

FREEDOM VILLAGE AMENDMENTS
to the
REDEVELOPMENT PLAN
TOWN CENTER SOUTH REDEVELOPMENT AREA
Robbinsville Township, Mercer County, New Jersey



Submitted: March 19, 2018





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Joy Tozzi, Township Business Administrator
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Michele Seigfried, Municipal Clerk
Paul Renaud, Esq., Township Attorney
Jerry Dasti, Esq., Redevelopment Counsel

The original of this document has been signed
and sealed pursuant to N.J.S.A. 45:14A-12.

Respectfully Submitted:

ARH ASSOCIATES

By:

Stuart B. Wiser, P.P., AICP
NJ Professional Planners License # LI005598





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CONVENTIONS FOR THIS AMENDMENT

A. The term “Redevelopment Plan” or “ROD” used throughout this document shall refer to the duly adopted *Redevelopment Plan for the Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012), as revised via Ordinance 2014-21.

B. The term “This Amendment” used throughout this document shall refer generically to this instant document and collectively to the several amendments, clarifications, supplements and other modifications to the Redevelopment Plan. The term “herein” shall refer to This Amendment.

C. This Amendment is the fourth (4th) amendment to the Redevelopment Plan.

1. The first amendment, entitled *Northern Tract: Parcel A Amendments to the Redevelopment Plan: Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers, was adopted on September 27, 2012 ("Parcel A. Amendments").

Changes made to the Redevelopment Plan via the Parcel A. Amendments address and are limited to Block 1, Lots 1.01, 2 & 3.

2. The second amendment, entitled *Northern Tract: Parcel B Amendments to the Redevelopment Plan: Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers, was adopted on May 14, 2014 ("Parcel B. Amendments")

Changes made to the Redevelopment Plan via the Parcel B. Amendments address and are limited to Block 1, Lot 17.

3. The third amendment, entitled *Northern Tract: Parcel C Amendments to the Redevelopment Plan, Town Center South Redevelopment Area*, prepared by Remington, Vernick & Arango Engineers, was adopted on October 28, 2015 ("Parcel C. Amendments").

Changes made to the Redevelopment Plan via the Parcel C. Amendments address and are limited to Block 1, Lots 11.02 and 71.

4. Additional amendments were made by the Township:
 - a. On December 8, 2014 via Ordinance 2014-21 ("December 2014 Amendments").
 - b. On June 28, 2017 via Ordinance 2017-13 ("Affordable Housing Amendments").

Both changes apply to the entire Redevelopment Area, including Parcel A., Parcel B., Parcel C. and the Freedom Village Parcel created via This Amendment.

- D. In order to effectuate the Freedom Village Project as further described herein, This Amendment addresses, and is limited to the approximately 9.2-acre Freedom Village Parcel, which consists of:





- An approximately 6.8-acre portion of Block 1, Lot 32 and Lot 65 (to be assigned new Tax Lot designation 65.01);
- The approximately 0.25-acre Block 1, Lot 25.02 ~ along with approximately 0.35 acres necessary to connect Lot 25.02 with new Lot 65.01 (to be consolidated with the remaining portion of Lot 32 and Lot 65 and assigned a new Tax Lot designation of 65.02);
- An approximately 0.97-acre portion of land to be dedicated as a public right-of-way constituting an extension of Commerce Square and providing access to new Tax Lot 65.01; and
- An approximately 0.4-acre, 30'-wide Sanitary Sewer Easement running parallel to Route 33 between the southerly lines of the Route 33-fronting Lots in proximity to new Tax Lot 65.01 and the northern line of new Tax Lot 65.01.

E. *Section Numbering*

Unless otherwise indicated, section numbering in This Amendment remains identical to the section numbering in the Redevelopment Plan, irrespective of any numbering changes contained in the Parcel A., Parcel B. or Parcel C. Amendments.

Where a change to a particular section of the Redevelopment Plan is required, such change is made by This Amendment within the numbering system of the Redevelopment Plan. Such changes are limited to the Freedom Village Parcel. The language of the Parcel A., Parcel B. and Parcel C.

Amendments remains in place for those Parcels, and the original language of the Redevelopment Plan, as modified by the December 2014 Amendments, remains in place for the balance of the Redevelopment Area.

Where no changes to a particular section of the Redevelopment Plan are necessary, such section is **excluded** from This Amendment. Accordingly, section numbering in This Amendment is **not necessarily sequential**.

Where new provisions are required, such language is inserted as a new section in as sequential an order to the Redevelopment Plan as is possible. Such new language is limited to the Freedom Village Parcel.

F. *Exhibit Numbering*

Where no change to a particular Redevelopment Plan Exhibit is necessary, such Exhibit, to the extent referenced herein, is excluded from This Amendment.

Exhibits attendant to the Parcel A., Parcel B. and Parcel C. Amendments remain in place for those Parcels, and the original Exhibits of the Redevelopment Plan remain in place for the balance of the Redevelopment Area.

New Exhibits necessitated by This Amendment are included under §15.0 herein. Such Exhibits are limited to the Freedom Village Parcel.

G. *Footnote Numbering*

Footnote numbering in This Amendment is sequential to This Amendment and bears no relationship to the footnote numbering in the Redevelopment Plan, the Parcel A.



Amendments, Parcel B. Amendments or Parcel C.
Amendments

H. *Maps & Graphics*

Generally, the maps and graphics contained in the body of the Redevelopment Plan have been omitted in This Amendment for brevity. Unless specifically modified by This Amendment, such maps and graphics remain unchanged.

I. *Conflicts*

Should any conflict occur between the provisions of the Redevelopment Plan and This Amendment, the provisions of This Amendment shall govern.



1.0 INTRODUCTION

1.1 Background

1.1.1 In October 2010, the Township Council of the Township of Robbinsville ("Governing Body") declared² a portion of the Township's Town Center to be an Area In Need of Redevelopment "(Redevelopment Area)" pursuant to New Jersey's *Local Redevelopment & Housing Law*.³

In March 2012, the Governing Body adopted⁴ a Redevelopment Plan for the Redevelopment Area.⁵

1.1.2 In July 2017, in response to litigation related to its constitutional obligation to provide for a reasonable opportunity for low- and moderate-income housing, the Township included lands on the municipally-owned portion of the Redevelopment Area in its court-mandated Housing Element & Fair Share Plan; thereby reserving such lands for the provision of Affordable Housing.

1.1.3 After a number of attempts to develop large, profit-driven projects in the Redevelopment Area proved unsuccessful,⁶ the Township, in November 2017, solicited Project Freedom, Inc. to provide low- moderate-income housing on a portion of the Redevelopment Area.

1.1.4 Project Freedom, Inc. is a not-for-profit⁷ New Jersey corporation dedicated to developing, supporting and operating / managing independent living opportunities for persons with disabilities and for income-eligible families. Project Freedom communities provide supportive services such as recreation, training and advocacy in order to empower individuals with disabilities to live independently in a non-medical environment. Project Freedom, Inc. has developed and operates a number of successful such projects in the region, including the 30-unit Project Freedom Robbinsville at 223 Hutchinson Road.

The project proposed by Project Freedom, Inc. (named "Freedom Village"⁸) is a 72-unit community for families and persons with disabilities, as well as non-disabled families. The Project will consist of four, 3-story residential buildings totaling 14 one-bedroom units, 40 two-bedroom units and 18 three-bedroom units. Eighteen of the units will be "Supportive Housing Units", with the remaining 54 units being family rentals.

All units will meet the income and other restrictions of New Jersey's Uniform Housing Affordability Controls,⁹

² via Township Resolution No. 2010-202 (on file with the Township Clerk)

³ N.J.S.A. 40A:12A-1 et seq. ("*Redevelopment Law*")

⁴ via Ordinance No. 2012-4 (on file with the Township Clerk)

⁵ *Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012).

⁶ §3.1.7D. and I. herein

⁷ 501(c)(3)

⁸ Exhibits PF-1, PF-2, PF-3 & PF-4 herein.

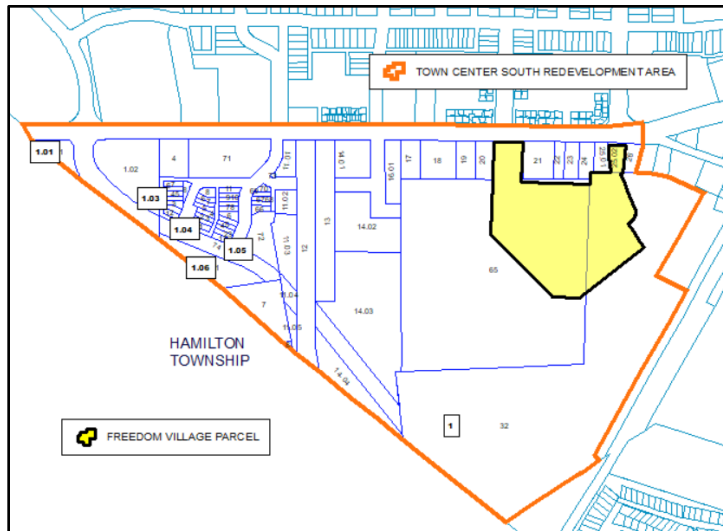
⁹ N.J.A.C. 5:80-26.1 et seq. ("*UHAC*")



and will therefore be affordable to “very-low-income”, “low-income” or “moderate-income” households.

A separate clubhouse for resident services and community events is also proposed.

- 1.1.5 The lands reserved for Freedom Village are a portion of Township-owned Block 1, Lots 32 and 65 within the Town Center South Redevelopment Area.¹⁰



- 1.1.6 At Publication of This Amendment, the Fair Share Plan is expected to be approved by the Superior Court on March 28, 2018.

1.2 Redeveloper Designation

Freedom Village reflects a Project which is designed to achieve many of the Municipal Goals & Objectives of the Redevelopment Plan as well as the Township’s Housing Element and Fair Share Plan. Further, based on its history of developing and operating similar projects in the region, the Governing Body believes that Project Freedom, Inc. has the demonstrated experience and qualifications to successfully construct and operate the type, size and scope of Project proposed.

Accordingly, in January 2018, the Township entered into a Development Agreement with Project Freedom, Inc. for the development of Freedom Village on a portion of Block 1, Lots 32 and 65 within the Redevelopment Area. Such Agreement designates Project Freedom, Inc. as “Developer” for these lands.

For the purposes of This Amendment, such Developer’s Agreement shall serve as the Redevelopment Agreement for the Project under Redevelopment Plan §2.70 and §5.2, and the designation of Project Freedom, Inc. as Developer under such Agreement shall have the same force and effect as the Redeveloper designation under Redevelopment Plan §2.68 and §5.2.

As part of the Developer’s Agreement, the Township has agreed to donate the land to Project Freedom for \$1.00, provide \$600,000 to cover pre-development costs. These funds will come from the Township’s Affordable Housing Trust Fund.

¹⁰ With Block 1, Lot 25.02 providing emergency access to the Project.



Additionally, the Township has agreed to include Township-owned Block 1, Lot 25.02 within the Freedom Village Parcel in order to provide emergency access to the development. Accordingly, This Amendment applies the provisions of the Redevelopment Agreement to Block 1, Lot 25.02 as if originally included therein, and extends Project Freedom, Inc.'s Redeveloper status to include Block 1, Lot 25.02. Responsibility for the construction of the accessway is addressed in §8.1.5D. herein.

1.4 Freedom Village Amendments to the Redevelopment Plan

The Township and Project Freedom, Inc. have worked to finalize details related to the Freedom Village Project, and have identified certain revisions to the Redevelopment Plan as being necessary and appropriate to achieve the project concept as submitted. Such revisions are contained in This Amendment to the Redevelopment Plan.

This Amendment is not intended to replace the Redevelopment Plan, but to modify, enhance and supplement the provisions of the Redevelopment Plan as applied to the Freedom Village Parcel. Accordingly:

- A. The Introduction (§1.0), Definitions (§2.0), Town Center South Redevelopment Area [description] (§3.0), Municipal Goals & Objectives (§4.0), Redeveloper Solicitation, Selection & Designation (§5.0), Anticipated Redevelopment Actions (§6.0), Redevelopment Provisions (§7.0), Circulation, Parking & Loading Plan (§8.0), Utility & Easement

Controls (§9.0), Open Space, Landscaping & Streetscaping Provisions (§10.0), Provisions Necessary to Meet Statutory Requirements (§12.0), Effective Date, Duration of Provisions & Amendment Provisions (§13.0), Certificate of Completion & Compliance (§14.0) and Schedule of Exhibits (§15.0) contained in the Redevelopment Plan are modified *to the extent addressed herein*.

Additionally, This Amendment incorporates by reference the December 2014 Amendments and the Affordable Housing Amendments¹¹ ~ to the extent that such Amendments may be applicable to the Freedom Village Parcel.

- B. The Equal Opportunity (§11.0) provisions contained in the Redevelopment Plan remain unchanged and applicable.

¹¹ P. iv. §D. 4 herein.

2.0 DEFINITIONS

Definitions in the Redevelopment Plan are sequentially numbered in alphabetical order. Where a definition was modified via the Township's December 2014 Amendments, or where any of the following definitions amend an existing definition in the Redevelopment Plan, such new language retains its original definition number.

New definitions added via the Parcel A., Parcel B. and Parcel C. Amendments commenced numbering after 2.114, which was the last definition in the Redevelopment Plan. New definitions in This Amendment commence numbering after 2.117, which is the last definition in the Parcel C. Amendments.

- 2.30 "Garden Apartment" shall mean a residential unit within a corporately-managed Garden Apartment Building as defined in §2.31 herein, containing one (1), two (2) and three (3) bedroom units, with a minimum unit size of 650 s.f. and a maximum unit size of 2,054 s.f.

The ratio of one, two and three bedroom units shall be confirmed by the Redeveloper at time of Planning Board Review & Approval.

- 2.31 "Garden Apartment Building" shall mean a multistory building having no more than 4½ stories and a maximum height of 48' (plus architectural features) and may have common entrance(s) designed around courtyard feature(s). The Garden Apartment Buildings for Freedom Village shall be substantially similar in scale, massing, layout and architecture to what is depicted on Exhibits PF-1, PF-2 and PF-3 herein.

- 2.51 Office of Planning Advocacy ("OPA") shall mean the New Jersey Office of Planning Advocacy, successor to the Office of Smart Growth ("OSG") and the Office of State Planning ("OSP"), operating out of the New Jersey Department of State.

As part of its Business Action Center, the OPA is charged with helping to spur economic growth in New Jersey.

- 2.67 "Publication" shall mean the date printed on the cover of the Redevelopment Plan or This Amendment, as the case may be, which shall signify the date the Redevelopment Plan or This Amendment was finalized for printing.

- 2.68 "Redeveloper" shall mean the corporation, partnership or other entity or entities designated by the Township as Redeveloper pursuant to N.J.S.A. 40A:12A-1 et seq., and having entered into a Redevelopment Agreement with the Township for the purposes of advancing this Redevelopment Plan. Nothing herein shall prohibit the Township from acting as Redeveloper if and when appropriate or convenient.

As detailed in §1.2 herein, Project Freedom, Inc. has been designated as Redeveloper for the Freedom Village Parcel.

- 2.74 "Redevelopment Plan" shall mean the duly adopted *Redevelopment Plan for the Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012).



- 2.88 “Setback” shall mean clear, unoccupied and unobstructed space (unless otherwise specified) measured at right angles between a lot line, public or private right-of-way line or Redevelopment Tract or Parcel boundary line¹² and a building envelope; and extending from grade to sky.
- 2.89 “Setback Line” shall mean the alignment which dictates the front, side or rear yard facade setback from the street or public or private right-of-way, to be followed by buildings or structures fronting thereon.
- 2.107 “Township Code” shall mean, unless otherwise cited, Chapter 142 of the Robbinsville Township Municipal Code,¹³ as modified through the Redevelopment Plan and/or This Amendment, and as may be amended from time-to-time.

Since the February 2012 adoption of the Redevelopment Plan, the Township has made certain amendments to Chapter 142. Accordingly, the regulations of Chapter 142 current at the time of a Redeveloper’s submission of an application to the Planning Board for Review & Approval (as defined in Redevelopment Plan §2.82) shall govern ~ *to the extent that such regulations are not modified by the Redevelopment Plan and/or This Amendment.*

While This Amendment attempts to address all issues related to construction of a Redevelopment Project or multiple Projects on the Freedom Village Parcel, it recognizes that there may continue to be provisions of

Chapter 142 and the Redevelopment Plan that may impact Project Design. Such issues, if any, shall be addressed between the Planning Board and the Redeveloper as part of the Review & Approval process.

Additionally, and consistent with Redevelopment Plan §7.2.4B., This Amendment continues to vest the Planning Board with the power to grant departures¹⁴ from the regulations contained in Chapter 142, the Town Center Plan and the Redevelopment Plan requested by the Redeveloper.

- 2.115 “Parcel A. Amendments” shall mean the document entitled *Northern Tract: Parcel A. Amendment to the Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (adopted September 27, 2012).
- 2.116 “Parcel B. Amendments” shall mean the document entitled *Northern Tract: Parcel B Amendment to the Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (adopted May 14, 2014).
- 2.117 “Parcel C. Amendments” shall mean the document entitled *Northern Tract: Parcel C Amendment to the Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (adopted October 28, 2015).

¹² Which may or may not coincide with a lot line.

¹³ On file with the Township Clerk or available via <http://www.robbinsville-twp.org/>

¹⁴ Such departures shall be considered “deviations” under the *Redevelopment Law* and not ‘variances’ under the *Municipal Land Use Law*.





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- 2.118 “Supportive Housing” and “Supportive Housing Units” shall mean housing designed for people with special needs, including those with mental, physical and developmental disabilities, and which provides permanent, affordable housing with access to support services so that individuals can live as independently as possible in communities of their choice.
- 2.119 “This Amendment” shall mean this instant document entitled *Freedom Village Amendments to the Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Adams, Rehmann & Heggan Associates (date indicated on cover).

Upon adoption by the Governing Body, This Amendment shall work in conjunction with the Redevelopment Plan to jointly satisfy all statutory requirements for a Redevelopment Plan under N.J.S.A. 40A:12A-3 and 12A-7.



3.0 TOWN CENTER SOUTH REDEVELOPMENT AREA

3.1.7 Significant Activities since Redevelopment Plan Adoption¹⁵

A. Walgreens

Upon review of the Expressions of Interest received as part of the Township's public Solicitation process (Redevelopment Plan §5.1), the Governing Body designated respondent "The Ferber Company, Inc." ("Ferber") as Redeveloper Candidate for Block 1, Lots 1.01, 2 and 3 and authorized the commencement of negotiations of a Redevelopment Agreement for a 14,820 s.f. Walgreens Pharmacy and Convenience Store with drive-through, 53 parking spaces and stormwater management facilities.

In undertaking their due diligence, Ferber and the Township identified certain revisions to the Redevelopment Plan as being necessary and appropriate to the development of the Walgreens. Such revisions were embodied in the "Parcel A. Amendments" defined in §2.115 herein.

In October 2012, Ferber submitted an application to the Robbinsville Planning Board ("Planning Board") seeking Preliminary and Final Major Site Plan and Subdivision Approvals with Certification of Redevelopment Plan Conformance for the Walgreens. Such approvals were granted in November 2012. Construction commenced immediately thereafter and the Walgreens opened in November 2013.

Subsequently, pursuant to Redevelopment Plan §14.0, Ferber submitted a request for and was issued a Certificate of Completion & Compliance for the Project, certifying, in pertinent part:

- *That construction of the Walgreens pharmacy and convenience store and associated improvements... have been completed in accordance with the applicable provisions of the "Town Center South Redevelopment Plan"..., the "Northern Tract: Parcel A Amendments to the Redevelopment Plan"... , the Redevelopment Agreement by and between the Township of Robbinsville and 2012 Robbinsville Associates, LLC... and Planning Board Resolution No. PB2012-11...*
- *The conditions determined to exist at the time Block 1, Lot 1.02 (formerly Block 1, Lots 1.02, 2, and 3) was declared to be In Need of Redevelopment no longer exist. Pursuant to Redevelopment Plan §14.2, the controls contained in the Redevelopment Plan and RDP Supplement for Block 1, Lot 1.02..., with the exception of the Development Regulations (Redevelopment Plan §7.4), Architectural Controls (Redevelopment Plan §7.5) and the Equal Opportunity provisions (Redevelopment Plan §11.0) are hereby terminated. Pursuant to Redevelopment Plan §14.5, the Development*

¹⁵ All referenced Resolutions are on file with the Planning Board Secretary.



*Regulations and Architectural Controls for
Block 1, Lot 1.02... remain in effect.*

B. JP Properties

On or about February 2012, J.P. Property Investment, LLC. ("JP") submitted an application to the Planning Board for Preliminary and Final Site Plan Approval in order to construct a 4-story mixed use building on Block 1, Lot 17 within the Redevelopment Area. At this time, the Township was in the process of finalizing ~ but had not yet adopted ~ the Redevelopment Plan.

After consultation with the Township, JP suspended this Application and, in December 2012 resubmitted the Application under the then-newly-adopted Redevelopment Plan.

In undertaking their due diligence, JP and the Township identified certain revisions to the Redevelopment Plan as being necessary and appropriate to the development. Such revisions were embodied in the "Parcel B. Amendments" defined in §2.116 herein.

The project was approved by the Planning Board on or about June 2014. At Publication of This Amendment, construction had yet to commence.

C. Washington Village, LLC.

On or about June 2014, Washington Village, LLC. ("WV") submitted an application to the Planning Board for Preliminary & Final Site Plan Approval with

Redevelopment Plan Conformance in order to construct a 64-unit Garden Apartment complex in the form of two, identical, 32-unit, four story buildings around a common courtyard on Block 1, Lots 66-70, 72-74 & 11.03-11.05, Block 1.03, Lots 1-8, Block 1.04, Lots 1-8, Block 1.05, Lots 1-11, Block 1.06, Lot 1 and certain rights-of-way within the Redevelopment Area.

No specific "Parcel Amendments" to the Redevelopment Plan were requires. The project was approved in February 2015.

In August 2016, the Planning Board approved an application for Amended Final Site Plan Approval, Minor Subdivision (Lot Consolidation) Approval and architectural revisions to the Project by the Sharbell Building Co., LLC. ~ [then] Contract Purchaser of the Project. Such amendments made minor adjustments to the footprints of the 2 buildings, modified the building architecture and added Project amenities.

Subsequently, Sharbell made application to the Planning Board for Amended Preliminary and Final Site Plan Approval and Minor Subdivision Approval in order to relocate the previously approved underground detention basin to an above-ground basin at the rear of the Site and to better align the connection between Liberty Street and Washington Boulevard. The Board granted these approvals in or about June 2017.

At Publication of This Amendment, construction had yet to commence.



D. MSBNYC Development, Inc. ("MSBNYC")

In or about July 2014, the Township received an Expression of Interest from MSBNYC, a Real Estate development company based in Monsey, New York, for a multi-building, mixed-use Redevelopment project on a 44.54-acre portion of the Redevelopment Area known as Block 1, Lots 32 and 65.

After review of the Expression of Interest, the Governing Body, in August 2014, designated MSBNYC as Redeveloper Candidate and authorized the commencement of negotiations of a Redevelopment Agreement for the Project. Such negotiations were ultimately unsuccessful and Redeveloper Candidate designation expired in July 2015.

E. Sharbell ~ Malvern Child Care Facility & Coffee House

In January 2015, the Township received an Expression of Interest from a partnership of Sharbell Washington, Inc. and Brentwood Holdings, LLC, (the "Sharbell") for the development of a 2-story Childcare Center and a single-story Coffee House on Block 1, Lot 71 in the Redevelopment Area's Northern Tract, with additional improvements possible on the Northern Tract's Block 1, Lot 11.02 and a realignment of the proposed Lake Drive south of Route 33 (collectively "Parcel C").

Such Expression of Interest reflected a Project which is generally designed to achieve the Municipal Goals & Objectives of the Redevelopment Plan, and

provided the Township with demonstrated evidence of Sharbell experience and qualifications in developing and, as appropriate, operating the type, size and scope of Project proposed.

The Township designated Sharbell as a Redeveloper Candidate for the property in February 2015,¹⁶ subject to the negotiation and execution of a Redevelopment Agreement setting forth the respective rights and obligations of the parties in connection with such redevelopment.

In undertaking their due diligence, the Sharbell and the Township identified certain revisions to the Redevelopment Plan as being necessary and appropriate. Such revisions were embodied in the "Parcel C. Amendments" defined in §2.117 herein.

In or about October 2015, Sharbell submitted an application to the Planning Board for Preliminary and Final Major Site Plan Approvals with Certification of Redevelopment Plan Conformance in order to construct a 8,640 s.f., 2-story Malvern Child Care center and a separate, 2,300 s.f. Food & Beverage Outlet with drive-through service on Block 1, Lots 71 and 11.02 in the Redevelopment Area. Additional improvements included parking, vehicular access and stormwater management facilities. In or about November 2015, the Board granted Preliminary and Final approvals for the Malvern facility and Preliminary approvals for the Food & Beverage Outlet.

¹⁶ Brentwood transferred its interest in the Project to Sharbell in or about May 2015, leaving Sharbell to proceed as the sole Redeveloper Candidate for the Project.





Construction on the Malvern Center commenced in June 2016. The facility opened in May 2017.

In or about November 2016, Sharbell submitted an application to the Planning Board for Final Site Plan Approval with Certification of Redevelopment Plan Conformance for the Food & Beverage Outlet, which had by then been identified as a Starbucks. Such approvals were granted in or about December 2016.

Construction on the Starbucks commenced in February 2017. Starbucks opened in September 2017.

F. Ordinance No. 2014-27

In order to insure the preservation of open space in the Redevelopment Area, the Township, in November 2014, adopted Ordinance No. 2014-27, the purpose of which was to permanently dedicate 22± acres of Township-owned Redevelopment Area land *“as open space to be used for active and/or passive recreational purposes”*.

Specifically, Ordinance No. 2014-27, inter alia:

Authorized the Township to dedicate 22± acres in Redevelopment Area Block 1, Lots 32 and 65 *“by way of deed as open space to be used as active and/or passive purposes”*. To effectuate this, the Ordinance, the Township Engineer was directed to obtain a subdivision of the 22± acres *“depicting the exact location and total acreage”* of the lands to be dedicated as open space and to file the subdivision as required by law.

G. December 2014 Amendments

Responding to a number of issues brought to the Township's attention since the adoption of the Redevelopment Plan, the Township made additional amendments to the Redevelopment Plan via Ordinance 2014-21, adopted in December 2014.

H. Affordable Housing Amendments

In order to better address its Affordable Housing Obligations, the Township replaced the Affordable Housing requirements of Redevelopment Plan §12.8.6 with new language requiring a minimum of 15% of the total number of rental units in a project be affordable, and requiring a minimum of 20% of the total number of for sale units in a project be affordable. These changes were made via Ordinance 2017-13, adopted in June 2017.

I. Capodagli Property Company, LLC. (“Capodagli”)

In July 2016, the Township received an Expression of Interest from Capodagli, a Real Estate development company based in Linden, New Jersey, for a multi-building, mixed-use Redevelopment project consisting of a minimum of 500 senior and family rental units, retail space and a hotel / catering / conference center on an approximately 44.5-acre portion of the Redevelopment Area known as Block 1, Lots 32 and 65.

After review of the Expression of Interest, the Governing Body, in March 2017, designated Capodagli as Redeveloper Candidate and authorized the commencement of negotiations of a



Redevelopment Agreement for the Project. After undertaking its due diligence, Capodagli determined that the traffic improvements necessary for the project as envisioned were beyond the economic viability of the Project. The Redeveloper Candidate designation was permitted to expire in November 2017.

J. Cancellation of the Route 33 Bypass

Township Resolution 2002-61, adopted by the then Washington Township Committee in February 2002, requested that the New Jersey Department of Transportation proceed with the design of a southerly bypass connecting Route 33 with Route 130 as a critical component of the development of the Town Center (“Route 33 Bypass”). At the time, it was anticipated that the Route 33 Bypass would be constructed in concert with the developers of the portion of the Town Center that eventually became the Redevelopment Area.

For a myriad of issues, including, but not limited to, the inability of the developers of these lands to work cooperatively, it became apparent that the Route 33 Bypass would not be constructed. As a result, in an effort to provide continued economic viability to this section of the Township and to address future traffic patterns, the Township has been working in conjunction with existing and future developers of the Redevelopment Area to design and construct an internal road system as an alternative to the Route

33 Bypass. The construction of this road system will necessarily impact the proposed design of the Route 33 Bypass as originally envisioned.

In order for the development of the Redevelopment Area to continue, and to allow for the alternative road system to be constructed, the Township, in February 2017, formally requested that NJDOT abandon and cancel the proposed Route 33 Bypass. It is believed that Hamilton Township adopted and transmitted a similar Resolution to NJDOT at or about the same time and for similar reasons.

3.8 Pre-Existing Approvals¹⁷

3.8.1 Washington Village LLC^{18,19}

An update for this project is presented in §3.1.7C. herein.

3.8.2 Kings Interest LLC: Robbinsville Commons I²⁰

In 2004, Kings Interest LLC received approval for the development of a mixed-use project consisting of two (2) Route 33-fronting buildings containing 13,535 s.f. of office space, a 6,000 s.f. restaurant and 34 apartment units, with an additional 55 apartment / condominium units to be constructed in a third building to the south.²¹ In accordance with the Town Center Plan, the approval included the dedication of Kings Interest-owned land for the Route 33 Bypass, which the Board found necessary given the density of the project.

¹⁷ All referenced Resolutions are on file with the Planning Board Secretary.

¹⁸ a.k.a. “Marrazzo”

¹⁹ Former Block 1, Lots 5, 6, 9, 10 & 11

²⁰ Former Block 1, Lots 14, 15 & 16.

²¹ Planning Board Resolution No. PB2004-42, with conditions approved in June 2005 via Resolution No. PB-2005-30.



In 2006, the Board approved a request by Kings Interest to amend its approvals to permit the phasing of the project.²²

In January 2018, the Board heard a request by Kings Interest for two, 1-year extensions of its prior Approvals. While such extension was denied, the Board did agree to extend the approvals for 6 months ~ to June 30, 2018.

3.8.4 Kushner²³

In 2005, a subsidiary of the Kushner Companies received approval for a 267-unit market-rate housing project. The project was unable to obtain a NJDOT Highway Access Permit. As a result, Kushner sold its lands to the Township in 2007.

These lands are the site of Freedom Village and the subject of This Amendment.

²² Planning Board Resolution No. PB2006-12

²³ Block 1, Lots 32 & 65.

4.0 MUNICIPAL GOALS & OBJECTIVES

4.2 Town Center Plan

The Redevelopment Plan was crafted to be consistent with and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan.

While remaining supportive of the Town Center Plan, Township Policymakers recognized that such Intent and Policies were adopted in 1997, and therefore reflect very different economic times and municipal priorities than were in place at the time of adoption of the Redevelopment Plan and remain in place at Publication of this Amendment. As such, there continues to be a general concern that the Town Center Zoning & Design Regulations may be overly burdensome and economically unachievable in today's climate, and may be beyond the Freedom Village project pro-forma.

Accordingly, such Intent and Policies were revised by the Redevelopment Plan and are further modified by This Amendment as follows:

4.2.2 Policy Statements

B. Encourage innovative mixed-use / multiple-use plans in order to accommodate housing demand for varying age groups and income levels via a variety of unit type, design and layout. Toward this end, provide for smaller lots than presently exist in the Township to accommodate single-family detached units, duplexes, townhouses and apartments / residential flats as well as larger lots for other types of development scenarios.

- H. Encourage a more efficient use of land and public services by directing development in a pattern that resembles traditional mixed-use, multiple-use Town Centers, while permitting non-traditional design for projects that achieve significant municipal priorities.
- I. Institute Review & Approval procedures to ensure that Redevelopment Projects relate type, design and layout to the context of their environs; and to the Township's goal of encouraging neo-traditional mixed-use development, while permitting non-traditional design for projects that achieve significant municipal priorities.
- R. Promote development with visual and spatial characteristics as expressed in the Town Center's Design Regulations as well as such design aesthetics depicted in Exhibit PF-1, PF-2 and PF-3 herein as may be approved by the Governing Body.
- S. Promote development where physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible site and architectural design elements which relate the design characteristics of an individual structure or development to other existing and/or planned structures or developments in a harmonious manner; thereby resulting in a coherent overall development pattern and streetscape.

Within this context, avoid too heavy a reliance on a single design vocabulary that will result in a "cookie cutter" aesthetic.



4.2.3 To achieve these ends, This Amendment retains the underlying planning and design philosophy of the Town Center Plan applicable to the TC-2 Zoned lands within the Redevelopment Area, but permits Redevelopers to submit Project Concept(s) which embody the design approaches depicted in Exhibit PF-1, PF-2 and PF-3 herein, provided that such approaches retain the Town Center Plan's requirements for quality design.

4.4 Goals & Objectives of the Redevelopment Plan and This Amendment

4.4.7 Stimulate private development by allowing maximum flexibility in land use, project design and building regulations while protecting, to the maximum extent practicable, the intent of the Town Center Plan to create a mixed-use community as well as to protect and preserve the natural environment, both within and adjacent to the Redevelopment Area.

4.4.10 Permit flexibility in the Town Center Plan TC-2 regulations in order to maximize the development potential of Town Center South in a manner that is mutually supportive with Town Center North. Within this context:

B. Encourage and promote Redevelopment Projects which are consistent with Smart Growth / New Urbanism Principles.²⁴

C. Create as seamless a linkage as possible:

1. among and between the individual Redevelopment Tracts within the Redevelopment Area; and

2. between the Redevelopment Area and the balance of the Town Center; thereby using the Redevelopment Project(s) as a unifying anchor for achieving the Town Center Plan.

Within this context:

1. With the abandonment / cancellation of the Route 33 Bypass as detailed in §3.1.7J. herein, language relating to creation of the Route 33 Bypass is no longer applicable;
2. ensure appropriate external access to and internal circulation within the Redevelopment Area for passenger vehicles, delivery vehicles, recreational users²⁵ and pedestrians; and
3. provide for adequate (surface and/or structured) parking to support the Redevelopment Project(s) anticipated.

E. Provide for appropriate aesthetics, visibility and security while remaining consistent with similar elements established in Town Center North.

This shall not be construed to mean that design and treatment must be the same as Town Center North, but rather that such elements shall display equivalent attention to detail and quality appropriate to a prominent facade of a Town Center / Route 33-frontage development.

²⁴ Reserved

²⁵ Bicycles, rollerbladers and like and similar uses.





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4.4.12 Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), Redevelopment Plan Goal & Objective 4.4.12 related to tax revenue, ratables and return to the public sector is repealed for such Project.



5.0 REDEVELOPER SOLICITATION, SELECTION & DESIGNATION

5.1 Redeveloper Solicitation & Selection

The Redeveloper solicitation and selection process that resulted in Project Freedom, Inc. being designated Redeveloper is summarized in §1.2 herein.

5.2 Redeveloper Designation / Redevelopment Agreement

The Redeveloper designation process that resulted in Project Freedom, Inc. being designated Redeveloper and the execution of the Development Agreement are summarized in §1.2 herein.

5.3 Post Selection Requirements

5.3.1 Redevelopment Administration Fee

Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), the Redevelopment Administration Fee is waived in this instance.

5.3.2 Redevelopment Administration Escrow

Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), the Redevelopment Administration Escrow is waived in this instance.



6.0 ANTICIPATED REDEVELOPMENT ACTIONS

- 6.1.8 Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), the Township will be responsible for costs associated with bringing utilities to the Freedom Village site, and Project Freedom will be responsible for utility installation on-site.

Costs related to acquisition, utility relocation and other development costs to the Redeveloper are addressed elsewhere in This Amendment.

- 6.1.9 Regardless of the method of acquisition, all property within the Redevelopment Area shall be subject to the provisions of this Redevelopment Plan. All property outside of the Redevelopment Area shall remain subject to the zoning and land use provisions of the Township Code.

7.0 REDEVELOPMENT PROVISIONS

The Redevelopment Provisions of the Redevelopment Plan and/or This Amendment consist of the Review Procedures; Standards & Controls of General Applicability; Parcelization Plan; Development Regulations; Circulation, Parking & Loading Plan; Utility & Easement Controls; and the Open Space, Landscaping & Streetscaping Provisions.

All activities within the Redevelopment Area shall be governed by such Provisions, which were crafted to promote the redevelopment of the Redevelopment Area in accordance with the underlying philosophy ~ if not the specific provisions ~ of the Town Center Plan and the Goals & Objectives of the Redevelopment Plan, as modified by This Amendment. As such, they are intended to provide a setting within which the Redeveloper and its designers are encouraged to generate detailed plans to produce Projects of outstanding design and superior quality.

7.1 Review Procedures, Responsibilities & Authority

7.1.1 As the Redevelopment Entity, the Governing Body shall review and approve the Project Concepts and Description of Project Elements proposed for each Redevelopment Project. Such approval shall both accept the Project for the community and insure that the Project is consistent with the Redevelopment Plan and/or This Amendment.

7.1.2 Understanding that Project(s) of the magnitude envisioned for the Redevelopment Area necessarily evolve from concept to final design, the following approval process is established:

- A. The action of designating Project Freedom, Inc. as Redeveloper shall serve as the Governing Body's approval of the Project Concepts and Description of Project Elements for Freedom Village, and as conditional certification of the Project's consistency with the Redevelopment Plan, as modified via This Amendment.
- B. The action of working in partnership with the Redeveloper that will culminate with the adoption of This Amendment shall serve as the Governing Body's final approval of the Project Concepts and Description of Project Elements, and as its final certification of the Project's consistency with the Redevelopment Plan, as modified via This Amendment.

7.1.3 Consistent with its responsibilities under the *Redevelopment Law*²⁶, the Planning Board shall review and approve the Project Plans for Freedom Village in accordance with the requirements for review and approval of subdivisions and site plans set forth by the Township Code and the *Municipal Land Use Law*.

The Project shall not be heard by the Planning Board unless and until the Governing Body has granted final

²⁶ N.J.S.A. 40A:12A-13



approval of the Project Concepts and Description of Project Elements in accordance with 7.1.2 B. herein.

7.1.4 Within the context of Redevelopment Plan §7.1.1, §7.1.2 §7.1.3 and §7.1.4, and subject to the requirements of the Relevant Permitting Agencies, as applicable:

- A. The Governing Body shall retain sole authority for the interpretation or clarification of the Redevelopment Plan and This Amendment, including the permissibility of any use proposed for the Redevelopment Area. Such authority shall include whether or not any proposed use conforms with or falls under any of the several categories of Permitted or Prohibited Uses enumerated in the Redevelopment Plan and/or This Amendment.
- B. Given the partnership between the Township and the Redeveloper that will culminate with the adoption of This Amendment, the Redeveloper need not meet with the Township's Technical Review Committee prior to the Project being released for Planning Board Review & Approval.
- C. The Planning Board shall retain authority for the review and approval of all Site Plans and Subdivisions proposed for the Redevelopment Area.

Appeal of any interpretation or clarification made by the Planning Board during the course of the Review & Approval process shall be made to the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Plan and This Amendment; or to the Relevant Permitting Agencies, as applicable.

7.1.5 The Planning Board shall retain the right, at time of Review & Approval, to require such off-site and/or off-tract improvements as may be lawful, necessary and proportionate to ensure the free flow of traffic, to mitigate other possible impacts to the public safety and welfare arising from Freedom Village, and to otherwise ensure the effective implementation of the Redevelopment Plan and This Amendment consistent with the Goals & Objectives specified within both documents.

Appeal of a Planning Board interpretation of “necessary” and “proportionate” shall be made by the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Plan and This Amendment.

7.1.6 Unless Planning Board approval is required by the Redevelopment Plan, This Amendment or by applicable sections of the Township Code, administrative land use approvals shall be governed by the procedures established in the Township Code.

7.2 Standards & Controls of General Applicability

7.2.1 Governing Regulations

A. All activities within the Redevelopment Area shall be governed by the Redevelopment Provisions detailed in the Redevelopment Plan and/or This Amendment, which were crafted to provide for multiple, complimentary Projects within the Redevelopment Area in order to advance the Goals & Objectives of the Redevelopment Plan, as modified via This Amendment.



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- B. The provisions of the Redevelopment Plan and This Amendment are those of Robbinsville and do not substitute for any law, code, rule or regulation established by any County, State or Federal agency.

All development within the Redevelopment Area shall comply with such laws, codes, rules and regulations as applicable.

- C. The development regulations and design elements contained in the Redevelopment Plan are grounded in the Town Center Zoning & Design Regulations for the TC-2 Zone. Collectively, they are intended to guide the massing and aesthetics of various building types in order to provide for multiple, complimentary Projects within the Redevelopment Area.

However, as detailed in Redevelopment Plan §4.2, Township Policymakers recognize that the Town Center Zoning & Design Regulations were adopted in 1997 and reflect very different economic times and municipal priorities than those in place when the Township commenced the Redevelopment Process. Accordingly, while the Redevelopment Plan was crafted to be consistent with and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan, the Plan permits the relaxation of certain Town Center Plan regulations in order to permit the flexibility required to develop significant projects in the current economic climate.

Within this context, This Amendment permits a design aesthetic for Freedom Village that is different from the Design Vocabulary of the Redevelopment Plan. Examples of such Freedom Village design aesthetic are included in Exhibits PF-1, PF-2 and PF-3 herein.

- D. Except where otherwise modified by the Redevelopment Plan and/or This Amendment ~ and specifically including subsection E. hereinbelow, the Redevelopment Area shall be governed by the standards and regulations contained in the Township Code. By reference herewith, such provisions are included in and adopted by the Redevelopment Plan and/or This Amendment.

Should a County, State or Federal code or regulation contain comparable but less restrictive provisions than set forth in the Redevelopment Plan and/or This Amendment, the standards set forth in the latter documents shall govern.

Interpretation or clarification of any conflicts or inconsistencies between provisions of the Township Code and the Redevelopment Plan and/or This Amendment shall be made by the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Plan and This Amendment. Unless clearly dictated by the circumstances, any conflict or inconsistency shall be resolved in favor of the provisions of the Redevelopment Plan and/or This Amendment.

- E. The Ordinance adopting the Redevelopment Plan repealed the Town Center Zoning & Design Regulations **as applied to the Redevelopment Area**. Upon adoption of the Redevelopment Plan, such Zoning & Design Regulations were to be interpreted not as **standards** or **requirements** but as **guidelines**; the intent being to ensure that the controls governing Redevelopment Project(s) within the Redevelopment Area maintain the quality and integrity of the Town





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Center Plan while permitting the flexibility necessary for development in the current economic climate.

This Amendment retains this approach. Within this context:

1. The Introduction (section 1A) and How to Use This Document (section 1B) of the Zoning & Design Requirements are eliminated in favor of the provisions of the Redevelopment Plan and/or This Amendment.
2. Unless specifically modified by the Redevelopment Plan and/or This Amendment, the Definitions (section 1C) of the Zoning & Design Regulations remain applicable.
3. The concepts embodied in the Street Regulating Plan (section 2) and the Block Layout (section 4D) of the Zoning & Design Regulations are retained as examples of the types of circulation elements that might be employed. Redevelopers designers are encouraged to review these concepts within the context of the Redevelopment Plan's Circulation, Parking & Loading Plan (§8.0), as modified via This Amendment.

The provisions of this §E.3 notwithstanding, This Amendment permits a Site Layout for Freedom Village that differs from those in the Town Center Plan.

4. The Town Center Zone Plans (section 3A) contained within the Zoning & Design Regulations are eliminated in favor of the provisions of the Redevelopment Plan and/or This Amendment.

5. The Housing Unit Count (section 3B 1.) of the Zoning & Design Regulations are eliminated to the extent necessary to achieve the 72 units proposed for Freedom Village.
7. The concepts embodied in the General Residential Standards (section 3B 3.) and the Design Regulations (section 5) of the Zoning & Design Regulations are retained as examples of the types of building design elements that might be employed. Redevelopers and their designers are encouraged to maximize the use of these concepts within the context of Redevelopment Plan §7.4.1C., §7.4.2C. and §7.5, as modified via This Amendment.

The provisions of this §E.7 notwithstanding, This Amendment permits a design aesthetic for Freedom Village that differs from those in the Town Center Plan. Examples of the Freedom Village design aesthetic are included in Exhibits PF-1, PF-2 and PF-3 herein.

9. The Public and Semi-public Uses and Community Facilities section (6A) of the Zoning & Design Regulations are eliminated in favor of the Active and Passive Open Space detailed in §7.4.3A.3 herein and the Clubhouse detailed in §7.4.3B.1 herein.
13. The regulations for loading, service and off-street and on-street parking embodied in sections 4E and 4F of the Zoning & Design Regulations are eliminated in favor of the requirements of §8.0 of the Redevelopment Plan and This Amendment.





F. Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), the Township may elect to share responsibility, including direct financial responsibility, for compliance with State and Federal regulations for the treatment and/or remediation of environmental issues found to exist on, in or under the lands to be transferred to the Redeveloper.

Additionally, the Township shall cooperate with and support the Redeveloper in its efforts to obtain such financial and other assistance as may be available through appropriate State and Federal Brownfield and/or related programs.

7.2.2 Permitted & Prohibited Uses

- A. Permitted Uses within the Redevelopment Area are designed to provide for a critical mass of diverse yet complementary activities in order to achieve the Goals & Objectives of the Redevelopment Plan.
 - 1. Permitted Uses for Freedom Village shall be limited to the Permitted Principal or Accessory Uses enumerated under §7.4.3A. & B. herein. Redevelopers may engage in such uses themselves or may contract with or otherwise engage a third-party operator who will undertake such uses.
 - 2. Multiple Permitted Uses are allowed as Principal or Accessory uses within a Redevelopment

Project, provided that each such use is permitted under §7.4.3A. & B. herein.

C. Subject to interpretation or clarification as permitted under §7.1.4 of the Redevelopment Plan and This Amendment, uses not specifically enumerated herein as Permitted are prohibited.

7.2.4 Variances, Departures, Deviations & Design Waivers

The Provisions of the Redevelopment Plan and This Amendment flow from the Township’s power to (re)plan designated Redevelopment Areas under the *Local Redevelopment and Housing Law*²⁷ and not from the Township’s power to zone under the *Municipal Land Use Law*.²⁸ It is therefore within the context of the *Local Redevelopment and Housing Law* and not the *Municipal Land Use Law* that the Township has adopted the Redevelopment Provisions (§7.0) and other regulations of the Redevelopment Plan ~ as modified via This Amendment ~ and further incorporates specific components of the Township Code into this Plan. Accordingly:

- A. The Redevelopment Plan and This Amendment do not recognize the ‘use (‘d’) variance’ process under the *Municipal Land Use Law*²⁹. Uses proposed but not permitted by this Redevelopment Plan and/or This Amendment shall require additional amendments to the Redevelopment Plan and/or This Amendment.

²⁷ N.J.S.A. 40A:12A-8

²⁸ N.J.S.A. 40:55D-62

²⁹ N.J.S.A. 40:55d-70d





Certain Accessory Uses, or specific elements or components of a Principal Use, proposed by a Redeveloper but not envisioned by the Redevelopment Plan and/or This Amendment may be permitted upon petition to the Governing Body and the Governing Body's determination, in its sole and absolute discretion, that such use is consistent with the Municipal Goals & Objectives of the Redevelopment Plan, as modified via This Amendment.

B. The Redevelopment Plan and This Amendment do not recognize the 'bulk ('c') variance' process under the *Municipal Land Use Law*³⁰. The processes for deviating from specific Building Limit Controls and other design regulations of the Redevelopment Plan and/or This Amendment follow:

1. Deviation Allowance

a. The Planning Board may, at time of Site Plan Review & Approval and without formal amendment to the Redevelopment Plan and/or This Amendment, approve departures from the Building Limit Controls (§7.4.3C.) and the *quantifiable* requirements of the Architectural Controls (§7.5), Circulation, Parking & Loading Plan (§8.0), Utility & Easement Controls (§9.0) and the Open Space, Landscaping & Streetscaping Provisions (§10.0) of the Redevelopment Plan and/or This Amendment, and from the *quantifiable* regulations of the Township Code and Town Center Plan, as may be requested

by the Redeveloper ~ to a maximum of twenty percent (20%) deviation from the subject regulation, for a Project whose totality of architecture exhibits, in the sole opinion of the Board, superior design and quality, and further provided that such departure(s) are, in the opinion of the Planning Board, consistent with the intent of the Redevelopment Plan and/or This Amendment.

By way of clarification, "*quantifiable*" requirements / regulations shall mean the spatial standards³¹ established by the Redevelopment Plan and/or This Amendment.

Requests for such relief shall require clear justification as to why the standard should be relaxed. Such justification shall *generally* conform with the requirements for Variance relief under N.J.S.A. 40:55D-70c., which otherwise would be required were the Project not developed under the Redevelopment process.

In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits and not on the rigid requirements of the Positive and Negative Criteria otherwise required for Variance relief.

b. Requests beyond 20% shall require further amendment to This Amendment pursuant to law.

³⁰ N.J.S.A. 40:55d-70c

³¹ Area (s.f.), distance, volume, etc.





- c. Requests of 20% or less ~ but which are deemed by the Planning Board to be inconsistent with the intent of this Redevelopment Plan and/or This Amendment ~ shall not be approved by the Board and shall require additional amendments to the Redevelopment Plan and/or This Amendment.

2. Design Waivers

- b. The Redeveloper may petition the Planning Board for departure(s) from the non-quantifiable provisions of the Architectural Controls (§7.5), Circulation, Parking & Loading Plan (§8.0), Utility & Easement Controls (§9.0) and Open Space, Landscaping & Streetscaping Provisions (§10.0) of the Redevelopment Plan and/or This Amendment in the form of Design Waivers requested at time of Review & Approval. Requests for such relief shall require clear justification as to why the standard should be relaxed.

In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits.

3. Departures Required by Relevant Permitting Agencies

The provisions of this subsection B. notwithstanding, departure(s) from the

requirements of the Redevelopment Plan and/or This Amendment necessitated to bring a Redevelopment Project into conformance with the regulations of any Relevant Permitting Agency may be permitted without further Plan amendment, regardless of the percentage departure required, provided that such departure(s) are reviewed and accepted by the Planning Board within the context of the affected Project element.

Departure(s) not accepted by the Planning Board shall require additional amendments to the Redevelopment Plan and/or This Amendment.

7.3 Parcelization Plan³²

- A. The Parcelization Plan adopted under the Redevelopment Plan divided the Redevelopment Area into an approximately 26 gross acre Northern Tract and an approximately 36.8 gross acre Southern Tract; with each Tract programmed for specific land uses and building controls detailed in Redevelopment Plan §7.4.

The Development Regulations (§7.4) of the Redevelopment Plan provided standards for the physical (re)development of each Redevelopment Tract. Within this framework, Redeveloper and their designers were encouraged to exercise maximum ingenuity and creativity in order to achieve the Goals & Objectives (§4.0) of the Plan.

³² Acreage calculations are approximate. A Property Survey, performed by a licensed Land Surveyor, is required for precise measurements.





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B. In order to address the specific needs of the Redevelopment Project [then] proposed for Block 1, Lots 1.01, 2 & 3 without impacting lands beyond such Lots, the Governing Body adopted the Parcel A. Amendments, which modified the Parcelization Plan to establish a Northern Tract: Parcel A., and enacted use and building controls specific to Parcel A.

In order to address the specific needs of the Redevelopment Project [then] proposed for Block 1, Lot 17 without impacting lands beyond such Lot, the Governing Body adopted the Parcel B. Amendments, which modified the Parcelization Plan to establish a Northern Tract: Parcel B., and enacted use and building controls specific to Parcel B.

In order to address the specific needs of the Redevelopment Project [then] proposed for Block 1, Lots 11.01 and 71 without impacting lands beyond such Lots, the Governing Body adopted the Parcel C. Amendments, which modified the Parcelization Plan to establish a Northern Tract: Parcel C., and enacted use and building controls specific to Parcel C.

C. The intent of the Redevelopment Plan when adopted was for the boundary lines of the Redevelopment Area's Northern Tract and Southern Tract to generally mirror the geometry of Town Center North, with Liberty Street mirroring Union Street and functioning as an Avenue Type 1 as depicted in the Town Center Plan. Access to Town Center South was to be from Route 33 via extensions of the existing rights-of-way that provide access from Route 33 to Town Center North.

The boundaries of Redevelopment Parcels A., B. and C., as well as the Washington Village Project, were intended to follow [then] existing Lot Lines (as modified via the Review & Approval process).

All such lines were based on the Township's official Tax Maps as existed when the Redevelopment Plan and the various Amendments were prepared.

The Township updates its Tax Maps annually, with revisions reflecting changes in lot geometry made during the various subdivisions and consolidations approved during the previous year. Each application for subdivision and consolidation is accompanied by a Survey prepared by a New Jersey Licensed Land Surveyor, which is more accurate than the Tax Maps. These Surveys are used by the Township's cartographers to improve the accuracy of the Tax Maps during the update process.

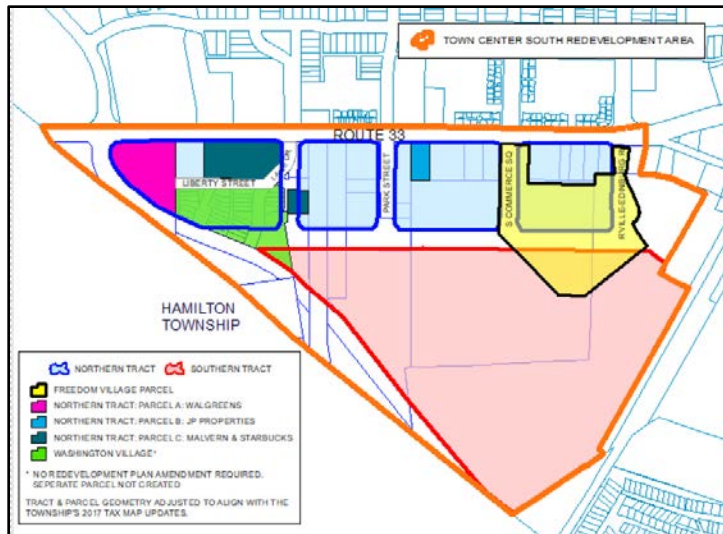
Additionally, as the computer aided drafting software used to create the map updates improves, the accuracy of the maps improves.

This Amendment utilizes the Township's 2017 Tax Maps as the basis for the mapping contained herein. Tract and Parcel geometry have been adjusted to align with these Tax Map updates, which are more accurate than their predecessors.

7.3.3 Freedom Village Parcel

In order to address the specific needs of Freedom Village without impacting lands beyond the scope of the Project, This Amendment modifies the Parcelization

Plan to establish a new (approximately) 9.2-acre, Freedom Village Parcel ~ more particularly described in subsection E. on page v. of This Amendment; and enacts use and building controls specific to such Parcel.



adjusted by the Planning Board at time of Review & Approval to more accurately coincide with the desired geometry of a cartway and/or the physical features of the land as determined by (topographic or boundary) surveys, wetlands delineations or other similar mapping.

In cases where environmental mitigation requirements result in a relocation of certain wetlands or wetlands buffers, the boundary line for an impacted Redevelopment Tract / Parcel may be adjusted to follow such mitigation.

- 7.3.6 Permitted Uses and Building Limit Controls applicable to Freedom Village shall follow any adjusted Freedom Village Parcel Line.
- 7.3.7 Nothing herein shall prohibit the Freedom Village Parcel from being developed in Phases as conditions dictate. Such phasing shall be determined within the context of the Redevelopment Agreement.

7.4 Development Regulations

The Development Regulations contained in the Redevelopment Plan are based on the Zoning & Design Regulations for the TC-2 Zone. Collectively, they are intended to guide the massing and aesthetics of various building types in order to provide for multiple, complimentary Projects within the Redevelopment Area.

As detailed in Redevelopment Plan §4.2, Township Policymakers recognize that the Town Center Zoning & Design Regulations reflect very different economic times and municipal priorities than were in place at the time of adoption of the Redevelopment Plan. While the Redevelopment Plan was crafted to be consistent with

7.3.4 Consistent with the Goals & Objectives of the Redevelopment Plan and This Amendment (§4.0), the intent of this revised Parcelization Plan is to provide for specified land uses and building types within the Freedom Village Parcel in order to permit the types of uses and buildings anticipated while remaining sensitive to the natural and built environments within and surrounding the Redevelopment Area.

7.3.5 Tract / Parcel Lines following existing, improved rights-of-way shall be assumed to be fixed. Tract / Parcel Lines following proposed rights-of-way or geographic features shall be flexibly interpreted, and may be



and advance the Legislative Intent of and Policy Statements embodied in the Town Center Plan, the Redevelopment Plan permitted the relaxation of certain Town Center Plan Development Regulations in order to permit the flexibility required to develop significant projects in the [then] current economic climate.

At Publication, such conditions continue to impact the development climate in the Township. Accordingly, This Amendment retains the flexibility necessary to develop the Freedom Village Project.

7.4.3 Freedom Village Parcel

The intent of the Freedom Village Parcel is to create a multi-service Supportive Housing community within the Redevelopment Area which, in accordance with New Jersey's Uniform Housing Affordability Controls, will be targeted to, but not exclusively for, families and persons with special needs.

A. *Permitted Principal Uses*

1. Garden Apartments within one or more Garden Apartment Buildings;³³
2. Such professional, medical, administrative and other services as are normal and customary for a multi-service Supportive Housing community.

Nothing herein shall be construed to prohibit individuals that do not reside in Freedom Village from receiving the services offered at Freedom Village.

3. Active & Passive Public Open Space, including parks, playgrounds, programmed recreation areas, and like and similar uses.
4. Public, Semi-Public and/or Private Utility Facilities as may be required to service this section of the Township.

B. *Permitted Accessory Uses*

1. Infrastructure and amenities as are normally and customarily associated with a multi-service Supportive Housing community, including, but not necessarily limited to, a separate Clubhouse building for resident recreation, the provision of support services and community events.
2. Home-Based Businesses as permitted and regulated via the Township Code.
3. Automated Teller Machines (ATMs), provided that, if accessed from the exterior of a building, such machines shall be installed within the wall of the building; it being the intent not to permit free-standing exterior ATM kiosks.
4. Maintenance and Storage Sheds.
5. Subject to the provisions of the Circulation, Parking & Loading Plan (§8.0) of the Redevelopment Plan and This Amendment, structured or surface parking facilities.

³³ Defined in §2.30 and §2.31 herein.



6. Mailboxes and mailbox banks for multi-unit postal delivery, provided that, if exterior to a building, mailbox banks shall be enclosed in a decorative kiosk.
7. Construction Staging & Sales Trailers

Subject to the jurisdiction of all Relevant Permitting Agencies, staging for the construction of Freedom Village, including materials storage, construction trailers for office use, sales trailers, parking and all other activities normally associated with development.

In addition to any conditions placed on a Construction Staging Area by any Relevant Permitting Agency or by the Planning Board at time of Review & Approval, any such use shall be conditioned upon the following:

- a. Construction Staging Areas shall be enclosed by a lockable construction fence, which shall be removed upon completion of the Project, or Phase or Subphase thereof, for which the Staging Area is intended;
- b. Any and all property belonging to any contractor shall be removed upon the completion of the work by said contractor, regardless of whether the totality of construction is completed;
- c. Unless to be used for an immediately subsequent Phase or Subphase of a Redevelopment Project, all Construction

Staging Areas shall be returned to their pre-construction condition upon completion of the Project, or Phase or Subphase thereof, for which Construction Staging Area is intended, or shall be otherwise addressed as a finished component of the Project;

- d. In no case shall a Construction Staging Area, construction fence or the storage of equipment or materials remain in place for longer than one (1) week after issue of the last Certificate of Completion & Compliance (§14.0 of Redevelopment Plan & This Amendment) for the last Phase or Subphase of the Project for which the Area, fence, equipment or materials are intended.
- e. To effectuate the foregoing, the Redeveloper or other entity responsible for a Construction Staging Area shall post a bond, performance guarantee or other surety with the Township, in an amount to be established by the Township Engineer, sufficient to compensate the Township for any costs incurred by the Township in returning the area to its pre-development condition or to a finished condition generally matching the surrounding area.

In the event that the entity responsible for removing a Construction Staging Area and returning such Area to its pre-development (or finished) condition fails to do so as required herein, the Township shall claim payment under the bond, performance



guarantee or other surety, as the case may be, for the cost of the actions required to remove the Construction Staging Area and return the Area to its pre-development (or finished) condition, including all legal and administrative costs related thereto.

- f. Staging for construction of an off-tract improvement (i.e. construction outside of the Freedom Village Parcel) shall be permitted on the Freedom Village Parcel, provided such construction directly relates to Freedom Village, including, but not limited to, traffic, infrastructure or parking-related improvements.

Staging for construction of an off-tract improvement not related to Freedom Village shall require approval of the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Area.

- g. Unless Planning Board approval is required by the Redevelopment Plan, by This Amendment, or by the Township Code, Construction Staging activities shall be approved by the Zoning Officer (in consultation with the Township Engineer or other officials as may be necessary), who may impose such restrictions and/or conditions as may be deemed reasonable and appropriate for the protection of Township infrastructure, the environmentally sensitive lands within or adjacent to the Redevelopment Area, and adjacent properties and land uses ~ both

within and outside of the Redevelopment Area. Such conditions may include, but need not be limited to, buffering and screening, provisions concerning hours of operation, vehicular and delivery access and site lighting.

- h. Interpretation of any provision of this §7.4.3B.8. shall be made by the Zoning Officer, which shall be exercised in accordance with the standards set forth herein for the protection of the public and the natural environment.

Appeal of a decision of the Zoning Officer shall be made to the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Area.

C. *Building Limit Controls*

- 1. The following Building Limit Controls are designed to work in concert with the Parcelization Plan and the existing and proposed rights-of-way detailed under the Circulation Plan (§8.1 herein).

Consistent with §2.31 herein, the site and building design for the Freedom Village Garden Apartment Buildings shall employ mass, scale, layout, materials and architectural and other distinguishing features in order to maintain the traditional civic character and prominence established by the Robbinsville Town Center.



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This shall not be construed to mean that design and treatment must be the same as existing Town Center developments, but rather that such elements shall display equivalent attention to detail and quality appropriate to a prominent Town Center building.

Within this context, the following site and building controls shall be flexibly interpreted in order to achieve the desired effect.

2. Unless otherwise indicated, such Controls shall be applicable to both Principal and Accessory Structures within Freedom Village.

CATEGORY	REGULATION
Minimum Parcel Size	No Minimum Established The Freedom Village Parcel was designed to meet the needs of the Freedom Village Project in order to create an efficient and effective site layout with appropriate accessways while respecting the natural and built environment of the Redevelopment Area.
Minimum Parcel Width	
Minimum Parcel Depth	
Minimum Lot Size	No Minimum Established Lot 65.01 was designed to meet the needs of the Freedom Village Project ³⁴ in order to create an efficient and effective site layout while respecting the natural and built environment of the Redevelopment Area.
Minimum Lot Width	
Minimum Lot Depth	

CATEGORY	REGULATION	
Principal Structures		
Minimum / Maximum Setbacks ³⁵	S. Commerce Square	15' / 55'
	Northern Property Line ³⁶	10' / 25'
	Remaining Parcel Perimeter	45' / 110' ³⁷
	Internal Rights-of-Way / Drive Aisles ³⁸	10' / 30'
Minimum Distance between Buildings	50'	
Maximum Building Height	4½ Stories	
	48' + architectural features	
Clubhouse³⁹		
Maximum Number	1	
Maximum Total Area	5,500 s.f.	
Minimum / Maximum Setbacks ³⁵	S. Commerce Square	N.A.
	Southern Property Lines (3)	50' / 130'
	Internal Rights-of-Way / Drive Aisles ³⁸	10' / 30'
Maximum Building Height	1½ Stories	
	25' + architectural features	
Minimum Distance to other Buildings	50'	

³⁴ Exhibits PF-1, PF-2, PF-3 & PF-4 herein.

³⁵ Measured to the Freedom Village Lot Line.

³⁶ May or may not coincide with future alignment of Liberty Street.

³⁷ Such maximum may be extended as necessary to accommodate Stormwater Management facilities.

³⁸ Public or Private. Measured to curblineline of cartway / sidewalk or parking stall.

³⁹ For the purposes of these Building Limit Controls, the proposed Clubhouse is treated as a distinct component of the Project.



CATEGORY	REGULATION	
Accessory Structures		
Maximum Number	2	
Maximum Total Area	550 s.f.	
Minimum Perimeter Setbacks ³⁵	Less Than 5' in Height	5'
	5' – 15 in Height ⁴⁰	10'
Coverage & Massing		
Maximum Building Coverage	75%	
Maximum Impervious Surface Coverage	80%	
Maximum FAR	1.3	
Maximum Residential Density	No Maximum Established 72 Units are proposed	

7.5 Architectural Controls

The following Architectural Controls ~ modified from those contained in the Redevelopment Plan ~ are limited to the Freedom Village Parcel. Where not modified by This Amendment, the Architectural controls of the Redevelopment Plan remain in place.

- A. In conceptualizing their Redevelopment Projects, Redevelopers and designers shall recognize the significance of this development opportunity for the Township and shall generate designs which will achieve the Goals & Objectives of the Redevelopment Plan, as modified via This Amendment.

- D. In addition to the Design Vocabulary contained in the Town Center Plan, This Amendment permits a different design aesthetic for the Freedom Village Parcel. Examples of such design aesthetic are included in Exhibits PF-1, PF-2 and PF-3 herein.
- E. The process from seeking departures from these Architectural Controls is addressed in §7.2.4 herein.

7.5.1 General Design

- A. New construction on the Freedom Village Parcel shall be substantially similar to the design aesthetic included in Exhibits PF-1, PF-2 and PF-3 herein.
- B. As a general rule, buildings should reflect a continuity of treatment by maintaining building scale, or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by echoing architectural styles and details, design themes, building materials and colors.

Again, new construction on the Freedom Village Parcel shall be substantially similar to the design aesthetic included in Exhibits PF-1, PF-2 and PF-3 herein.

7.5.2 Building Orientation

- A. Spatial relationships between buildings and other structures should be geometrically logical and/or architecturally formal. Multiple buildings located on a Parcel should front towards and relate to one another functionally and visually.

⁴⁰ No Accessory Structure shall be taller than 15'



Multiple buildings may be organized around features such as courtyards, greens, quadrangles or shared parking fields, which shall encourage pedestrian activity and incidental social interaction.

Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access.

7.5.3 Building Massing & Style

- A. Building designs may vary in terms of footprint, architectural elevations, window placement, type of roof, height, front entrance and porch locations, or may be similar throughout the neighborhood. Colors, materials and architectural details should be compatible and repeated throughout the neighborhood.

7.5.4 Roof & Roof Materials

- B. Roofline orientation may vary when architecturally appropriate.

7.5.5 Façade Treatment & Materials

- A. Major features of the architectural treatment for the front facades of buildings should be continued around all visibly-exposed sides of such buildings to the maximum extent practicable.

All building elevations should be designed to be consistent with regard to style, materials, colors and details. This shall not be construed to mean that

elevations must be the same, but rather that they shall display equivalent attention to detail and quality. Intense landscaping may be employed where enhanced facade treatments are not practicable.

H. *Façade Treatment & Materials for the Freedom Village Parcel*

The Redevelopment Plan provides distinct façade treatment and materials standards for the Redevelopment Area’s Southern and Northern Tracts.⁴¹ Recognizing that the Freedom Village Parcel spans both Tracts, This Amendment permits Freedom Village facades, whether located in the Northern or Southern Tract, to utilize materials and design standards in Redevelopment Plan §7.5.5E., F. & G., or other types and styles consistent with the architectural vocabulary established in Exhibits PF-1, PF-2 and PF-3 herein.

7.5.6 Entryways & Doors

- B. Above-ground-floor balcony doors may be French or sliding doors.

7.5.7 Windows

F. *Windows for the Freedom Village Parcel*

The Redevelopment Plan provides distinct window standards for the Redevelopment Area’s Southern and Northern Tracts.⁴² Recognizing that the Freedom Village Parcel spans both Tracts, This Amendment

⁴¹ Redevelopment Plan §7.5.5E. & F.

⁴² Redevelopment Plan §7.5.7B. & C.





permits Freedom Village windows, whether located in the Northern or Southern Tract, to utilize materials and design standards in Redevelopment Plan §7.5.7B. or C., or other types and styles consistent with the architectural vocabulary established in Exhibits PF-1, PF-2 and PF-3 herein.

7.5.8 Porches, Stoops & Arcades

All residential units, excluding garden and urban apartments, should have clearly defined front yards using landscaping, hedging, fencing or a brick or stone wall, none of which (except for trees) should exceed 3.5' in height. All such units should have either a porch, covered portico or decorated entrance on the street facade of the building.

Non-residential structures electing to employ a residential appearance are encouraged to conform with the standards of this section as practicable.

7.5.9 Trim / Eaves & other Decorative Building Elements

D. *Building Lighting*

4. In accordance with Redevelopment Plan §10.4, porch light and yard post lighting, where employed, is encouraged to augment streetlighting and site lighting.
5. The type of light source used, and the light quality produced, should be the same or compatible across all similar building types and applications within the Freedom Village Parcel.

Facades shall be lit from the exterior, with lighting concealed through shielding or recessed behind architectural features. The use of low-pressure sodium, fluorescent or mercury vapor lighting, either attached to buildings or to light the exterior of buildings, is prohibited.

Mounting brackets and associated hardware should be inconspicuous.

6. Recognizing that This Amendment permits a design aesthetic for the Freedom Village Parcel that is different from the Design Vocabulary of the Redevelopment Plan, the style of lamppost and fixture is not required to match the lampposts or fixtures recommended in the Redevelopment Plan or in section 5A18(8) of the Town Center Zoning & Design Regulations. However, lampposts and fixtures situated along the south side of Route 33 as well as within 150' from Route 33 along any public or private right-of-way leading into the Freedom Village Parcel should match the lampposts and fixtures installed on the north side of Route 33 as part of the Town Center development.

7.5.14 Heating, Air Conditioning & Telecommunications

Air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be screened from the public right-of-way view and from adjacent properties by use of walls, fencing, roof elements, penthouse-type screening devices and/or landscaping.



7.5.16 Accessory Structures

Subsections A. and B. are repealed and replaced as follows:

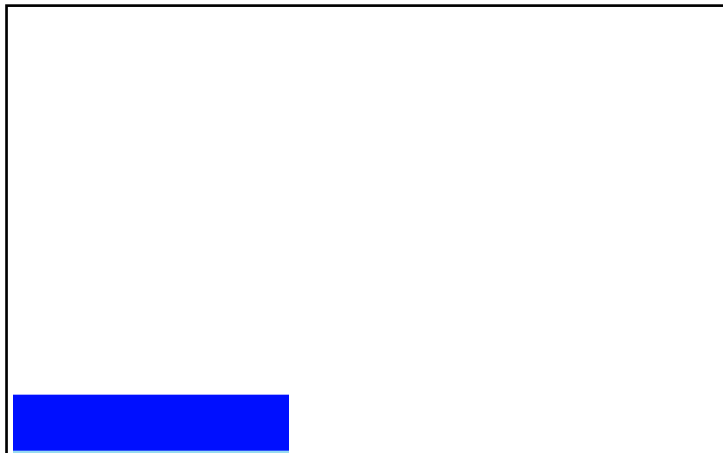
With the exception of children's play equipment, all Accessory structures shall be architecturally compatible with the Principal Structure and screened from view from the public or private right-of-way or adjoining private property. Where screening is not practicable, such structures shall be suitably architecturally treated.

7.5.17 Signage

H. Redevelopment Plan §7.5.17H. ~ encouraging signage featuring color and the use of dramatic corporate icons, the use of neon lighting or similar material to create sculptural logo or iconographic images ~ is not viewed as fully appropriate for the Freedom Village Project. While Freedom Village signage may include such features, all such signage shall be appropriate to the Supportive Housing project proposed.

8.0 CIRCULATION, PARKING & LOADING PLAN

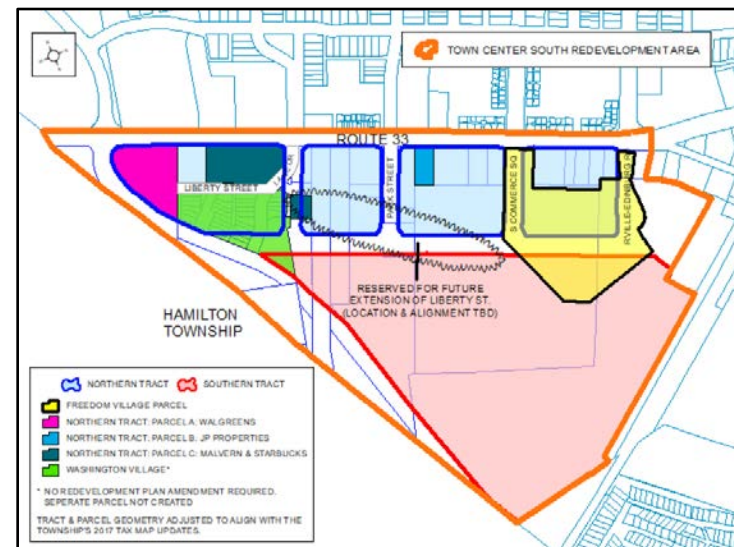
8.0.5 As detailed in §7.3C. herein, the intent of the Redevelopment Plan when adopted was for the boundary lines of the Redevelopment Area's Northern Tract and Southern Tract to generally mirror the geometry of Town Center North, with Liberty Street mirroring Union Street and functioning as an "Avenue Type 1" as depicted in the Town Center Plan. Access to the Redevelopment Area was to be from Route 33 via extensions of the existing rights-of-way providing access from Route 33 to Town Center North.



Such geometry was modified over time to reflect the needs of Walgreens (via the Parcel A. Amendments ~ §3.1.7A. herein), Washington Village (§3.1.7C. herein)

and Malvern Daycare / Starbucks (via the Parcel C. Amendments ~ §3.1.7E. herein).⁴³ Specifically:

- A. Lake Drive was reconfigured to reflect the right-of-way geometry under the Washington Village, LLC pre-existing approval, as modified by the geometry required for the Parcel C. Project.
- B. The westerly portion of Liberty Street has been relocated from the "Proposed Location" depicted in the Redevelopment Plan to the location depicted herein. While the precise location and geometry of the balance of Liberty Street has yet to be determined, it is anticipated that this right-of-way will intersect with the extension of Commerce Square providing access to Freedom Village from Route 33.



⁴³ The geometry of the JP Project (Parcel B. Amendments) did not require a change in the right-of-way geometry.

Issues related to the impacts that such relocations may have on the balance of the Redevelopment Area will be addressed as future Redevelopment Projects are proposed.

8.1 Circulation

8.1.2 Northern Tract

A. Circulation in and around the Northern Tract shall be provided from Route 33 by way of extensions of the rights-of-way servicing Town Center North. While the graphic included in the Redevelopment Plan depicts 4 such extensions,⁴⁴ the Redeveloper shall be free to utilize any combination of such rights-of-way based on the needs of the specific Project(s) proposed.

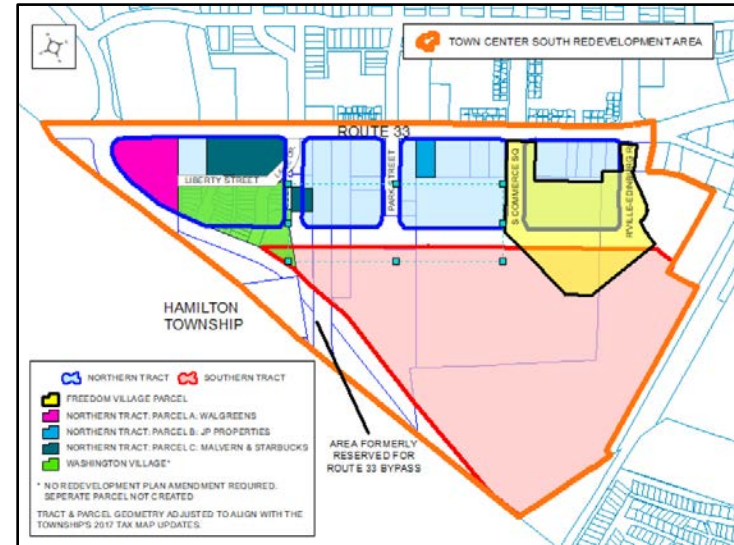
Additionally, This Amendment assumed that a new Liberty Street will be constructed as described in §8.0.5 herein.

B. Rather than adopting the prescriptive design specifications of the Town Center Plan's Street Regulating Plan, this Circulation Plan permits the Redeveloper the latitude in design as may be necessary to ensure the free flow of pedestrian and vehicular traffic based on actual conditions in Town Center North and the cumulative projected traffic demand in Town Center South.

C. Given the public benefits that will inure from the Freedom Village Project (§1.1.3 herein), the provisions of Redevelopment Plan §8.1.2C. shall not apply to the Freedom Village Parcel.

8.1.4 Route 33 Bypass

As detailed in §3.1.7J. herein, concept of the Route 33 Bypass has been abandoned.



8.1.5 Route 33 / 130 Connector & Route 33 / Main Street Jughandle

D. In order to ensure public safety, this Amendment requires that a portion of the area contemplated for this connector be utilized for emergency access for Freedom Village, permitting a second means of egress for occupants as well as emergency access for first responders. Such use will continue until such time as development in the Redevelopment Area warrants full buildout of this right-of-way or another appropriate solution.

⁴⁴ Lake Drive, Park Street, South Commerce Square and the Robbinsville-Edinburg Road.

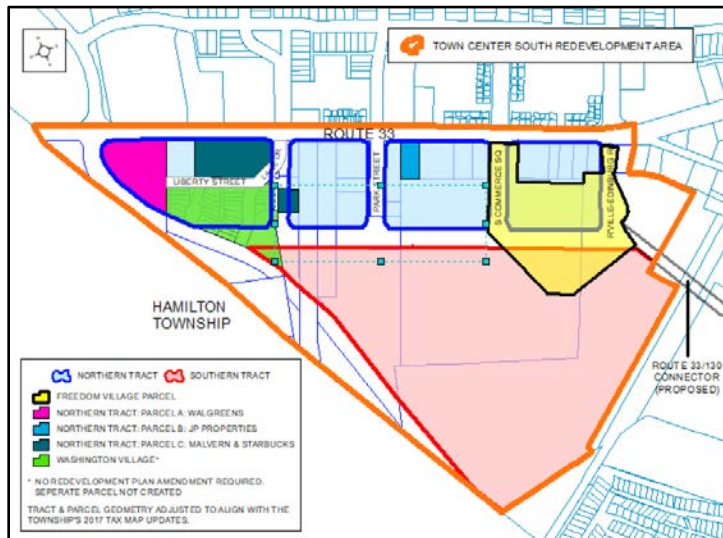
Responsibility for the construction and ongoing maintenance of this emergency accessway shall be determined via negotiations between the Township and Project Freedom, Inc.

Other than as relates to the Freedom Village Parcel, the provisions of Redevelopment Plan §8.1.5A., B. and C. remain for the balance of the Redevelopment Area.

8.2 Parking

8.2.1 General Requirements

- A. All parking within the Redevelopment Area shall be governed by the New Jersey Residential Site Improvement Standards and the schedules contained in Parking Generation, 4th Edition published by the Institute of Transportation of Engineers (I.T.E.).⁴⁵



⁴⁵ commonly referred to as the "I.T.E. Parking Manual".

- H. On-street parking shall be provided as curbside parallel, or angle parking located along both or alternating sides of the streets where determined to be necessary and appropriate.

Diagonal head-in parking may be permitted along public open space if room permits.

Curbside parking shall not be permitted within 25' of an intersection.

8.2.3 Off-Street Parking: Mid-Rise (Garden and Urban Apartments, Mixed-Use & Commercial) Buildings

- B. Off-street parking shall be located in the internal courtyard of the Freedom Village Project as depicted on Exhibits PF-1, PF-2, PF-3 and PF-4 herein.

8.2.4 Surface Parking Lots

- A. Shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, recreational or residential uses shall be designed with textured paving, landscaping and street furniture.
- B. Parking lot layout, landscaping, buffering and screening shall be provided to minimize direct views of parked vehicles from the public right-of-way; avoid spillover light, glare, noise, or exhaust fumes from the parking areas; and provide the parking area with a reasonable measure of shade.



In order to achieve these objectives, parking lots exposed to view from the public right-of-way shall be surrounded by a minimum of a 4½'-high, year-round visually impervious screen, hedge or wall, the height of which shall decrease where driveways approach sidewalks or walkways in order to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.

- C. The interior of all parking lots shall be landscaped to provide shade and visual relief by way of protected planting islands or peninsulas within the perimeter of the lot.

Parking lots with 10 or fewer spaces may not require interior landscaping if the Planning Board determines that there is adequate perimeter landscaping.

Parking lots with 11 or more spaces require one (1) deciduous shade tree per five (5) parking spaces. A 6' planting diamond, or equivalent planter, is required for each tree. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be appropriate to the architecture of the Project to which the parking lot is intended to serve.

- D. Parking lot layout shall include pedestrian crosswalks, distinguished by textured paving or similar material, and shall be integrated into the wider network of pedestrian walkways.

8.2.5 Parking Analysis

The Parking Analysis required by the Redevelopment Plan was intended to “determine the number of on-street

and off-street parking spaces required to accommodate peak parking demand for the Redevelopment Project” within the context of mixed-use development and a shared-parking model.

As a 100% residential project, parking for Freedom Village is governed by the New Jersey Residential Site Improvement Standards. Accordingly, a parking analysis of the type envisioned by the Redevelopment Plan is not required under This Amendment.

8.3 Loading

- 8.3.4 At-grade loading areas and their driveways or other access points shall be appropriately screened and landscaped from view so as to be aesthetically pleasing and minimize direct views from adjacent properties or from the public right-of-way, and to minimize spill-over glare, noise, exhaust fumes or other nuisance.

Screening and buffering shall be achieved through walls, fence, and landscaping. Screening shall be a minimum of 4½' tall and shall be visually impervious.

8.4 Final Circulation, Parking & Loading Plan

- 8.4.1 Details comprising the Redeveloper’s circulation, parking and loading plans for the Freedom Village Parcel shall be more fully developed as the Redeveloper refines its Project Concepts and designs, and shall be approved by the Planning Board at time of Review & Approval. Such details shall address, as appropriate:

- Municipal dedications and vacations;



- Parking for residents, visitors and clients;
- Loading;
- Internal circulation of vehicles and pedestrians; and
- Other actions related to improved traffic and pedestrian circulation to, from and through the Freedom Village Parcel.

8.4.2 Redevelopment Plan section §8.4.2 was combined into §8.4.1 of This Amendment.

8.4.3 Nothing herein shall prohibit the Redeveloper from pursuing circulation, parking or other improvements as off-Parcel improvements as necessary and appropriate. Details related to specific actions shall be addressed by the Planning Board at time of Review & Approval.

8.4.4 As detailed in §1.2 herein, the Development / Redevelopment Agreement between the Township and Project Freedom, Inc. was executed in January 2018. The provisions of Redevelopment Plan §8.4.4 are therefore no longer applicable.

9.0 UTILITY & EASEMENT CONTROLS

9.3 Distribution lines for all utility systems feeding the Redevelopment Area shall be placed underground. Existing above ground utilities shall be incorporated into the underground systems at the boundaries of the Redevelopment Area as improvements are undertaken.

The Redeveloper and his engineers are herewith put on notice that many, if not all, of the utilities servicing the Redevelopment Area feed from existing lines servicing the Town Center north of Route 33 as well as other sections of the Township.

THIS REDEVELOPMENT PLAN WILL PERMIT NO INTERRUPTION OF SERVICE to this community. The Redeveloper shall comply with the requirements of each individual utility to insure UNINTERRUPTED SERVICE.

9.4 Floodplain & Wetlands Provisions

9.4.1 Detention Basins

B. Detention basins, headwalls, outlet structures, concrete flow channels, rip rap channels and other drainage improvements shall be screened with plant material and/or berms. Such facilities, as appropriate, shall be situated in the least visible location within the Freedom Village Parcel, or if visible, incorporated into the natural topography of the land.

C. To the extent practicable, basin embankments and the basins themselves should be extensively

landscaped with wet-site tolerant plant materials ~ it being the intention to recreate a seasonal and high-water wet ecosystem. The detention facility should be sized to accommodate the future growth of vegetation planted in the basin.

D. In lieu of peripheral fencing ~ and to the extent practicable ~ basin edges should be contoured and shaped to form low angles at the primary water line, thereby insuring greater pedestrian safety.

9.5 Final Utility & Easement Plan

9.5.1 Details comprising the Redeveloper's utility and easement plans for the Freedom Village Parcel shall be more fully developed as the Redeveloper refines its Project Concepts and designs, and shall be approved by the Planning Board at time of Review & Approval. Such details shall address, as appropriate:

- Proposed locations for utility lines and easements;
- Stormwater management;
- Sanitary sewer and potable water;
- Solid waste and recycling, and
- Other issues related to necessary infrastructure to, from and through the Redevelopment Area.

9.5.2 Nothing herein shall prohibit the Redeveloper from pursuing infrastructure improvements as off-Parcel



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improvements as necessary and appropriate. Details related to specific actions shall be addressed by the Planning Board at time of Review & Approval.

10.0 OPEN SPACE, LANDSCAPING & STREETSCAPING PROVISIONS

10.0.2 All lands within the Redevelopment Area shall either retain their natural features or be extensively landscaped and/or streetscaped with such natural and manmade materials as may be appropriate to the type and scale of the Redevelopment Project proposed. Such landscaping / streetscaping shall be provided in all areas not covered by buildings, parking lots or other improvements.

Landscaping elements may include, but need not be limited to, street and shade trees, shrubbery, hedges, ground covers and/or grasses, perennial and annual flowers and other plant materials.

Streetscaping elements may include, but need not be limited to such functional and ornamental elements as decorative (textured) paving materials; benches and other street furniture; fountains or other water features; trellises, pergolas, gazebos; fences and walls; decorative lighting (both pedestrian and architectural); and like and similar features. Recreational facilities, paths and walkways and public art are also encouraged.

Landscape Architects shall consider suitability, maintenance and compatibility with site and construction features when establishing their landscape design. Features should be compatible with those installed in Town Center North in order to unify the different sections of the Town Center, but may be sufficiently different to denote Town Center South as a distinct development.

Planting shall be designed with repetition, structured patterns and complimentary textures and colors, and shall reinforce the overall character of the Redevelopment Area.

Details related to specific Open Space, Landscaping and Streetscaping requirements shall be determined within the context of the Review & Approval process.

10.1.2 The Redevelopment Plan & This Amendment

The Redevelopment Plan and This Amendment generally retain the philosophy and regulatory scheme of the Town Center's Open Space Plan, but permits the modification of such regulations in order to provide the flexibility and economy of development detailed in the Redevelopment Plan's Goals & Objectives (§4.0).

Details related to the specific areas of Open Space to be provided and the regulatory scheme for such spaces shall be determined within the context of the Review & Approval process.

10.2.2 Plant Species

C. Only nursery-grown plant materials are acceptable. All plant material shall be grown and installed in compliance with the current edition of the American Standard for Nursery Stock (ANSI Z60.1) published by the American Horticulture Industry Association.



10.4 Lighting

10.4.2 Site and building lighting shall be designed to blend with the architecture of the element such lighting serves. Accordingly, the style of lamppost and fixture is not required to match the Town Center fixtures recommended in section 5A18(8) of the Town Center Zoning & Design Regulations.

10.5 Final Open Space, Landscaping & Streetscaping Plan

Details comprising the Redeveloper's Open Space, Landscaping and Streetscaping plans shall be more fully developed as Redeveloper refines its Project Concepts and designs, and shall be approved by the Planning Board at time of Review & Approval.



12.0 PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS

12.2 Redevelopment Plan

Upon adoption by the Governing Body, the Redevelopment Plan constituted a Redevelopment Plan under the provisions of the *Local Redevelopment & Housing Law*. Upon adoption of This Amendment by the Governing Body, This Amendment shall become part of the Redevelopment Plan.

Collectively, these documents constitute an outline for the (re)planning and (re)development of the Redevelopment Area, including the Freedom Village Parcel, as follows:

12.3 Relationship to Definite Local Objectives⁴⁶

The Redevelopment Plan was crafted to achieve the Municipal Goals & Objectives detailed under §4.0 therein.

This Amendment has been crafted to achieve the Municipal Goals & Objectives detailed under Redevelopment Plan §4.0, as modified herein.

12.3.1 Appropriate Land Uses

Permitted and Prohibited land uses for the Freedom Village Parcel are detailed in §7.2.2 of the

Redevelopment Plan and This Amendment and §7.4.3A. & B of This Amendment.

12.3.2 Density of Population

Residential Density for the Freedom Village Parcel is addressed in §7.4.3C. of This Amendment.

12.3.5 Recreational and Community Facilities

B. The intent of this Redevelopment Plan is to create a community focal-point / gathering area (what Planners call a Sense of Place) for the residents of Robbinsville as well as others in the region, consisting of a central core of civic facilities surrounded by specialized Retail, residential, cultural and recreation uses.

To create such a 'Place', the Redevelopment Plan permits Public Community Centers⁴⁷ on the Northern and Southern Tracts and active and passive public open space on the Southern Tract.⁴⁸ At Publication of the Redevelopment Plan, programming for the Community Center was in its evolutionary stages, with detailed facility and space requirements to be developed by the Township in the [then] future.

⁴⁶ N.J.S.A. 40A:12A-7a(1)

⁴⁷ including performing and fine arts space, meeting / multi-purpose rooms, auditoriums [sic] and like and similar uses.

⁴⁸ including parks, playgrounds, programmed recreation areas and like and similar uses.





C. At Publication of This Amendment, the Township continues to refine its planning for these facilities. While it is not possible to project a specific site, uses or building requirements for such a facility at this time, the Township is exploring strategic partnerships to create such an amenity.

12.4 Proposed Land Use & Building Requirements⁴⁹

The Review Procedures, Responsibilities & Authority; Standards & Controls of General Applicability; Parcelization Plan; Development Regulations; Circulation, Parking & Loading Plan; Utility & Easement Controls; and the Open Space, Landscaping & Streetscaping Provisions are detailed in §7.0 through §10.0 of the Redevelopment Plan, as modified via This Amendment.

12.5 Provision for Temporary & Permanent Relocation⁵⁰

12.5.1 Upon adoption of a Redevelopment Plan, municipalities are statutorily permitted⁵¹ to acquire real property in a Redevelopment Area through good-faith negotiations with the owners of such property or, upon failure of such good-faith negotiations, through condemnation (eminent domain), and to convey such lands to one or more Redeveloper(s) in furtherance of an approved

Redevelopment Project.

The *Redevelopment Law*⁵⁰ requires that a Redevelopment Plan include “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”.

The Housing Element and Fair Share Plan adopted by the Township in July 2017 contains information similar to that required under the *Redevelopment Law*. Accordingly, this Redevelopment Plan shall rely on the Township’s Fair Share Plan in satisfaction of this requirement.

12.5.2 The above notwithstanding, pursuant to applicable New Jersey Statutes regarding the use of eminent domain,⁵² owners of properties taken by such action are entitled to Fair Market Value for their property. Full-time, permanent occupants of such properties are entitled to certain Relocation Assistance or Moving Expenses.

Prior to displacing any occupants as a result of eminent domain action, a Workable Relocation Assistance Plan⁵³ must be filed with and approved by the New Jersey Department of Community Affairs.

The Freedom Village Parcel consists entirely of vacant

⁴⁹ N.J.S.A. 40A:12A-7a(2)

⁵⁰ N.J.S.A. 40A:12A-7a(3)

⁵¹ N.J.S.A. 40A:12A-8b, c & g and 40A:12A-15

⁵² C. 20:3-1 et seq.

⁵³ “WRAP”





land. This provision is therefore not applicable.

12.6 Identification of Property-To-Be-Acquired⁵⁴

As Township-owned property, Block 1, Lots 32, 65 and 25.02, and all rights-of-way within the Redevelopment Area except for Route 33, need not be “acquired” for the Freedom Village Project.

12.7 Significant Relationships to Other Plans⁵⁵

A. Prior to the adoption of the Redevelopment Plan, the lands and buildings within the Redevelopment Area were subject to:

- The Robbinsville Master Plan;
- The relevant provisions of the Town Center Plan;
- The Mercer County Master Plan;
- The State Plan; and
- Plans of Relevant Permitting Agencies.

B. Upon adoption of the Redevelopment Plan, the lands and buildings within the Redevelopment Area were subject to:

- The Redevelopment Plan;
- The Robbinsville Master Plan;
- The relevant provisions of the Town Center Plan;
- The Mercer County Master Plan;
- The State Plan; and

- Plans of Relevant Permitting Agencies.

C. Upon adoption of This Amendment, the lands and buildings within the Freedom Village Parcel are subject to:

- The Redevelopment Plan, as modified by This Amendment;
- The Robbinsville Master Plan;
- The relevant provisions of the Town Center Plan;
- The Mercer County Master Plan;
- The State Plan; and
- Plans of Relevant Permitting Agencies.

12.7.1 Proposed Zoning Changes⁵⁶

A. Prior to the adoption of the Redevelopment Plan, the Redevelopment Area was located in the TC-2 portion of the Town Center. Land Use regulations for the TC-2 zone are contained in §142-19E of the Township Code and the Town Center Master Plan.

B. Upon adoption of the Redevelopment Plan, the Redevelopment Provisions detailed under §7.0 therein governed all land use and structural form within the Redevelopment Area.

Upon adoption of This Amendment, the same Redevelopment Provisions as modified by §7.0 of This Amendment, shall govern all land use and

⁵⁴ N.J.S.A. 40A:12A-7a(4)

⁵⁵ the master plans of contiguous municipalities, the County Master Plan and the State Development and Redevelopment Plan [N.J.S.A. 40A:12A-7a(5)]

⁵⁶ Redevelopment Plan Section Number Corrected





structural form within the Redevelopment Area.

- C. While certain specific uses permitted under the Town Center Plan for the lands designated herein as the Freedom Village Parcel differ from those permitted under the Redevelopment Plan, as modified by This Amendment, the overall character of uses permitted under the Redevelopment Plan, as modified by This Amendment, do not materially differ from the overall character of uses permitted by TC-2 zoning prior to the adoption of the Redevelopment Plan and This Amendment.

Similarly, while certain site and building design regulations under the Town Center Plan for the lands designated herein as the Freedom Village Parcel differ from the Building Limit Controls, Architectural Controls and other provisions of the Redevelopment Plan, as modified by This Amendment, the overall character the of development regulations under the Redevelopment Plan, as modified by This Amendment, do not materially differ from the overall character of the development regulations under TC-2 zoning prior to the adoption of the Redevelopment Plan and This Amendment.

12.7.2 Master Plans of Contiguous Municipalities⁵⁶

Municipalities continuous to Robbinsville are Allentown Borough, East Windsor Township, Hamilton Township, Millstone Township, Upper Freehold Township and West Windsor Township.

Given the location of the Redevelopment Area within Robbinsville, and the location of the Freedom Village Parcel within the Redevelopment Area, the activities

anticipated under this Redevelopment Plan may only be expected to have an impact on Hamilton Township. And as a practical matter, such impact, to the extent that any exist, are not expected to be significant.

As detailed in §12.7.1C. and D.⁵⁶ of the Redevelopment Plan and §12.7.1C. of This Amendment, while certain specific uses and development regulations of the Redevelopment Plan and This Amendment differ from those of the Town Center Plan, the overall character of development proposed for the Freedom Village Parcel does not materially differ from the overall character of development envisioned for this section of the Township under TC-2 zoning, which has been in place since 1997.

Additionally, given the location of the Freedom Village Parcel within the Redevelopment Area, the activities anticipated under This Amendment are not expected to have a material impact on Hamilton Township.

Accordingly, there is no change in the relationship of the Redevelopment Plan, as modified by This Amendment, to the Master Plan of Hamilton Township beyond that which existed prior to the adoption of the Redevelopment Plan and this Amendment.

12.7.3 Mercer County Master Plan⁵⁶

For the same reasons detailed in §12.7.2 herein, there is no change in the relationship of this Redevelopment Plan, as modified by This Amendment, to the Mercer County Master Plan beyond that which existed prior to the adoption of the Redevelopment Plan or This Amendment.

12.7.4 State Development & Redevelopment Plan⁵⁶





For the same reasons detailed in §12.7.2 herein, there is no change in the relationship of this Redevelopment Plan, as modified by This Amendment, to the State Plan beyond that which existed prior to the adoption of the Redevelopment Plan or This Amendment.

12.8 Inventory of Existing Affordable Housing Units to be Removed⁵⁷

The Freedom Village Parcel consists entirely of vacant land. There is therefore no housing, affordable or otherwise, to be removed. This provision does not apply.

12.8.5 Plan for Affordable Replacement Housing^{56, 58}

The Freedom Village Parcel consists entirely of vacant land. There is therefore no housing, affordable or otherwise, for which replacement is required. This provision does not apply.

Such applicability notwithstanding, all Freedom Village units will be affordable to very low, low and moderate income families under New Jersey’s Affordable Housing regulations.

12.8.6 Provision of Affordable Housing^{56, 59}

In accordance with the Township’s July 2017 Housing Element & Fair Share Plan, all Freedom Village units will be affordable to very low, low and moderate

income families under New Jersey’s Affordable Housing regulations.

12.9 Relationship to Pertinent Municipal Development Regulations⁶⁰

12.9.1 The relationship of the Redevelopment Plan to pertinent municipal development regulations is outlined in Redevelopment Plan §7.0 and §12.0. Changes in such relationship, to the extent that any may exist, are addressed in the same sections of This Amendment.

12.9.2 The Ordinance adopting the Redevelopment Plan contained language indicating that the Plan was an explicit amendment to the Township’s Zoning District Map and the land use and development provisions of the Township Code, including the sections of the Town Center Plan applicable to the Redevelopment Area. Upon adoption, the Township’s Zoning Map was modified to reflect the Redevelopment Plan.

Any Ordinance adopting This Amendment shall contain language indicating that This Amendment is an explicit amendment to the Redevelopment Plan. No modifications to the Township’s Zoning Map are necessary as a result of This Amendment.

12.10 Consistency with Municipal Master Plan⁶¹

12.10.3 While certain specific uses and development regulations of the Redevelopment Plan and This Amendment differ

⁵⁷ N.J.S.A. 40A:12A-7a.(6)

⁵⁸ N.J.S.A. 40A:12A-7a.(7)

⁵⁹ N.J.S.A. 40A:12A-7b.

⁶⁰ N.J.S.A. 40A:12A-7c

⁶¹ N.J.S.A. 40A:12A-7d





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from those of the Town Center Plan, the Redevelopment Provisions included in the Redevelopment Plan and This Amendment retain the overall character of development proposed for the Redevelopment Area by the Town Center Plan.

Accordingly, the Redevelopment Plan and This Amendment are fully consistent with and designed to effectuate the Township's 2000 Master Plan, the 2007 Periodic Master Plan Reexamination, the 2008 / 2009 Periodic Reexamination Amendment and the Town Center Plan (if not certain specific Town Center Zoning

& Design Regulations).



13.0 EFFECTIVE DATE, DURATION OF PROVISIONS & AMENDMENT PROVISIONS

13.1 Effective Date

The Effective Date of the Redevelopment Plan was April 16, 2012 (the date the Ordinance adopting the Plan became effective).

The Redevelopment Plan Amendments are detailed in §3.1.7 herein.

The Effective Date of This Amendment will be the date the Ordinance adopting This Amendment becomes effective.

13.2 Duration of Provisions

13.2.1 Subject to the provisions of §14.0 herein, the Redevelopment Plan, as amended from time-to-time, shall be in effect for a period of ten (10) years from the April 2012 Effective Date; unless however, there is a portion of a Redevelopment Project or Independent Component thereof which has commenced construction but has yet to receive a Certificate of Completion & Compliance. In such case, this Redevelopment Plan shall remain in effect for any such area until the issuance of said Certificate of Completion & Compliance.

13.2.2 The duration of the Parcel A., Parcel B. and Parcel C. Amendments to the Redevelopment Plan shall be in effect as provided for in each such Amendment, subject to the Certificate of Completion & Compliance process as indicated.

13.2.3 The duration of this Freedom Village Amendments to the Redevelopment Plan shall be in effect for a period of five (5) years from the Effective Date of This Amendment, subject to the Certificate of Completion & Compliance process as indicated.

14.0 CERTIFICATE OF COMPLETION & COMPLIANCE

14.1 Upon completion of construction of the Redevelopment Project or any Independent Component thereof, and at the request of the Redeveloper, the Governing Body⁶² shall issue the Redeveloper a Certificate of Completion & Compliance for said Project or said Independent Component thereof, certifying that the Project, or the Independent Component thereof, was completed in accordance with the Redevelopment Plan as amended by This or other Amendment, the Redevelopment Agreement and the Project Plans approved by the Planning Board as part of the Site Plan Review & Approval process;⁶³ and further certifying that all applicable provisions of the Redevelopment Agreement, including provisions related to N.J.S.A. 40A:12A-9a, have been satisfied.

Each such request made by the Redeveloper shall be accompanied by as-built plans of the Redevelopment Project or Independent Component thereof which is subject of the request, prepared, signed and sealed by the appropriate design professional, depicting the final constructed configuration of the Redevelopment Project or Independent Component thereof.

14.2 Upon the issuance of the final such Certificate of Completion & Compliance for the final Component of the Redevelopment Project, the conditions determined to exist at the time the specific portion of the Redevelopment Area was declared to be In Need of

Redevelopment shall, by definition, no longer exist. At such time, the controls contained in the Redevelopment Plan for such portion of the Redevelopment Area, as amended by This or other Amendment, with the exception of the Development Regulations (§7.4), Architectural Controls (§7.5) and the Equal Opportunity provisions (§11.0), shall terminate and the subject portion of the Redevelopment Area shall revert to such Township Zoning as may be adopted at that time pursuant to N.J.S.A. 40:55D-1 et seq.

14.3 Similarly, upon the issuance of the final such Certificate of Completion & Compliance for the final Component of the Redevelopment Project, or at the expiration of the Redevelopment Plan as amended by This or other Amendment, pursuant to §13.2 herein, whichever shall occur last, the conditions determined to exist at the time the entirety of the Town Center South Redevelopment Area was declared to be In Need of Redevelopment shall, by definition, no longer exist. At such time, the controls contained in this Redevelopment Plan, as amended by This or other Amendment, with the exception of the Development Regulations (§7.4), Architectural Controls (§7.5) and the Equal Opportunity provisions (§11.0), shall terminate and the entirety of the Redevelopment Area shall revert to such Township Zoning as may be adopted at that time pursuant to N.J.S.A. 40:55D-1 et seq.

⁶² acting in its capacity as Redevelopment Entity for the Redevelopment Plan.

⁶³ Including, but not limited to, improvements not covered by the Certificate of Occupancy, e.g., public improvements, landscaping, etc.



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- 14.4 The Redeveloper, at its discretion, may waive the procedure described in §14.2 in favor of the procedure described in §14.3.
- 14.5 Unless otherwise addressed by an affirmative action of the Governing Body, the appropriate sections of the Township Code and the Town Center Plan shall hereby be amended to include the Redevelopment Provisions (§7.0) of this Redevelopment Plan, as amended by This or other Amendment, which shall survive the expiration of this Plan and any Amendments thereto.



15.0 SCHEDULE OF EXHIBITS

The scale, massing, layout and architecture ~ i.e.,
Design Aesthetic and Architectural Vocabulary ~ for
Freedom Village are graphically depicted on:

EXHIBIT PF-1

EXHIBIT PF-2

EXHIBIT PF-3

EXHIBIT PF-4

Exhibit PF-1



Exhibit PF-2



Exhibit PF-3

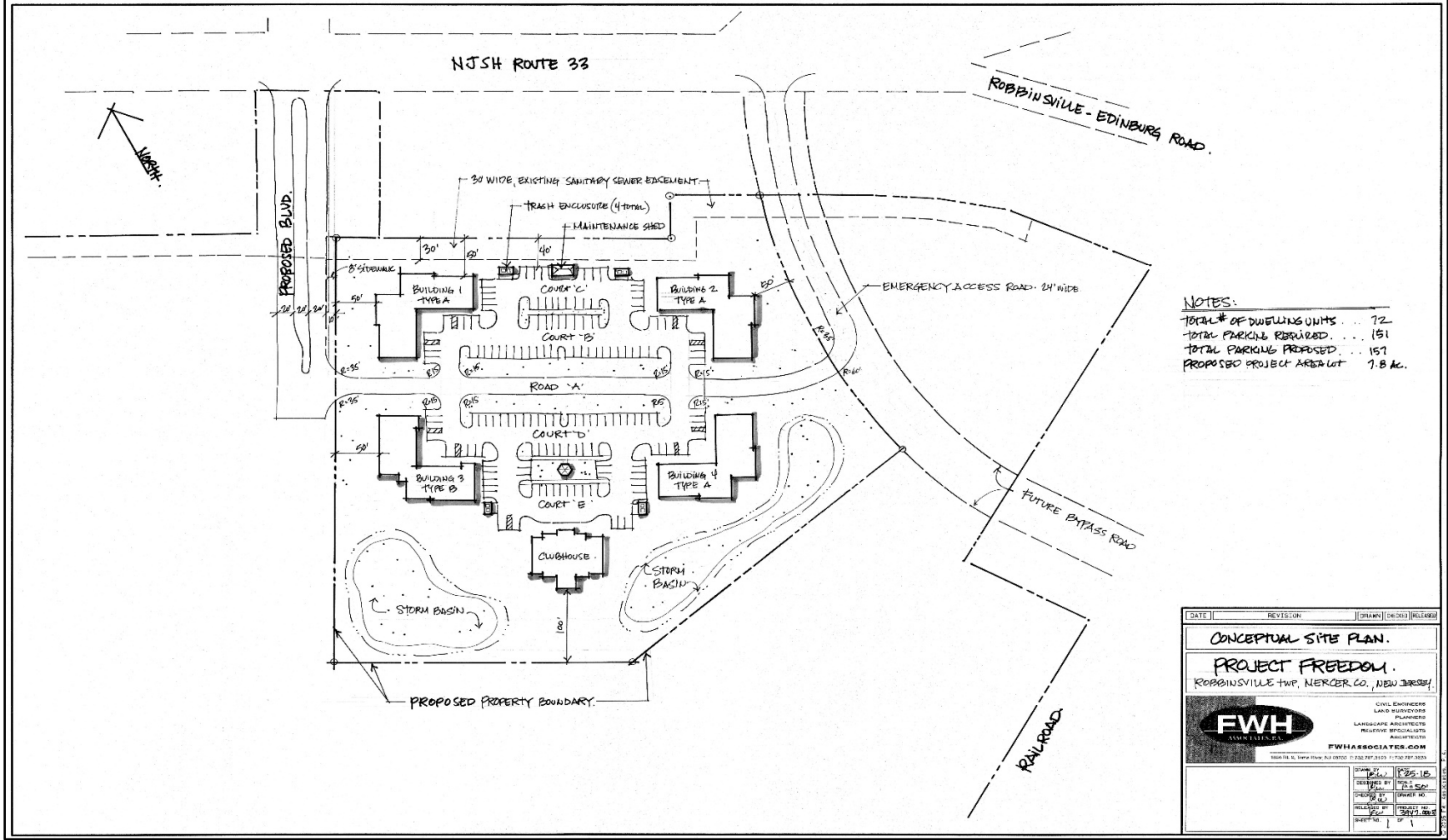


**Project
Freedom**

FREEDOM VILLAGE ROBBINSVILLE, NEW JERSEY



Exhibit PF-4



NOTES:
 TOTAL # OF DWELLING UNITS ... 72
 TOTAL PARKING REQUIRED ... 151
 TOTAL PARKING PROPOSED ... 157
 PROPOSED PROJECT AREA LOT 7.8 AC.

DATE	REVISION	DRAWN	CHECKED	RELEASED
CONCEPTUAL SITE PLAN.				
PROJECT FREEDOM.				
ROBBINSVILLE TWP, MERCER CO., NEW JERSEY				
FWH ASSOCIATES, P.A.		CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS PLANNING SPECIALISTS ARCHITECTS		
FWH ASSOCIATES.COM		PROJECT NO. 2017-0001 SHEET NO. 1		