, p. 4.

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Township of Scotch Plains, Union County, New Jersey

Redevelopment for Specific Uses in Designated Areas,” the Master Plan provides the following guidelines:

“(1) Permitted uses should be compatible with the goal of preserving the established residential character of the township and other goals of this Master Plan; (2) Redevelopment opportunities should represent high quality development that can be achieved in a manner that may improve environmental quality, lessen flooding, avoid traffic congestion and promote proper circulation; (3) Redevelopment plans should be targeted to specific areas so as to avoid blight and abandonment of developed properties.”

2. 2007 Master Plan Reexamination Report adopted February 26, 2007

The 2007 Master Plan Reexamination Report identified which major planning issues and goals of the 2001 Master Plan remained valid, including that “Since most of the vacant land in the Township has been developed the planning focus in the community is shifting toward infill sites or areas with potential for redevelopment.”³ The 2007 Reexamination Report directly echoes the goals and objectives related to redevelopment listed in the 2001 Master Plan while elaborating on “infill development,” noting that:

“The challenge related to the infill residential developments comes with the fact that the current infill developments fit like a missing puzzle piece within a larger developed puzzle of an existing, residential neighborhood. The infill developments pose a balancing complexity of protecting and enhancing the character of the existing neighborhood, creating an appropriate infill development concept, while not strangling the redevelopment process, nor denying the rights of the developer with the ramification of over-regulation.”⁴

3. 2016 Master Plan Reexamination Report adopted December 12, 2016

The 2016 Master Plan Reexamination Report identified additional major planning issues that occurred since the previous Master Plan and Master Plan Reexamination Reports. The 2016 Reexamination Report notes that steps had been taken in furthering the goal that “since most of the vacant land in the Township has been developed the planning focus in the community is shifting toward infill sites or areas with potential for redevelopment.”⁵ More specifically, “Plans were approved in 2016 for a major residential development to replace a longstanding commercial enterprise - the ‘Bowcraft Amusement Center.’ This decades-old privately-operated operation, that grew from an archery-oriented park to a full-scale amusement center, with mechanical rides and family-oriented recreation, will be developed with more than 200 homes and a club house within the next three years. Forty-one of those homes will satisfy the Township’s court-mandated Mt. Laurel affordable housing obligation.”⁶ It should be noted that, although the Master Plan report was already in place, the agreement was later modified to reduce the affordable housing set-aside to thirty-five (35) units.

³ Township of Scotch Plains 2007 Master Plan Reexamination Report, prepared by Mary M. Moody, AICP, P.P., Feb. 26, 2007.

⁴ *Ibid*, pg. 9.

⁵ Township of Scotch Plains 2016 Master Plan Reexamination Report, prepared by Joseph E. Doyle, Dec. 12, 2016.

⁶ *Ibid*, pg. 5.

The 2016 Report likewise establishes that “the following goals from the 2001 Master Plan are still pertinent but the issues are more critical since the related development impacts are more significant.” In order to “Retain the Traditional Residential Character of Scotch Plains,” it is recommended that “infill” residential development should be undertaken consistent with the zoning and residential densities of surrounding neighborhoods.⁷ The Report uses the example of the Shackamaxon Golf Course Property with the construction of 60 age-restricted townhouses as the “most significant infill development since the last Reexamination.” The 135-acre site was declared as an area in need of rehabilitation and, in accord with the Master Plan and local ordinances, the application to develop the housing and modify the property was approved by the Planning Board. As a result of the approval, it is especially important to understand the impacts of infill development:

“The goal of having ‘infill’ residential development undertaken, consistent with zoning and the residential densities of surrounding neighborhoods remains valid as stated in the 2001 Master Plan but the intensity and complexity of infill residential development has increased. An increase in infill developments is occurring because of the regional expanding housing market, the desirability of Scotch Plains and because less vacant land is available. People are [taking advantage of the economic opportunity of the good housing market by developing and] continuing to develop infill residential lots.”⁸

4. 2018 Master Plan Reexamination Report adopted August 27, 2018

The Township’s 2018 Housing Element & Fair Share Plan (HE&FSP) was prepared to address the Township’s third round affordable housing obligation and settlement with the Fair Share Housing Center. The development of inclusionary and age restricted housing opportunities within close proximity to a walkable downtown is sound planning, advances the Township’s redevelopment efforts by replacing obsolete and underutilized buildings and structures with new, state of the art mixed-use development and advances the goals and objectives of the Township’s HE&FSP.

2.4 RELATIONSHIP TO THE TOWNSHIP LAND USE PROCEDURES ORDINANCE

The Fatima House Redevelopment Area is located in the R-3A Residential Zone. The Redevelopment Area is bounded by the R-3A Residential Zone to the north, south and west, and to the east by the P (Public) Zone. Further to the west of the Redevelopment Area is Scotch Plains’ downtown, which encompasses the Tier 1, 2 and 3 Redevelopment Areas.

⁷ *Ibid*, pg. 11.

⁸ *Ibid*, pg. 12.

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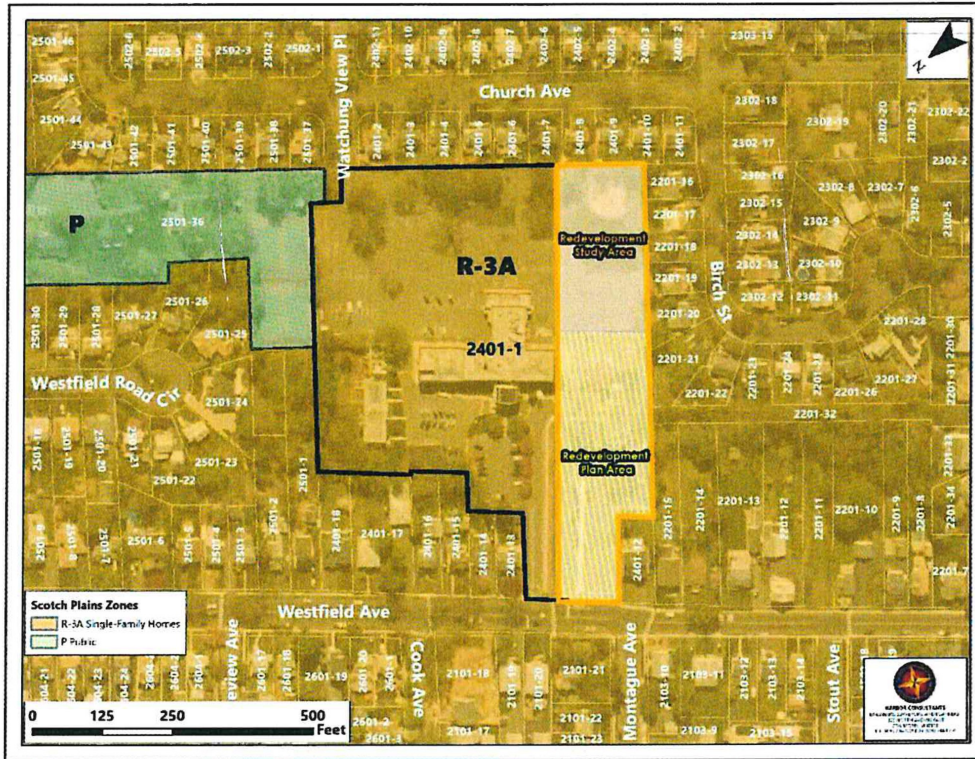


Figure E: Zoning Map of Redevelopment Area and Surrounding Neighborhoods

The following table outlines the bulk requirements of the R-3A Zone District:

Table 3: Schedule of Lot, Yard and Building Regulations R-3A (Residence) Zone Township of Scotch Plains, Union County, New Jersey	
Description	Requirements
R-3A (Residence) Zone	
Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Street Frontage Width	45 feet
<i>Principal Building</i>	
Minimum Setback – Front Yard	30 feet
Minimum Setback – Side Yard	5 feet
Minimum Setback – Total, Both Side Yards	10 feet
Minimum Setback – Rear Yard	30 feet
Maximum Permitted Coverage – Building	30 %
Maximum Permitted Coverage – Lot	50 %
Maximum Building Height	35 feet
Maximum Number of Stories	2.5 stories

§23-3.8 R-3A Residence Zone.

- a. Permitted Primary Uses.
 1. Any primary use enumerated in subsection 23-3.5a.:
 - a. One-family dwellings.
 - b. Customary and conventional limited farming operations, including the raising of flowers and vegetables and horticultural materials but not including the use of commercial greenhouses nor the raising of any animals except customary household pets.
 - (a) Beekeeping shall be encouraged in accordance with applicable standards and requirements for beekeeping.
 - c. Golf clubs.
 - d. One-family dwelling, using density zoning. Applicable to tracts being subdivided of 10 acres or more, subject to Planning Board approval.
- b. Permitted Secondary Uses.
 1. Any secondary use enumerated in subsection 23-3.7b
 - a. Private garages not in excess of 1,200 square feet of building area, including detached and attached garages.
 - b. Customary residential storage buildings not in excess of 200 square feet of building area.
 - c. Shelters for domestic pets not in excess of 50 square feet of building area, exclusive of runs.
 - d. Off-street parking facilities in conjunction with a permitted office use.
- c. Conditional Uses (Subject to the Conditions of Section 23-5)
 1. Any conditional uses as specified in subsection 23-3.7c
 - a. Public utility uses.
 - b. Public and private schools.
 - c. Churches and similar places of worship.
 - d. Building operated by chartered membership organizations for the benefit of the public and not for profit.
- d. Other Provisions and Requirements.
 1. Same as enumerated in subsection 23-3.7d
 - a. Residential uses shall provide not less than two off-street parking spaces for each dwelling unit, one of which shall be a garage and the second may be a driveway leading thereto.
 - b. Outdoor storage of produce, fertilizer, or equipment in connection with an agricultural use shall not be located within 60 feet of a street line or within 200 feet of any adjoining residence.

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c. Farm operations shall have a minimum lot area of five acres, exclusive of the lot area required for one-family residence, if both uses are included.

d. No building erected in conjunction with a permitted golf course shall be located closer than 200 feet to a street or property line of the lot on which the use is located.

e. Residential professional offices shall provide at least one off-street parking space for each 100 square feet of floor space devoted to such office use, but in no case fewer than three such spaces, said parking space to be to the rear of the building line. Residential professional offices shall be limited to those of the practice of medicine, dentistry, law, architecture, and engineering. The conduct of such profession shall permit the employment of not more than one employee and shall be limited to ¼ of the gross floor area of the building. The balance of the area shall be occupied by the professional practitioner as his principal residence.

SECTION 3. THE REDEVELOPMENT PLAN

3.1 LAND USE PLAN

This Plan envisions that the Redevelopment Area shall be redeveloped with an inclusionary age-restricted residential development consisting of a maximum of thirty-eight (38) rental apartment units, with a fifteen percent (15%) set aside for six (6) inclusionary affordable housing units. The building is envisioned to be contextual to the existing buildings on the subject property utilizing visually appealing architectural design with brick and use of high-quality building materials and complimentary design features.

The Plan shall include amenity space including a first-floor lobby, trash room and laundry room in the basement. The mail room shall be on the first floor. The tenant amenities will also include an approximately 858+/- square foot interior community room and an approximately 1,693 +/- square foot outdoor deck located on the ground floor of the building which are further illustrated in Exhibit 2. These amenity spaces are approximate only and are subject to further refinement as the site (civil) plan and architectural drawings are prepared as part of the site plan application approval process before the Planning Board.

3.1.A Permitted Uses In The Redevelopment Plan Area

1. Permitted Principal Uses

- a. Inclusionary Multifamily Residential development in one building consisting of a maximum of thirty-eight (38) age restricted rental apartment units, including six (6) affordable rental apartments units or 15% of the total number of residential units.

2. Permitted Accessory Uses

- a. Common outdoor public or private spaces, patios, decks, and terraces.
- b. Active and passive recreation facilities.
- c. Surface and structured parking to support the inclusionary project.
- d. Gardens, hardscape patio areas, landscape features.
- e. Green building techniques and green roofs.
- f. Solar canopy array or roof mounted systems.

- g. Electric vehicle (EV) charging stations.
- h. Public utility uses.
- i. Common outdoor public or private spaces, plazas, courtyards, terraces and active or passive recreation facilities that are designed to be incorporated into the development for the enjoyment of the residents.
- j. Lobby, sales, management, leasing offices.
- k. Drop off / package delivery area, lockers, and storage for mail delivery packages (tenant use only), recycling and refuse storage areas.
- l. Stormwater management/flood storage systems consistent with the recently adopted and enhanced NJDEP Best Management Practices for stormwater management.
- m. Signage.
- n. Generators.
- o. Any accessory use or structure customary and incidental to the permitted principal use subject to and as approved by the Planning Board; and
- p. Accessory uses and structures shall comply in all respects with the requirements of the principal use and structure.

3.1.B Building, Area, And Yard Requirements

Table 4: Bulk Requirements for the Fatima House Redevelopment Area Township of Scotch Plains, Union County, New Jersey	
<u>Density of Development</u> The project shall have a maximum density of thirty-eight (38) age-restricted units, inclusive of a fifteen percent (15%) affordable housing set aside.	
Description	Requirement
Max. Residential Density	38 Units
Min. Lot Area	1 Acre
Min. Lot Width	85 FT
Min. Lot Frontage	85 FT
Max. Building Coverage (%)	30%
Max. Impervious Lot Coverage (%)	70%
<i>Building Height</i>	
Building Height (Stories)	3 Stories
Building Height (Feet)	40 FT ¹
Parapets, cornices and other architectural features may extend above the Building Height by:	5 FT
Min. First Floor Ceiling Height	10 FT
<i>Principal Building Setbacks & Requirements</i>	
Min. Front Yard Setback – Westfield Avenue	30 FT
Min. One Side Yard Setback	10 FT
Min. Total Both Side Yard Setbacks	40 FT
Min. Rear Yard Setback – along existing residential subdivision	30 FT
Min. Setback from Parking and Driveway	16 FT
<i>Parking Requirements</i>	
Min. Number of Off-Street Parking Spaces Per 1 Bedroom Unit	1.5
Min. Number of Off-Street Parking Spaces Per 2 Bedroom Unit	1.5

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Min. Number of Guest Parking Spaces	14 ²
Driveway Circulation	RSIS
Loading / Unloading / Ride Share	One (1) designated off - street parking space shall be provided for loading, unloading, ride share / local deliveries, subject to Planning Board Approval. This designated ride share, loading, unloading space shall count towards the parking requirements.
Electric Vehicle Parking	See Section 3.5 of this Plan.
<p>¹ Building height is defined by Section 23-1.8 of the Township’s Zoning Ordinance. Additionally, utilitarian appurtenances such as vents, mechanical equipment and utilities may project not more than five (5) feet above the permitted building height unless they are enclosed within parapet walls. Elevators and stairwells may project no more than five (5) feet above the permitted building height provided that any such stairwell or elevator shall be set back a minimum of 15 feet from the edge of the building and screened as directed by the Planning Board.</p> <p>² The guest parking spaces can be shared parking spaces with the subdivided lot with the church and school provided the spaces are within 150 feet to the subject building having crosswalks with pedestrian striping or decorative pavers, and adequate lighting is provided.</p>	

3.1.C Phasing

This development will be constructed in one phase.

3.1.D Signage

1. A signage package shall be submitted in the site plan application. All signs are subject to review by the Zoning Officer when not included as part of a major site plan application.
2. Signs shall be consistent with the architecture of the building and relate to the features of the building in terms of location, scale, color, lettering, materials, texture, and depth. Signs should not be dominant but should be proportionate in order to complement the building and surroundings.
3. Residential signage: One (1) building-mounted “development name” sign per street frontage shall be permitted; signs shall not exceed nine (9) square foot each. The “development name” sign may be attached to the first level of the building, subject to Planning Board approval at the time of the site plan application. A monument sign along the Westfield Avenue frontage (set back at least 10’ from the property line) shall be permitted but shall not exceed 3’ x 4’ (12 sq ft) in sign area. The monument sign shall be consistent with and complement the existing sign materials of the existing monument sign for Saint Bartholomew Church.

4. All buildings and/or uses shall display the street address of the building on the front facade or front door of the building such that it is visible from the adjoining street right-of-way.
5. No electrical wiring associated with a sign shall be visible to public view.
6. Sign Lighting. Signs may be lit from gooseneck fixtures, backlit halo, or up-lights or via other lighting mechanisms approved by the Planning Board. Internally lit signs and sign boxes are prohibited.
7. During construction, one (1) temporary sign per building shall be permitted indicating the following: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable). The sign area shall not exceed ten (10) square feet.
8. Prohibited Signage: The following signs and devices shall not be permitted within the Redevelopment Area:
 - a. Internally or externally illuminated box signs;
 - b. Electronic message boards – including those that have flashing or animated signs, spinners, pennants, or reflective materials that sparkle or twinkle;
 - c. LED TVs in windows for advertising, rope lighting around windows;
 - d. Roof signs, billboards, sign boards;
 - e. Posters, plastic, or paper that appear to be attached to the window except for temporary signage utilized for purposes such as sales. A specific temporary sign is not permitted to be displayed for any more than a 30-day period;
 - f. Pole signs;
 - g. Free-standing signs;
 - h. Fluorescent and/or glowing paint for any signage or building within the Redevelopment Area;
 - i. Waterfall style awnings, metal awnings, or plastic awnings;
 - j. Product advertising signage of any kind.

3.2 DEVELOPMENT REQUIREMENTS

3.2.A Parking And Traffic Circulation Standards

1. The redeveloper shall provide a traffic study for the proposed development at the time of the site plan hearing before the Planning Board that shall address the traffic impact of the proposed development on the Township's traffic circulation and roadways, as well as access to the site in accordance with the Township, Union County, and/or New Jersey Department of Transportation (NJDOT) regulations, as applicable.
2. All required off-street parking spaces shall be provided either on-site, or located on a parking easement area on the subdivided lot of the church and school. Fifty-eight (58) parking spaces shall be provided for the proposed inclusionary residential development. On-site loading and ride share spaces shall count towards the parking requirements. On-street parking shall not count towards any off-street parking or loading requirements.
3. Any parking easement area is to be located at a minimum of 150 feet from the subject building and adequate lighting and access to the subject building is provided.

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4. The parking easement shall remain in perpetuity necessary to provide adequate parking for the inclusionary development.
5. A Traffic Circulation Plan shall be provided depicting the turning radius of an ambulance, EMS truck or paramedic van routes on the subject property. No truck circulation routes shall interfere with any permitted on-street parking spaces or driveways.
6. Emergency vehicle access will be subject to review and approval by the Township Fire Official.
7. All parking spaces, loading spaces, fire lanes, and circulation routes shall be striped and signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). All such striping and signage shall be depicted on the Traffic Circulation Plan.
8. All driveways, internal roadways, site improvements, and parking spaces located on the property shall be owned, leased or memorialized by a cross-access and maintenance easement negotiated between the redeveloper and the Church.
9. The redeveloper shall apply to the Township for Title 39 Jurisdiction.
10. Parking areas shall be well lit in order to create a safe environment for users and be designed to meet the footcandle standards set forth below in Section 3.2.C.2 of this Plan.
11. The project shall have a means of ingress and one means of egress to Westfield Avenue. The ingress access from Westfield Avenue shall be a one-way circulation and the egress shall be one way.
12. Ingress and egress to the subject property can be provided by an access easement which is to remain in perpetuity.
13. The existing angled parking spaces along the main entrance into the campus and the existing ingress and egress movements along this driveway serving both the St. Bartholomew's campus and the proposed age-restricted development shall be further analyzed at the time of the site plan application before the Planning Board.
14. There shall be a designated area for guest parking which may be shared parking on the remaining St. Bartholomew's campus provided adequate lighting, crosswalks, and cross access easements are provided to the Planning Board for review and approval.

3.2.B Project Design Standards And Conditions

1. The new improvements and buildings shall be constructed to the National Fire Protection Association (NFPA) 13 Codes and Standards.
2. There shall be a community space and an outdoor deck and areas for the use of the residential units.
3. Laundry facilities shall be provided within the basement of the building or within each individual unit.

4. The parking spaces shall be 9' x 18' with one exception: the required number of ADA spaces.
5. All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered so that any noise generated by the equipment shall be within the applicable sound standards as defined by the State of New Jersey.
6. If any environmental hazards or conditions exist on the Redevelopment Area, the developer is responsible for obtaining all necessary permits and approvals from the New Jersey Department of Environmental Protection, Land Use Regulation and a Licensed Site Remediation Professional ("LSRP"), including a Remedial Action Order ("RAO") if applicable, prior to the start of any construction activities.
7. Adequate facilities shall be provided for the handling of garbage, recycling, and other refuse by providing and maintaining an enclosed and screened area within the building footprint, within which all garbage, recycling and refuse containers shall be stored, subject to Planning Board approval.
8. The installation of units with walk-in showers are encouraged, and are to be reviewed at the time of the site plan review.
9. The project shall include a stormwater/flood management system which may include, but are not limited to, flood storage, stormwater detention basins, basin overflow areas, culverts etc., and shall be designed and constructed to the appropriate standards
10. The project layout shall be substantially consistent with the Concept Plan in Exhibit 1.
11. The project shall be designed in accordance with the Federal American Disabilities Act (ADA).
12. As noted in this Redevelopment Plan, the Redevelopment Area is located within a flood zone X regulated by the New Jersey Department of Environmental Protection (NJDEP). In order to promote sound environmental sustainability and resiliency planning consistent with the climate change-related hazard vulnerability assessment of a land use plan element, if required to comply with NJDEP Flood Hazard Area Control Act Regulations, the difference in elevation between the flood hazard area elevation as defined under N.J.A.C. 7:13 and the finished first floor building elevation shall not be included within the calculation of the building height provided that this increase in height does not exceed three feet. Any increase in building height under this section shall not be used for any increase in the building height of any architectural height such as a parapet, cornice or feature.
13. All of the proposed thirty-eight (38) residential units shall be age-restricted subject to certification and qualification by the Developer's Administrative Agent and reviewed by the Township's Administrative Agent. For purposes of this Plan, the term "age restricted housing" shall mean housing that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that at least eighty percent (80%) of the units are occupied by one person that is 55 years or older in accordance with the "Housing for Older Persons Act of 1995 (HOPA)" 42 U.S.C. Section 3601 et seq.; or the development has been designated by the Secretary of the U.S. Department of Housing and Urban

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Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. Section 3607. All age-restricted affordable housing units shall satisfy Township's Settlement Agreement and COAH requirements in order for the units to be creditworthy.

3.2.C Lighting Requirements

1. Lighting for a given project shall sufficiently illuminate all areas to prevent dark corners. All lighting sources must be shielded to prevent and eliminate any glare. Luminaries shall provide adequate lighting in an as energy efficient manner as possible and implement high efficiency lighting technologies such as L.E.D. lighting fixtures for site lighting fixtures. All new development shall require the submission of an Isolux lighting plan for review. The sufficiency and type of lighting shall be subject to Planning Board approval.
2. The area of illumination shall have an average illumination of at least 0.5 footcandles, but no more than 1.5 footcandles. Lighting standards for public right-of-way and roadway intersections shall comply with all local, county, and state laws. For mid-block pedestrian crossings, higher illuminations pursuant to the NJDOT Design Manual and/or the Illuminating Engineering Society of North America (IESNA) should be consulted for appropriate lighting levels. Interior garage spaces shall have a maximum average illumination pattern of no more than 3.0 footcandles.
3. Any new light poles located on the Redevelopment Area shall match the design and height of the existing light poles on the Saint Bartholomew property.
4. Provide L.E.D. lighting fixtures for site lighting fixtures. Consider solar electric generation for pedestrian scale lighting systems and/or project signs.

3.2.D Building and Architectural Design Standards and Programming

1. The Exhibits contained within this Redevelopment Plan reflect the vision of the architectural design and use of building materials for the redevelopment project. Exhibit 2 shows the typical building elevation. The building shall be constructed in a manner substantially consistent with the Exhibits of the Redevelopment Plan. Red brick shall be the prominent building material for all elevations. The building elevations shall be typical for all four sides of the buildings to be constructed within the Redevelopment Plan Area. All building elevations are required to be built to the same building construction standards and aesthetics, as depicted in Exhibit 2, using the same building materials.
2. The use of vinyl siding and EFIS are prohibited. Fiber cement panels (Hardiplank and/or horizontal cement panels) can be used along with brick to provide a softer, more residential feel to the building.
3. The exterior brick is to be full dimensional brick, not a thin brick or brick panel.
4. Roofs should be designed to reduce the apparent exterior mass of a building, add visual interest, and be appropriate for the architectural style of the building. Dormers or other architectural features may be used to minimize the apartment mass of the buildings. Overhanging eaves, sloped roofs with a minimum pitch of eight over twelve (8/12), and

multiple roof elements, which can also include rooftop amenity spaces, are highly encouraged.

5. The building elevations depicted in the Exhibits are intended to be illustrative examples of the architectural styles and building materials for the proposed buildings and are subject to further review and comment as the development process moves through the Consistency Review and site plan application before the Planning Board.
6. Primary pedestrian entryways and/or lobbies are to be prominent, well-lit and separate from service or vehicular entrances. Every principal use within a building should provide a main pedestrian entrance onto a public street or public pedestrian way, open space, or a paseo/pedestrian walkway or similar, which shall be prominent and easily identifiable. Additional entrances should be permitted.
7. The proposed age-restricted residential building must comply with all applicable building codes and any other required regulations.
8. Age Restricted Bedroom Distribution:
 - a. Age Restricted Units: the bedroom distribution for the age restricted units shall be comprised of twenty-one (21) one-bedroom units and seventeen (17) two-bedroom units. Three bedroom or greater age restricted units are prohibited.
 - b. The minimum size (square footage) of the age restricted apartments shall be:
 - i. One bedroom 700 sq. ft.
 - ii. Two-bedroom 850 sq. ft.

3.2.E Open Space, Amenities, Landscaping, And Landscape Buffer Requirements

1. A comprehensive landscape plan shall be prepared by a Licensed Landscape Architect. All areas of the site not covered by buildings, pavement, walkways, and other permissible impervious surfaces shall contain lawn and/or landscape plantings. The use of perennial and native species is required.
2. Common areas and courtyards should include a combination outdoor seating, decorative hardscape consisting of unit pavers, stone, or other high-quality materials, outdoor landscape lighting, plantings, and other similar landscape features.
3. Courtyards and above grade terraces should be attractively and uniformly designed with pavement / hardscape, plantings, furniture, and lighting.
4. The redeveloper shall be responsible for the replacement of any landscape material that dies or is damaged. The replacement shall be made no later than the next appropriate planting season for such material.
5. There shall be an adequate landscape buffers of at least 12 feet to create separation from the parking lot areas to all residential units on the first floor.

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6. Parking areas shall incorporate greenery in the forms of native vegetation, and trees to reduce the amount of impervious surface and the limit the heat affect resulting from asphalt parking lots.
7. The use pervious hardscapes and rain gardens to limit stormwater runoff is highly encouraged and subject to Planning Board approval.
8. Community gardens are encouraged to be established to provide resources and extracurricular activities for the residents.

3.2.F Utilities

1. All new electric, telephone, television, cable, gas, and other utility service lines servicing the buildings shall be installed underground, to the extent such underground service is commercially reasonable, available, and permitted by the applicable utility companies, and in all events shall be installed in accordance with the prevailing standards and practices of the respective utility or other companies providing such services.
2. All utility connection permits, and road opening permits shall be obtained from the respective utility authority prior to the start of construction. All municipal roadways damaged by the construction related to the development of the Redevelopment Plan Area shall be restored and/or repaved as directed by the Township of Scotch Plains Engineer.
3. The Project shall provide a stormwater management design for the development that meets the recently adopted, enhanced NJDEP Best Management Practices for stormwater management. The design shall be consistent with the Township's Stormwater Control Ordinance, shall be designed to ensure that the proposed development will have no adverse effects on the subject property, the surrounding properties, or the community at large. The stormwater/flood management systems may include, but are not limited to, flood storage, stormwater detention basins, basin overflow areas, culverts etc., shall be designed and constructed to the appropriate standards.
4. The redeveloper shall be responsible for the construction of all on-site and off-site improvements, in accordance with Section 42 of the Municipal Land Use Law, determined to be required by the engineering studies and investigations, subject to review and approval by the Board and/or Township Engineer. The redeveloper shall identify any existing Township owned utility lines which are located on the property and, if determined to be necessary by the Township Engineer, reconstruct and/or realign any existing Township owned utility lines at the Developer's sole cost to the reasonable satisfaction of the Township Engineer. Any existing or proposed utility lines that are owned or maintained by the Township shall be provided with a utility easement to be dedicated to the Township.

3.2.G Mechanical Screening

1. All ground level or at grade heating/air conditioning units or other mechanical equipment shall be screened by means of solid fencing and supplemented with evergreen plantings with such planting species resistant to urban environments. At initial planting, the materials shall provide a screen from the top of planting to within six inches of grade.

2. All rooftop mechanical equipment, cellular phone antennas, satellite dishes, and television and radio antennas shall be screened from street view from all outward directions and elevations to minimize the negative aesthetic impact upon the view from the street level. Said screening shall be constructed in a manner that is consistent with the architecture of the building and best practices. In all cases, creative placement of said equipment is required in order to eliminate the need for screening. The screening shall not impair the functioning of the equipment.
3. All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable residential sound standards as defined by N.J.A.C. 7:29.
4. No exterior wall mounted cooling/heating system will be permitted, including Packaged Terminal Air Conditioner (PTAC) self-contained heating and air conditioning systems that protrude from the facade of a building. All units will have interior roomed heating/cooling systems with only external color coordinating grating for venting permitted which may protrude in accordance with typical installation.

3.3 PROVISIONS RELATED TO WESTFIELD AVENUE IMPROVEMENTS

3.3.A Streetscape And Landscaping Improvements

1. Streetscape improvements including but not limited to roadway widening, sidewalks, street trees, curbing and stormwater management collection systems shall be installed along the Redevelopment Area's entire frontage along Westfield Avenue, to the satisfaction of the Planning Board Engineer.
2. As needed to support the new development, sidewalks must be provided for the entire length of the Redevelopment Area along Westfield Avenue. It is strongly encouraged that there be integration for the continued sidewalk along Westfield Avenue with the owner of the property within the Redevelopment Area and the property owner of Block 2401, Lot 1 to create a continuous sidewalk along both properties' frontage along Westfield Avenue.
3. Streetscape, open space and landscaped areas shall be subject to the performance and maintenance guarantees as outlined in Section 21 of the Scotch Plains' Ordinances. Details related to the maintenance of streetscape and open space improvements and furnishings shall be further defined in the Redevelopment Agreement(s).
4. A Streetscape and Landscaping Improvements Plan shall be submitted for review and approval by the Scotch Plains Planning Board. The Streetscape Improvement Plan shall be prepared by a Licensed Landscape Architect and shall include detailed construction drawings for all on site landscaping, and all street frontage improvements, including but not limited to street trees, curbing, lighting, walkways, benches, bicycle racks, trash/recycling receptacles, signage and other street furniture as directed by the Scotch Plains Planning Board.
5. All streetscape improvements along Westfield Avenue shall be coordinated with NJ Transit with the existing bus stop in front of the subject property.

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6. **Streetscape Materials:** Vehicular car-paths should be constructed of asphalt. The main pedestrian walkway section of the sidewalks shall be constructed with concrete. If there is sufficient space, the curbside planting buffer/site furnishing/amenity zone shall be constructed of decorative pavers or decorative concrete with tree pits.
7. **Street Planting:** Street trees shall be minimum three (3) inch caliper, balled & burlapped, and in a regularly spaced pattern along Westfield Avenue. Trees may also be planted in groupings with no minimum spacing distance required. All landscaped areas are to be curbed. Tree grates are not permitted. Street trees shall be consistent with the requirements outlined in Section 22-6.6 of the Scotch Plains Ordinance. The species of all street trees shall be approved by the Township DPW.
8. The Project may provide site furnishings that serve the anticipated occupants or users of the building and related exterior spaces, such as, for example: benches, trash and recycling receptacles, bicycle racks, kiosks, sculptural elements, water features, bollards, decorative fences, seat walls, and pedestrian scale lighting.
9. Only indigenous plant species are permitted. Exotic and invasive plant species are prohibited.
10. The Township adopted a Complete Streets Policy on January 16, 2018, through Resolution 2018-34. In accordance with this policy, all new projects, including in the Redevelopment Area, shall incorporate improvements to public streets, public health, and the transportation network in the Township for all users, in coordination with all departments, agencies, and jurisdictions to the extent that it is safe and practicable.

3.3.B Pedestrian Access And Circulation

1. There shall be adequate pedestrian circulation access from the parking lot areas to the residential building in the forms of sidewalks.
2. The plan shall encourage pedestrian connectivity within the Redevelopment Area and the adjacent community and facilitate access to the nearby NJ Transit bus station.
3. **Bicycle parking:** A minimum of 10 (ten) on-site bicycle parking spaces shall be provided on site.

3.4 PROVISIONS RELATED TO AFFORDABLE HOUSING

Subject to the approval by the Superior Court of New Jersey, Union County and the Special Master, the following terms regarding the Affordable Housing set-aside component of the residential project, the following shall be adhered to:

1. The affordable housing units shall be Age Restricted as defined by N.J.A.C. 5:8026.2. Age-restricted affordable housing units shall satisfy Township's Settlement agreement and COAH requirements in order for the units to be creditworthy.
2. The redeveloper shall have the obligation to deed restrict fifteen percent (15%) of the residential units in the inclusionary development as very low-, low- and moderate-income

affordable units which will be six (6) affordable units. All such affordable units shall comply with UHAC regulations, applicable COAH affordable housing regulations, any applicable orders of the Court, and other applicable laws.

3. **Deed Restriction Period:** Pursuant to UHAC, the redeveloper shall have an obligation to deed restrict the affordable units in the inclusionary development as very low-, low- or moderate-income affordable units for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period") until the Township of Scotch Plains takes action to release the controls on affordability. Parties agree that the affordability controls shall not expire until such time at least thirty (30) years from the date of initial occupancy, that the Township takes action to release the controls on affordability.
4. **Deed Restriction:** The redeveloper shall execute and record a Deed Restriction for the affordable units before the first Certificate of Occupancy is issued for the inclusionary development. The Deed Restriction will be recorded in the Union County Clerk's office.
5. **Income Distribution Requirement:** Thirteen percent (13%) of the total number of the affordable rental units must be very low-income units, thirty-seven (37%) of the total number of affordable for-sale units must be low-income units, and the remaining fifty percent (50%) may be moderate income units. The income distribution shall be subject to approval by the Superior Court of Union County and the Special Master.
6. **Bedroom Mix:** Pursuant to N.J.A.C. 5:80-26.3(c), age-restricted units may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development. The standard may be met by creating all one-bedroom units or by creating two-bedroom units for each efficiency unit.
7. **Other Affordable Housing Unit Requirements:** The Redeveloper will also comply with all of the other requirements of UHAC and the Township's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. The redeveloper shall disperse the affordable units within the proposed residential buildings on the property and shall provide the exact location of each affordable unit at the time of site plan application, which shall be subject to review and approval by the Township's planner and the Special Master.
8. **Administrative Agent:** The Redeveloper shall contract with a qualified and experienced third-party administrative agent, which may be the Township's administrative agent (the "Administrative Agent") for the administration of the affordable units and shall have the obligation to pay all costs associated with properly deed restricting the affordable units in accordance with this Agreement for the Deed-Restriction Period. The redeveloper and its Administrative Agent shall work with the Township and the Township's Administrative Agent, should the developer's and the Township's Administrative Agent not be one in the same, regarding any affordable housing monitoring requirements imposed by COAH or the Court. The redeveloper shall provide, within thirty (30) days after written notice, detailed information reasonably requested by the Township or the Township's Administrative Agent, should the redevelopers and the Township's Administrative Agent not be one and the same,

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concerning the developer's compliance with UHAC, the Township's Affordable Housing Ordinance, all applicable Court orders, and other applicable laws.

9. **Veteran's Residency Preference:** Section 311j. of the FHA allows for a municipality to enter into an agreement with a developer to provide a preference for affordable housing to very low-, low- and moderate-income veterans who served in time of war or other emergency as defined in Section I of P.L.1963, c. 171 (C.54:4-8.10), of up to fifty percent (50%) of the affordable units in a particular project. N.J.S.A. 52:27D-311j. Said veterans residency preference will apply to three (3) of the six (6) affordable units in this Project. The Developer's Administrative Agent will work with the Township's Administrative Agent, should the Developer's and the Township's Administrative Agent not be one and the same, to establish an applicant selection process for the three (3) affordable units and a separate process to ensure that for three (3) of the affordable rental units, applicants who are veterans who served in time of war or other emergency, and who apply within 90 days of the initial marketing period shall receive preference for one of the affordable units in the project until three (3) of the affordable rental units are occupied. After the first 90 days of the initial 120-day marketing period, if any of those units subject to the preference remain available, then applicants from the general public shall be considered for occupancy. Following the initial 120-day marketing period, previously qualified applicants and future qualified applicants who are veterans who served in time of war or other emergency, shall be placed on a special waiting list as well as the general waiting list. The veterans on the special waiting list shall be given preference for affordable units, as the units become available, whenever the number of preference-occupied units in the Project falls below three (3) occupied affordable rental units. The veteran's preference on the three (3) affordable rental units in the project shall not affect the Township's ability to receive affordable housing credits for said units.

3.5 ELECTRIC VEHICLE PARKING

To further encourage the use of green building and sustainable techniques, the State of New Jersey has passed an act and the Township of Scotch Plains passed Ordinance 2023-4 concerning electric vehicle supply equipment and Make-Ready parking spaces that outlines the requirements for 'make-ready' parking spaces and the designation of Electric Vehicle infrastructure as a permitted accessory use and permitted accessory structure. This Redevelopment Plan shall follow the requirements pursuant to N.J.S.A. 40:55D-66.20 et. seq. The requirements are summarized as follows:

As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is a building held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the redeveloper or owner, as applicable shall:

1. Prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces and install electric vehicle supply equipment in at least one third of the 15 percent of Make-Ready parking spaces.
2. Within three years following the date of the issuance of the certificate of occupancy, install electric vehicle supply equipment in an additional one third of the original 15 percent of Make-Ready parking spaces.

3. Within six years following the date of the issuance of the certificate of occupancy, install electric vehicle supply equipment in the final one third of the original 15 percent of Make-Ready parking spaces.
4. Throughout the installation of electric vehicle supply equipment in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities
5. The parking requirements for both commercial and residential uses have been reduced from the Residential Site Improvement Standards and the Township non-residential parking standards and the off-street parking requirements in this Plan takes into consideration N.J.S.A. 40:55D-66.20 et. seq. Therefore, no further reduction of the total number of parking spaces shall be allowed as may be permitted under N.J.S.A. 40:55D-66.20 et. seq. The Developer shall be required to install the number of EV stations in accordance with the N.J.S.A. 40:55D-66.20 et. seq. Any ambiguities between these requirements and those set forth in N.J.S.A. 40:55D-66.20 et. seq, the aforesaid statute shall be controlling.

3.6 GREEN BUILDING AND SUSTAINABILITY

The use of green building technologies is strongly encouraged to be incorporated into all aspects of the project design. Green building (also known as green construction or sustainable building) is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life cycle: from siting to design, construction, operation, maintenance, renovation, and demolition. Development in the Redevelopment Plan Area is encouraged to incorporate, where feasible, building technologies and practices that promote sustainability and LEED initiatives of U.S. Green Buildings Committee. Green building design offers the advantages of reduced energy and operating costs while at the same time using less materials. Building design should consider incorporating the following:

1. Solar panels, green roofs, storm water recharging systems and solar powered lighting are some methods that could be used to increase resource efficiency.
2. Implement green roof planting on flat roofing of multi-story buildings or light color for roof surfaces.
3. The use of high efficiency fixtures can reduce energy consumption.
4. Specify building products with recycled content and that are manufactured regionally.
5. Specify ENERGY STAR appliances to help reduce energy consumption.
6. Operable windows should be provided for all residential and non-residential spaces.

3.7 REDEVELOPMENT ACTIONS

3.7.A Demolition

The development of the Redevelopment Area will not entail the demolition of the existing Fatima House building. The proposed redevelopment will preserve the existing building and incorporate the new building additions to create a cohesive residential building.

3.7.B New Construction

This Plan involves preserving the existing Fatima House building and constructing new three-story additions to be attached to the existing Fatima House building. The new inclusionary residential building will contain a total of thirty-eight (38) residential units with accessory parking to support

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the development, along with all related roadways, pedestrian pathways, open space improvements, on-site surface parking, and off-tract, and streetscape improvements along any frontage as further described in this Redevelopment Plan.

3.7.C Properties to Be Acquired

This Redevelopment Plan will not involve the taking of any privately or publicly owned property.

3.7.D Relocation

No residents or businesses will need to be relocated as part of this Redevelopment Plan. Therefore, there is no need for a resident or workplace relocation assistance program ("WRAP").

SECTION 4. RELATIONSHIP TO LAND USE AND ZONING ORDINANCE

This Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Scotch Plains regulating development in the Redevelopment Plan Area. Final adoption of this Plan by the Township Council shall be considered an amendment of the Township of Scotch Plains Zoning Map.

The zoning district map in the zoning ordinances of the Township shall be amended to include the boundaries described in this Redevelopment Plan and the provisions therein. All the provisions of this Plan shall supersede the applicable development regulations of the Township's ordinances, as and where indicated, for the Redevelopment Area. In the event of any inconsistencies between the provisions of this Plan and any prior ordinance of the Township of Scotch Plains, the provisions herein shall govern.

SECTION 5. RELATIONSHIP TO OTHER PLANS

5.1 PLANS OF ADJACENT MUNICIPALITIES

A. Borough of Fanwood

The Borough of Fanwood is located in Union County and is in close proximity to the central portion of Scotch Plains. Fanwood is located to the west of Scotch Plains and is surrounded entirely on three sides by Scotch Plains, and therefore, it is inherently connected to the Township. The Redevelopment Area is located on Westfield Avenue which is located in the northern portion of the Township. Westfield Avenue connects to Park Avenue and Westfield Road which is one of the many roads that connects Scotch Plains to Fanwood. Therefore, Fanwood may be affected by increased traffic along these roadways.

B. City of Plainfield

The City of Plainfield is located in Union County, just to the west of Scotch Plains with access at both the northwestern border and the southwestern border. The Redevelopment Area is located in the northern portion of the Township. Westfield Avenue going west turns into E. 2nd Street which traverses into Plainfield. Plainfield may be impacted by increased traffic along this roadway.

C. Borough of South Plainfield

The Borough of South Plainfield is located in Middlesex County, at the very southwest tip of Scotch Plains. The geographic connection with South Plainfield is incredibly minute, and far removed from the Redevelopment Area. It is not anticipated that new construction in the Redevelopment Area will have a large impact on South Plainfield Borough, if any at all.

D. Borough of Watchung

The Borough of Watchung is located in Somerset County, across Scotch Plains northern border along Route 22 and the Watchung Reservation park. The Borough has a significant border with Scotch Plains and is connected by State Highway Route 22, which is a regional corridor. The Redevelopment Area's location on Westfield Avenue in the northern portion of the Township, is in close proximity to Park Avenue and Westfield Road which connects to Route 22. Watchung may be impacted by increased traffic along the Route 22 corridor.

E. Township of Berkeley Heights

The Township of Berkeley Heights is located in Union County and shares its border with Scotch Plains along the Watchung Reservation at the northern border of Scotch Plains. From Park Avenue, Bonnie Burn Road or New Providence/Diamond Hill Road provide access into Berkeley Heights from Scotch Plains and intersect with Route 78. The proximity of regional routes, as well as the significant natural buffering through the Watchung Reservation will likely reduce any real impacts to Berkeley Heights. It is not anticipated that new construction in the Redevelopment Area or the resulting project will have a large impact on Berkeley Heights, if any at all.

F. Borough of Mountainside

The Borough of Mountainside is located in Union County and shares a border with the northeastern portion of Scotch Plains. The most prominent connection to Mountainside is Route 22, which defines the southern portion of the border of the two municipalities. The distance to the Redevelopment Area from Mountainside is fairly large, and therefore, it is not anticipated that new construction in the Redevelopment Area will have a large impact on Mountainside Borough, if any at all.

G. Township of Westfield

The Township of Westfield is located in Union County and shares a large border with the majority of the eastern edge of Scotch Plains. Westfield Avenue connects to Brightwood Avenue, which connects the two municipalities. As a result, Westfield may be affected by traffic patterns generated by the development.

H. Township of Clark

The Township of Clark is located in Union County and shares a border with the southeastern border of Scotch Plains. Clark is close to the Ash Brook Reservation and Golf Course and low-density residential development in this portion of Scotch Plains. However, Clark's location is far removed from the Redevelopment Area. Overall, it is not anticipated that new construction in the Redevelopment Area will have a large impact on Clark, if any at all.

I. Township of Edison

The Township of Edison is located in Middlesex County and shares a large border with the southernmost edge of Scotch Plains. The most prominent roadway connections to Scotch Plains are

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Old Raritan Road and Rahway Road, which enter from the north of Edison into the southern portion of Scotch Plains. Edison is close to the Ash Brook Reservation and Golf Course and low-density residential development in this portion of the Township; however, Edison is far south of the Redevelopment Area and does not share any direct connections to it. Therefore, it is not anticipated that new construction in the Redevelopment Area will have a large impact on Edison, if any at all.

5.2 UNION COUNTY MASTER PLAN

“The Union County Master Plan has a variety of planning goals and objectives designed to address major issues and influences that impact Union County’s housing, land use, transportation/circulation, and economic development. The County goals and objectives recognize the interrelationships of related policies of municipalities, regional agencies, and the State regarding the future development of Union County.”¹

The Union County Master Plan sets guidelines for the municipalities of Union County and aims to spur economic growth through commercial, residential and transportation development. The Union County Master Plan promotes development and redevelopment consistent with surrounding areas while revitalizing “older suburban areas through...commercial adaptive reuse...upgrading of community infrastructure and upgrading transportation and transit facilities.”²

This Redevelopment Plan is consistent with the Union County Master Plan in that it aims to promote redevelopment of vacant and blighted Township lots through beautification and planning efforts.

5.3 NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN

All the properties in the Redevelopment Plan Area are mapped within the Metropolitan Planning Area PA I as depicted on the New Jersey State Development and Redevelopment Plan. “In the Metropolitan Planning Area, the State Plan’s intention is to provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older communities; redesign areas of sprawl; protect the character of existing stable communities.”³

In 2001, the New Jersey State Planning Commission adopted The New Jersey State Development and Redevelopment Plan. A Final Draft of the State Development and Redevelopment Plan was reissued in 2010. The State Planning Act contains three key provisions that mandate the approaches the Plan must use in achieving State Planning Goals. The Plan must encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services or facilities and to discourage development where it may impair or destroy natural resources or environmental qualities; reduce sprawl; and promote development and redevelopment in a manner consistent with sound planning and where infrastructure can be provided at private expense or with reasonable expenditures of public funds (N.J.S.A. 52:18A-196. et seq.).

The general redevelopment plan strategy is to achieve all the State Planning Goals by coordinating public and private actions to guide future growth into compact, ecologically designed forms of

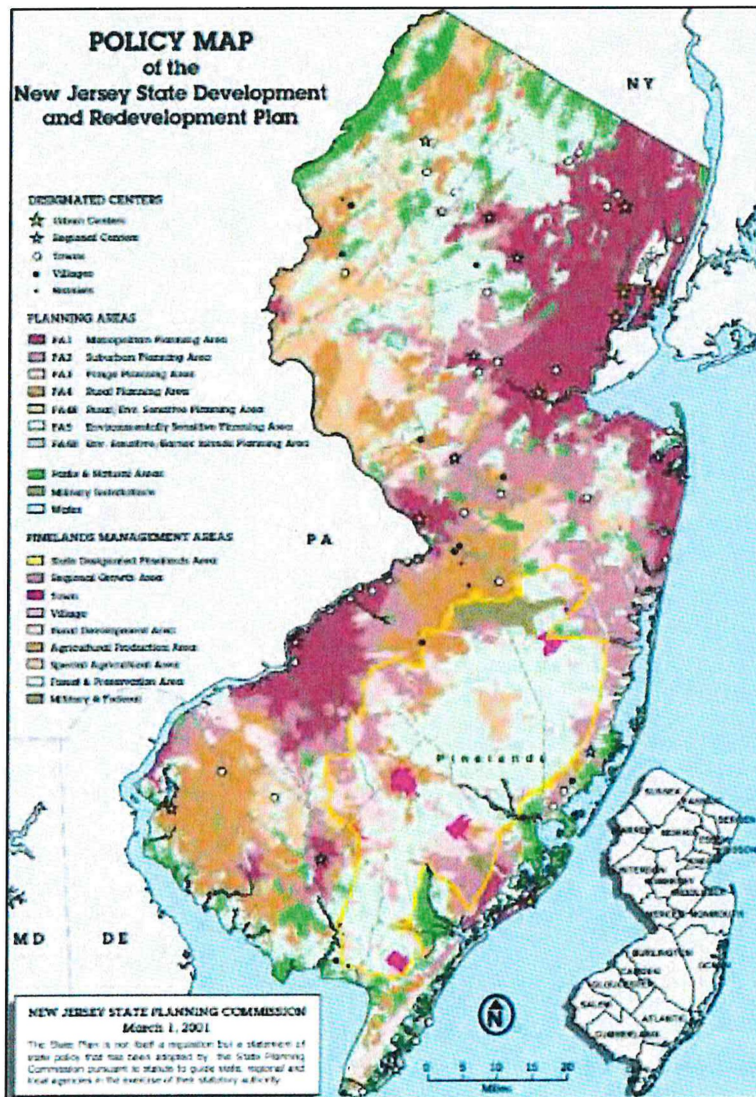
¹ Union County Master Plan. June 1998, 1-2

² Union County Master Plan: June 1998, 1-3 – 1-4.

³ State Development and Redevelopment Plan, New Jersey State Planning Commission, adopted March 1, 2001, page 190.

development and redevelopment, and to protect the Environs, consistent with the Statewide Policies and the State Plan Policy Map.

The New Jersey State Plan Policy Map integrates the two critical spatial concepts of the State Plan—Planning Areas, and Center and Environs—and provides the framework for implementing the Goals and Statewide Policies. Each Planning Area has specific intentions and Policy Objectives that guide the application of the Statewide Policies. The Policy Objectives ensure that the Planning Areas guide the development of location of Centers and protect the Environs. Applying the Statewide Policies through the State Plan Policy Map will achieve the goals of the State Planning Act.



According to the New Jersey State Development and Redevelopment Plan, the Fatima House Redevelopment Area is in the Metropolitan Planning Area, PA1. PA1 provides for much of the state's future redevelopment: revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities. As the name implies, the communities in this Planning Area often have strong ties to, or are influenced by, major metropolitan centers — the New York/Newark/Jersey City metropolitan region in the northeastern counties. The investment in passenger rail service in the Metropolitan Planning Area is represented by over 130 stations on eleven (11) heavy rail lines, two (2) rapid transit lines, two (2) light rail lines, and one (1) subway line.

Over the years, both the public and private sectors have made enormous investments in building and maintaining a wide range of facilities and services to support these communities. This

massive public investment is reflected in thousands of miles of streets, trade schools and colleges, libraries, theaters, office buildings, parks and plazas, transit terminals and airports. Most of these communities are fully developed, or almost fully developed, with little vacant land available for

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new development. Much of the change in land uses, therefore, will take the form of redevelopment. These communities have many things in common: mature settlement patterns resulting in a diminished supply of vacant land; infrastructure systems that generally are beyond or approaching their reasonable life expectancy; the need to rehabilitate housing to meet ever changing market standards; the recognition that redevelopment is, or will be in the not-too-distant future, the predominant form of growth; and a growing realization of the need to regionalize an increasing number of services and systems in light of growing fiscal restraints. In addition, the wide and often affordable choice of housing in proximity to New York and Philadelphia has attracted significant immigration, resulting in noticeable changes in demographic characteristics over time. This Redevelopment Plan is consistent with and will reinforce the goals and objectives of the State Development and Redevelopment Plan.

SECTION 6. GENERAL PROVISIONS

6.1 ROLE OF THE TOWNSHIP OF SCOTCH PLAINS

6.1.A Redeveloper Selection

In order to ensure that the vision of this Plan will be successfully implemented in an effective, comprehensive and timely way and in order to promptly achieve the public purpose goals of this Plan, the Township Council would first need to select a Redeveloper(s) for all or any portion of the Plan. Said Redeveloper(s) would then be required to execute a Redevelopment Agreement satisfactory to and authorized by the Township Council.

6.1.B Pilot Agreement

The Township Council may approve a long-term tax exemption pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., for a redevelopment project on the newly created subdivided property of the Redevelopment Plan area from Block 2401, Lot 1 subject to approval by the Township Council.

6.2 APPROVALS PROCESS

This Plan changes the process by which approvals for the development of land are typically granted. For a typical development application, a property owner submits plans and an application to the Planning Board or Zoning Board of Adjustment, and the Board schedules a hearing on the application. However, in order to comply with this Plan and to streamline the review process, the following procedure will be followed:

6.2.A Township Council Review

The Township Council acting as the Redevelopment Entity shall review the Consistency Review Materials, which shall consist of the site plans, architectural drawings and a zoning analysis addressing the requirements of this Redevelopment Plan, for a proposed redevelopment project(s) within the designated Redevelopment Area to ensure that such project is consistent with this Plan and associated Redeveloper Agreement(s) ("Consistency Review"). Such review shall occur prior to the submission of the site plan application for the redevelopment project(s) to the Planning Board. During such process, the Township Council may seek input from a committee or subcommittee formed by the Township Council which may include members of the Township Council and any other members

and/or professionals as determined necessary and appropriate by the Township Council. Such committee or subcommittee shall make its recommendations to the Township Council.

In undertaking the Consistency Review, the Township Council shall review whether the Consistency Review Materials are consistent with this Redevelopment Plan and associated executed Redeveloper Agreement(s). Such review shall be completed and a review letter stating any items to be addressed further shall be issued to the Redeveloper within 60 days of submission to the Township Clerk of the land development application (such 60 day time frame being a “target date” only, as long as the Township Council is acting in good faith and with continuity of purpose within said 60 day time frame). Following the submission of the response by the Redeveloper, the Township and Redeveloper shall act promptly and in good faith to resolve any issues arising out of the Consistency Review process. It is expressly acknowledged that the Consistency Review is mandatory and shall be a pre-condition to the submission by any redeveloper of a land development application to the Planning Board.

6.2.B Planning Board Review Process

Upon the issuance of a report by the Township Council to the Planning Board and Applicant stating that the Consistency Review Materials have been reviewed and is consistent with the Redevelopment Plan and Redevelopment Agreement or otherwise acceptable to the Township Council, the development application shall be submitted to the Planning Board. All development applications shall be submitted to the Scotch Plains Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The Planning Board shall deem any application for redevelopment for any property subject to this Plan incomplete if the applicant has not been designated by the Township Council as a redeveloper(s) and the project plan has not been reviewed and approved by the Township Council.

6.3 VARIANCES AND DESIGN WAIVERS

Any deviation from a permitted use standard, which would typically result in a “d” variance pursuant to N.J.S.A. 40:55D-70d, shall be addressed as an amendment to this Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations which would result in a “d” variance. The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Redevelopment Plan, and the Scotch Plains Land Development Code if applicable, to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c and the power to grant waivers from the standards of the Redevelopment Plan, and the Scotch Plains Land Development Code if applicable, to the same extent as the Board may grant relief from subdivision and site plan regulations pursuant to N.J.S.A. 40:55D-51.

6.4 EASEMENTS

All existing easements or agreements shall be documented as part of any development proposal prior to or as part of the Consistency Review. Each Party shall grant to the other the temporary and permanent easements which are necessary for access, circulation and for the proper functioning of utility and drainage systems, for access and parking, and for roadway access, and as are otherwise necessary to facilitate construction and operation of the Redevelopment Project as contemplated by the Approvals. No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Township Council.

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6.5 SITE PLAN REVIEW

6.5.A Site Plan and Subdivision Review

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the Redevelopment Plan Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Township Planning Board.

6.5.B Approvals By Other Agencies

The redeveloper shall be required to provide the Township with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the Redeveloper's Agreement to be executed between the redeveloper and the Township.

6.5.C Certificate of Completion and Compliance

Upon the inspection, verification, and approval by the Township Council that the redevelopment of the Redevelopment Plan Area, or portion thereof, is completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such area will be deemed no longer in need of redevelopment or subject to the terms of any redevelopment agreement negotiated and executed between the Redeveloper and the Township.

6.5.D Severability

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

6.5.E Adverse Influences

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

6.5.F Non-Discrimination Provisions

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Township Council or by a developer or any of his successors or assignees, whereby land within the Redevelopment Plan Area is restricted by the Township Council, or the developer, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Plan Area based on age, race, creed, color, or national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale, lease, or occupancy thereof.

6.5.G Infrastructure and Public Improvements

The redeveloper, at the redeveloper's sole cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and stormwater sewer service to the Redevelopment Plan Area, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the developer's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on- and off-site traffic controls and road improvements for the Plan Area or required as a result of the impacts of the project.

6.5.H Duration of The Plan

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this Plan by the Township Council.

6.5.I Procedure for Amending the Approved Plan

This Plan may be amended from time to time upon compliance with the requirements of state law.

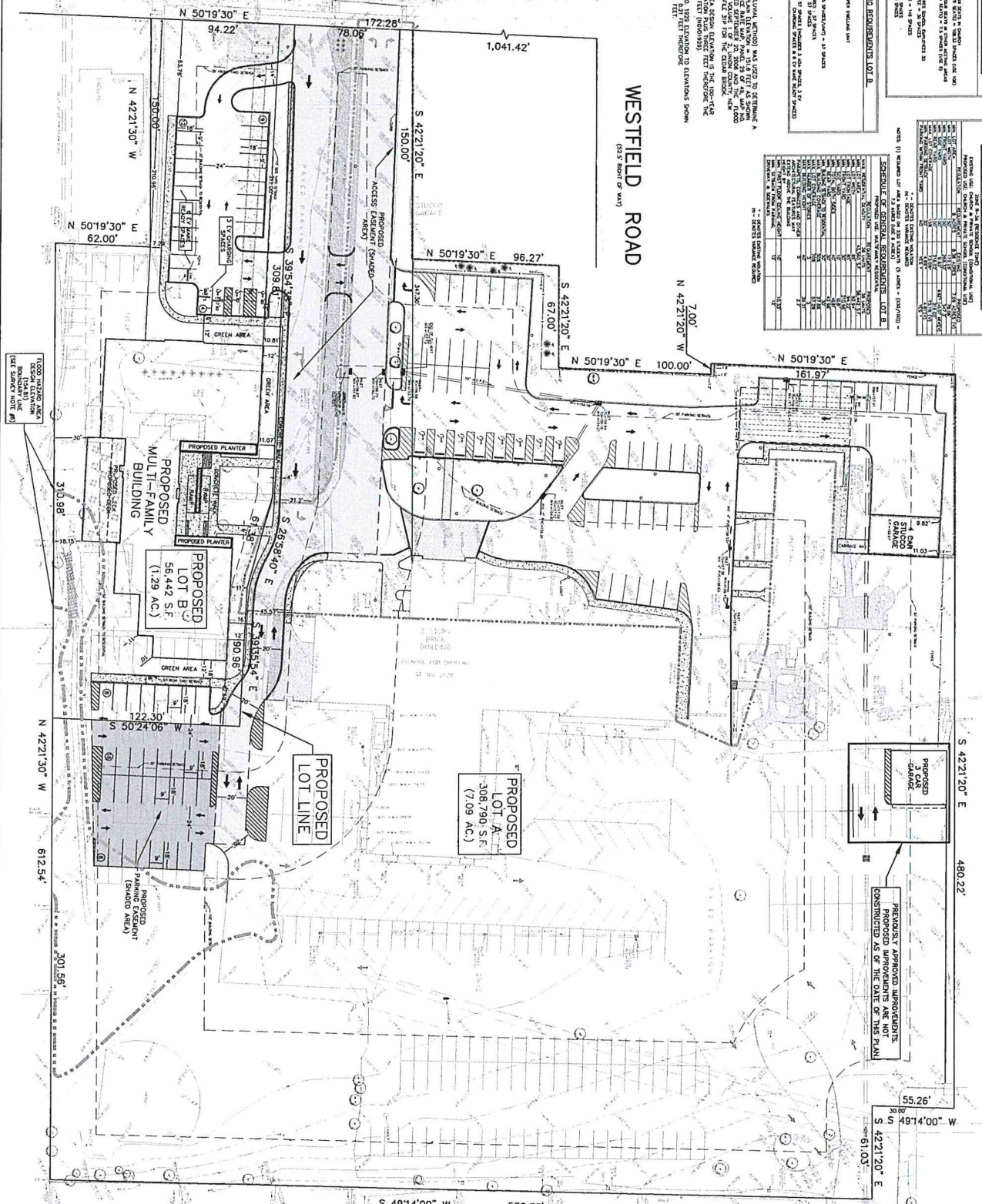
6.6 MISCELLANEOUS PROVISIONS

1. All the provisions of this Plan shall supersede the applicable development regulations of the Township's ordinances, as and where indicated, for the Redevelopment Plan Area.
2. If any article, section, subsection, sentence, clause, or phrase of this Plan is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.
3. In the event of any inconsistencies between the provisions of this Plan and any prior ordinance of the Township of Scotch Plains, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Scotch Plains are hereby ratified and confirmed, except where inconsistent with the terms hereof.
4. Throughout this Plan, a distinction is made between "shall" and "should." "Shall" means that a developer is required to comply with the specific regulation, without deviation. "Should" means that a developer is encouraged to comply but is not required to do so.

SECTION 7. EXHIBITS

WESTFIELD AVENUE
(20' RIGHT OF WAY)

WESTFIELD ROAD
(25' RIGHT OF WAY)



EXISTING CONDITIONS

1. ALL LOTS (TOTAL PLANNED LOT) WAS USED TO DETERMINE A PROPOSED LOT CONFIGURATION. THE PROPOSED LOT CONFIGURATION IS BASED ON THE EXISTING LOT CONFIGURATION AND THE PROPOSED LOT CONFIGURATION IS BASED ON THE EXISTING LOT CONFIGURATION.

2. THE PROPOSED LOT CONFIGURATION IS BASED ON THE EXISTING LOT CONFIGURATION AND THE PROPOSED LOT CONFIGURATION IS BASED ON THE EXISTING LOT CONFIGURATION.

SCHEDULE OF GENERAL REQUIREMENTS LOT A

NO.	DESCRIPTION	REMARKS
1	PROPOSED LOT A	308,790 S.F. (7.09 AC)
2	PROPOSED LOT B	56,442 S.F. (1.29 AC)
3	PROPOSED LOT C	3,048 S.F.

SCHEDULE OF GENERAL REQUIREMENTS LOT B

NO.	DESCRIPTION	REMARKS
1	PROPOSED LOT B	56,442 S.F. (1.29 AC)
2	PROPOSED LOT C	3,048 S.F.

SCHEDULE OF GENERAL REQUIREMENTS LOT C

NO.	DESCRIPTION	REMARKS
1	PROPOSED LOT C	3,048 S.F.

CONCEPT 'E' - PROPOSED LOT CONFIGURATION
 CHURCH OF ST. BARTHOLOMEW THE APOSTLE
 TAX LOT 1 BLOCK 2401
 TOWNSHIP OF SCOTCH PLAINS, UNION COUNTY, NEW JERSEY

EKA ASSOCIATES, P.A.
 Engineers • Surveyors • Planners
 328 Park Avenue, Scotch Plains, N.J. 07076
 908-322-2030

REVISIONS:
 7/26/2023 - REVISED TO SHOW FLOOD HAZARD LINC

Joseph N. Bachi
JOSEPH N. BACHI, P.E.
 PROFESSIONAL ENGINEER
 N.J. LICENSE NO. 24020825200

Job No. 84854 Date 7/13/2023 Scale 1" = 30' Draw MW Prep No. FILE Sheet 1 of 1

LEGEND

- - -	EXISTING SIDEWALK ELEVATION	- - -	PROPOSED CONTOUR
- - -	EXISTING GROUND ELEVATION	- - -	PROPOSED SPOT ELEVATION
- - -	EXISTING CENTERLINE ELEVATION	- - -	EXISTING PAVEMENT ELEVATION
- - -	EXISTING TOP OF CURB ELEVATION	- - -	EXISTING GRAVEL ELEVATION
- - -	EXISTING BOTTOM OF CURB ELEVATION	- - -	EXISTING BUILDING ELEVATION
- - -	EXISTING DEPRESSED CURB	- - -	EXISTING CONCRETE ELEVATION
- - -	EXISTING SANITARY MANHOLE	- - -	EXISTING TOP OF GRATE ELEVATION
- - -	EXISTING STORM MANHOLE	- - -	EXISTING INVERT
- - -	EXISTING UTILITY POLE	- - -	EXISTING SPOT ELEVATION
- - -	EXISTING WATER VALVE	- - -	EXISTING EDGE OF PAVEMENT ELEVATION
- - -	EXISTING TREE AND SIZE	- - -	EXISTING CONTOUR
- - -	EXISTING TREES TO BE REMOVED		

GRAPHIC SCALE
 1 inch = 30' ft

WATCHING VIEW PLACE
 (FOR RIGHT OF WAY)



**Inglise Architecture
+ Engineering**
6327 Pennsylvania Avenue
Chapel Hill, NC 27514
919.966.8800
www.inglise.com



APPROVED FOR THE EXHIBIT
BY: ROBERT J. INGLISE
NO. 24086
STATE OF NORTH CAROLINA
EXPIRES: 12/31/2024

FATIMA HOUSE
REHABILITATION OF 3-STORY SENIOR BUILDING
2032 WESTFIELD AVENUE
SCOTCH PLAINS, NJ
BLOCK 2401, LOT 1

OWNER:
OUR LADY FATIMA HOUSE, LLC
1500 CALDWELL BLVD
SCOTCH PLAINS, NJ 07076
908.486.8282

DESIGNER:
INGLISE ARCHITECTURE + ENGINEERING
6327 PENNSYLVANIA AVENUE
CHAPEL HILL, NC 27514
919.966.8800

DATE	DESCRIPTION
2024.08.20	ISSUE FOR PERMITTING
2024.08.20	ISSUE FOR PERMITTING
2024.08.20	ISSUE FOR PERMITTING
2024.08.20	ISSUE FOR PERMITTING

PROJECT NO: 24-01
SHEET TITLE: 24-01
CONTRACT REVISIONS:

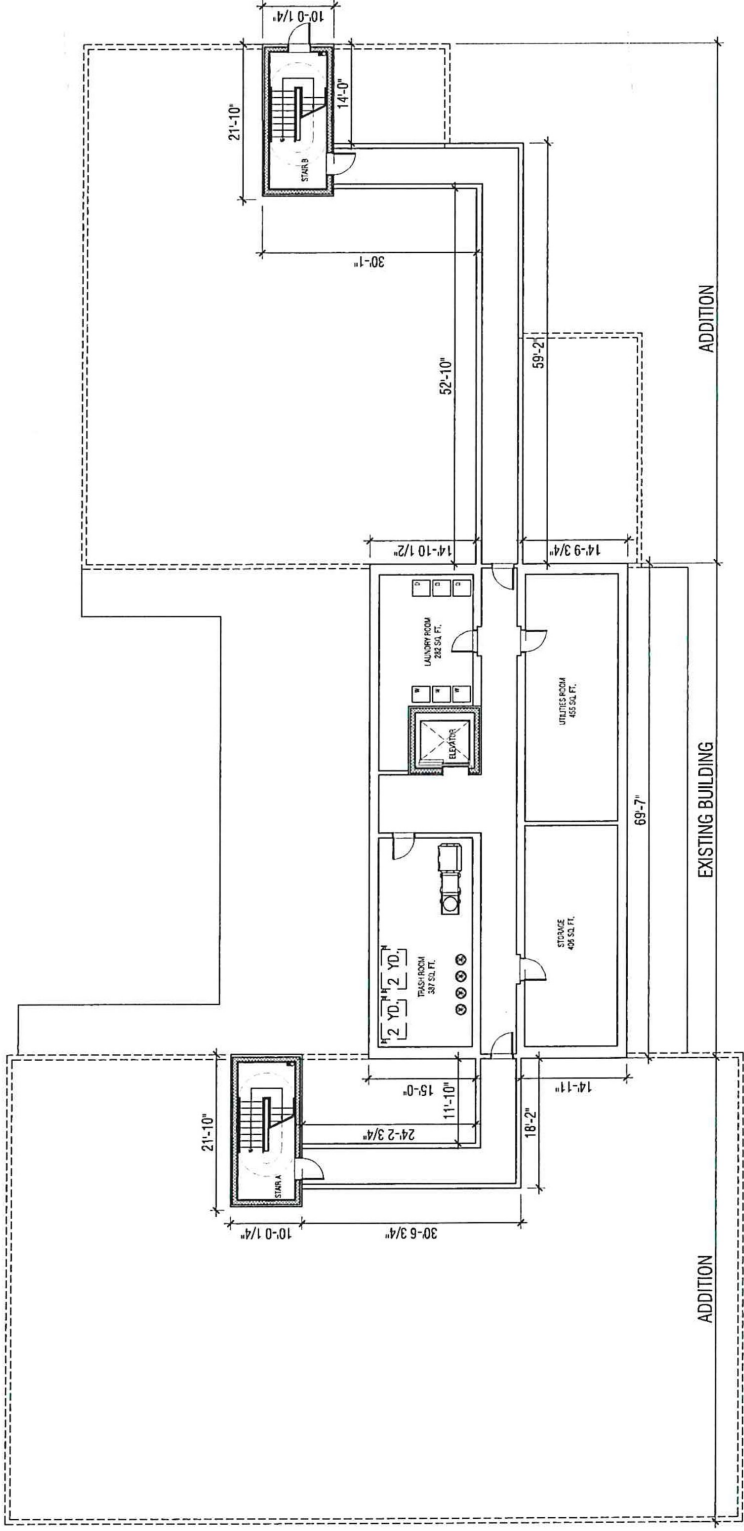
SHEET: T-110



② VIEW FROM WESTFIELD AVENUE
SCALE: N/A



① NORTHWEST VIEW
SCALE: N/A



① BASEMENT FLOOR PLAN
 SCALE: 1/8" = 1'-0"



**Inglese Architecture
+ Engineering**
4325 Princeton Ave. Suite 200
Princeton, NJ 08540
Tel: 609.799.1100
Fax: 609.799.1101
www.inglese-ae.com



**REDEVELOPMENT
PLAN SET**
FOR THE REDEVELOPMENT
OF THE SCOTCH PLAINS
SENIOR CENTER
3032 WESTFIELD AVENUE
SCOTCH PLAINS, NJ
07076

OWNER:
OUR LAY FATIMA HOUSE LLC
1300 CALDWAY BL. #200
NEW BRUNSWICK, NJ
08901

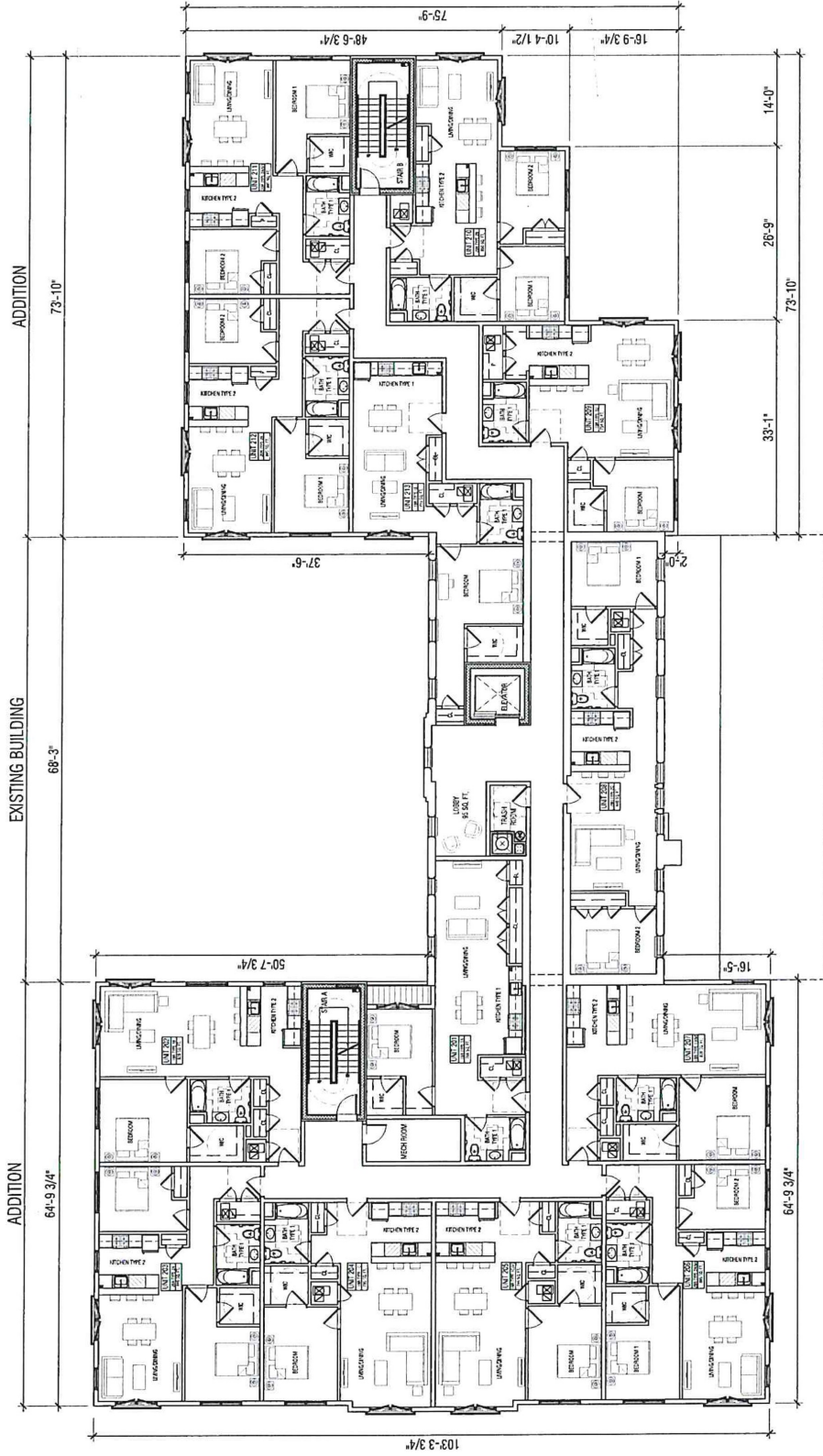
DESIGNER:
INGLESE ARCHITECTURE + ENGINEERING
4325 PRINCETON AVENUE SUITE 200
PRINCETON, NJ 08540
TEL: 609.799.1100
WWW.INGLESE-AE.COM

FATIMA HOUSE
REHABILITATION OF 3-STORY SENIOR BUILDING
BLOCK 2401, LOT 1
SCOTCH PLAINS, NJ

DATE: 03/20/2023
PROJECT NO: 23-001

SHEET TITLE:	SECOND FLOOR PLAN
DATE:	03/20/2023
SCALE:	1/8" = 1'-0"

SHEET: **A-102**



① SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



**Ingeles Architecture
+ Engineering**
422 Park Avenue
L20 100301
New York, NY 10022
Tel: 212 692 4400
Fax: 212 692 4401
www.ingelese.com



DATE: 11/15/11
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]
DATE: 11/15/11

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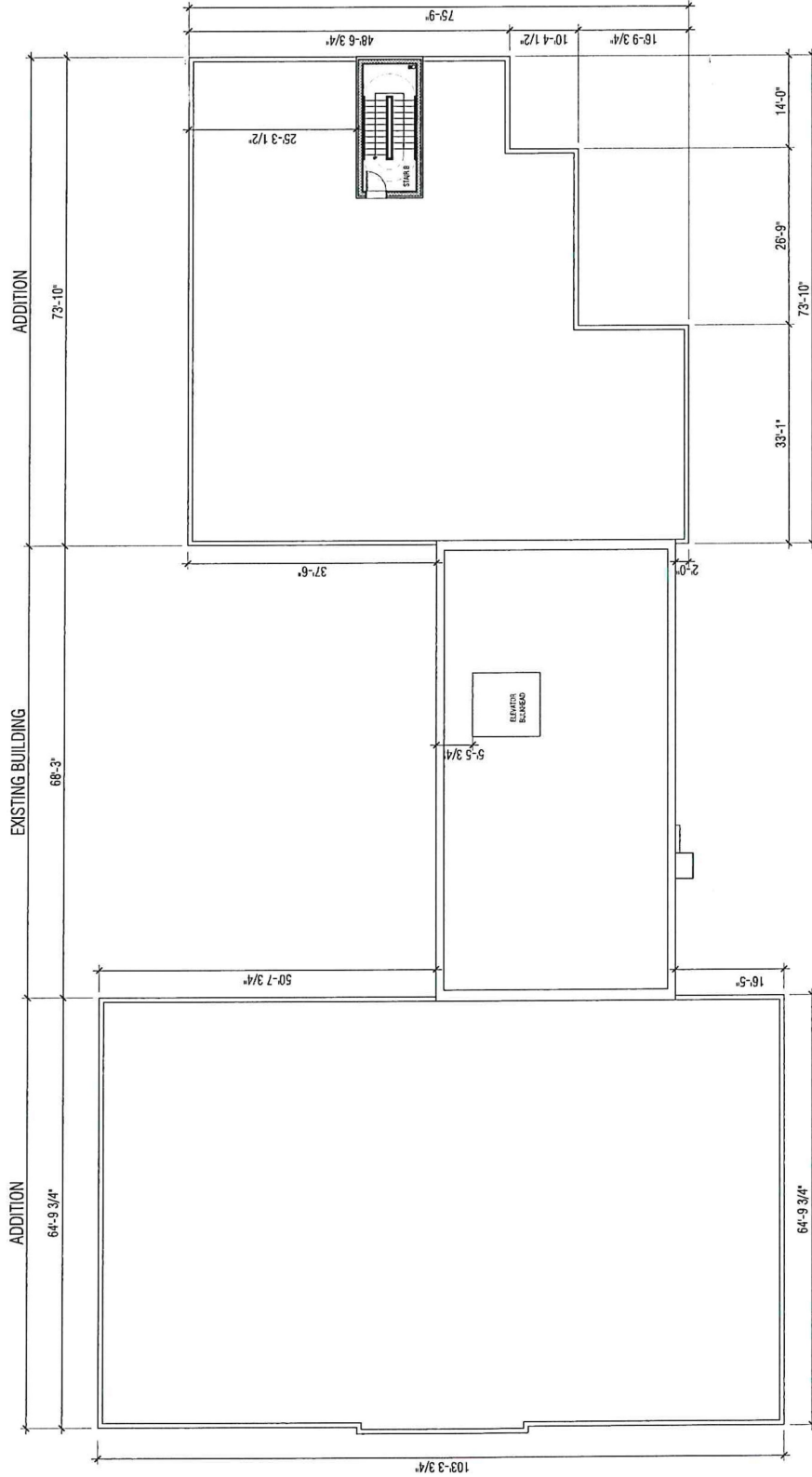
FATIMA HOUSE
REHABILITATION OF 3-STORY SENIOR BUILDING
2032 WESTFIELD AVENUE
SCOTCH PLAINS, NJ
BLOCK 2401, LOT 1

OWNER:
OVERLIFT FATIMA BROTHERS LLC
100 CALDWELL AVE, SUITE 200
NEW YORK, NY 10017
Tel: 212 692 4400

DATE: 11/15/11

PROJECT NO: 2204
SHEET TITLE:
ROOF FLOOR PLAN

SHEET: A-104



1 ROOF FLOOR PLAN
SCALE: 1/8" = 1'-0"



**Inglese Architecture
+ Engineering**
123 Main St., Suite 200
New York, NY 10001
Tel: (212) 555-1234
Fax: (212) 555-5678
www.inglesearch.com

**REDEVELOPMENT
PLAN SET**
NO. 2024-001

PROJECT:
SCHEMATIC DESIGN
ARCHITECTURE
MECHANICAL
ELECTRICAL
PLUMBING

CLIENT:
SCOTCH PLANS, NY
2032 WESTFIELD AVENUE
BLOCK 2401, LOT 1

FATIMA HOUSE
REHABILITATION OF 3-STORY SENIOR BUILDING
BLOCK 2401, LOT 1
SCOTCH PLANS, NY
2032 WESTFIELD AVENUE

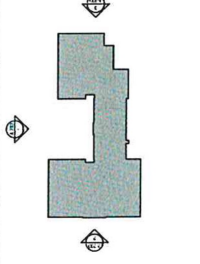
OWNER:
SCOTCH PLANS, NY
100 WALL ST., SUITE 200
NEW YORK, NY 10005

DATE:
10/25/2024

SCALE:
1/8" = 1'-0"

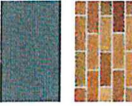
SHEET TITLE:
CONCEPT BUILDING
ELEVATIONS

SHEET:
A-210



FIBER CEMENT PANELS
JAMIE HARDIE - GRAY SLATE

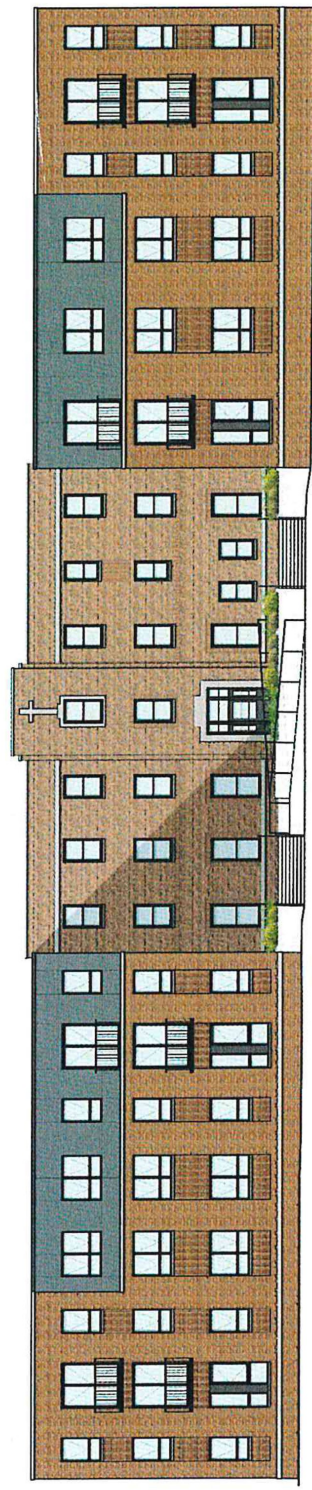
BRICK VENEER
BELDEN - NEVADA BLEND



② CONCEPTUAL BUILDING - RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



③ CONCEPTUAL BUILDING - LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



① CONCEPTUAL BUILDING - FRONT ELEVATION
SCALE: 1/8" = 1'-0"



**Ingersoll Architecture
+ Engineering**
100 North 4th Street
Dulles, VA 20146
703.441.1100
www.ingersollae.com

**REDEVELOPMENT
PLAN SET**
NO. 2023-0000000000

GENERAL NOTES:
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
2. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

FATIMA HOUSE
REHABILITATION OF 3-STORY SENIOR BUILDING
2032 WESTFIELD AVENUE
SCOTCH PLAINS, NJ
BLOCK 2401, LOT 1

OWNER:
OUR LADY FATIMA BROSSE LLC
100 CALDWELL ROAD
200 ANNANDALE ST
ANNANDALE, VA 22003

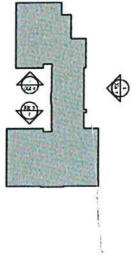
DATE:
FIFTY-THREE (53) JAN 2023

REVISIONS:

PROJECT NO.:
2023-0000000000

SHEET TITLE:
CONCEPTUAL BUILDING ELEVATIONS

SHEET:
A-211

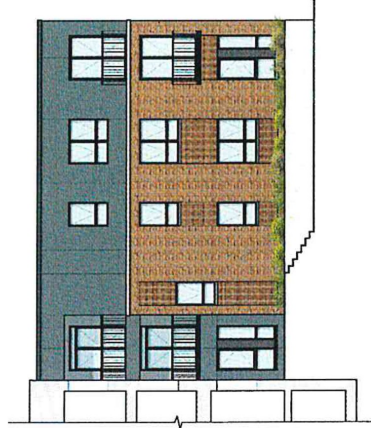


**FIBER CEMENT PANELS
JAMIE HARDIE - GRAY SLATE**

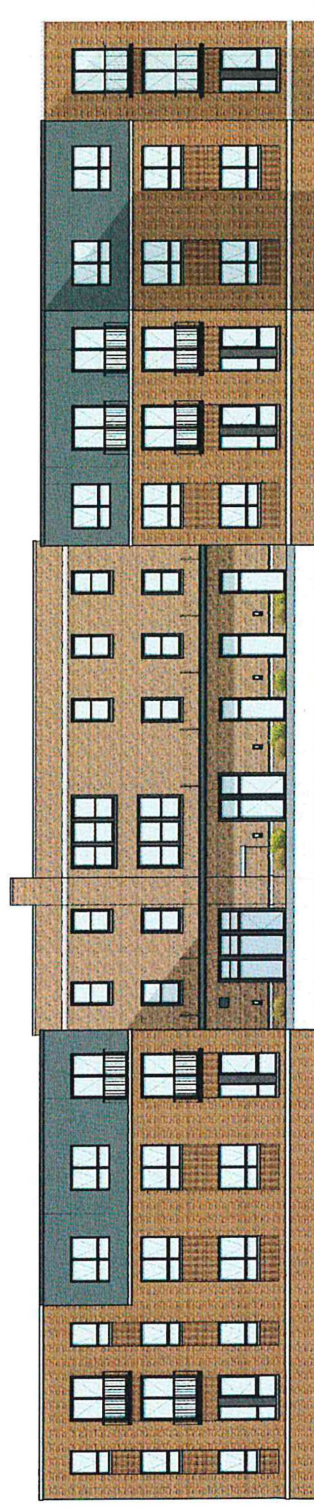
**BRICK VENEER
BELDEN - NEVADA BLEND**



② CONCEPTUAL BUILDING - COURTYARD LEFT SECTION
SCALE: 1/8" = 1'-0"



③ CONCEPTUAL BUILDING - COURTYARD RIGHT SECTION
SCALE: 1/8" = 1'-0"



① CONCEPTUAL BUILDING - REAR ELEVATION
SCALE: 1/8" = 1'-0"

SECTION 8. APPENDIX

Explanation: Resolution authorizing the Planning Board to conduct a Master Plan Reexamination Report of the real property located at Westfield Avenue and Westfield Road, commonly known as the Church of Saint Bartholomew the Apostle and identified as Block 2401, Lot 1 on the Township of Scotch Plains Tax Map, and further to explore whether a portion of said real property may be an appropriate area for consideration for the program of redevelopment.

TOWNSHIP OF SCOTCH PLAINS

RESOLUTION NO. 2022-60

WHEREAS, the Township Council wishes to conduct a Master Plan Reexamination Report of the real property located at Westfield Avenue and Westfield Road, commonly known as the Church of Saint Bartholomew the Apostle and identified as Block 2401, Lot 1 on the Township of Scotch Plains Tax Map (the "Property"); and

WHEREAS, the Township Council also wishes to explore whether a portion of said Property, consisting of approximately 2.2 +/- acres, attached hereto as Exhibit A entitled Fatima House Redevelopment Study Area prepared by Harbor Consultants, Inc., dated February 15, 2022, inclusive of any and all streets, paper streets, private drives and right of ways (the "Study Area") may be an appropriate area for consideration for the program of redevelopment; and

WHEREAS, N.J.S.A. 40:55D-89 provides that each municipality within the State of New Jersey periodically re-examine its Master Plan policies and assumptions, zoning restrictions, and site plan and subdivision regulations, and prepare and adopt by resolution a report on the findings of such reexamination; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment, and sets forth a specific procedure for establishing an Area in Need of Redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, prior to the Township Council making a determination as to whether the Study Area qualifies as an Area in Need of Redevelopment as a Non-Condensation Redevelopment Area, the Township Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria for designation as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-6; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Scotch Plains, in the County of Union, State of New Jersey, as follows:

1. The foregoing recitals are incorporated herein as if set forth in full; and
2. The Planning Board is authorized and directed to conduct a Master Plan Reexamination Report of the Property, and prepare and adopt by Resolution a report on the findings of such reexamination pursuant to N.J.S.A. 40:55D-89; and
3. The Planning Board is authorized and directed to conduct the necessary investigation and to hold a public hearing to determine whether the Study Area defined hereinabove qualifies for designation as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-6, and shall submit its findings and recommendations to the Township Council by Resolution with supportive documentation; and
4. The Township Clerk is hereby directed to forward a certified copy of this Resolution to the Township Planning Board and Planning Board Secretary; and
5. This Resolution shall take effect immediately.

Dated: February 15, 2022

RECORD OF VOTE

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
ADAMS	X				ZIMMERMAN	X			
STAMLER	X				MAYOR LOSARDO	X			
WHITE	X				COMMENT				
MOTION	STAMLER				SECOND	ADAMS			
X- INDICATES VOTE AB- ABSENT NV-NOT VOTING									

Certified copy of a resolution adopted
at a regular meeting of the Township
Council of the Township of Scotch Plains,
Union County, New Jersey on

February 15, 2022


Bozena Lacina, RMC
Municipal Clerk

Explanation: Resolution designating a portion of 2032 Westfield Avenue (portion of Block 2401, Lot 1) as a Non-Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL") and authorizing the Township Planner to prepare a redevelopment plan for a portion of said property.

TOWNSHIP OF SCOTCH PLAINS

RESOLUTION NO. 2022-125

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

WHEREAS, the Scotch Plains Planning Board was directed by the Township Council, pursuant to Resolution No. 2022-60 dated February 15, 2022, to conduct a preliminary investigation in order to investigate the area listed within the chart below and generally described as the Study Area to determine if the Study Area should be determined to be a Non-Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"). The following property is included within the Study Area presently being investigated:

No.	Address	Block	Lot
1	2032 Westfield Avenue (portion)	2401 (portion)	1 (portion)

WHEREAS, on February 28, 2022, the Planning Board considered and voted unanimously to endorse Township Council Resolution No. 2022-60 dated February 15, 2022, and directed Harbor Consultants, Inc. to perform a preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an "area in need of redevelopment" in accordance with the LRHL; and

WHEREAS, the LRHL requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as "an area in need of redevelopment" at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Township once each week for two (2) consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Township's assessment records; and

WHEREAS, the Board held a public hearing to determine whether the Study Area is a "non-condemnation area in need of redevelopment" under the criteria set forth in Section 5 of the LRHL at a meeting of the Board held electronically on July 25, 2022; and

WHEREAS, notice of the Public Hearing was provided in the official newspaper of the Township on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

WHEREAS, the Township also provided notice to property owners in the Study Area;
and

WHEREAS, at the Public Hearing, Michael Mistretta, P.P., of Harbor Consultants, Inc. presented a report dated June 2022 entitled "Preliminary Investigation Report for a portion of the 2032 Westfield Ave Redevelopment Study Area (Portion of Block 2401, Lot 1) as a 'Non-Condemnation Area in Need of Redevelopment'" (the "Report") concerning the determination of the Study Area as a "non-condemnation area in need of redevelopment"; and

WHEREAS, at the Public Hearing, the Board reviewed the Report, heard a presentation and the testimony of Mr. Mistretta, as well as testimony from any members of the public who were given an opportunity to testify and ask questions of the Board and of Mr. Mistretta; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on July 25, 2022, determined that the Study Area was an "area in need of redevelopment", which determination was memorialized by Resolution of the Board on August 15, 2022; and

WHEREAS, the Township Council agrees with the recommendation of the Board that a portion of the Study Area be designated as "an area in need of redevelopment" pursuant to the LRHL; and

WHEREAS, the Township Council wishes to designate as a Non-Condemnation Area in Need of Redevelopment the aforementioned portion of property located within the Study Area ("Subject Property") and authorize Township Planner, Michael Mistretta, P.P., of Harbor Consultants, Inc., to prepare a redevelopment plan for the portion of the Subject Property and to present same to the Township Council for its consideration, in an amount not to exceed \$11,500.00; and

WHEREAS, the Township C.F.O. has certified funds to charge account #2-01-20-100-2-099; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Scotch Plains, in the County of Union, State of New Jersey, as follows:

1. The foregoing recitals are incorporated herein as if set forth in full; and
2. A portion of 2032 Westfield Avenue (portion of Block 2401, Lot 1) is hereby designated as a Non-Condemnation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"); and
3. The Determination shall authorize the Township of Scotch Plains to use all of the powers provided by the Legislature for use in a redevelopment area excluding the use of eminent domain, thus designating it a "Non-Condemnation Redevelopment Area"; and
4. The Township Planner, Michael Mistretta, P.P., of Harbor Consultants, Inc., is hereby authorized to prepare a redevelopment plan for a portion of 2032 Westfield Avenue (portion of Block 2401, Lot 1) and to present same to the Township Council for its consideration, in an amount not to exceed \$11,500.00; and
5. The Township Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of the Department of Community Affairs (the "Commissioner") for review. The Determination of the Study Area as a "non-condemnation area in need of redevelopment" shall not take effect without first receiving the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.
6. Notice of the Determination (the "Notice") shall be served, within ten (10) days of the Determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who

filed a written objection thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.

7. A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.

8. This Resolution shall take effect immediately.

Dated: August 16, 2022

RECORD OF VOTE

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
ADAMS	X				ZIMMERMAN	X			
STAMLER				X	MAYOR LOSARDO	X			
WHITE	X				COMMENT				
MOTION	WHITE				SECOND	ADAMS			
X-INDICATES VOTE AB- ABSENT NV-NOT VOTING									

Certified copy of a resolution adopted
at a regular meeting of the Township
Council of the Township of Scotch Plains,
Union County, New Jersey on

August 16, 2022


Bozena Lactna, RMC
Municipal Clerk

PLANNING BOARD OF THE TOWNSHIP OF SCOTCH PLAINS

RESOLUTION RECOMMENDING FURTHER ACTION BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SCOTCH PLAINS BY ENDORSING THE PRELIMINARY INVESTIGATION REPORT REFERENCED AS A PORTION OF THE 2032 WESTFIELD AVE REDEVELOPMENT STUDY AREA AND DETERMINING THAT A PORTION OF THE PROPERTY KNOWN AS BLOCK 2401 LOT 1 BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Council of the Township of Scotch Plains (the "Township Council") directed the Planning Board (the "Board") of the Township of Scotch Plains to undertake a preliminary investigation under the authority of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. ("LRHL"), including the holding of a public hearing on proper legal notice in accordance with Section 6 of the LRHL, to determine whether a 2.2 +/- acre portion of the property known as Block 2401, Lot 1 on the Township Tax Maps located at 2032 Westfield Avenue (hereinafter referred to as the "Property") qualifies as an area in need of redevelopment according to the criteria set forth in Section 5 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq; and

WHEREAS, the Planning Board provided the required legal notice and conducted a public meeting on July 25, 2022 in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, during the public hearing, the Board reviewed a Report prepared by Harbor Consultants, dated June 2022 which had been on file and available for public inspection, entitled "Preliminary Investigation Report for a portion of the 2032 Westfield Ave Redevelopment Study Area (Portion of Block 2401, Lot 1) as a "Non-Condensation Area in Need of Redevelopment"" (the "Report"), and heard testimony from Michael Mistretta, PP, LLA, duly sworn and qualified as an expert Planner in his capacity as Professional Planner for the Township of Scotch Plains; and

WHEREAS, upon review and consideration of the aforementioned report and the testimony presented, the Planning Board made the following findings of fact based on the evidence, record, testimony and proceedings before the Board:

1. The Board has jurisdiction to hear this matter. Under the requirements of the LRHL at N.J.S.A. 40A:12A-6, notice of the hearing was provided in an official newspaper on two (2) consecutive weeks, the last being not less than ten (10) days before the hearing. Notice was also provided to property owners and lien holders in the Study Area.

2. The Board acknowledged receipt of the Resolution from the Township Council pursuant to N.J.S.A. 40A:12A-6 for the direction to consider whether the Study Area qualifies as an area in need of redevelopment under the criteria set forth in the LRHL.

3. On July 25, 2022, Mr. Mistretta presented the Report summarized in a power point at a public hearing before the Board. He explained how his analysis of the Study Area was performed, discussing the site to support his recommendations and findings being summarized. The purpose was to determine whether the Study Area meets the requirements for designation as an “area in need of redevelopment” as established under the LRHL. Ultimately, Mr. Mistretta concluded that the Study Area of the property, comprising of 2.2 +/- acres that was analyzed, satisfied the statutory criteria to be declared as an area in need of redevelopment as summarized below, and shown at pages 23 to 29 of the Report.

4. The Report contained all supporting exhibits that the Study Area was based, including aerial photographs and any official records. Mr. Mistretta explained that he surveyed the property and building conditions as captured through photographs, with due consideration of Township Building, Fire, and Police Departments, with environmental records, and review of the

Township of Scotch Plains Master Plan history. All of this is highlighted at pages 1 to 22 of the Report, with the details provided from the investigative materials.

5. Mr. Mistretta outlined for the Board the statutory criteria in N.J.S.A. 40A:12A-5 (a) through (h) that are used to evaluate properties. He stressed the discontinuance of use, abandonment, disrepair, unsafe and obsolete condition of the building formerly used as a Convent impacts the Study Area. This aptly fit into category "a" for the Study Area. Additionally, areas with buildings or improvements that are dilapidated or suffer from faulty arrangement, design, or disrepair are deemed detrimental to the safety, health, morals, or welfare of the community, and fit into category "d" for the Study Area. The Study Area would also fit into criteria "h" dealing with future smart growth planning principles, not individually forming a basis to declare the need for redevelopment but a standard to consider to promote the State of New Jersey mandate for stable communities.

6. The Study Area occupies 2.2 +/- acres and its boundaries are shown on pages 1 through 14 of the Report. The Study Area as shown in Table 7 on page 25 of the Report satisfies the criteria to be determined as an area in need of redevelopment. Mr. Mistretta summarized his findings, stating that after considering the Study Area, the property examined specifically fit into the noted criteria to qualify as a non-condemnation area in need of redevelopment.

7. The Board found that the Study Area is hampered by existing property conditions which negatively impact the area. If allowed to persist, such conditions would likely continue to hamper the redevelopment of the Study Area and its surroundings to the detriment of the welfare of the community at large.

8. The public was given an opportunity to speak about the Report which had been on file and available for inspection for at least ten (10) days before the public hearing, including

asking questions of Mr. Mistretta or offering any comments. There was no public participation or formal opposition to a recommendation that the Study Area be declared as a non-condemnation area in need of redevelopment.

9. The Board discussed the Report and the planning testimony. The Board also agreed through personal knowledge of the Study Area and conditions that Mr. Mistretta had made a full and complete presentation. The Board found more than adequate testimony and support for the findings and conclusions expressed in the Report that the Study Area is, in fact, and under the statutory criteria of the LRHL, a non-condemnation area in need of redevelopment

10. The Board in its considered judgment and opinion determined that a Resolution be directed to the Township Council of Scotch Plains, expressing the findings and conclusions of the Planning Board that, based on the substantial credible evidence presented, the Study Area should be designated as a “Non-Condensation Area in Need of Redevelopment” pursuant to the LRHL, and that such a designation should advance the process to permit the further appropriate usage of the Study Area for “smart growth” and other purposes that would be beneficial to the public and the Township of Scotch Plains.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Scotch Plains, County of Union, and State of New Jersey that, based upon the facts and findings contained in the Preliminary Investigation Report¹, which are adopted by reference and made a part hereof, the hearing held on July 25, 2022, and the substantial credible evidence and testimony referred to herein, the Board finds that the Property satisfies the statutory criteria

¹ Attachment: Full and Complete Copy of a report entitled “Preliminary Investigation Report for a portion of the 2032 Westfield Ave Redevelopment Study Area (Portion of Block 2401, Lot 1) as a “Non-Condensation Area in Need of Redevelopment”, as Prepared by Michael Mistretta, PP, LLA, of Harbor Consultants, Inc., dated June, 2022.

for designation as an Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq., and the Board therefore recommends to the Township Council that a portion of the Property located at 2032 Westfield Avenue, being a portion of Block 2401, Lot 1, can be characterized as a “Non-Condemnation Area in Need of Redevelopment” and that pursuant to the LRHL, the Planning Board recommends to the Township Council that such a designation be made, and to proceed with the process to adopt a Redevelopment Plan.

The Approval to which this Resolution does memorialize was moved by Mayor Lorsardo seconded by Mrs. Connolly and voted upon as follows:

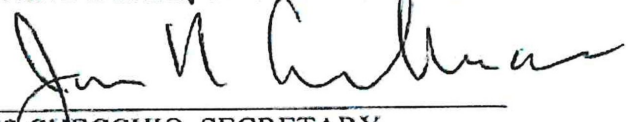
Those in favor: Mr. Conley, Mrs. Connolly, Mayor Losardo, Mr. Plotnick, Mr. Teicher, Councilman White

Those oppose:

Those abstain:

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Township of Scotch Plains at its regular Public Meeting held virtually on August 15, 2022, which memorialized its oral findings from the public meeting held on July 25, 2022.


JEFFREY STRAUSS, CHAIRMAN
PLANNING BOARD OF SCOTCH PLAINS


JAMES CHECCHIO, SECRETARY
PLANNING BOARD OF SCOTCH PLAINS



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

September 13, 2022

The Honorable Joshua G. Losardo
Mayor
Township of Scotch Plains
430 Park Avenue
Scotch Plains, New Jersey 07076

RE: Review of Resolution 2022-125 determining the southwest portion of Block 2401; Lot 1 to be an Area in Need of Redevelopment (Non-Condemnation)

Dear Mayor Losardo:

The Department of Community Affairs (DCA) received the above-referenced resolution on August 24, 2022. The determination area is situated where development and redevelopment are encouraged pursuant to State law or regulation. Accordingly, pursuant to N.J.S.A. 40A:12A-6b(5)(c), the redevelopment area determination took effect after transmission to the Commissioner of DCA.

The municipality or redeveloper(s) 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).

This determination is a tribute to the work the Township of Scotch Plains has done. Please do not hesitate to contact Keith Henderson at (609) 913-4450 if you need any further assistance.

Sincerely,

Lt. Governor Sheila Y. Oliver
Commissioner

cc: Bozena Lacina, Municipal Clerk
Donna Rendeiro, State Planning Commission
Sean Thompson, Local Planning Services

