

# KOPPERS COKE PENINSULA REDEVELOPMENT PLAN

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KEARNY, NEW JERSEY

**DRAFT  
DECEMBER 2012**

*Adopted by NJMC Resolution No. XX-XX on DATE*

**NEW JERSEY MEADOWLANDS COMMISSION**  
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**DRAFT KOPPERS COKE PENINSULA REDEVELOPMENT PLAN**  
**(PORTIONS OF BLOCKS 286 & 287)**  
**TOWN OF KEARNY**



**NEW JERSEY MEADOWLANDS COMMISSION**  
**DRAFT December 2012**

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Thomas Quirico, Commissioner

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*Redevelopment Plan Adopted by NJMC Resolution No. XX-XX on DATE*  
*In Need of Redevelopment Investigation Adopted by NJMC Resolution No. 12-43 on October 24, 2012*  
*In Need of Redevelopment Investigation Authorized by NJMC Resolution No. 12-20 on May 23, 2012*

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## **I. REDEVELOPMENT PLAN STATUTORY CRITERIA**

### **A. REQUISITE PLAN INFORMATION**

The New Jersey Meadowlands Commission's (NJMC) enabling legislation authorizes the Commission to prepare and adopt redevelopment plans. N.J.S.A. 13:17-21 provides general guidelines for the elements of such a plan. The detailed criteria for the preparation of the redevelopment plan are set forth in N.J.A.C. 19:3-5. This subchapter of the NJMC regulations states the framework for the identification of areas in need of redevelopment and provides the procedure to carry out and effectuate the redevelopment of an area.

As set forth in N.J.A.C. 19:3-5.8(a), redevelopment plans shall include the following information:

- a. An outline for the development, rehabilitation or redevelopment of the subject area, accounting for area-specific planning objectives relating to land uses; population density; traffic and public transportation improvements; public utilities; recreational and community facilities; and other public improvements;
- b. Proposed land uses and building requirements in the redevelopment area; and
- c. The relationship of the redevelopment plan to the NJMC Master Plan.

### **B. SPECIFIC PLAN REQUIREMENTS**

#### **1. Introduction**

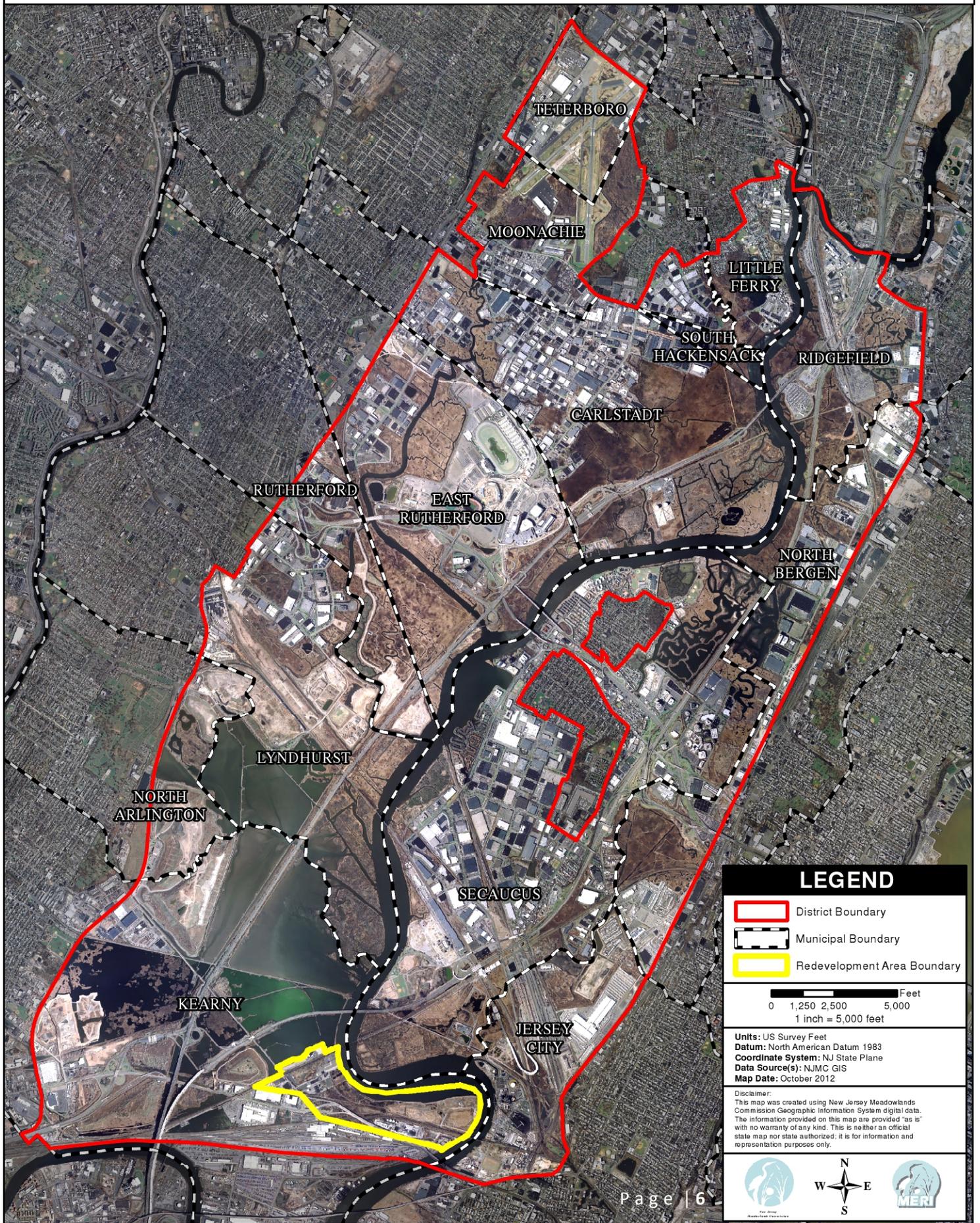
In a petition dated February 9, 2012, the Town of Kearny requested that the New Jersey Meadowlands Commission (NJMC) investigate the redevelopment potential of certain properties within Block 287 in Kearny. The properties that are the subject of the petition are identified as Block 287, Lots 48, 49, 49.01, 50, 51, 52, and 52.01 in Kearny, commonly known as the Standard Chlorine site. The petition also requested the investigation of the redevelopment potential of other area properties in the vicinity of Belleville Turnpike and Fish House Road. The NJMC staff undertook a preliminary analysis of properties in this vicinity.

On May 23, 2012, the NJMC Board of Commissioners adopted Resolution No. 12-20, which authorized the staff to conduct an investigation of the following properties in the Town of Kearny to determine if they contain the conditions to be designated an area in need of redevelopment:

- Block 286 – Lots 34, 35, 36, 37.01, 37.02, and 37.03
- Block 287 – Lots 5, 5.01, 5.02, 32.01, 32.02, 32.03, 35, 36, 37, 38.01, 38.02, 39, 40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01, 46, 47, 47.01, 48, 49, 49.01, 50, 50.01, 51, 52, 52.01, 53, 54, 55, 56, 57, 58, 59, 60, 60.01, 61.01, 61.02, 61.03, 62, 62.01, 63, 64, 65, 65.01, 66, 66.01, 67, 67.01, 67.02, 68, 69, 70, 70.01, 71, 71.01, 73, 73.02, 79, 80, 81, 82, and 83

The results of this investigation were compiled in a report by the NJMC staff entitled "In Need of Redevelopment Investigation – Koppers Coke Peninsula" dated October 1, 2012. Based on the findings in this report, the NJMC Board of Commissioners adopted Resolution No. 12-43 on October 24, 2012, deeming the subject properties an area in need of redevelopment, and authorizing the preparation of this redevelopment plan.

**Figure 1. Koppers Coke Peninsula Redevelopment Area: Location Map**



**LEGEND**

-  District Boundary
-  Municipal Boundary
-  Redevelopment Area Boundary

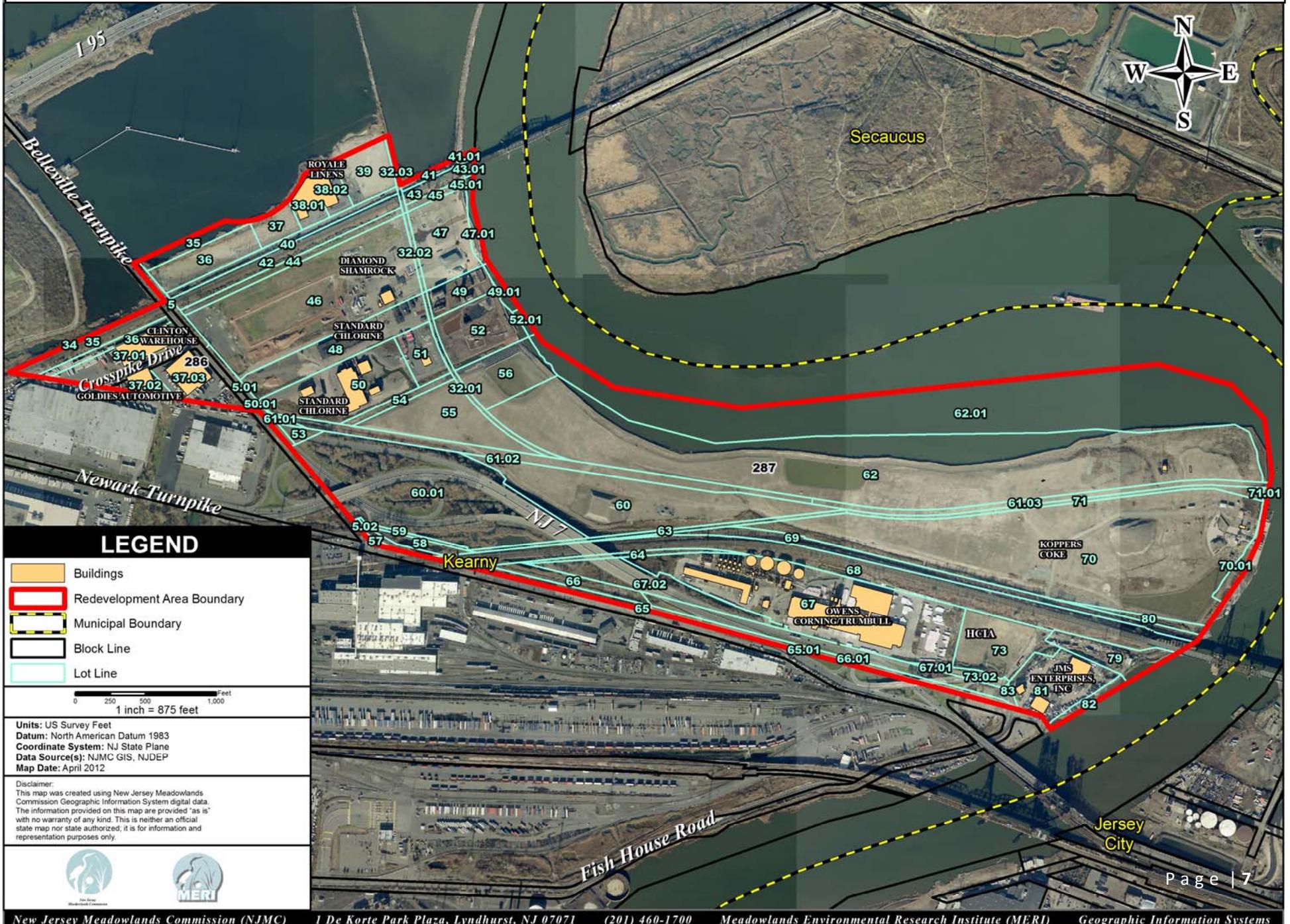
0 1,250 2,500 5,000 Feet  
1 inch = 5,000 feet

**Units:** US Survey Feet  
**Datum:** North American Datum 1983  
**Coordinate System:** NJ State Plane  
**Data Source(s):** NJMC GIS  
**Map Date:** October 2012

**Disclaimer:**  
 This map was created using New Jersey Meadowlands Commission Geographic Information System digital data. The information provided on this map are provided "as is" with no warranty of any kind. This is neither an official state map nor state authorized; it is for information and representation purposes only.

Figure 2. Koppers Coke Peninsula Redevelopment Area: Boundary Map



**LEGEND**

-  Buildings
-  Redevelopment Area Boundary
-  Municipal Boundary
-  Block Line
-  Lot Line

0 250 500 1,000 Feet  
1 inch = 875 feet

Units: US Survey Feet  
Datum: North American Datum 1983  
Coordinate System: NJ State Plane  
Data Source(s): NJMC GIS, NJDEP  
Map Date: April 2012

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## 2. Redevelopment Area Description

The redevelopment area is comprised of 74 properties and totals 367.1 acres in area. The area is generally bounded by the Hackensack River to the north and east, Route 7 (Belleville Turnpike and Newark/Jersey City Turnpike, also including properties on Cross Pike Drive and Fish House Road, to the south, and the Kearny Brackish Marsh to the west. The redevelopment area is delineated by a red boundary line in the map in Figure 1. The subject area is completely within the jurisdictional boundaries of the NJMC.

Specifically, this redevelopment plan shall apply to the following properties in the Town of Kearny:

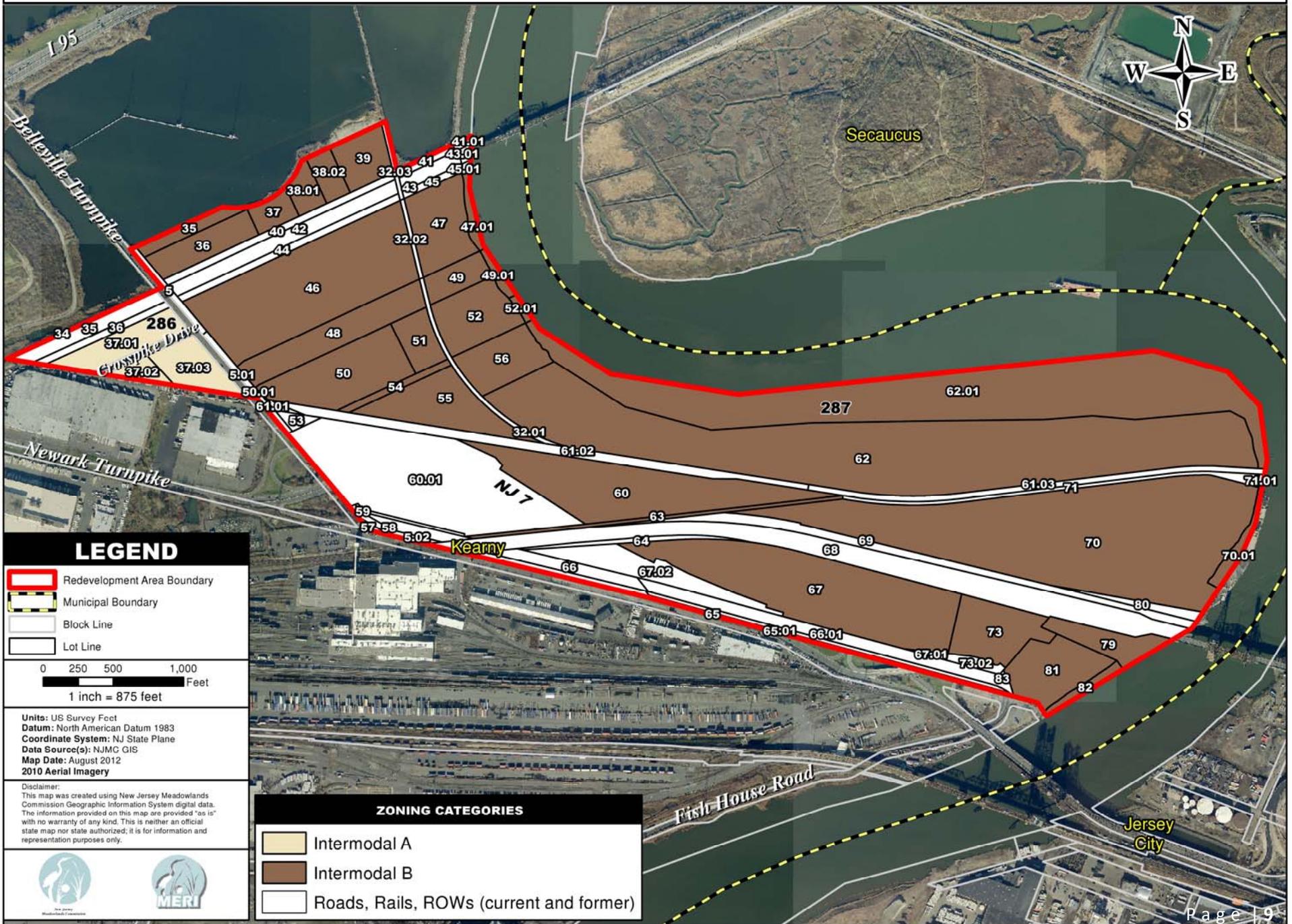
- Block 286 – Lots 34, 35, 36, 37.01, 37.02, and 37.03
- Block 287 – Lots 5, 5.01, 5.02, 32.01, 32.02, 32.03, 35, 36, 37, 38.01, 38.02, 39, 40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01, 46, 47, 47.01, 48, 49, 49.01, 50, 50.01, 51, 52, 52.01, 53, 54, 55, 56, 57, 58, 59, 60, 60.01, 61.01, 61.02, 61.03, 62, 62.01, 63, 64, 65, 65.01, 66, 66.01, 67, 67.01, 67.02, 68, 69, 70, 70.01, 71, 71.01, 73, 73.02, 79, 80, 81, 82, and 83

Prior to the adoption of this plan, the properties within Block 286 were located in the Commission's Intermodal A zone, and properties within Block 287 were located in the Intermodal B zone, as shown in the existing zoning map for the redevelopment area in Figure 3. These zones are primarily intended to accommodate industrial development, particularly uses that can capitalize on transportation facilities located proximate to rail lines.

The existing land uses of the properties within the redevelopment area are exclusively industrial uses and former industrial uses that are either abandoned or vacant. There is also a significant amount of right-of-way (ROW) areas present within the redevelopment area. The ROW properties within the redevelopment area are detailed in Figure 4. Figure 5 provides a detailed list of the remaining properties in the redevelopment area (i.e., non-ROW properties), which are private properties or those properties that have been acquired by public and quasi-public entities.

There is a significant opportunity for uses that seek to capitalize on road, rail, and marine transportation prospects in the Koppers Coke Peninsula Redevelopment Area. Approximately 24 percent, or 88.5 acres, of the redevelopment area contains land area utilized, either currently or formerly, as rights of way (ROWS) for roadways, rail, and utilities. These properties are either vacant or improved with road, rail, or utility infrastructure.

**Figure 3. Koppers Coke Peninsula Redevelopment Area: Former Zoning**



**LEGEND**

- Redevelopment Area Boundary
- Municipal Boundary
- Block Line
- Lot Line

0 250 500 1,000  
 Feet  
 1 inch = 875 feet

Units: US Survey Feet  
 Datum: North American Datum 1983  
 Coordinate System: NJ State Plane  
 Data Source(s): NJMC GIS  
 Map Date: August 2012  
 2010 Aerial Imagery

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**ZONING CATEGORIES**

- Intermodal A
- Intermodal B
- Roads, Rails, ROWs (current and former)

**Figure 4. Right-of-way Properties Within Redevelopment Area**

Block	Lot(s)	Address	Owner Name	Acres (GIS)	Existing Land Use	Former Zoning
286	34, 35, 36	AMTRAK MAIN LINE	AMTRAK	5.09	ROW*	ROW
287	5	BELLEVILLE TPKE	Jersey City Waterworks (Sarpa, D.)	5.85	ROW*	ROW
287	5.01	NEWARK TPKE	NJDOT	0.86	ROW*	ROW
287	5.02	BELLEVILLE TPKE	Jersey City Waterworks	0.60	ROW*	ROW
287	32.03	I-95	Hudson County Improvement Authority	1.21	ROW*	ROW
287	40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01	AMTRAK MAIN LINE	AMTRAK	10.62	ROW*	ROW
287	50.01	BELLEVILLE TPKE	NJDOT	0.01	ROW*	Intermodal B
287	53	BELLEVILLE PIKE	NJDOT	0.49	ROW*	ROW
287	57	NEWARK TPKE	Hudson County	0.14	ROW*	ROW
287	58	NWK/JC TPKE	PSE&G	1.01	ROW*	ROW
287	59	NEWARK TPKE	Town of Kearny	0.37	ROW*	ROW
287	60.01, 61.01	NEWARK TPKE	NJDOT	22.10	ROW*	ROW
287	63	NWK/JC TPKE	Hudson County Improvement Authority	1.50	ROW*	Intermodal B
287	64	NWK TPKE	CONRAIL	0.93	ROW*	ROW
287	65	NEWARK TPKE	Jersey City Waterworks (Sarpa, D.)	2.09	ROW*	ROW
287	65.01	NEWARK TPKE	NJDOT	1.51	ROW*	ROW
287	66	NWK/JC TPKE	PSE&G	1.92	ROW*	ROW
287	66.01	NEWARK TPKE	NJDOT	4.97	ROW*	ROW
287	67.01, 67.02	NEWARK TPKE	NJDOT	4.80	ROW*	ROW
287	68, 69	NEWARK TPKE	CONRAIL	20.76	ROW*	ROW
287	73.02	NEWARK TPKE	NJDOT	0.63	ROW*	ROW
287	80	NWK/JC TPKE	Hudson County Improvement Authority	0.92	ROW*	ROW
287	83	NEWARK TPKE	NJDOT	0.07	ROW*	ROW

Source: Town of Kearny Municipal Tax Data (NJ MOD-IV) and NJMC GIS Data (May 2012)

\* Current or former

**Figure 5. Private and Public/Quasi-public Properties Within Redevelopment Area**

Block	Lot(s)	Address	Owner Name	Acres (GIS)	Existing Land Use	Former Zoning
<b>Clinton Warehouse</b>						
286	37.01	1000 BELLEVILLE TPKE	996 Belleville LLC	3.78	Industrial	Intermodal A
<b>Goldie's Automotive Distribution</b>						
286	37.02	CROSS PIKE DR	Rolnick, Gerald	1.01	Industrial	Intermodal A
<b>Unity Warehouse</b>						
286	37.03	1016 BELLEVILLE TPKE	Unity Landholding, LLC	3.37	Industrial	Intermodal A
<b>Koppers Coke</b>						
287	32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01	NWK/JC TPKE	Hudson County Improvement Authority	169.89	Vacant	Intermodal B/ ROW
<b>Diamond Shamrock</b>						
287	32.02, 46, 47, 47.01	NWK/JC TPKE	Diamond Shamrock Corp.	27.23	Former industrial	Intermodal B
<b>Jana/Royale Linens</b>						
287	35, 36, 37, 38.01, 38.02, 39	BELLEVILLE TPKE	Jana Corp.	12.64	Industrial	Intermodal B
<b>Standard Chlorine</b>						
287	48, 49, 49.01, 50, 51, 52, 52.01	1249 NEWARK TPKE	Town of Kearny	24.96	Former industrial	Intermodal B
<b>Owens Corning</b>						
287	67	NEWARK TPKE	Owens Corning Corp.	20.88	Industrial	Intermodal B
<b>HCIA</b>						
287	73	NWK/JC TPKE	Hudson County Improvement Authority	5.4	Vacant	Intermodal B
<b>Bellezza</b>						
287	79, 81, 82	FISH HOUSE RD	James M. Salerno Enterprises, Inc.	9.46	Industrial	Intermodal B

Source: Town of Kearny Municipal Tax Data (NJ MOD-IV), NJMC GIS Data (May 2012), and NJMC Site Inspections

### **3. Land Use**

Despite the liberal industrial zoning and varied transportation connections in the area, no new development or significant redevelopment has materialized in the redevelopment area. This is due to several reasons, including the presence of contaminants on properties that pose challenges due to the time and expense required to remediate them. Once remediated, challenges to redevelopment of these sites may continue in the form of development restrictions, including limitations on use, extraordinary construction methodologies, and limitations to building foundations and form, such as height, to avoid disturbing the remedial measures. An important objective of this plan is to consolidate the multitude of lots that exist in the redevelopment area to provide the basis for a comprehensive development plan.

In creating potential land use options for the area, the NJMC focused on the area's unique attributes, primarily the availability of large developable parcels of vacant land within a densely developed region located proximate to multiple regional transportation connections, including marine access. The opportunity also exists to develop support services for the currently underserved industrial properties in this section of the Town of Kearny. The redevelopment area is not an appropriate location to accommodate residential usage due to the industrial character of the area and the environmental contamination issues that affect the properties in the redevelopment area.

The following general assumptions were made in the selection of the land uses for the redevelopment area:

- a) Development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it, or to the extent that such improvements will be provided to support it.
- b) A redeveloper shall be required to submit a Project Impact Assessment (PIA), when required, in accordance with N.J.A.C. 19:4-10.
- c) A detailed traffic impact study, as set forth in N.J.A.C. 19:4-7.10 *et seq.*, shall be prepared identifying mitigating measures to be performed by the developer, if required.
- d) For any proposal that requires an improvement to mitigate an impact identified in the PIA in accordance with N.J.A.C. 19:4-10.10, the developer shall enter into an agreement with the NJMC within 60 days of issuance of a zoning certificate for the project.
- e) Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- f) It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with New Jersey Department of Environmental Protection requirements.

### **4. Superfund and Known Contaminated Sites**

Numerous properties in the redevelopment area contain evidence of soil, groundwater and/or surface water contamination, with many properties in various stages of remediation. The historic usage of several of these properties contributed to the current environmental contamination present in the area, including the contiguous sites of Koppers Coke, Standard Chlorine, and Diamond

Shamrock within Block 287. These sites comprise the majority of the redevelopment area, with 233 acres, or 63.5 percent, of the land within the redevelopment area.

The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The Standard Chlorine site, in addition to being on the KCSL, is also a Superfund site listed on the United States Environmental Protection Agency (USEPA) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) database. The following properties in the redevelopment area are listed in the NJDEP KCSL:

- **Koppers Company Inc. Seaboard Plant**  
Block 287, Lots 32.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 70, 70.01, 71, 71.01  
ID #G000001985  
Listed since 03/04/1986
  
- **Standard Chlorine Chemical Company Inc.**  
Block 287, Lots 48, 49, 49.01, 50, 51, 52, 52.01  
ID #G000001583  
Listed since 10/18/1989  
Also listed as Hudson County Chromate (ID# 250063) 10/18/1989  
Also on National Priorities List (Superfund)
  
- **Diamond Shamrock Corporation**  
Block 287, Lots 32.02, 46, 47, 47.01  
ID #G000001974  
Listed since 04/17/1990
  
- **Jana Company (Royale Linens)**  
Block 287, Lots 35, 36, 37, 38.01, 38.02, 39  
ID #022458  
Listed since 04/17/1990  
Also listed as Hudson County Chromate (ID# 250063) 04/17/1990
  
- **Hudson County Chromate 48 – Kearny (Clinton Warehouse)**  
Block 286, Lot 37.01, 1000 Belleville Turnpike  
ID #G000008676  
Listed since 04/17/1990  
Also listed as Hudson County Chromate (ID# 250063) 04/17/1990

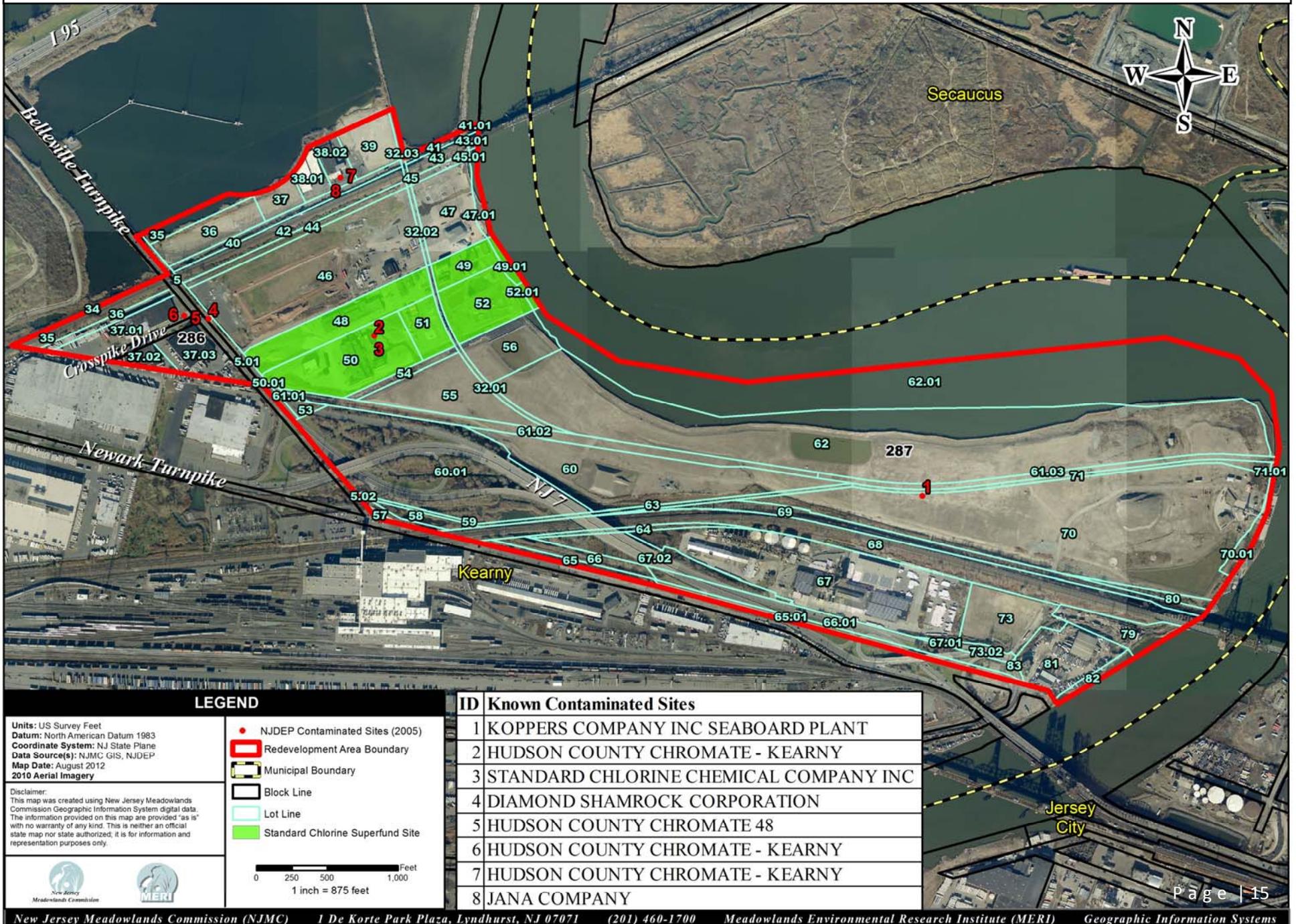
Figure 6 provides the location of the NJDEP Known Contaminated Sites, as mapped by NJMC Geographic Information Systems based on NJDEP data, as well as the Standard Chlorine Superfund site.

The properties within the redevelopment area may be characterized as brownfields sites, defined as "any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant" (N.J.S.A. 58:10B-23.d). The principal objective of this redevelopment plan is to encourage the remediation of contaminated sites and return defunct and underutilized properties to active use, allowing them to contribute to the local economy.

There are a number of financial incentives available to facilitate the redevelopment of brownfield areas. Additional information on federal and state brownfield programs is available at the following sites:

- United States Environmental Protection Agency: <http://www.epa.gov/brownfields/>
- New Jersey Department of Environmental Protection: <http://www.nj.gov/dep/srp/brownfields/>
- New Jersey Redevelopment Authority: <http://www.njra.us/njra/lib/njra/splash.html>
- New Jersey Economic Development Authority: <http://www.njeda.com>

Figure 6. Koppers Coke Peninsula Redevelopment Area: Known Contaminated Sites



## 5. Transportation Infrastructure

The redevelopment area's primary means of vehicular access is Route 7, which generally runs east and west through the redevelopment area. Route 7 is a state highway connecting Belleville and Jersey City. When accessing the redevelopment area from the west, Route 7 is known as Belleville Turnpike and travels in a southeasterly direction until it intersects Newark Turnpike. Thereafter, Newark Turnpike continues as Route 7 toward the east. Route 7 terminates at Truck Route 1 and 9 in Jersey City after crossing the Wittpenn Bridge over the Hackensack River.

The properties in the redevelopment area are intersected by various active and inactive rail ROWs. The Amtrak Northeast Corridor rail line is located between the Jana Company and Diamond Shamrock sites, and forms the western boundary of the redevelopment area to the west of Belleville Turnpike. The NJ Transit Morris and Essex rail line traverses the southerly boundary line of the Koppers Coke property.

A central objective of this plan is to encourage improved access to and between area properties. This plan promotes consolidated development opportunities by encouraging the incorporation of abandoned ROWs into adjacent properties; the reconfiguration of ROWs, to the extent possible; and/or the achievement of access rights across ROWs that traverse properties, to the extent feasible.

Existing points of access to properties in the redevelopment area are limited and pose challenges to future development of the area. The largest site in the redevelopment area, Koppers Coke, currently has significant access issues, but also exhibits great potential for improved access. The only existing point of access into the site is via a narrow two-lane underpass with low clearance below the NJ Transit Morris and Essex rail line, which is accessed via the HCIA property's driveway off Fish House Road. This means of access is not sufficient to support development of the site. However, the property contains frontage on Route 7 and the potential exists to provide a new direct point of access to the Koppers Coke site from Route 7. Access to the Koppers Coke site may also be available via Block 287, Lot 32.01. Two marine vehicle access points are currently available on the Koppers Coke site, including a dredge off-loading facility used in conjunction with remediation activities on the site, and a dock utilized by Owens Corning for the transfer of liquid petroleum, via a pipeline on the Koppers Coke site, to its asphalt plant. The potential for expansion of marine facilities at this location should be explored.

The Diamond Shamrock and Standard Chlorine sites are accessed via a common driveway from Route 7. The Standard Chlorine site also contains a narrow driveway accessed from the westbound lanes of Route 7, which is currently gated. The adequacy of these points of access will be dependent upon the future use of these properties.

The Jana Company site in the northwesterly portion of the redevelopment area contains a driveway on Route 7, which crosses a drainage ditch and restricts right turns into the site by trucks. Access to the Jana Company property is also available via the adjacent Amtrak driveway that parallels the Northeast Corridor line, which is narrow and has a poor line of sight for traffic entering and exiting from Route 7 due to the adjacent rail abutment. Access improvements to the Jana Company property will likely be required to address public safety concerns and the ability to accommodate future development.

In the southwesterly portion of the redevelopment area, access to Cross Pike Drive from Route 7 currently appears adequate. However, Cross Pike Drive itself is in need of improvement and is subject to flooding at its southerly end. Redevelopment of the area may encourage area businesses to avoid operations that hamper access and circulation along the road, such as storage of trailers and dumpsters within the ROW.

In the southeasterly portion of the redevelopment area, the Owens Corning site contains access from the Route 7 westbound lanes only. A potential secondary point of access should be explored via the existing HCIA driveway from Fish House Road used to access the Koppers Coke site, which will likely require improvement to service the HCIA property. Finally, the Bellezza property contains access from Fish House Road. The adequacy of this point of access and its existing configuration will need to be explored through any potential redevelopment of the site.

Despite these challenges, properties within the redevelopment area are well-situated to capitalize on available linkages to regional road, rail, and marine transportation networks. Newark Turnpike allows for easy access to the New Jersey Turnpike and Route 280 just to the west of the redevelopment area boundary, and to Jersey City and beyond to the east. Marine access is available on the Koppers Coke property and the potential to expand these operations on this site and on the Bellezza property may be explored.

There are currently significant transportation infrastructure improvements occurring within and proximate to the redevelopment area. They include the replacement of the Wittpenn Bridge over the Hackensack River, and resulting improvements to Route 7/Harrison Avenue as it traverses through the redevelopment area. Additionally, the construction of the new Portal Bridge, which carries the Northeast Corridor rail traffic over the Hackensack River, is currently in the construction design phase. When constructed, this infrastructure improvement will improve regional rail operations and utility capacity at this crossing.

## **6. Wetlands**

Tidal waters of the Hackensack River and pockets of wetlands are present within the northerly portion of the redevelopment area. The NJMC does not have current wetlands data available for the redevelopment area due to the remediation activities that have impacted former wetland areas. The presence or absence of wetlands on a particular site is subject to further review and confirmation by a detailed wetlands study and a jurisdictional determination by the US Army Corps of Engineers. Proposed disturbances to wetland areas are regulated under the US Army Corps of Engineers.

## **7. Public Utilities**

Most utilities are available to the redevelopment area, including gas, water, storm sewer, electric and telephone service, but excluding public sanitary sewer improvements. Public Service Electric and Gas Company (PSE&G) provides electric and gas service. The Town of Kearny Water Department provides water services, with United Water conducting the billing and collection activities. Stormwater inlets are present on Route 7, but not on any other properties in the redevelopment area. These utilities accommodate current uses but may require upgraded service to accommodate additional development.

No sanitary sewer facilities are provided at any of the properties in the redevelopment area, nor are connections available on Route 7. The nearest pump station, operated by the Kearny Municipal Utilities

Authority (KMUA), is located on Newark Turnpike, just west of the United States Postal Service facility, outside of the redevelopment area. According to the KMUA, the pump station was designed to accommodate future development, and capacity is both available and expandable at this location. KMUA transmits sanitary flow to the Passaic Valley Sewerage Commission (PVSC) from its existing facilities.

The demand for public utilities shall be identified in any Project Impact Assessment (PIA) required at the time of development application, and installation of new utilities and/or upgrades to existing utilities may be required.

## **8. Recreational Facilities**

There are no active recreational facilities within or in the vicinity of the redevelopment area. The Hackensack River, which borders the redevelopment area, and the Kearny Marsh, located to the northwest of the redevelopment area, can potentially provide recreational opportunities for area employees, and on a limited basis for the general public. The primary objective would be to ensure the public safety and provide safe routes to access recreational areas in or near industrial development.

## **9. Community Services**

No residential uses are considered in the redevelopment area. The demand for municipal police, fire, and emergency medical services shall be identified in any Project Impact Assessment (PIA) required at the time of development application.

## **10. Significant Relationship to Municipal and State Plans**

The current Town of Kearny Master Plan was adopted in 1991, with its most recent Reexamination Report prepared in 2008. Several planning goals and objectives in the plan are promoted by this redevelopment plan, including the utilization of the redevelopment process as a tool for Kearny's revitalization, and to capitalize on regional redevelopment efforts around Port Newark and within the Meadowlands, including investments in the regional transportation network, and reclamation of contaminated sites.

The Meadowlands District is designated a "Priority Growth Investment Area" by the Draft 2012 "State Strategic Plan: New Jersey's Development and Redevelopment Plan," which is defined as an area where more significant development and redevelopment is preferred and where public and private investment to support such development and redevelopment will be prioritized. Several goals of the State Plan are advanced by this redevelopment plan, including targeted economic growth and effective regional planning. Strategies to accomplish those goals include the prioritization of redevelopment, infill development, and the development of areas with existing infrastructure. The plan also promotes the efficient mobility of goods. All of these principles will be advanced by this redevelopment plan.

## **11. Relationship to NJMC Master Plan and Regulations**

The original 1972 Hackensack Meadowlands Comprehensive Land Use Plan designated the majority of the redevelopment area as planned for Manufacturing, Rail & Truck Terminal usage. The District's first Official Zoning Map in 1972 designated the bulk of the redevelopment area as Heavy Industrial. A narrow strip of land on the Diamond Shamrock property was zoned Marshland Preservation, and the Jana Company site was zoned Light Industrial B.

The first major revision to the original Hackensack Meadowlands Comprehensive Land Use Plan occurred in January 2004, upon adoption of the new NJMC Master Plan. The Land Use Plan of the Master Plan designates 20 planning areas in the District. The Koppers Coke Peninsula Redevelopment Area is located in the planning area designated as Logistics/Intermodal/Industrial. Traditionally associated with heavy industry, the Logistics/Intermodal/Industrial planning area provides the opportunity for meeting the demands of the logistics and intermodal industries. The intermodal designation is derived from the use of multiple transportation modes to move goods from manufacturing facilities to the consumer market.

The Master Plan seeks to foster a healthy Meadowlands economy through the implementation of strategies that promote redevelopment and infill development, while minimizing the development of greenfields, or relatively untouched areas. Idle or underutilized properties containing known or perceived contamination, including the properties located within the Koppers Coke Peninsula Redevelopment Area, are among those holding significant opportunities for redevelopment.

The NJMC's regulations and official zoning map serve as the implementation tool for the land use planning objectives of the master plan. Pursuant to NJMC statutes at N.J.S.A. 13:17 *et seq.*, the NJMC is authorized to adopt codes and standards with regards to the zoning and rezoning of lands within the Meadowlands District, and to conduct redevelopment activities. Regulations specific to the planning and zoning of redevelopment areas are provided in N.J.A.C. 19:3-5.1 *et seq.*

## **12. Smart Growth and Sustainability**

The NJMC recognizes the State of New Jersey's use of smart growth principles to guide land use decisions and develop strategies to address conservation challenges. In the Meadowlands District, smart growth principles such as economic growth and redevelopment are promoted in the planning and zoning activities of the NJMC.

The NJMC regulations also promote smart growth through sustainability initiatives, including the adoption of regulations encouraging sustainable green building practices. N.J.A.C. 19:4-6.6 provides incentives for applicants to the NJMC to utilize green building practices or install alternative green building components, such as those recognized in green building certification programs, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification.

### **13. Urban Enterprise Zone**

The Town of Kearny has been a New Jersey Urban Enterprise Zone (UEZ) Program municipality since November 1992. The UEZ program is intended “to foster an economic climate that revitalizes designated urban communities and stimulates their growth by encouraging businesses to develop and create private sector jobs through public and private investment” (New Jersey Department of Community Affairs). The UEZ program may offer incentives such as tax credits, financial assistance, reduced sales tax, and tax exemptions to its targeted development areas.

Two properties in the redevelopment area, the Jana Company and Owens Corning sites, are currently included within the Town of Kearny’s UEZ program. It is recommended that the potential to expand the UEZ program to include all of the properties in the redevelopment area be explored.

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## **II. POTENTIAL IMPLEMENTATION STRATEGIES**

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### **A. POWERS OF REDEVELOPMENT AGENCY**

In conjunction with the proposed land use discussion above, the following is a description of possible techniques, authorized by N.J.S.A. 13:17-21, that the NJMC can utilize to implement this redevelopment plan.

1. The Commission is authorized to prepare and adopt redevelopment plans for areas in the District determined by the Commission to be renewal areas.
2. In undertaking projects pursuant to any redevelopment plan, the NJMC may:
  - a) Acquire, by condemnation, or otherwise, real or personal property, or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a renewal area and in any area within the District designated by it as necessary for relocation of residents, industry or commerce displaced from a renewal area;
  - b) Clear or reclaim any area so acquired and install, construct or reconstruct projects therein necessary to prepare such area for development;
  - c) Relocate, arrange or contract with public or private agencies for the relocation of residents, industry or commerce displaced from the renewal area;
  - d) Dispose of real property so acquired by sale, lease or exchange for the uses and purposes specified in the redevelopment plan, to any person or public agency;
  - e) Study the recommendations of any planning board for redevelopment of any area and make its own investigations as to current trends and in need factors in the District, or any area thereof;
  - f) By contract or contracts with public agencies or redevelopers or by its own employees or consultants, plan, replan, construct, reconstruct, operate, maintain and repair any redevelopment or other project or any part thereof;
  - g) Make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of codes and laws relating to the use of land, the use and occupancy of buildings and improvements and to the control over the pollution of water and air and the disposal of solid waste; and
  - h) Prepare and adopt from time to time a workable program, representing an official plan of action for effectively dealing with the problem of urban renewal areas within the District and for the establishment and preservation of well-planned communities with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life; for utilizing appropriate private and public resources to eliminate and prevent the spread of blight and deterioration; to encourage needed conservation or rehabilitation; to provide for the redevelopment of renewal areas; or to undertake such of the aforesaid activities or other feasible activities as may be suitably employed to achieve the objectives of such a program.

## **B. NJMC INVOLVEMENT**

The NJMC has wide ranging powers to effectuate a redevelopment plan, ranging from the rezoning of property for private development, up to and including condemnation, ownership, and public development of the tract. The authority of the NJMC in undertaking redevelopment projects is enumerated under N.J.S.A. 13:17-1 *et seq.*

No condemnation by the NJMC is anticipated to be necessary to implement this redevelopment plan. The NJMC anticipates that market-driven property acquisition will occur, particularly if paired with development incentives available to redevelopment projects from other entities. The role of the NJMC is to provide the zoning that will enable the redevelopment of the properties in the area.

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### III. SELECTED LAND USE OPTION

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#### A. SELECTION OF RECOMMENDED LAND USES

The redevelopment plan proposes to provide for a variety of uses to support industrial usage of the properties while also providing opportunities for services to support industry within the redevelopment area.

The provisions of this redevelopment plan shall apply to the following properties in the Town of Kearny:

- Block 286 – Lots 34, 35, 36, 37.01, 37.02, and 37.03
- Block 287 – Lots 5, 5.01, 5.02, 32.01, 32.02, 32.03, 35, 36, 37, 38.01, 38.02, 39, 40, 41, 41.01, 42, 43, 43.01, 44, 45, 45.01, 46, 47, 47.01, 48, 49, 49.01, 50, 50.01, 51, 52, 52.01, 53, 54, 55, 56, 57, 58, 59, 60, 60.01, 61.01, 61.02, 61.03, 62, 62.01, 63, 64, 65, 65.01, 66, 66.01, 67, 67.01, 67.02, 68, 69, 70, 70.01, 71, 71.01, 73, 73.02, 79, 80, 81, 82, and 83

The recommended land uses for the planned development of the area can be classified in five planning categories, as follows:

1. Industrial/storage/trucking uses: The primary objective for development of the area is with industrial, manufacturing, warehousing, distribution, and trucking-related uses. This type of development is the most appropriate in the redevelopment area given the nature of the soils and remedial activities on many of the sites in the area. Disaster recovery facilities and data centers are also appropriate uses in this area.
2. Transport support services: Supportive services for trucking industries such as vehicle sales, rental, and repair facilities, and fuel service stations, will provide important ancillary services to industrial operations in the area.
3. Neighborhood services: Services for area businesses and employees, including truck stops, restaurants, retail, and business support services to provide amenities to the area's working population.
4. Public/quasi-public uses: Public and quasi-public uses, such as light public utilities, are accommodated in the redevelopment plan due to the extensive amount of utility infrastructure that traverses the redevelopment area, and the ability to provide public works services to the area.
5. Water-dependent uses: Boat sales, rental, and repair facilities, and port facilities associated with intermodal uses are potential uses that can encourage the development of marine operations within the redevelopment area.

## **IV. REDEVELOPMENT PLAN STANDARDS**

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### **A. REDEVELOPMENT STANDARDS**

The standards contained within this redevelopment plan shall supersede existing regulations contained in N.J.A.C. 19:4-1.1 *et seq.* Existing NJMC regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6, and 19:7 shall be consulted for any requirements or standards not specifically set forth herein.

Requests for deviations from the standards in this redevelopment plan shall be in accordance with the provisions of N.J.A.C. 19:3-5.12 and 5.14. These regulations provide that deviations from the permitted uses specified in this plan shall require a redevelopment plan amendment, and that deviation from the bulk requirements or the design standards in this plan, or the expansion of existing structures or uses rendered nonconforming by the provisions herein, shall require a variance.

### **B. PURPOSE**

The purpose of the Koppers Coke Peninsula Redevelopment Plan is to promote the development of vacant, contaminated, substandard, and underutilized properties in a manner that capitalizes on the redevelopment area's strategic location and transportation connections, while providing for services to support existing and prospective businesses in the general area.

A primary objective of this plan is to utilize zoning to promote the remediation of properties in the redevelopment area and provide the basis for development opportunities that will return these properties to productive reuse in the form of industrial and commercial development. The plan also is intended to enable the expansion and improvement of existing successful businesses in the redevelopment area.

All standards set forth in this redevelopment plan have been developed in accordance with these purposes.

## V. LAND USE AND BULK STANDARDS

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### A. DEFINITIONS

All words not defined in this redevelopment plan shall have definitions as listed in the NJMC District Zoning regulations at N.J.A.C. 19:4-2.1 *et seq.*, or in the absence of such, in the most recent edition of Merriam-Webster's Collegiate Dictionary.

The following definitions shall apply to this redevelopment plan.

1. "Data center" means a building dedicated to the storage, processing, management and dissemination of data in servers and/or associated computer equipment.
2. "Area-specific power generation facility" means a facility producing power for the sole purpose of serving single or multiple properties within the redevelopment area boundary.
3. "Flex space" means a low-rise structure with high ceilings containing an open floor plan that can be modified to accommodate the individual needs of the tenant. Individual areas can be leased for uses such as personal services, retail, restaurants, and office or showroom space in combination with warehouse, research and distribution facilities and other light industrial uses. The structure may contain general loading accommodations.
4. "Public works facility" means a structure or land used to accommodate the operations of a governmental entity conducting construction, maintenance, and/or improvement projects, for public purposes, such as a municipal Department of Public Works (DPW) yard.

### B. PERMITTED USES

1. The following shall be the permitted uses within the redevelopment area and shall be subject to the use limitations in Section C below.
  - a) Area-specific power generation facility;
  - b) Automobile rental facility;
  - c) Automobile repair facility, major;
  - d) Automobile repair facility, minor;
  - e) Automobile sales;
  - f) Boat sales, rental and repair;
  - g) Business support services;
  - h) Communications transmission tower;
  - i) Contractor's yard or facility;
  - j) Data center;
  - k) Disaster recovery facility;
  - l) Electric transmission tower;
  - m) Essential public services;
  - n) Flex space;
  - o) Fuel service station;

- p) Heavy industry;
- q) Heliport;
- r) Helistop;
- s) Hotel or motel;
- t) Intermodal facility;
- u) Light industry;
- v) Office;
- w) Park or recreation facility;
- x) Public utilities, light;
- y) Public works facility;
- z) Railroad terminals and yards;
- aa) Restaurant;
- bb) Retail;
- cc) Self-storage facility;
- dd) Taxi and limousine service;
- ee) Truck rental facility;
- ff) Truck repair facility;
- gg) Truck sales;
- hh) Truck stop;
- ii) Truck terminal;
- jj) Truck wash;
- kk) Warehouse and distribution; and
- ll) Wholesale establishment.

2. Temporary uses and structures, including those required for environmental remediation, shall be permitted in accordance with N.J.A.C. 19:4-3.14.
3. The provisions of N.J.A.C. 19:4-5.2(b), governing renewable and/or sustainable energy systems, shall apply within the redevelopment area.

### **C. USE LIMITATIONS**

1. Prohibition of outdoor storage: Outdoor storage as a principal use is prohibited within the redevelopment area.
2. Limitation on permitted outdoor storage areas: Outdoor storage areas may be utilized in conjunction with a permitted use, with the exception of business support services, hotels, offices, and restaurants, as follows:
  - a) Permitted outdoor storage areas shall be located in accordance with an approved site plan.
  - b) Such areas shall be fenced and heavily screened in accordance with N.J.A.C. 19:4-8.9. A combination of landscaping and fencing shall be utilized concurrently unless deemed impracticable by the Chief Engineer due to the particular conditions of the site. The use of landscaped berms is encouraged.
  - c) Permitted outdoor storage areas shall be located in side and rear yards only, with the exception of auto, truck, and boat sales and rental uses, which may store operational vehicles for sale within a front yard, but not within the required front yard setback.

- d) The storage of materials within the outdoor storage area shall not exceed 25 feet in height and shall comply with the applicable required yard setbacks of Section D., Subsection 2(c), below, except as follows:
  - i. Permitted outdoor storage areas may be located at a minimum setback of 15 feet from side and rear property lines, where the storage of materials in such area does not exceed 15 feet in height.
- e) The storage of inoperable and unregistered vehicles shall be prohibited, with the exception of such vehicles associated with a public works facility or essential public services use. Damaged vehicles awaiting repair in association with a permitted auto, truck or boat repair use may be permitted in side and rear yards only.

The above limitations shall apply to all uses within the redevelopment area, including those with additional use limitations specified herein.

3. Limitations on contractor’s yard or facility:

- a) Outdoor storage of materials and equipment as a principal use shall not be permitted. Each contractor’s yard or facility shall require a structure on the property to be used in association with the business operations of the contractor’s yard or facility. The maximum area of the outdoor material and/or equipment storage area of a contractor’s yard or facility shall be as follows:

Total Lot Area	Minimum Building Area (building footprint in gross square feet)	Maximum Area of Outdoor Material and/or Equipment Storage for Contractor’s Yard or Facility (in percent of lot area)
Up to 5 acres	5,000	60 percent
5 – 10 acres	10,000	50 percent
10 – 20 acres	20,000	40 percent
Over 20 acres	40,000	30 percent

- b) The following materials and/or equipment are specifically prohibited from being deposited and/or stored on a property associated with a contractor’s yard or facility: compost, mulch, yard waste, grass clippings, leaves, rubbish, and inoperable or unlicensed vehicles.
- c) Materials such as sand, stone, gravel, topsoil, cement and/or similar materials stored and/or stockpiled at a contractor’s yard or facility shall not be placed directly on the ground, but shall be contained, covered and secured in a manner that does not allow for the erosion of product outside of containment areas or for stormwater infiltration of the stored product. The method of containment shall be subject to the approval of the Chief Engineer. The storage of items such as bricks, pavers, concrete block, pipes, lumber, steel, scaffolding, or similar large, bulky materials may be stored on the ground when placed upon pallets or racks.
- d) All accessory truck/trailer and equipment repairs shall take place within completely enclosed buildings.

4. Limitation on heavy industry: No more than 50 percent of a building or accessory outdoor storage area may be utilized for the storage, manufacturing, production, processing, assembly or fabrication of explosive materials.
5. Limitation on railroad terminals and yards: No more than 25 acres within the redevelopment area may be utilized as a railroad terminal or yard.
6. Limitation on container storage: Container storage as a principal use shall not be permitted. Accessory container storage and/or stacking shall be permitted in conjunction with a warehouse and distribution facility, truck terminal, or intermodal facility; shall be limited to a total of two containers per stack or a maximum height of 25 feet above grade level, whichever is less; and shall be heavily screened in accordance with N.J.A.C. 19:4-8.9.
7. Limitations by other governmental entities: The ability to accommodate a permitted use on a specific property shall be subject to any environmental, or other, restrictions by state and federal governmental entities having jurisdiction.

#### **D. BULK REQUIREMENTS**

Bulk requirements within the redevelopment area shall be as follows:

##### **1. Lot Size Requirements**

- a) Minimum lot area: one acre;
- b) Minimum lot width: 100 feet; and
- c) Minimum lot depth: 150 feet.

##### **2. Bulk Regulations**

- a) Maximum lot coverage: 60 percent;
- b) Minimum open space: 15 percent;
- c) Yards:
  - i. Minimum front yard - Structures: 30 feet;
  - ii. Minimum front yard - Parking: 20 feet;
  - iii. Minimum side yard: 20 feet; and
  - iv. Minimum rear yard: 30 feet; and
- d) FAR: 2.5

**E. DESIGN CRITERIA**

Unless superseded in this redevelopment plan, the design of all improvements shall be in compliance with NJMC site plan requirements, as set forth in N.J.A.C. 19:4-8.1 *et seq.*

**1. Parking and Loading:**

Parking and loading requirements shall conform to N.J.A.C. 19:4-8.2 through 8.4, and the following:

Use	Minimum Parking Requirements	Minimum Loading Requirements
a) Data center	One space per 5,000 sq. ft. of floor area	One loading space; 12 feet x 60 feet
b) Flex space	Cumulative parking requirement per use.	Two loading spaces (12 feet x 60 feet) for structures up to and including 40,000 sq. ft.;  Three loading spaces (12 feet x 60 feet) for structures over 40,000 sq. ft. and up to and including 100,000 sq. ft.; and  One loading space (12 feet x 60 feet) per additional 100,000 sq. ft. over 100,000 sq. ft.
c) Public works facility	One space per facility vehicle; and one space per employee at the maximum shift of employment	One loading space; 12 feet x 60 feet

**2. Utilities**

The developer is responsible for providing and obtaining all applicable permits and easements where necessary for the installation of all required utilities. All utilities shall be located underground to the extent practicable.

**3. Signage**

Signage within the redevelopment area shall comply with the standards applicable to the Heavy Industrial zone in N.J.A.C. 19:4-8.14 (Table 8-5).

#### **4. Drainage**

Drainage plans, including maintenance provisions, shall be prepared in accordance with NJMC regulations at N.J.A.C. 19:4-8.6. All drainage ways shall be properly maintained and planted, and designed in accordance with the NJMC's *Guidelines for Green Development and Redevelopment, Part 1 - Low Impact Development*, where appropriate. Drainage designs shall not include permanent standing water.

#### **5. Minimum Lowest Finished Floor Elevation**

Minimum lowest finished floor elevations for structures within designated 100-year flood zones shall be established one foot above the applicable 100-year base flood elevations determined from the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), or as otherwise adopted by the NJMC Board of Commissioners.

#### **6. Environmental Performance Standards**

Unless superseded herein, all uses shall comply with the Category C environmental performance standards in N.J.A.C. 19:4-7.1 *et seq.* In cases where a specific property is located adjacent to or within 300 feet of a zone having more restrictive performance standards, Category C standards shall continue to apply within the redevelopment area. All water quality standards contained in N.J.A.C. 19:4-7.9 shall apply.

#### **7. Building Façades**

Corrugated metal building facades are discouraged in the redevelopment area, with the exception of accessory structures and public works facilities.

#### **8. Fences**

- a. Fences and walls shall be permitted in required front yards at a minimum setback of five feet in accordance with the following:
  - i. The fence location shall comply with the line of sight triangle requirements of N.J.A.C. 19:4-8.5.
  - ii. Gates located proximate to an intersection with a public street shall be located at a setback sufficient to provide adequate queuing area for vehicles, as determined by the Chief Engineer.
- b. The maximum height of fences and walls in the redevelopment area shall be 10 feet, with the exception of screen walls that comply with the required yard setbacks, which shall not have a maximum height.

#### **9. Landscaping**

All landscaping shall be provided in accordance with N.J.A.C. 19:4-8.9 and shall follow the *NJMC Landscape Design Guidelines* to the extent practicable.

## **10. Open Space**

The Hackensack Riverfront is considered by this redevelopment plan to be an extraordinary asset for development, but can also provide opportunities for passive recreation, particularly for the area's employees. While public open spaces are generally not encouraged on active industrial sites in the redevelopment area, due to the intensity of planned industrial development on these properties, recreational areas for employees are encouraged and shall be permitted in required open space. These areas may include hardscape elements such as walkways and outdoor seating areas, and shall be appropriately designed in a manner that provides for safe pedestrian circulation.

Potential opportunities for the development of public open space may be available in areas bordering the Hackensack River and Kearny Marsh.

## **11. Sustainable Design**

The NJMC encourages developers to incorporate sustainable design within the redevelopment area. Employing green building methods from the onset of a project provides environmental, economic, and social benefits, including increased efficiency and reduction in energy costs. The NJMC's green building regulations at N.J.A.C. 19:4-6.6 provide zoning and fee incentives to promote sustainable green building practices in the Meadowlands District.

## **F. ADDITIONAL DEVELOPMENT REQUIREMENTS**

### **1. Project Impact Assessment**

All projects shall prepare a Project Impact Assessment (PIA) when required in accordance with N.J.A.C. 19:4-10.1 *et seq.* The PIA shall provide information to allow the NJMC to assess the probable effects of a proposed project.

- a) Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
- b) For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJMC prior to the issuance of a zoning certificate for the project.

### **2. Traffic Impact Assessment**

All projects shall prepare a Traffic Impact Assessment (TIA) when required in accordance with N.J.A.C. 19:4-7.10. The TIA shall assess the traffic and circulation impacts of a proposed development and identify improvements required.

### **3. Riparian Rights**

Riparian grants shall be secured for any land subject to the State's riparian interest pursuant to NJMC zoning regulations.

#### 4. Affordable Housing Considerations

With regard to affordable housing, the developer shall comply with the applicable requirements of the NJMC; the New Jersey Council on Affordable Housing (COAH), or any future entity assuming the legal responsibilities of the Fair Housing Act; and P.L. 2008, Chapter 46, an act concerning affordable housing, revising and supplementing various parts of the statutory law, effective July 17, 2008, and any applicable laws of other agencies having jurisdiction.

#### 5. Redeveloper Requirements

- a) If the NJMC elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 13:17-6(j), 20(g), and or 21(b)6, prior to entering such contract, the redeveloper shall provide a financial report to the NJMC assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
  - i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.
  - ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
  - iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
  - iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project; financing method(s), source(s) and amounts committed; and proposed and actual completion dates of projects.
  - v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
  - vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116, <http://www.fasb.org>, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.
  - vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.
  - viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any debarments, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate

development project and/or government contract regardless of the date of such occurrence.

- ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of N.J.A.C. 19:4-10.4(a)14.
  - x. Such other information as may be deemed necessary by the NJMC staff.
- b) The redeveloper shall provide the following to the NJMC, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
- i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
  - ii. The projected development timeline.
  - iii. Any change in the financial report required in 5a above.
- c) Any redeveloper applying to any federal, state, county, or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NJMC of such application in writing and shall provide copies to the NJMC of all applications, formal correspondence and government actions regarding the requested financial assistance. The NJMC staff shall provide any of the aforementioned entities with information about the project upon request. The NJMC may make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.
- d) Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NJMC contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NJMC of all correspondence and information regarding the PILOT bonds. The NJMC staff shall provide the municipality with information about the project upon request. The NJMC may make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.

## **6. Approvals of Other Governmental Entities**

- a) Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.
- b) Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NJMC contemporaneously with its filing and shall provide copies to the NJMC of all correspondence and information regarding the permit application. The NJMC staff shall

provide the regulatory entity with information about the project upon request. The NJMC may make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.

- c) The applicant shall provide, to the NJMC, proof of compliance with any requirements and/or restrictions from other regulatory agencies associated with the intended use(s) of the site. Additionally, copies of any future requirements and/or restrictions shall be submitted to the NJMC by the designated developer immediately upon receipt.

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## **VI. SELECTED REDEVELOPMENT PLAN IMPLEMENTATION STRATEGY**

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This redevelopment plan shall be the regulatory instrument for the development of the Koppers Coke Peninsula Redevelopment Area, along with the NJMC Regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6 and 19:7, where applicable, and shall supersede all prior zoning for parcels of land contained within this redevelopment area.

No actions, other than the adoption of this plan and review of applications submitted by property owners or prospective developers/redevelopers to implement this plan, are proposed or contemplated by the NJMC at time of adoption of this plan.

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**Figure 7. Koppers Coke Peninsula - Redevelopment Area 12: Official Zoning Map**

