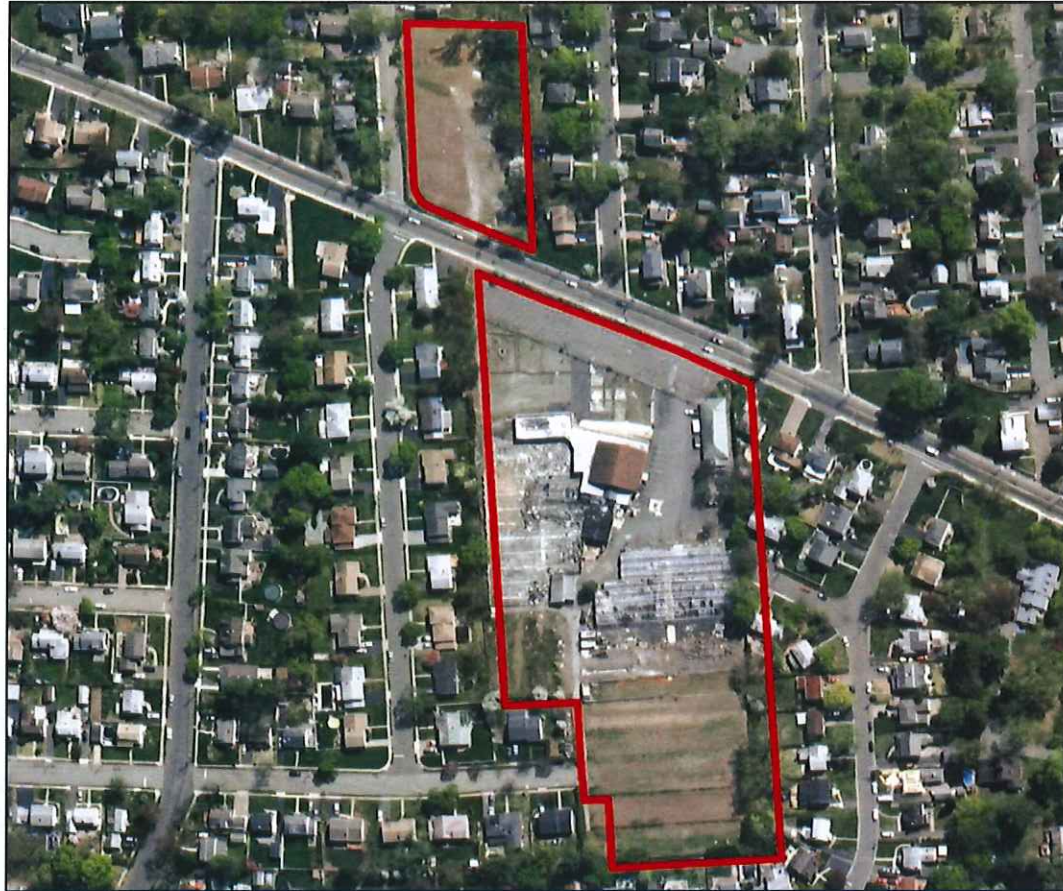


## BOROUGH OF DUMONT, NEW JERSEY



## REDEVELOPMENT PLAN FOR BLOCK 212, LOT 20 AND BLOCK 215, LOT 1

SEPTEMBER 2016



# REDEVELOPMENT PLAN FOR BLOCK 212, LOT 20 AND BLOCK 215, LOT 1

Recommended by the Planning Board: September 27, 2016

Adopted by the Mayor and Council:

Prepared by:

\_\_\_\_\_  
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NJ Planner's License #33L100144300



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## **I Introduction**

### Need for Redevelopment

This redevelopment plan has been prepared for the former D'Angelo Farms property in Dumont, New Jersey. The Redevelopment Area consists of two lots on opposite sides of Washington Avenue between Larch Avenue on the south and Delong Avenue on the north. Block 212, Lot 20 to the west of Washington Avenue is approximately 6 acres in size while Block 215, Lot 1 to the east of Washington Avenue is approximately 1 acre in size. D'Angelo Farms ceased operation as a garden center in the fall of 2013 and is currently under contract to be purchased by Landmark Dumont, LLC.

Landmark Dumont, LLC filed a complaint in lieu of prerogative writ for declaratory and injunctive relief seeking a builder's remedy on February 4, 2014. Subsequently on March 8, 2016, Landmark and the Borough of Dumont entered into a Settlement Agreement. In furtherance of that Settlement Agreement the Mayor and Council by resolution dated May 17, 2016 directed the Joint Land Use Board of the Borough of Dumont to conduct a preliminary investigation to determine whether Block 212, Lot 20 and Block 215, Lot 1, or any portions thereof, constitute an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5.

At the direction of the Joint Land Use Board a Redevelopment Study Area Determination of Need report was prepared by Maser Consulting, the Land Use Board's professional planning

consultant. This report recommended that the Borough of Dumont find that the subject Study Area qualifies for designation as an Area in Need of Redevelopment. The Borough Council considered the recommendation of the Maser Consulting report and found that the Study Area be designated an area in need of redevelopment. This designation was by way of resolution dated August 16, 2016. The Borough Council on that same date authorized Maser Consulting to prepare a Redevelopment Plan for the Redevelopment Area which consists of Block 212, Lot 20 and Block 215, Lot 1.

### Required Plan Components

This document has been prepared in accordance with Section 40A:12A-7a of the Local Redevelopment and Housing Law (LRHL) which requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the designated area. Specifically:

1. The Redevelopment Plan's relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area,

including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

4. An identification of any property within the area, which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities; the master plan of the county in which the municipality is located; and the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.).
6. Description of the plan's relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law (MLUL). The plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the study area.
7. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.

## **II      Redevelopment Plan Area**

The Redevelopment Plan area consists of two lots on opposite sides of Washington Avenue between Larch Avenue on the south and Delong Avenue on the north. The street addresses of the lots are 511 and 546 Washington Avenue. Block 212, Lot 20 to the west of Washington Avenue is approximately 6 acres in size while Block 215, Lot 1 to the east of Washington Avenue is approximately 1 acre in size (see the maps at the end of the report). Both lots were utilized by D'Angelo Farms for over 90 years, first as a farm operation and most recently as a garden center.

Lot 20 contains the remains of structures that were used as part of the garden center operation including a retail sales building, former greenhouses and garages as well as open areas that were used for crop production. Lot 1 is a vacant weed-covered lot that was used in the past primarily for crop production although at one point in time it contained a dwelling and greenhouses. Lot 20 is an irregular shaped rectangular lot. The eastern side of Lot 20 has approximately 400 feet of frontage on Washington Avenue and a lot depth that exceeds 700 feet. Elizabeth Street to the south and Stratford Road to the north are adjacent streets that stub at Lot 20.

Lot 1 is also an irregularly shaped rectangle. It is in the southeast quadrant of the intersection of Delong Avenue and Washington Avenue. The lot has approximately 250 feet of frontage on Delong Avenue and 160 feet of frontage on

Washington Avenue. The mean depth from Washington Avenue is approximately 300 feet. Both Lot 20 and Lot 1 are surrounded by single-family residential uses on lot sizes which on average are 7,500 square feet each.

### **III Plan Goals and Vision**

The Redevelopment Plan Goals and Vision are to provide the opportunity for affordable housing to low and moderate income persons and families in the Borough of Dumont by effectuating the provisions of the settlement agreement between Landmark Dumont, LLC and the Borough of Dumont. The Redevelopment Plan will provide for market rate housing and affordable housing at a density that supports the provision of affordable housing in a well-conceived multi-family complex that is not out of character with the residential attributes of the Borough. The proposed density is slightly higher than the Multifamily Residential “RB” District, which permits 15 units to the acre presently.

### **IV Relationship to Master Plan**

The Redevelopment Plan is consistent with and effectuates the Borough of Dumont Housing Element and Fair Share Plan (HEFSP) dated September 12, 2016, which is to be adopted concurrent with this Redevelopment Plan. The HEFSP specifically provides for the provision of 124 market-rate multi-family units on Block 212, Lot 20 and 22 affordable multi-family units on Block 215, Lot 1.

### **V Relationship to Other Plans**

#### State Strategic Plan

The most recent State Strategic Plan, released in October of 2011, outlines goals and principles for targeting investment and growth in the State of New Jersey. This Redevelopment Plan is consistent with the stated goals and objectives of the State plan. Specifically, this Plan follows the guiding principle of 'spatial efficiency', which will help guide State decision making. The State of New Jersey endorses spatial efficiency by placing value on the economic, social and environmental benefits of investing in areas where infrastructure already exists in an effort to control long-term costs of public services, re-invigorate existing communities, and protect important natural resources.

The State Strategic Plan also identifies Garden State Values, many of which are consistent with this Plan. For instance, Garden State Value #1 is to concentrate and mix uses, while Garden State Value #2 is to prioritize redevelopment and infill development around existing infrastructure.

#### Bergen County Master Plan

The most recent Bergen County Master Plan is over 40 years old and is considered outdated. A new plan is in the process of being prepared. As part of this process a visioning component of the Master Plan was prepared in June 2011 and a document entitled “Vision Bergen” was released. This document notes that “Because Bergen is a mature county in terms of its

development pattern, future growth will primarily occur through redevelopment and infill". The proposed Redevelopment Plan is consistent with this trend.

#### Adjacent Municipalities

There are no adjacent municipalities that abut the Redevelopment Area. The proposed Redevelopment Plan because of its location and limited nature will have little to no impact on adjacent municipalities.

## **VI Redevelopment Plan**

This chapter of the Redevelopment Plan provides the process and land use requirements for the redevelopment of the Redevelopment Area.

#### Land Use and Development Requirements

A. Permitted Principal Uses: Multi-family residential dwellings

B. Permitted Accessory Uses:

- Attached garages for automobiles
- Off-street parking
- Clubhouse, pools and recreational/fitness amenities for use by residents and their guests
- Fences, fence walls, retaining walls
- Trash enclosures
- Signs

- Other accessory uses which are customary and incidental to the permitted principal uses

#### C. Bulk Requirements:

	Block 212, Lot 20	Block 215, Lot 1
Minimum Lot Area	6 acres	1 acre
Minimum Setback to Buildings		
Front Yard Setback	25 feet	15 feet
Rear Yard Setback	25 feet	15 feet
Side Yard Setback	25 feet	15 feet
Minimum Setback to Parking Spaces	10 feet	10 feet
Maximum Impervious Coverage	70%	70%
Maximum Building Coverage	35%	25%
Maximum Building Height*	3 stories/35 feet	3 stories/42 feet
Maximum Density**	22 units/acre	22 units/acre

\*Except that up to 50% of the units may be contained in a building up to 42 feet in height.

\*\*Up to a maximum of 146 residential units.

#### D. Parking

Off-street parking shall be provided in accordance with the New Jersey Residential Site Improvement Standards (RSIS).

## E. Landscape and Buffer Requirements

1. Street trees shall be provided along all lot frontages on municipally-owned streets and along all access drives consistent with the following:

- a. Trees of the following species shall be planted forty (40) feet on center:

Regent scholar tree  
Chinese elm  
October glory red maple  
Rosehill ash  
Katsure tree  
Maidenhair tree  
Shademaster locust  
Coffee tree  
Greenspire linden  
Village green zelkova  
Patmore ash  
Red sunset maple

- b. Trees of the following species shall be planted fifty (50) feet on center:

Green mountain sugar maple  
London plane tree  
Red oak  
Sovereign pin oak

- c. Trees shall be a minimum of three (3) inches caliper at time of planting.

### 2. Parking Area Shade Trees:

- a. Shade trees as listed in Section E.1. above shall be provided at the rate of one (1) tree per every ten (10) parking spaces. This does not include any off-street parking space provided in a garage. Such trees may be provided within or adjacent to such off-street parking areas.

- b. For the purposes of counting shade trees in accordance with the above, any tree planted within landscape islands internal to parking areas and any tree planted within ten (10) feet of the perimeter curbing of a parking area shall qualify as a parking area shade tree.

- c. Trees shall be a minimum of three (3) inches caliper at time of planting.

### 3. Tract Buffer

- a. A tract buffer shall be provided around the perimeter of Block 212, Lot 20 that is an average of twenty (20) feet in width and a minimum of ten (10) feet in width. A tract buffer shall be provided



around the perimeter of Block 215, Lot 1 that is an average of fifteen (15) feet in width and a minimum of ten (10) feet in width.

- b. Buffer plantings shall consist of a combination of shade trees, evergreen trees, ornamental trees and shrubs to provide a natural looking buffer while providing a visual screen.
- c. Buffer plants shall be the following size at the time of planting:
  - (1) Shade trees shall be planted at a minimum three (3) inch caliper and shall be a minimum of ten (10) feet in height, balled and burlapped.
  - (2) Evergreen trees shall be planted at a minimum height of seven (7) feet, balled and burlapped.
  - (3) Ornamental trees shall be planted at a minimum two (2) inch caliper and shall be a minimum of six (6) feet in height, balled and burlapped.
  - (4) Shrubs shall be of a variety that matures at a minimum height of six (6) feet and shall be planted at a minimum of thirty (30) inches in height. At least fifty percent (50%) of shrubs shall be evergreen.

- d. Shade trees shall be considered deciduous trees that mature to a height of fifty (50) or greater feet. Evergreen trees shall be considered trees which mature to a height of forty (40) or more feet and have a mature width of over ten (10) feet. Should narrower varieties of evergreens be proposed for buffer plantings, additional plants shall be required to achieve a visual screen.
- e. Existing trees within the proposed buffer areas that are healthy shall be retained.
- f. Proposed buffer plantings shall be arranged in a naturally staggered pattern and shall not be lined up in straight, single rows.

#### F. Lighting Standards

- 1. Low-pressure sodium or mercury vapor lighting is prohibited.
- 2. Parking area lighting shall comply with the following standards:
  - a. Lighting fixtures shall be no more than sixteen (16) feet in height.

- b. An average of one (1.0) footcandle shall be maintained within parking areas and along all sidewalks.
- c. Parking area fixtures shall be full cut off or have shields to prevent light spillage on adjacent properties. Footcandles shall be limited to a maximum of one-half (0.5) footcandle at the property line where the Redevelopment Area abuts existing single-family residences.
- d. No lighting fixtures shall be within ten (10) feet of the property line.

#### G. Building Design Standards

##### 1. Architecture

- a. All building facades shall consist of brick, stone, cast stone, stucco, simulated stucco, cedar shakes or other high-quality materials such as Hardiplank, cementitious boards, cultured stone, etc.
- b. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies and recesses shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly,

dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

(1) The maximum spacing between building wall offsets shall be sixty (60) feet.

(2) The minimum projection or depth of any individual vertical offset shall not be less than one (1) foot.

- c. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.
- d. Gable and hipped roofs shall be used. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.
- e. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
- f. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.

g. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

h. Trash enclosures:

(1) Trash enclosures shall not be visible from any public street.

(2) All trash enclosures shall be screened by a solid masonry wall on three (3) sides and heavy-duty gate closures on the fourth side.

(3) All trash enclosures shall be surrounded by a mixture of deciduous and evergreen plant species that are a minimum of six (6) feet at the time of planting.

#### H. Signage standards

The following signage is permitted:

#### Monument Signs:

1. One (1) monument sign shall be permitted per parcel to identify the residential development.
2. The total area of the monument sign, including the sign face and support structure shall be limited to forty (40) square feet.
3. The height of the sign shall not exceed a height of five (5) feet above the grade.
4. Monument signs shall be set back a minimum of ten (10) feet from any property line.
5. A double-faced sign shall be counted as one (1) sign.
6. Monument signs may be illuminated by shielded floodlights only.

#### I. Affordable Housing Requirements

Within the Redevelopment Area 15% (22 units) of the total number of units (146) in the development shall be set-aside as affordable units. All affordable units shall be located on Block 215, Lot 1.

Affordable units shall comply with the current Fair Housing Act and the Uniform Housing Affordability Controls and shall be deed restricted for a minimum of thirty (30) years.

The developer/property owner shall be responsible for retaining a qualified Administrative Agent to manage their affordable housing program.

**J. Traffic Study**

The Applicant shall submit a traffic study that shows traffic patterns on-site and off-site.

**K. Access**

A copy of any and all development applications shall be submitted to the Borough of Dumont Fire Chief. Secondary means of access shall be at the discretion of the Fire Chief.

**VII Plan Relationship to Zoning**

- A. The provisions of this Redevelopment Plan shall supersede all existing Zoning and Development Regulations of the Borough of Dumont in accordance with New Jersey's Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7.c). In particular, the provisions of §350-8 and 9 and §455-12, 17 and 18 of the Borough of Dumont

Ordinance shall not apply to properties located in the Redevelopment Area.

The official Zoning Map of the Borough of Dumont is hereby amended to designate the Redevelopment Area, which consists of the following Lots and Blocks, as the "Redevelopment Plan 1 District" or RPI District: Blocks 212, Lot 20 and Block 215, Lot 1.

**B. Terms and Definitions**

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of the Borough of Dumont. The Redevelopment Plan specifically defines:

Building height – The vertical distance between the average finished ground elevation around the foundation of the building and the elevation of the highest point of the building if the roof is flat or, in the case of sloping roofs, to a point half the distance between the rafter plate and the upper most point of the roof, inclusive of any parapet.

Impervious coverage – the area of a lot covered by impervious surfaces.

Lot area – the total area within the lot lines of a lot. To the extent that any property owner contributes, without consideration, lands for a county or municipal road

improvement, all calculations utilizing the lot area shall be determined by the area of each respective lot prior to the contribution of lands for the stated purpose.

C. Other Applicable Design and Performance Standards

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Zoning Ordinance of the Borough of Dumont.

## **VIII Redevelopment Plan Provisions and Procedures**

This section of the Redevelopment Plan provides the general provisions, including review process.

### **General Provisions**

#### **Relocation**

No relocation of existing residential units is proposed. Therefore, no relocation assistance is necessitated by the Redevelopment Plan.

#### **Properties to be Acquired**

No properties are proposed to be acquired by the Borough in association with this Redevelopment Plan.

#### **Waivers from Redevelopment Plan Requirements**

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be

necessary in certain circumstances for the effective redevelopment of the Redevelopment Area, or to meet state or federal permit requirements. In such an instance, the Joint Land Use Board may waive specific bulk, parking or design requirements, provided the designated redeveloper demonstrates that such waiver is necessary and will not substantially impair the intent of the Redevelopment Plan and will not present any detriment to the public health, safety and welfare.

### **Review Procedures**

The review procedures for this Redevelopment Plan are as follows:

- The Mayor and Council, acting as the Redevelopment Entity, shall be provided with plans for all proposed redevelopment projects within the Redevelopment Area governed by this Redevelopment Plan to ensure that such project(s) is consistent with the Redevelopment Plan and relevant redeveloper agreement(s). The Redevelopment Entity may provide comments to the Joint Land Use Board on waivers as part of their review. Such review shall occur prior to the submission of the redevelopment project(s) to the Joint Land Use Board for site plan approval.
- In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with

this Redevelopment Plan and relevant redeveloper agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.

- Following the Redevelopment Entity's determination that the submission is consistent with the Redevelopment Plan, all development applications shall be submitted to the Joint Land Use Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. Any and all development applications shall comply with the Settlement Agreement.
- The Joint Land Use Board shall not grant any variances from the use provisions of this Redevelopment Plan. Any proposed changes to the Redevelopment Plan involving permitted land uses shall be in the form of an amendment to the Redevelopment Plan adopted by the Mayor and Council, in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

#### **Payment in Lieu of Taxes (PILOT)**

By designating the subject properties as an area in need of redevelopment, the Borough is given the authority to offer long-term tax abatements as a financial incentive to encourage

redevelopment of the site, in accordance with N.J.A.C. 40A:20-1. Long-term exemptions may be provided for a period of up to 30 years from the completion of the project or up to 35 years from the execution of the financial agreement between the redeveloper and the municipality, whichever is sooner. During that time period, the tax exemption applies only to the value of the new improvements constructed as part of the redevelopment project. It does not apply to the value of the land nor any previously constructed improvements. Any such arrangement will be agreed upon in the redevelopers agreement with the Redevelopment Entity.

#### **IX Amendments and Duration**

##### **Amendments to the Redevelopment Plan**

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

##### **Certificates of Completion & Compliance**

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and



Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area In Need of Redevelopment, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Council.

#### Severability

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

#### Selection of Redeveloper(s)

To assure that the vision of the Redevelopment Plan will be successfully implemented in an effective and timely way in order to promptly achieve the public purpose goals of the Plan, the Redevelopment Entity, will designate the redeveloper(s) for any redevelopment project in the Redevelopment Area. All redeveloper(s) will be required to execute a redevelopment agreement satisfactory to the Mayor and Council as one of the requirements to be designated as the redeveloper(s).

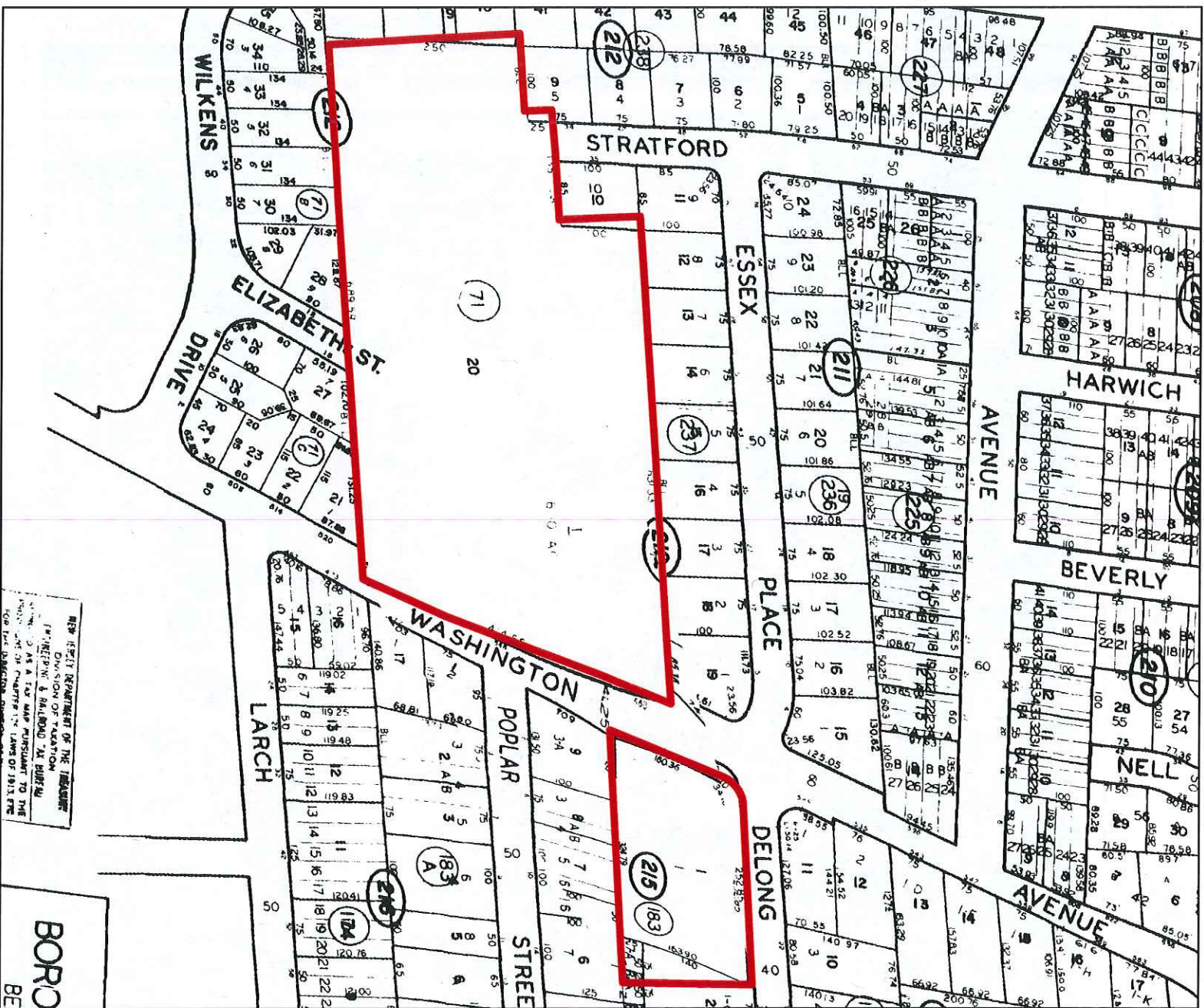
The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.
2. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.
3. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure exclusively related to their project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric, water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated

redeveloper's responsibility will be outlined in the redeveloper's agreements with the Borough. All utilities shall be placed underground.

4. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage Law, where applicable.

In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.



NEW JERSEY DEPARTMENT OF THE TREASURY  
DIVISION OF TAXATION  
PROPERTY & LAND TAX BUREAU  
THIS IS A TAX MAP PURSUANT TO THE  
LAW OF JUNE 15, 1913, ETC.

BORO  
BE

0 45 90 180 270 360  
Feet

1 inch = 180 feet

511 & 546 Washington Ave.

Tax Map

Borough of Dumont  
Bergen County, New Jersey



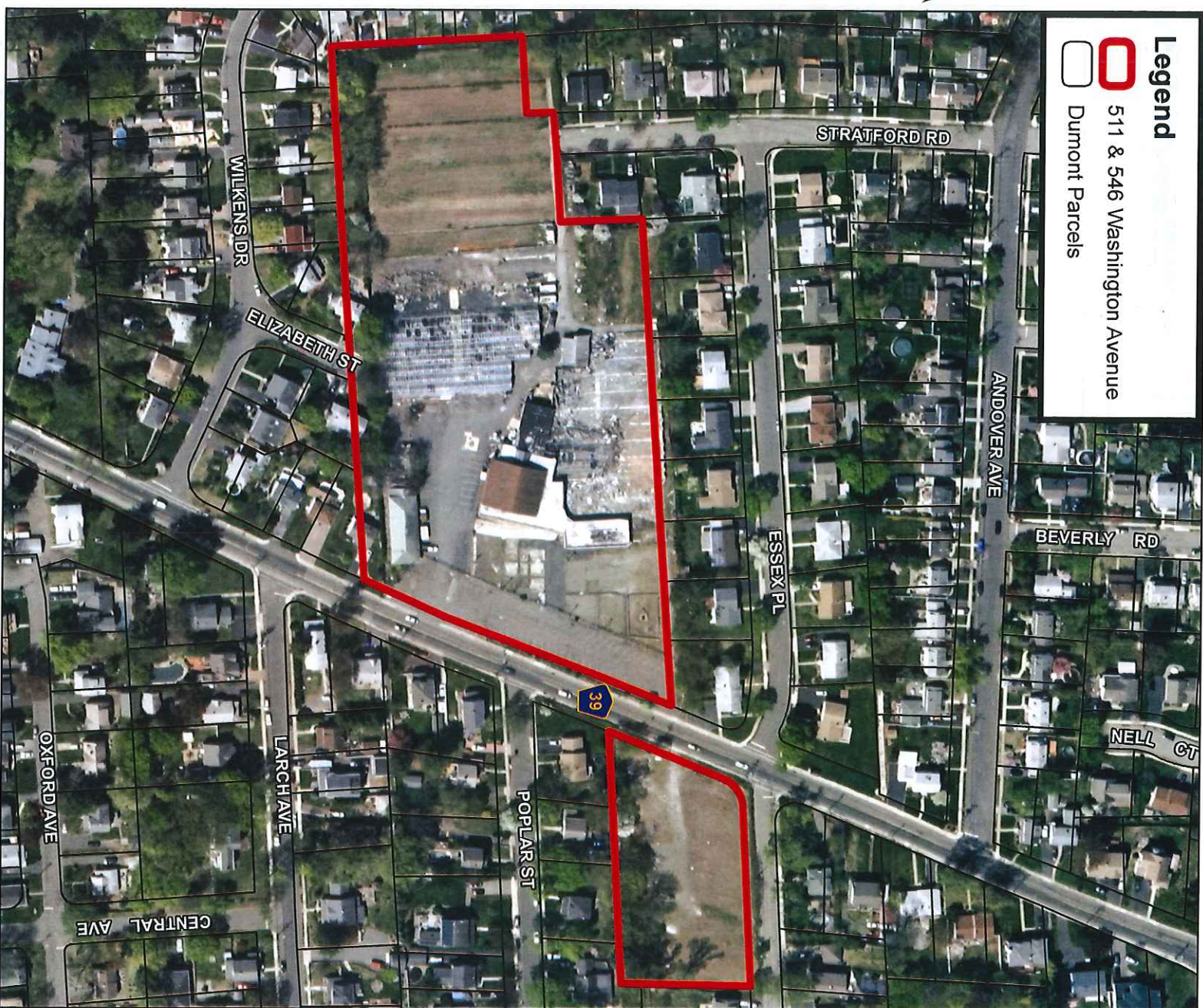
April 2016





### Legend

-  511 & 546 Washington Avenue
-  Dumont Parcels



\\HQFAS\1\Survey\GIS\GISPROJECTS\Municipal\A-D\DT\DT013A\160407dag\_Farm.mxd

0 45 90 180 270 360  
Feet

1 inch = 180 feet

**511 & 546 Washington Ave.**

2015 Aerial Photograph

Borough of Dumont  
Bergen County, New Jersey

